



MISSOULA COMMUNITY PLANNING, DEVELOPMENT & INNOVATION

Development Services Division

435 RYMAN | MISSOULA, MT 59802-4297 | 406.552.6630 | FAX 406.552.6053

August 22, 2022

Kody Swartz
Woith Engineering, Inc
3860 O'Leary Street, Suite A
Missoula, MT 59808

Re: Riverfront Trails Annexation, Rezoning, Growth Policy Amendment, and Subdivision 2nd Sufficiency Review

Dear Kody Swartz,

Development Services received your application packet for the above subdivision for 2nd Sufficiency Review on August 1st, 2022. The sufficiency review deadline is August 22nd, 2022. **Development Services hereby certifies your application packet as sufficient for governing body review.**

The review period begins tomorrow. As per the City of Missoula Subdivision Regulations Article 4 Section 4-030.1.B, within 80 business days of the date of notice of sufficiency, the governing board must approve, conditionally approve, or deny a proposed subdivision containing 50 or more lots, making the review period deadline December 19, 2022.

Please email to me by August 29 the following PDF documents:

1. A replacement cover page that adds "Governing Body Review" and the date "August 22, 2022."
2. An updated application with a new Section – Correspondence - that includes all agency comment received to date including this letter.
3. Two corrections to the NC Overlay are required. Rather than requiring an additional sufficiency review, staff are allowing one week to make the correction for governing body review.
 - C.2 "Where four or more adjoining Lots access a Private Access and Utility Easement, the front façade of each building shall be that which faces the Private Access and Utility Easement." Front Façade is not defined, and a staff person reviewing a building permit would not know how to enforce this code. I believe you are referencing the street-facing façade requirements in Title 20, Section 20.40.140. If this is the case, then the NC Overlay should reference the code section for the townhouse standards and state that all codes applicable to the street facing façade shall be applied to the façade facing the private access and utility easement. If this is not the intent, contact me and we will work on the language.
 - The commentary under the allowed uses table and the residential building types table should be corrected to eliminate the language "by-right on lots indicated within". "Additional uses identified with a "P" in the table above are permitted **by-right-on-Lots indicated** within the overlay sub-districts. Uses identified with a "C" in the table above are permitted conditionally." "Building types identified with a "P" in the table above are permitted **on-lots-indicated** within the overlay sub-districts. Building types identified with a "--" in the table above are not permitted."

Development Services will then replace the pages in the digital packet with the new documents and post them at the City's website. Except for the addition of these materials, the Governing Body Review packet must be exactly the same as the packet that was deemed Sufficient. At this time, I do not know the firm dates of the Planning Board and City Council hearings. I will let you know the dates when those meetings are scheduled.

If you have any additional questions, you may reach me at (406) 552-6673 or email me at TripardC@ci.missoula.mt.us.

Sincerely,

Cassie Tripard

Cassie Tripard, Planning Supervisor
Development Services
Community Planning, Development, & Innovation

cc: Dave DeGrandpre, CPDI
Mary McCrea, CPDI
Eran Pehan, CPDI
Walter Banziger, CPDI
Troy Monroe, PW&M
Steve Reichert, PW&M
Nathan McLeod, Parks & Rec



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Montana Ecological Services Field Office
585 Shepard Way, Suite 1
Helena, Montana 59601-6287



In Reply Refer to:
FWS/IR05/IR07
M29 Federal Activities;
2022-0053843

June 14, 2022

Cassie Tripard
Missoula CPDI
435 Ryman Street
Missoula, Montana 59802

Dear Cassie Tripard:

Thank you for your e-mail, dated and received June 1, 2022, requesting U.S. Fish and Wildlife Service (Service) comment on the Riverfront Trails proposed major Subdivision (Project) in the Miller Creek Neighborhood of Missoula, Missoula County, Montana, consisting of 176 mixed residential lots.

Our comments are prepared under the authority of, and in accordance with, the provisions of the Endangered Species Act (ESA; 16 U.S.C. 1531 et. seq.), Migratory Bird Treaty Act (MBTA; 16 U.S.C. 703 et seq.), and Bald and Golden Eagle Protection Act (BGEPA; 16 U.S.C. 668-668d, 54 Stat. 250). We offer the following comments for your consideration.

Threatened and Endangered Species

The current list of candidate, proposed, threatened or endangered species, and designated critical habitat occurring in Missoula County, Montana is as follows:

*LE=Listed as Endangered, LT=Listed Threatened, P=Proposed, C=Candidate, CH=Critical Habitat

<i>Scientific Name</i>	<i>Common Name</i>	<i>Status*</i>
<i>Lynx canadensis</i>	Canada Lynx	LT
<i>Ursus arctos horribilis</i>	Grizzly Bear	LT
<i>Calidris canutus rufa</i>	Red Knot	LT
<i>Pinus albicaulis</i>	Whitebark Pine	P
<i>Salvelinus confluentus</i>	Bull Trout	LT, CH
<i>Coccyzus americanus</i>	Yellow-billed cuckoo (western pop.)	LT
<i>Danaus plexippus</i>	Monarch Butterfly	C

INTERIOR REGION 5 MISSOURI BASIN

KANSAS, MONTANA*, NEBRASKA, NORTH DAKOTA,
SOUTH DAKOTA

INTERIOR REGION 7 UPPER COLORADO RIVER BASIN

COLORADO, NEW MEXICO, UTAH, WYOMING

*PARTIAL

Additional information may be obtained using the Service's Information for Planning and Consultation (IPaC) project-planning tool, at <https://ecos.fws.gov/ipac/>.

If a Federal agency authorizes, funds, or carries out a proposed action, the responsible Federal agency, or its delegated agent, is required to evaluate whether the action "may affect" listed species or critical habitat. If the Federal agency or its designated agent determines the action "may affect, is likely to adversely affect" listed species or critical habitat, the responsible Federal agency shall request formal section 7 consultation with this office. If the evaluation shows a "may affect, not likely to adversely affect" determination, concurrence from this office is required. If the evaluation shows a "no effect" determination for listed species or critical habitat, further consultation is not necessary. If a private entity receives Federal funding for a construction project, or if any Federal permit or license is required, the Federal agency may designate the fund recipient or permittee as its agent for purposes of informal section 7 consultation. The funding, permitting, or licensing Federal agency is responsible to ensure that its actions comply with the ESA, including obtaining concurrence from the Service for any action that may affect a threatened or endangered species or designated critical habitat.

A Federal nexus exists whenever an activity is conducted, funded, licensed, or permitted by a Federal agency. Private individuals and companies are required to ensure that their actions do not result in "take" of federally listed animals. It is the responsibility of the Federal agency to ensure that its actions are in compliance with the ESA. Further technical assistance can be provided if you have additional questions regarding project impacts to listed species, or future ESA responsibilities.

Bull Trout and Bull Trout Critical Habitat

The project occurs adjacent to the Bitterroot River which is designated critical habitat for the threatened bull trout. The Bitterroot River is within the Columbia Headwaters Recovery Unit and is considered a "complex" core area which contains multiple interacting bull trout local populations that contribute significantly to the viability of the bull trout recovery unit. According to the Project Riparian Management Plan, the riparian area along the northwestern property boundary, encompassing most of the bank of the Bitterroot River will be protected and preserved through the dedication of open space and common space along the Bitterroot River. The subdivision will not create any lots that are wholly or partially within the riparian resource area. Please ensure that appropriate best management practices for stormwater are implemented during construction and use of the Project area to minimize the potential for runoff containing sediment and contaminants to affect this species and its critical habitat.

Migratory Birds

The MBTA prohibits the purposeful taking, killing, possession, and transportation, (among other actions) of migratory birds, their eggs, parts, and nests, except when specifically permitted. If work is proposed to take place in migratory bird habitats that may result in take of migratory birds, their eggs, or active nests, the Service recommends that the project proponent take all practicable measures to avoid and minimize take, such as maintaining adequate buffers, to

protect the birds until the young have fledged. Active nests may not be removed. The Service has developed, and continues to revise and develop, general and industry-specific conservation measures for avoiding and minimizing impacts to birds (<https://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>). We recommend that the proposed project consider and incorporate these measures into project design, construction, and documentation as appropriate.

Bald and Golden Eagles

Montana Natural Heritage Program data indicate that bald eagles (*Haliaeetus leucocephalus*) and golden eagles (*Aquila chrysaetos*) have been documented within and near to the project area. Your analysis should consider any potential effects of the Project to bald or golden eagles. We provide the following information to assist you in considering such potential effects.

The bald eagle and golden eagle are protected from a variety of harmful actions via take prohibitions in both the MBTA (16 U.S.C. 703-712) and the BGEPA. The BGEPA, enacted in 1940 and amended several times, prohibits take of bald eagles and golden eagles, including their parts, nests, young or eggs, except where otherwise permitted pursuant to Federal regulations. Incidental take of eagles from actions such as electrocutions from power lines or wind turbine strikes are prohibited unless specifically authorized via an eagle incidental take permit from the Service.

BGEPA provides penalties for persons who "take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or any manner, any bald eagle ... [or any golden eagle], alive or dead, or any part, nest, or egg thereof." The BGEPA defines take to include the following actions: "pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb." The Service expanded this definition by regulation to include the term "destroy" to ensure that "take" also encompasses destruction of eagle nests. Also, the Service defined the term disturb which means to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, (1) injury to an eagle, (2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or (3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior.

The Service has developed guidance for the public regarding means to avoid take of bald and golden eagles:

- The 2007 National Bald Eagle Management Guidelines serve to advise landowners, land managers, and others who share public and private lands with bald eagles when and under what circumstances the protective provisions of BGEPA may apply. They provide conservation recommendations to help people avoid and/or minimize such impacts to bald eagles, particularly where they may constitute "disturbance," which is prohibited by the BGEPA.

<https://www.fws.gov/northeast/ecologicalservices/pdf/NationalBaldEagleManagementGuidelines.pdf>

The Service also has promulgated new permit regulations under BGEPA:

- New eagle permit regulations, as allowed under BGEPA, were promulgated by the Service in 2009 (74 FR 46836; Sept. 11, 2009) and revised in 2016 (81 FR 91494; Dec. 16, 2016). The regulations authorize the limited take of bald and golden eagles where the take to be authorized is associated with otherwise lawful activities. These regulations also establish permit provisions for intentional take of eagle nests where necessary to ensure public health and safety, in addition to other limited circumstances. The revisions in 2016 included changes to permit issuance criteria and duration, definitions, compensatory mitigation standards, criteria for eagle nest removal permits, permit application requirements, and fees in order to clarify, improve implementation and increase compliance while still protecting eagles. <https://www.gpo.gov/fdsys/pkg/FR-2016-12-16/pdf/2016-29908.pdf>

The Service's Office of Law Enforcement carries out its mission to protect eagles through investigations and enforcement, as well as by fostering relationships with individuals, companies, industries and agencies that have taken effective steps to avoid take, including incidental take of these species, and encouraging others to implement measures to avoid take. The Office of Law Enforcement focuses its resources on investigating individuals and entities that take eagles without identifying and implementing all reasonable, prudent and effective measures to avoid that take.

Those individuals and entities are encouraged to work closely with Service biologists to identify available protective measures, and to implement those measures during all activities or situations where their action or inaction may result in the take of an eagle(s).

In addition to the above guidance, the 2010 Montana Bald Eagle Management Guidelines: An Addendum to Montana Bald Eagle Management Plan (1994) developed by Montana Fish, Wildlife and Parks (FWP) also provides guidance for avoiding and minimizing the risk for bald eagle take (<http://fwp.mt.gov/fwpDoc.html?id=44181>).

Additional Comments

If wetlands will be affected by the project, the Service recommends keeping wetland disturbances to the minimum extent and duration possible, with as much occurring "in the dry" as possible. This would reduce impacts to aquatic species relative to disturbance and sediment inputs. We also recommend that appropriate erosion and sediment control efforts and measures be implemented during and following construction to avoid introducing sediments or other contaminants to adjacent waters.

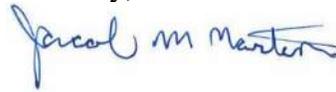
In addition to coordination with the Service, we recommend coordination with FWP and the Montana Natural Heritage Program. These agencies may be able to provide updated, site-specific information regarding fish, wildlife, and sensitive plant resources occurring in the proposed project area. Contact information for these two agencies is below:

Montana Fish, Wildlife and Parks
1420 East Sixth Avenue
P.O. Box 200701
Helena, Montana 59620-0701
Phone: (406) 444-2535

Montana Natural Heritage Program
1515 East 6th Avenue, Box 201800
Helena, Montana 59620-1800
Phone: (406) 444-5354

Thank you for the opportunity to comment on the proposed project. The Service appreciates your efforts to incorporate fish and wildlife resource concerns into your project planning. If you have further questions related to this letter, please contact Jacob Martin at (406) 430-9007 or jacob_martin@fws.gov.

Sincerely,

A handwritten signature in blue ink that reads "Jacob M. Martin".

for Ben Conard
Acting Office Supervisor

Matt Hammerstein

From: Elena Evans <eevans@missoulacounty.us>
Sent: Wednesday, June 8, 2022 2:03 PM
To: Matt Hammerstein; Cassondra Tripard
Cc: Tracy Campbell
Subject: RE: Riverfront Trails Subdivision - 1st Agency Sufficiency Review

Hi All,

In this area, the Channel Migration Zone aligns with the floodplain areas so much of the development is outside of areas that would be likely to erode in the next 100 years. That being said, this is an area where deposition was driven by deposition and reworking of river sediment. As such, there could be high variability in soils and geology at depth. This is an area of high groundwater. Impervious surfaces, excavation of materials, or connection of lenses of gravel could occur during development or impact houses built in previous phases. Careful consideration is needed, including possibly additional assessment after each phase to determine if and where additional stormwater infrastructure and houses that are not slab on grade may be appropriate, particularly given the addition of stormwater to already high groundwater elevations.

Thank you for the opportunity to comment,
Elena

From: Matt Hammerstein <matt@woitheng.com>
Sent: Wednesday, June 1, 2022 1:56 PM
To: Cassondra Tripard <tripardc@ci.missoula.mt.us>
Cc: Matt Hammerstein <matt@woitheng.com>
Subject: Riverfront Trails Subdivision - 1st Agency Sufficiency Review

Good afternoon,

Please find below a link to the application materials to provide agency sufficiency review comments to Missoula Community Planning, Development, and Innovation (CPDI) for Riverfront Trails, a proposed major subdivision in the Miller Creek Neighborhood of Missoula consisting of 176 mixed residential lots. You are receiving this email invitation because you were indicated as an agency contact or interested party for the subdivision sufficiency review.

[Private Development Projects | Missoula, MT - Official Website](#)

The application materials will be posted to the above webpage today, June 1. The deadline for agency review comment is **June 16, 2022**. The deadline for first sufficiency review is **June 21, 2022**. Please review the application materials and provide any commentary to Cassie Tripard at CPDI (TripardC@ci.missoula.mt.us). You will also receive a mailed copy of this invitation.

Thank you for your time,

MATT HAMMERSTEIN

LAND DEVELOPMENT ENGINEER



3860 O'Leary Street, Suite A
Missoula, MT 59808
Office: (406) 203-9548
Cell: (330) 356-9175

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MEMO

2ND SUFFICIENCY REVIEW SUBMITTAL
AUGUST 1, 2022

TO: CASSIE TRIPARD, DEVELOPMENT SERVICES
FROM: KODY SWARTZ, PE, LSI
DATE: AUGUST 1, 2022
JOB: WEI-2101 RIVERFRONT TRAILS SUBDIVISION
RE: 2ND SUFFICIENCY REVIEW SUBMITTAL
CC:

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY FOR YOUR USE

Dear Ms. Tripard,

Woith Engineering, Inc. received your 1st Sufficiency Review of the Riverfront Trails Subdivision preliminary plat application on June 21, 2022. This letter is intended to outline the revisions that have been made to address the identified deficiencies. Your comments are shown in normal font, with the project team's responses shown in *red italic* font. We have resubmitted electronic copies of only the documents that have changed in response to the sufficiency review comments. We will provide a revised hard copy of the entire packet.

General

- Engineering stated improvements to Lower Miller Creek Rd. will be required by the developer, though there is a cost sharing agreement that must occur given the City project. This will be a memorandum of understanding. Review Engineering's comments, and provide information throughout the packet about Lower Miller Creek Road. Not all insufficient sections in regards to LMC Rd have been noted, though I tried to catch as many as possible (3-020.13.A).

K.6.a.iv.8. in the subdivision application contains clarifying information on the Lower Miller Creek Road project. The developer understands that there is a cost-sharing mechanism for the half-street improvements, with the developer fully responsible for the installation of boulevards and sidewalks along the west frontage of Lower Miller Creek Road, abutting Lots 1, 2, and 176. In addition, we have updated the site and phasing plan to more accurately depict that the boulevards and sidewalks are the responsibility of the developer. We have also added typical sections for Lower Miller Creek Road to

Sheet C7.6, which show which portions of the street section are the responsibility of the developer attributable to the subdivision, whether through direct installation or cost-sharing agreement.

- The packet states the floodplain is shown using base flood elevations. This is not acceptable without a LOMA to show areas have been inadvertently mapped based on BFE. All documents (floodplain maps and plat) must show the effective FIRM boundaries to be sufficient. Cassie has recently received the draft map data as well, and will share shortly to give you insight though the current effective map will still be the regulatory boundary.

We have revised all documents to depict the floodplain boundary using the effective GIS FIRM boundaries, rather than the surveyed base flood elevations.

Parks and Recreation/Storm Water Pond

- Parks agrees that the retention basin (if constructed properly to create a vegetated wetland) has value to the public as wildlife habitat and unique feature in the landscape.
- Stormwater is willing to take over maintenance of the stormwater pond in the open space, and believes they would provide better maintenance over time than an HOA. There are a few options for doing so, so let me know your preference. This likely warrants a meeting and should be decided in sufficiency. The developer may:
 - a. Establish an agreement with City Stormwater to define the responsibilities of Parks and Stormwater for maintenance (3-040.3.1). While Stormwater would be maintaining the pond, surrounding vegetation maintenance and compliance with the riparian plan would be the responsibility of the HOA. This is not the City's preferred option, but is possible.
 - b. Dedicate the Common Area to the City as additional parkland. The City is not willing to purchase the land (though you may follow up with Nathan), however they are offering to take over the common area in order to maintain the vegetation, riparian area, and pond. Typically, Parks would not accept stormwater facilities as parkland, however the design of the pond shows that it could become a recreational amenity and are willing to accept it. This is the City's preferred option and would remove HOA liability for maintaining the Open Space/floodplain.
 - c. Reorient the common area/city parkland lots so that the pond (and river access) is dedicated to the City. This would make the City responsible for maintenance of the riparian area and stormwater pond which is preferable to HOA maintenance.

Note publicly accessible trails would need to be provided to the City parkland.
This is the City's second preference.

The developer has opted for the third option – reorienting the common area/city parkland lots so that the pond and river access are dedicated to the City. We have met with Parks to discuss the details of this option, as well as provided them an exhibit which they discussed internally to provide additional requirements and information. We have addressed those comments, which included ensuring the dedicated City parkland parcel is large enough to satisfy the parkland dedication exclusive of right-of-way, stormwater, and utility easements, removal of the depicted spur trails to the riverbank (to be constructed by Parks), showing the parking lot as a dedicated City parkland parcel, placing the entire riverbank and areas of riparian vegetation within the City parkland parcel, and modifying the boundaries as requested. The revised parkland proposal is shown on the preliminary plat and discussed in Appendix C, Missoula Major Subdivision Application.

- The trails through the common area need to be accessible to the public, but the common area around the trails does not need to be publicly accessible (Article 3, Sections 3-010.7, 3-020.15.C.1, and 3-020.15.F). Place the trails through the common area (if not dedicated to the City) in non-motorized public access easements, connecting to the City parkland and other public access points. Note that the packet states in multiple sections that the full park may be used by the public. Either document the common area may be accessed full by the public, or revise these portions of the packet. Specific pages are called out later in this letter. This is a sufficiency item addressing inconsistencies.

We have depicted the trails through the HOA Common Area tract within 25' wide public trail easements. We have also clarified that the easements are accessible to the public, but it is desired for public users to remain on the trails until reaching the City parkland parcel thus - the remainder of the Common Area parcel outside the easements is not indicated as accessible to the public. We have revised the narratives to clarify that only the City parkland and public trail easements are accessible to the public.

- Trail plans were not provided in full for the park. This is a sufficiency item as they must be reviewed for compliance with the subdivision standards. Note that Article 3, Section 3-020.15.F.2 states trails must be constructed concurrently with other required transportation infrastructure and Section 3-120.3.E requires PUDs to provide developed facilities for recreational purposes. The constructed wetland, weed mitigation, and trail infrastructure will be built by the developer.

We have added a trail plan sheet to the preliminary construction plans. See Sheet C8.2. The developer acknowledges that the stormwater wetland, weed mitigation, and trail infrastructure must be built by the developer, and with Phase 1A. Additional information on the revisions made to the phasing plan is in the responses below.

- The parking lot location for the park does not function well. “The parking lot serving the park needs a fully looped trail within the park in order to function, users should not have to exit the park and walk through the neighborhood in order to return to the parking lot.” Are trails proposed across a bridge over the swale? How will people access the park from the parking lot? Consider its location when designing the trails. One option might be to move the parking lot to be accessed from the wide access off of Meyers Way.

We have relocated the parkland parking lot to be in the wide access off Meyers Way. This eliminates trail crossings of the Maloney Ranch discharge swale. Refer to the new trail plan, Sheet C8.2 of the preliminary construction plans.

- Park Phasing Plan Issues: The parking lot serves the park which is part of Ph 1. The parking lot may not be part of a later phase as shown in the phasing plan. It is part of the park parcel (a lot cannot be platted across two separate phases and all parkland needs to be in Ph. 1). Additionally, the phasing plan does not provide access to the park with Ph. 1 per Article 3, Sections 3-010.7. Access to the parkland will be required with Ph. 1. Engineering has stated access to stormwater facilities is also necessary with Ph. 1. This can be a partial access (two-paved lanes with pedestrian access). Ensure the parking lot serving the park can be accessed with Ph. 1. This information (parking lot, phasing corrections, trail connections) is necessary for sufficient review.

We have updated the phasing plan to show the parkland access within Phase 1A. We have also updated the phasing plan to clarify that access to the parking via two paved travel lanes and an asphalt bike/pedestrian lane will be constructed during Phase 1A. The remainder of the road section will be constructed during Phase 2. Access to the stormwater wetland will be provided via a temporary gravel surface in Tolley Lane and Cassidy Court until these roads are fully constructed in Phase 2.

Preliminary Plat

- Provide dimensions or the proposed width of the drainage easement in the common area for Engineering’s review, Article 5, Section 5-010.4.H.

We have added width dimensions to the proposed drainage easement on the preliminary plat.

- Dedicated parkland means public and common area. The labeling on the plat for open space is not standard and does not properly define ownership. Change to “Common Area” and refine the “Dedicated Parkland” title to something along the lines of “Parkland Dedicated to City” or “City Parkland”.

We have adjusted the labeling on the plat to clarify proposed ownership, as well as adjusted the boundaries and ownership depicted on the preliminary plat to reflect the parkland proposal coordinated with Parks and Recreation on July 21.

Riverfront Trails PUD Subdivision Document

- Page 8, 19, and 21 states the 45 acres of open space are “for the entire Missoula Community to enjoy”. Either provide documentation that the HOA maintained common area will be accessible to the public (not just residents of the subdivision) or revise this statement so it is not misleading.

We have corrected these sentences to clarify that approximately 25 acres of city-owned open space and the public trail easements will be available for the entire community to enjoy, to reflect the finalized parkland dedication proposal.

- Page 8: the last sentence for Gross Density is cut off on the page and does not continue on the next page. While the gross density excluding parkland is helpful for City Council to see, include the actual gross density as well.

The cut off has been corrected, and we have added the full gross density, in addition to the density excluding the city parkland and HOA common area.

- Page 27 and Page 41: “The overlay requests a reduction in minimum lot size...”. This is no longer accurate as the 2019 change to state law got rid of minimum lot sizes. See Title 20, Table 20.05-3 footnote 8 “The minimum parcel area requirement does not apply to lots created through subdivisions approved under MCA § 76-3, parts 5 and 6 after May 6, 2019. Total unit yield is calculated based upon the gross parcel area divided by the minimum parcel area per unit and any applicable hillside density reductions.” Remove this language from page 27 because it is not part of the overlay request (inconsistency).

We have removed these references to reflect the changes to state law and the final Neighborhood Character Overlay.

- Page 31: States there are only reduced setbacks for single family and two-unit townhouses. There are additional lots with reduced setbacks proposed. Update this statement to be consistent with the neighborhood character overlay.

We have corrected this statement to reflect that setback modifications are proposed throughout the development to create the desired neighborhood character.

- Page 31 under #6 and page 46 states there are narrower vehicle lanes. Per the cross sections, two 10-foot drive lanes are provided for each road type which meets the code. Revise this inconsistency as it is important to show the roads are still safe for Fire access. Narrow right-of-way width might be better terminology.

We have corrected these sentences to reflect that the right-of-way will be narrowed for traffic calming, but the vehicle travel lanes will remain the minimum width for fire apparatus.

- Page 32 under #9 states there are “swales incorporated intermittently with in the neighborhood street network. Pages 53 and 54 indicated there are no drainage swales. Correct this inconsistency.

We have removed the reference to the pretreatment swales since they were removed from the design.

- Page 38 states there is not high groundwater and no slopes exceeding 25%. This is incorrect. Correct this inconsistency.

We have corrected this page to reflect that there are very few slopes exceeding 25%, and that, while too high for sumps and basements, the groundwater table does not limit the construction of other infrastructure and buildings.

- Page 39, ensure the slope category map is updated with the correct categories required in the Subdivision regulations.

We have replaced the Slope Category Map shown in this document with the most recent version showing the correct categories.

- Page 47 states “The City will be responsible for the design of upgrades to Lower Miller Creek Road”. This is not accurate as ROW improvements will be required (though Engineering is planning a cost sharing mechanism. See Road Plans Section of this letter).

We have updated this sentence to reflect that the City is designing only some of the upgrades, and the developer is responsible for the design and installation of the sidewalks and boulevard landscaping fronting the subdivision. The cross-sections in the preliminary construction plans show the full extent of each responsibility for design/construction, and which upgrades the developer would be responsible for should the City project not move forward for any reason.

- Page 49: include the proposed street width (Back of curb to back of curb) for the Urban Collector and Urban Local Street. This will provide clear compliance or indicate the need to include the street width in the variation list.

We have corrected these tables to show the proposed street widths in the correct cells.

- Page 50 still has mistakes in the table for Neighborhood Yield Street. The lane width minimum should state 10', not 8'. The 28-foot street width allows for two 10' travel lanes which is required by Fire, and an 8' parking lane. The table currently states there are 8-foot travel lanes, 5-foot parking lanes, and no boulevards which is not accurate.

We have corrected the errors in this table to match the street section in the Preliminary Construction Plans.

- Page 53 and 54: Several streets where bike lanes are proposed per the cross sections (Urban Local) indicate there are no bike lanes in the table. Correct this to align with the rest of the packet. Additionally, under the PUD Subdivision Variation Request line there is information missing. Include all variations (ROW width, street width, varying boulevard width on Neighborhood Streets).

Bike lanes are not proposed on Urban Local Streets per the cross-sections. We have updated the variation request line in the table to include all variances requested.

- Page 55: Building types table. Per the NC Overlay there is a permitted use table, and a permitted residential building types table. They are shown together as building types on page 55. The "use" table should include the Group Living use that is being modified for constituency with the NC Overlay document. See NC Overlay revisions. Staff believe that the NC Overlay should not eliminate the conditional use option for Group Living and Religious Assembly on other lots in the overlay. If you wish to do this, we can look into it further as these two uses are highly regulated at the state level, and you likely cannot restrict them further than the base zoning. Additionally, the use is called "Religious Assembly", not "Assembly and Gathering". Correct this. For the building types table,

there is no labeling for Multi-Dwelling House indicating if it is prohibited or permitted. Revise the language in the last paragraph on this page to differentiate between permitted uses and permitted residential building types.

The table on this page is only intended to give an overview of the modifications to permitted building types. We have updated the table and narrative to reflect this, and indicate that the neighborhood character overlay governs the building type modifications. Use modifications are discussed elsewhere in the packet and governed by the neighborhood character overlay.

- Page 57 Phasing Plan: Note that you can set your phasing deadlines further out to allow yourself flexibility. There is no consequence for filing a plat early, but there are consequences for filing a plat late. I recommend giving yourself extra time if possible. Update the phasing plan per comments in the construction plans section, Parks and Rec comments, and Engineering's sufficiency item document.

We have modified the proposed dates in the Phasing Plan to allow extra time, and modified the phasing plan per Engineering's comments and the revised parkland dedication proposal.

- Page 57: Revise the commentary about the phasing plan per Engineering's phasing plan notes.

We have revised the Phasing Plan narrative to reflect the parkland and trails in Phase 1A, as well as all required infrastructure for each phase being designed with the final plat filing. We have updated the phasing plan shown in this document to the most current version.

- Page 59 references smaller minimum lot sizes. Note, that minimum lot sizes are no longer permitted by state law. Revise the language to reflect this as the NC Overlay is not requesting smaller minimum lot sizes.

We have updated this sentence to reference that the lot sizes proposed are smaller than surrounding neighborhoods, but this is not driven by a reduction in minimum lot size.

A - Rezone Application

- Page 2, Number 3 states the NC Overlay makes changes to the parcel standards (indicating parcel area). Title 20, Table 20.05-3 footnote 8 "The minimum parcel area requirement does not apply to lots created through subdivisions approved under MCA §

76-3, parts 5 and 6 after May 6, 2019. The NC Overlay does not modify parcel area because parcel area does not apply. Change this inaccuracy. This issue also occurs on page 5 and must be corrected for accuracy.

We have corrected these instances to confirm that modifications to minimum lot size are not necessary pursuant to the MCA changes in 2019.

- Page 5 state setbacks are reduced for alley loaded lots. However, the NC Overlay shows setbacks are reduced for additional non-alley loaded lots. Correct this inconsistency in the rezoning application.

We have revised this passage to remove this reference to the alley-loaded lots, instead referencing all modifications requested in the NC Overlay.

- Page 144 of the Growth Policy states amendments may be approved by the governing bodies when the following findings are made: 1) There is a public need for the change; 2) The change proposed is the best means of meeting that need; 3) There is public benefit that will result from the change. Under Review Criteria 1 regarding the Growth Policy, include a narrative explicitly stating how the review criteria are met for the targeted Growth Policy Amendment. While the narrative touches on “A Place to Call Home”, the review criteria need to be explicitly addressed. Alternatively, you could refer to specific pages of the Riverfront Trails PUD Subdivision document if this is covered elsewhere.

We have added additional narrative addressing the review criteria for the targeted growth policy amendment.

- Page 6 Criteria 3 must address additional uses permitted by the NC Overlay by right (group living and religious assembly) to be sufficient for review and assessment of this criteria.

We have added additional narrative addressing the suitability of the area for the Group Living and Religious Assembly uses, as well as justification for the location of these proposed uses.

C - Subdivision Application

- Page 2 requests gross density. The gross density excluding the parkland is helpful so you may keep it, but provide the true gross density in addition.

We have updated this section of the application. The gross density is 3.09 dwelling units per acre, and 5.99 dwelling units per acre excluding parkland.

- Page 17, Item K.3.g.v requests a Geotech report for land with potential for slope instability or high ground water. The narrative states “not applicable”. The subdivision does contain areas of steep slope, described in the question above, and high ground water. The language “not applicable” is misleading and conflicts with previous answers in this section. Revise to just refer to the Geotech report.

We have revised the language of this item to refer to the Geotechnical Report for additional information.

- Page 23, Item K.6.a.iv.3.C.10 states that each short court will have 2 street parking spaces. This is not true as some short courts are located near bulb-outs. However, Article 3, Section 3-020.6.B.10 only applies if short courts are approved through variance. These short courts are approved through PUD, so this requirement does not apply. Revise the packed so it does not state these units each have two on street parking spaces. You could state that this requirement is not applicable, or just remove it.

We have revised this language to reflect that the overflow parking is accomplished through the combination of street parking and overflow spaces at the end of each PAUE, to reflect that the short courts still meet the standards, though not being approved through variance.

- Page 26, Item K.6.a.iv.8 states “The City of Missoula is responsible for the design of upgrades to Lower Miller Creek Road in the project vicinity”. This is not true. Improvements will be required though Engineering has a cost sharing mechanism (agreement). Revise the packet to include improvements to Lower Miller Creek.

The City’s design for Lower Miller Creek Road includes the roundabout, vehicle travel lanes, bike lanes, and a parking lane and sidewalk on the east side of the street. The developer acknowledges the cost-sharing for this portion of improvements. The developer will be directly responsible for the boulevard and sidewalk along Lot 1, 2 and 176’s frontages – we have updated the site and phasing plan to accurately reflect this. Grading and detailed design for the sidewalk will be completed during the stage process for Phase 1A, as the grading design of the sidewalk is almost entirely dependent on the City’s design for the rest of the Lower Miller Creek Road corridor. We have added the sections required to Sheet C7.6 in the preliminary construction plans, delineating the portions of the street improvements directly attributable to the subdivision, whether through direct installation or cost-sharing with the City project.

G – Draft Covenants

- Work with Stormwater and Parks and Recreation per the beginning of the letter to determine possible requirements for landscaping maintenance around the pond, as required of the HOA. Note that 5-020.14.H states “Landscaping and maintenance plans for common areas, parkland, and landscape buffer strips and screening, may be required”. This should be determined during sufficiency, though the actual covenant language may be a condition of approval.

The parkland proposal has been revised to depict the stormwater wetland and stormwater easement within the City-owned parkland parcel. Parks and Recreation and Stormwater have indicated that they will share maintenance of the wetland and surrounding vegetation, with a preliminary plan for Stormwater to maintain the pipes, structures, and sediment forebays, with Parks maintaining the wetland vegetation and surrounding vegetation as part of the City parkland parcel. Covenant language or HOA documentation for maintenance of the HOA Common Area parcel adjacent to the City parkland parcel will still be necessary as a condition of approval, though the HOA will not be responsible for maintenance of the stormwater wetland under the revised proposal.

H – Weed Management Plan

- The legal description is incomplete and does not align with other documents in the packet. Correct this inconsistency.

We have updated the legal description in the weed management plan to be consistent with the rest of the application packet.

L – Riparian Management Plan

- Section 3-130.3.A.1 requires the riparian management plan to include proposed access to and through the area. Show trails for the parks for access. Also 3-130.6.A stating trail plans must be reviewed and approved by the Parks Department and approved by City Council. These plans are necessary for the packet to be sufficient to review compliance with 3-130.6.B. Trail maintenance for the HOA common area must be included per 3-130.6.B.5 as a condition of approval unless common area is dedicated to the City.

We have added a trail plan sheet to the preliminary construction plans, and included reference to it as well as attached it to the Riparian Management Plan. Parks and Recreation has indicated that the developer will be responsible for construction of all

trails within both the City parkland parcel and the HOA Common Area parcel, but Parks will be responsible for maintenance of all trails across both parcels.

- Article 5, Section 5-020.14.L.6 requires the maintenance and monitoring plan to describe how the riparian resource will be maintained. This section of the plan states who will maintain the area, but does not cover what actions be completed by the HOA to monitor, maintain, and revegetate (in the event vegetation is destroyed) the riparian area.

We have added language including suggested actions to be completed by the responsible parties to maintain the riparian area and riparian buffer.

- Article 5, Section 5-020.14.L.2.c requires the riparian management plan to include a vegetation map showing drainage. The provided vegetation map does not depict drainage and is not sufficient for review.

We have added finished grade contours showing the locations of the engineered wetland and outfall swale relative to the riparian zone and riparian buffer.

- Dimension the width of the riparian area and riparian buffer so that the Conservation District can determine if the buffer is the appropriate width.

We have added the width of the riparian buffer to the Vegetation Map attached to the Riparian Management Plan. The width of the riparian area itself varies, and is

P – Utility Design Reports

- See attached document for sufficiency items.

We have revised the utility design reports to address the sufficiency items. Further detail is provided later in this letter.

Q – Hydrant Layout Exhibit and Approval Request

- Hydrants for all phases are not shown and the hydrant plan is not sufficient for the whole subdivision. Though Dax has signed off, providing incomplete fire hydrant plans is not sufficient for review. Show a hydrant plan for the last phase. See attached document for more sufficiency item information. Engineering stated there may not be enough water quantity for Ph 1A.

We have revised the utility design reports and hydrant layout to address the sufficiency items. Further detail is provided later in this letter. We have provided an amended exhibit to the original hydrant layout showing the additional hydrants proposed.

R – Preliminary Construction Plans

- Trail plans were not provided in full for the park. This is a sufficiency item as they must be reviewed for compliance with the subdivision standards. Note that Article 3, Section 3-020.15.F.2 states trails must be constructed concurrently with other required transportation infrastructure and Section 3-120.3.E requires PUDs to provide developed facilities for recreational purposes.

We have added a trail plan sheet to the preliminary construction plans. See Sheet C8.2. The developer acknowledges that the stormwater wetland, weed mitigation, and trail infrastructure must be built by the developer, and with Phase 1A. Additional information on the revisions made to the phasing plan is in the responses below.

- Boulevard trees must be added to all boulevards shown.

Parks and Recreation confirmed that conceptual-level design of boulevard trees is needed for sufficiency review, and detailed design will be approved with the infrastructure plans for each phase of final plat. The full conceptual layout of the boulevard trees is on Sheet C8.0 of the Preliminary Construction Plans.

- Engineering stated improvements to Lower Miller Creek Rd. will be required by the developer, though there is a cost sharing agreement that must occur given the City project. This will be a memorandum of understanding. Review Engineering's comments, and provide information throughout the packet about Lower Miller Creek Road. Not all insufficient sections in regards to LMC Rd have been noted, though I tried to catch as many as possible (3-020.13.A).

The City's design for Lower Miller Creek Road includes the roundabout, vehicle travel lanes, bike lanes, and a parking lane and sidewalk on the east side of the street. The developer acknowledges the cost-sharing for this portion of improvements. The developer will be directly responsible for the boulevard and sidewalk along Lot 1, 2 and 176's frontages – we have updated the site and phasing plan to accurately reflect this. Grading and detailed design for the sidewalk will be completed during the stage process for Phase 1A, as the grading design of the sidewalk is almost entirely dependent on the City's design for the rest of the Lower Miller Creek Road corridor. We have added Sheet C7.6 clarifying the right-of-way sections, and construction responsibilities, for the Lower

Miller Creek Road corridor, including the sections of Lower Miller Creek Road in the City's project, and the section of Gustuson Road that occupies the southern extension of the right-of-way and requires half-street improvements adjacent to Lot 176.

- The portion of Old Bitterroot Road in Ph 2 will need to be in Ph1A. See more information in Engineering comments document.

We have revised the phasing plan to show the portion of Old Bitterroot Road between the roundabout and Riverfront Place in Phase 1A of the project.

- **See additional attached document for more sufficiency items.**

We have included detail on the responses to those comments indicated as sufficiency items later in this letter.

S – Neighborhood Character Overlay

- See attached edits and comment on separate document from long range planning. All edits/comments must be addressed to move into governing body because the public must know exactly what the proposed zoning is for the rezoning.

We have revised the Neighborhood Character Overlay to address the comments from long range planning. The revised document is included in the resubmittal.

- There are issues with including the setback exhibits. This will need to be managed a different way (likely combination of table and small hatched map showing areas). I recommend meeting as this is complicated to explain. This is further explained in the NC Overlay comment document.

We have added a table and hatched map showing the different setback configurations.

T – PUD Subdivision Variance Outline

- The second variation has the wrong code section. The project is not varying from 3-020.3.B which allows private streets. It is varying from 3-020.6.B which prohibits short courts. Update this code reference for consistency and accuracy.

We have corrected the code section in the variance outline. In addition, we have added the text of the sections being varied from, as suggested.

U – Hillside Density Adjustment

- This sheet states the zoning is PUD. Correct to RT5.4 with NC Overlay for consistency.

We have corrected the zoning indicated on this sheet.

V – Block Length Exhibit

- The Block Length Exhibit does not include block length information for Lot 1 or Lot 176. Include this to align with the variation request stating how many blocks exceed the length.

We have updated the block length exhibit to include this information.

W – Maps and Exhibits

- Slope Category Map: Slope category map does not show the required categories. Per 3-140.3.A must show 0-14.99%, 15-20%, 20.01-25% and over 25%. This is a sufficiency item because I am unable to identify slopes less than 15% and greater than 15% which is when regulations are triggered (current category shows 10% to 20%). This correction is necessary for adequate review of regulations.

We have updated the Slope Category Map to show the indicated categories.

Additional Engineering Comments and Responses

The below sections include our responses and how those comments indicated as sufficiency comments in the summary of Engineering comments were addressed. Note that many of the comments not indicated as sufficiency were also addressed, though not specifically noted below.

1. Where are the well protection zone easements? Where is utility lot located? is it adequately sized to accommodate well, well house, appurtenance, etc. (TM) Additionally, show PWS well and well protection zones for Phase 1A.

The project originally proposed constructing the fourth public water supply well on Riverfront Trails' property. However, this plan has been revised to construct the new well at the existing Haugan Lane well site. Thus, the utility lot is no longer needed. We have revised the water supply design report to reflect the change in plans. Additionally, we

have added an exhibit to the Water Supply Design Report showing the potential locations of the temporary water supply wells for Phase 1A.

2. Phase 3 needs to be included in all aspects of subdivision approval.

We have added additional information for Phase 3 to the application packet. This includes a plan and profile of Old Bitterroot Road and the crossing of the Maloney Ranch drainage swale (Preliminary Construction Plans), additional proposed fire hydrant locations (Fire Hydrant Layout Exhibit), preliminary sanitary sewer lift station calculations, location, and gravity main configuration (Sanitary Sewer Design Report, Preliminary Construction Plans), and runoff calculations, preliminary pipe sizing, and preliminary detention basin sizing (Storm Drainage Design Report). The Water Distribution Design Report and Traffic Impact Study already include Phase 3 in their underlying assumptions and calculations.

3. Make this a public access easement.

The revised parkland dedication proposal places the stormwater wetland in the dedicated City parkland. Public easements are provided across the HOA parcel for access to the City parkland.

4. Trails must be shown on these plans.

We have added a trail plan sheet to the preliminary construction plans. See Sheet C8.2. The developer acknowledges that the stormwater wetland, weed mitigation, and trail infrastructure must be built by the developer, and with Phase 1A.

5. A better connection from the parking lot to the dedicated parkland trail is needed. We require a bridge over the swale to link the parking lot to open space trails.

We have relocated the parkland parking to the north end of Meyers Way to improve connectivity and eliminate the need for bridges across the Maloney Ranch Swale.

6. Geotechnical Report Comments

The Geotechnical Report has been revised to address comments and make all required edits and clarifications.

- a. Min of 4" on Old Fort – collector

The road section shown in the geotechnical report is a general minimum recommendation. The actual road sections are governed by the road sections on Sheet C7.0 and the section details on Sheet C7.1. A minimum of 4" asphalt will be provided on collector streets.

- b. Should this be a min of 2", are P&R spec's going to apply to trail?

The section in the geotechnical report is a general recommendation. If Parks and Recreation will be responsible for maintenance of the shared-use paths, then the final section design will meet their specifications and be indicated as such on the infrastructure plans for each phase approved by PWM and Parks and Recreation.

- c. It's unclear whether "bicycle trails" are the bike lanes labeled on the plans. Rename to avoid confusion. Trails in open space areas are recommended as 8' gravel paths and must follow the standards in the Parks Design Manual.

The bicycle trails have been clarified as the off-street bike paths. Bike lanes in collector streets will have the same typical section as the rest of the street. We have added a trail plan to the Preliminary Construction Plans which shows the trails in the open space areas as 8' gravel paths.

- d. Mis-labeled? Is this depth?

This table was mislabeled and has been corrected in the revised geotechnical report.

- e. Based on updated groundwater info in the stormwater report, and the shallow depth of the sewer I don't think we can allow basements.

Lorenzen Soil Mechanics has updated the geotechnical report to reflect the peak groundwater measurements recorded by Woith Engineering in June 2021. Basements are prohibited by the covenants.

- f. This needs to be updated per the additional data in the stormwater report groundwater table. They are higher in June measurements.

Lorenzen Soil Mechanics has updated the geotechnical report to reflect the peak groundwater measurements recorded by Woith Engineering in June 2021.

- g. Does the subdivision plan to construct basements?

Basements are prohibited by the covenants.

- h. Based on this narrative it sounds like they may not have caught the highest groundwater level.

The highest groundwater level was not captured by the original geotechnical investigation. Woith Engineering completed groundwater monitoring in late spring, 2021, to capture the highest groundwater levels. These measurements are outlined in the Storm Drainage Report, and Lorenzen Soil Mechanics has also updated the geotechnical report to reflect them.

7. Traffic Impact Study Comments

The Traffic Impact Study has been revised to address comments and make all required edits and clarifications.

8. Need to include how RW will be utilized by City, ie. installation of X gpm well, route to Sofie storage, etc.

This comment is no longer applicable with the revised plan to construct the new public water supply well at the existing Haugan site.

9. Need Phase 3 water distribution and how water main crosses drainage ditch.

Phase 3 water demands were already included in the underlying assumptions of the Water Distribution Design Report. We have updated the Hydrant Layout exhibit to show proposed locations and coverage in Phase 3. Sheet C5.22 shows the proposed water main crossing of the Maloney Ranch swale.

10. We need to see test well pumping records that show the proposed peak demand for the development can be met by an onsite well.

This comment is no longer applicable with the revised plan to construct the new public water supply well at the existing Haugan site. The City has pumping records for the three existing wells at that site, so it is anticipated that the new fourth well will produce a similar yield and be able to meet demands. The new well will need to be tested prior to submitting the change application.

11. The only thing we can approve/plat at this point is Phase 1A. We can't approve Phase 1B, 2, or 3 until water rights are provided and a public water supply well is drilled and connected to the Missoula Water System.

The developer is aware of this limitation. The final plat for Phase 1A can be filed with the temporary public water supply wells outlined in the Water Distribution Design Report, if needed. Then, the later phases will need the change application to be completed to be able to be final platted.

12. Does not mention Phase 3 at all. Need force main calculations, how it crosses the drainage ditch and that the main be HOA maintained.

We have added additional information for Phase 3 to the application packet, including preliminary sanitary sewer lift station calculations, location, and gravity main configuration in the Sanitary Sewer Design Report and Preliminary Construction Plans.

13. The developer will need to survey the slope of this pipe segment. If investigation confirms inadequate pipe slope, the developer will need to increase the capacity of this segment by upsizing or steepening.

Engineering confirmed that any offsite capacity constraints can be addressed with upgrades proposed during the stage process review of the final infrastructure design report and construction plans submitted for each phase.

14. This does not match previously stated full buildout population. Is this a typo or is it meant to include additional future phases? (TM) Ensure all reports use the same # people.

This was a piece of leftover information from the prior proposal that included multi-family, which was replaced by the proposed religious assembly facility. This has been corrected in the design report.

15. Subdivision drainage must account for Phase 3 and the townhouse lot. Show what is being done to the existing drainage crossing.

The Storm Drainage Design Report has been revised to include calculations and preliminary detention basin sizing for Phase 3, as well as noting that sumps can and will be used for stormwater management on Lot 176. Additionally, the Preliminary Construction Plans have been updated to show new culverts replacing the existing culverts where Old Bitterroot Road crosses the Maloney Ranch swale.

16. Are these pre-development rates for Lower Miller Ck road?

We have clarified this in the report. These are upstream, post-developed flows from the City's Lower Miller Creek Road project, where there is no opportunity for detention storage.

17. I'm not sure this is correct. It would be pre-development peak flow rates for both the 2-year and 100-year storm. This makes it sound like the 100-year storm has to be released at 2-year pre-development levels.

We have corrected this and revised the design report.

18. Add temperature to design goals.

We have added temperature to the design goals and discussion of how this is met.

19. We would like to see perforated pipes as opposed to chambers from a maintenance perspective.

Due to increasing cost and complexity, along with conflicts with boulevard trees, we have revised the storm drainage design to eliminate the shallow sumps and infiltration chambers. The revised Preliminary Construction Plans and Storm Drainage Design Report reflect this. Comments about infiltration chambers are no longer applicable.

20. Indicate which test pit this rate came from and which factor of safety was used.

This comment is no longer applicable, because shallow sumps and infiltration chambers were removed from the design.

21. Is this appropriate given the lot sizes? Seems like the percent impervious would be higher?

We have clarified the sources of the impervious percentage estimates in the updated Storm Drainage Design Report.

22. What about the 100-year storm? Does it overtop but not inundate structures?

This is correct. We have clarified this in the revised report.

23. Just want to make sure the shallow sumps meet the spread width and flow depth requirements.

This comment is no longer applicable, because shallow sumps and infiltration chambers were removed from the design.

24. Surcharging stormwater pipe networks should be modeled using a dynamic model that calculates and updates backwater conditions at each timestep. Provide description of dynamic routing method used or revise results using a dynamic routing method.

We have added a description of the dynamic routing method to the revised report.

25. Please provide a figure depicting the model nodes and flow connections.

The requested figure depicting the nodes and flow connections is included in the appendices of the revised report.

26. Max Water Depth in table below implies 1.3-ft of water depth is accumulated during the 100-yr event. Which is correct?

This has been corrected and clarified in the revised report.

27. Discharge rate does not match table below.

This has been corrected and clarified in the revised report.

28. How was discharge from the basin calculated? I may be missing something but 4.6-cfs (6.33-cfs in table) seems high for a partially submerged 18" orifice. An 18" wide rectangular weir with 1.08' of head has a 5.18-cfs capacity.

Discharge was calculated using an orifice rating curve in Autodesk Storm and Sanitary Analysis, which we have clarified in the revised report. In addition, we have improved the design of the basin outfall in response to later comments about water quality treatment.

29. Will a floodplain permit be required?

A floodplain permit will be required at the time of stage review. This is reflected in the subdivision application document in response to previous element review comments.

30. I think we would also want a flap gate on the outfall pipe...

We have added a flap gate on the outfall pipe in the revised design. See Sheet C6.12.

31. Does this consider the draft floodplain data and channel migration zone too?

We have reviewed the draft floodplain data, and it does not appear to vary significantly from the current regulatory floodplain data. Additionally, Missoula County provided commentary indicating that the channel migration zone largely aligns with the floodplain in this area.

32. Discuss outfall piping size and swale sizing. Need a detail of the swale that discharges to the river.

We have added discussion of the outfall sizing, spillway sizing, and swale sizing to the revised design report.

33. Provide calculation for suspended sediment removal.

The revised design report contains additional supporting information for TSS removal.

34. Discuss how maintenance access will be provided.

Maintenance access to the pretreatment forebay will be provided by a gravel driveway. We have added this driveway to Sheet C6.12. A swing gate will be needed to prevent trail users from using this driveway for parking and access to the open space trails. The gate is shown on the trail plan and site plans.

35. Need to address temperature.

We have added discussion of how temperature is met as a design goal.

36. What is the general stormwater plan for Phase 3? If phase 3 will utilize the stormwater wetland, include calculations showing the stormwater wetland can handle the additional future flow.

We have added runoff flow and volume calculations for Phase 3 to the storm drainage model and report. Phase 3 will need its own detention wetland, which will be located west of the Maloney Ranch Swale. Preliminary sizing is included in the report, and an easement showing the proposed location is depicted on the plat.

37. Storm Drain Main A & B along with detention facility needs to be constructed with Ph1 and prior to City LMCR project.

This comment has been noted and is acknowledged by the developer. These items will be included in the infrastructure plans for final plat of Phase 1A, covered under the standard condition of approval requiring PWM approval of infrastructure plans for each phase.

38. What is the status of ownership and maintenance responsibilities for this basin?

Stormwater and Parks and Recreation will be jointly responsible for maintenance of the stormwater wetland. We have reconfigured the open space parcels so that the wetland falls within the dedicated City parkland. Stormwater indicated that they will maintain the pipes and pretreatment forebay within the basin, with Parks maintaining the wetland and vegetation.

39. Where is the access to get maintenance equipment to the forebay? Need reinforced turf and pad at a minimum to get a vac truck or excavator into the site.

Maintenance access to the pretreatment forebay will be provided by a gravel driveway. We have added this driveway to Sheet C6.12. A swing gate will be needed to prevent trail users from using this driveway for parking and access to the open space trails. The gate is shown on the trail plan and site plans.

40. What happens to the basin when it gets flooded? Are portions of it going to get destroyed, silted in, etc.

We have discussed this comment with Andy. The basin is largely excavated, with berms only as high as one foot above existing ground elevations, along with gentle 10:1 slopes. The basin is also entirely outside the floodway, though it is in the floodplain. So, it is unlikely that any portions of the side slopes would be destroyed during a river flood. We will include provisions in the operations and maintenance manual during the stage review process, specifying that inspections are needed after all large river flood events.

41. There needs to be complete preliminary design of all infrastructure, including servicing Phase 3 and the water main to Christian Drive. They don't need to be construction level, but we need complete subdivision level.

We have added additional information for Phase 3 to the application packet. This includes a plan and profile of Old Bitterroot Road and the crossing of the Maloney Ranch

drainage swale (Preliminary Construction Plans), additional proposed fire hydrant locations (Fire Hydrant Layout Exhibit), preliminary sanitary sewer lift station calculations, location, and gravity main configuration (Sanitary Sewer Design Report, Preliminary Construction Plans), and runoff calculations, preliminary pipe sizing, and preliminary detention basin sizing (Storm Drainage Design Report). The Water Distribution Design Report and Traffic Impact Study already included Phase 3 in their underlying assumptions and calculations.

The water main to Christian Drive is no longer applicable with the revised plan to construct the new public water supply well at the existing Haugan site.

42. There will be a requirement to provide parking for the Park in Phase 1A. If that is the parking shown along Old Bitterroot Rd, the requirement would be for a 20-ft 2" asphalt road, gravel shoulders and a 5-ft temporary asphalt trail. If the drive lanes are not sacrificial, then water, sanitary sewer and storm sewer will need to be placed first.

We have updated the phasing plan to reflect this. The pavement will be constructed without curbs, but will not be sacrificial, so the infrastructure plans submitted for Stage review of Phase 1A will need to include the subsurface utilities as indicated.

43. I would say Old Fort Rd btw. Riverfront and LMCR needs to be constructed with Ph IA. There are utilities, storm water infrastructure, etc that need to be addressed on this stretch of street prior to the City project.

We have updated the phasing plan to reflect this.

44. Need to determine limits/elements of City LMCR CIP project - i.e. boulevards and sidewalk on west/north side of LMCR adjacent to development.

We have updated the detail sheets to include an additional sheet with sections showing the design of Lower Miller Creek Road, and identifying the sections the developer is directly responsible for, in addition to the section covered under the city project and cost-sharing agreement and which improvements are attributable to the Riverfront Trails subdivision.

45. City only installing intersection improvements for the street heading south. Other necessary improvements would be on developer.

We have added the half-street improvements for this section to the site plan. In addition, we have added the half-street section for an urban local street to Sheet C7.6, and added

Sheet C3.25 depicting the proposed plan and profile for the half-street improvements adjacent to Lot 176.

46. What are the details of this stormwater crossing? Show something in the profile to show there is adequate clearance since we are cutting existing grade here.

We have added the culvert cross-sections to the Old Bitterroot Road plan and profile showing how the Maloney Ranch swale will be conveyed beneath the street.

47. The red box shows the extent of Phase 1A sewer mains. Joining sewers need to extend beyond pavement of the phase, so it would be to the next manhole.

This comment is acknowledged, and the sewer mains required to be installed for Phase 1A will be reflected on the infrastructure stage submittals for that Phase. This will be covered under the standard condition of approval requiring PWM approval of infrastructure plans for each phase.

48. Need to flush out this stormwater crossing and ensure sewer can actually make it across.

We have added the Maloney Ranch swale culverts to the plan and profile sheet for this section of sewer main.

49. Need to see preliminary layout of well house, wells, etc to ensure they can fit within utility lot/easements.

This comment is no longer applicable with the revised plan to construct the new public water supply well at the existing Haugan site. The Haugan well site was originally configured for future installation of the fourth well.

50. Need to have a condition that for Phase 1A, water mains can be utilized for fire protection but no service connections allowed until water rights are transferred and well, well house, transmission mains, and other associated appurtenances have been reviewed, approved, and constructed. (they will be served with water from a privately run public water supply that will be a small enough well to be exempt from water rights). Phases 1B and later are not allowed to be constructed until water rights are transferred and well, well house, transmission mains, and other associated appurtenances have been reviewed, approved, and constructed.

The developer is aware of and acknowledges this limitation. The Water Supply Design Report includes provisions to account for this. This is a condition of final plat approval for each phase, based on conditions required infrastructure plans approved by PWM, and thus is not a sufficiency item.

51. Plans need to make it clear where the "temporary" public water supply well is and that it meets required setbacks.

We have added an exhibit to the end of the revised Water Distribution Design Report showing the locations of the temporary exempt public water supply wells.

52. Also need to have a comment that Phase 1B and beyond cannot be constructed until easements or public right of way is utilized to install water transmission main to a connection near the intersection of Christian Drive and Lower Miller Creek Road, above the existing pressure reducing vault.

The water transmission main to Christian Drive is no longer applicable with the revised plan for the public water supply well to be located at the Haugan site. However, Phase 1B and beyond will still need to be conditioned around the completion of this well and the change application, which the developer acknowledges.

53. Is there easement or r/w up here?

A county right-of-way is depicted on COS 6425. This has been clarified on the plans. It may need to be conveyed to the City, or County permission obtained, as a condition of approval to construct the water main in this area.

54. See comments on the plans in the stormwater report as well.

All stormwater comments, including those indicated as not sufficiency items, have been addressed in the revised plans and report.

55. Since we are already providing treatment in the detention basin we would like to have the inlets that are connected to the stormwater mains to be located in the curb line to reduce additional maintenance. (typ)

We have revised the plans to eliminate the proposed pretreatment basins in the bulb-outs.

56. Minimum boulevard width is 7'. Given the variable width of this boulevard, ensure that the minimum soil volume requirements in the Parks Design Manual are met.

The minimum soil volume requirements will be met. A typical urban local street with 7' wide boulevards would have 14 square feet of soil for lineal foot of roadway. On average, the proposed neighborhood street will have 14.47 square feet of soil per lineal foot of roadway. The boulevards are 7' wide for most of their length, only tapering for a short distance at the beginning and end of the parking lanes.

57. Update all STD's.

We have ensured that all STD details are updated to the latest version in the City's Public Works Manual.

58. Is there a reason why these aren't open bottomed dry wells? I'd feel better from a maintenance standpoint if we didn't have water flowing into these chambers/pipes as often. Otherwise I agree with Tracy's comment that we need to provide some mechanism to prevent sediment from re-suspending and entering the chambers during a large storm.

This comment is no longer applicable, because shallow sumps and infiltration chambers were removed from the design.

Conditions if Not Corrected

We have addressed the below items that were noted as resulting in conditions of approval if not corrected during sufficiency:

1. Section 5 Amendment states sections of the covenants that may not be amended without governing body approval. This section will need to include maintenance and perpetuity of the privately maintained open spaces and private roads.

We have added these sections to the list of covenant sections that cannot be amended without governing body approval.

2. Section 3-130.3.B states approved riparian resource management plans must be implemented in perpetuity and may not be altered without City Council approval. A condition of approval will require this language to be placed in the riparian management plan itself.

We have added this language to the text of the proposed Riparian Management Plan in the Maintenance and Monitoring section.

3. Section 3-130.3.C states the riparian management plan must include a provision stating that all owners are subject to and must abide by the riparian resource management plan. Include language in plan. I understand it is stated in the covenants as well, but the code requires it to be in the riparian management plan itself.

We have added this language to the text of the proposed Riparian Management Plan in the Maintenance and Monitoring section.

4. Currently the covenants state basements are not permitted. Either this language will need to stay in the covenants for final plat and be added to the list of covenants that cannot be amended without City Council approval, or we may condition basement study if basements do become desirable.

We have added the covenant section about Basements and Crawlspace to the list of covenant sections that cannot be amended without City Council approval.

Recommendations

We have addressed the below items that were noted as recommended to improve the quality of the packet and assist during City Council review and approval:

1. PUD Subdivision Variance Outline: I recommend including the code language for City Council legibility. Rather than making them refer back to the code, including the language on the outline will help them understand exactly what you are varying from. Some of the sections summarize the requirement which is nice, others do not.

We have updated the PUD Subdivision Variance Outline to contain the text of the code from the subdivision regulations prior to the explanation of each variance.

Additionally, we have begun research for the additional Conditions if not Corrected. We will reach out to the County to determine if the Maloney Ranch drainage easement can be conveyed to the City. We have met with the School District to discuss options for access to the school property from Riverfront Trails. These conversations are ongoing. The developer has not determined if the entire Property Owner's Association will be responsible for maintenance of the short courts, or if there will be a maintenance agreement between the four lots benefitting from each short court. Final covenants and Property Owner's Association documents will be a condition of approval. Please let me know if you have any additional questions or require

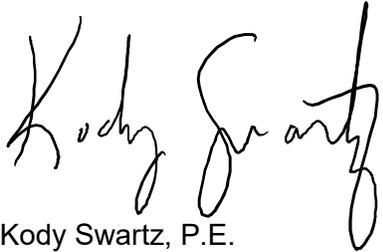
MEMO

2ND SUFFICIENCY REVIEW SUBMITTAL
AUGUST 1, 2022

additional supporting information. Thank you for your patience and review of this subdivision plat!

Sincerely,

Woith Engineering, Inc.



Kody Swartz, P.E.
Missoula Operations Manager

ENCL: RIVERFRONT TRAILS PRELIMINARY PLAT
RIVERFRONT TRAILS PUD SUBDIVISION APPLICATION
REVISED APPENDICES



MISSOULA COMMUNITY PLANNING, DEVELOPMENT & INNOVATION

Development Services Division

435 RYMAN | MISSOULA, MT 59802-4297 | 406.552.6630 | FAX 406.552.6053

June 21, 2022

Kody Swartz
Woith Engineering, Inc
3860 O'Leary Street, Suite A
Missoula, MT 59808

Re: Riverfront Trails Annexation, Rezoning, Growth Policy Amendment, and Subdivision 1st Sufficiency Review

Dear Kody Swartz,

Development Services received your application packet for the above subdivision for 1st Sufficiency review on June 1st, 2022. The sufficiency review deadline is June 21st, 2022. **Development Services cannot certify your application packet as sufficient for governing body review.**

Below is a summary of the deficiencies. Please address the items listed below **and in the additional review documents attached to the email**, then submit only the updated sections of the application packet as PDFs with a new cover page clearly titled as 2nd Sufficiency Review, and include the date submitted. The packet has changed substantially since the originally paper copy was provided but new paper updated documents have not been provided with each Element Review. Please provide a paper copy of the complete packet in addition to digital PDFs of only the amended sections. Staff are required by law to keep a paper copy on file and this will be important for governing body review. The amended materials will only need to be provided to the agencies indicated in the attached agency mailing list.

SUFFICIENCY ITEMS

General

- Engineering stated improvements to Lower Miller Creek Rd. will be required by the developer, though there is a cost sharing agreement that must occur given the City project. This will be a memorandum of understanding. Review Engineering's comments, and provide information throughout the packet about Lower Miller Creek Road. Not all insufficient sections in regards to LMC Rd have been noted, though I tried to catch as many as possible (3-020.13.A).
- The packet states the floodplain is shown using base flood elevations. This is not acceptable without a LOMA to show areas have been inadvertently mapped based on BFE. All documents (floodplain maps and plat) must show the effective FIRM boundaries to be sufficient. Cassie has recently received the draft map data as well, and will share shortly to give you insight though the current effective map will still be the regulatory boundary.

Parks and Recreation/Storm Water Pond

From Nathan McLeod -

- Parks agrees that the retention basin (if constructed properly to create a vegetated wetland) has value to the public as wildlife habitat and unique feature in the landscape.
- Stormwater is willing to take over maintenance of the stormwater pond in the open space, and believes they would provide better maintenance over time than an HOA. There are a few options for doing so, so let me know your preference. This likely warrants a meeting and should be decided in sufficiency. The developer may:

- Establish an agreement with City Stormwater to define the responsibilities of Parks and Stormwater for maintenance (3-040.3.I). While Stormwater would be maintaining the pond, surrounding vegetation maintenance and compliance with the riparian plan would be the responsibility of the HOA. This is not the City's preferred option, but is possible.
 - Dedicate the Common Area to the City as additional parkland. The City is not willing to purchase the land (though you may follow up with Nathan), however they are offering to take over the common area in order to maintain the vegetation, riparian area, and pond. Typically, Parks would not accept stormwater facilities as parkland, however the design of the pond shows that it could become a recreational amenity and are willing to accept it. This is the City's preferred option and would remove HOA liability for maintaining the Open Space/floodplain.
 - Reorient the common area/city parkland lots so that the pond (and river access) is dedicated to the City. This would make the City responsible for maintenance of the riparian area and stormwater pond which is preferable to HOA maintenance. Note publicly accessible trails would need to be provided to the City parkland. This is the City's second preference.
- The trails through the common area need to be accessible to the public, but the common area around the trails does not need to be publicly accessible (Article 3, Sections 3-010.7, 3-020.15.C.1, and 3-020.15.F). Place the trails through the common area (if not dedicated to the City) in non-motorized public access easements, connecting to the City parkland and other public access points. Note that the packet states in multiple sections that the full park may be used by the public. Either document the common area may be accessed full by the public, or revise these portions of the packet. Specific pages are called out later in this letter. This is a sufficiency item addressing inconsistencies.
 - Trail plans were not provided in full for the park. This is a sufficiency item as they must be reviewed for compliance with the subdivision standards. Note that Article 3, Section 3-020.15.F.2 states trails must be constructed concurrently with other required transportation infrastructure and Section 3-120.3.E requires PUDs to provide developed facilities for recreational purposes. The constructed wetland, weed mitigation, and trail infrastructure will be built by the developer.
 - The parking lot location for the park does not function well. "The parking lot serving the park needs a fully looped trail within the park in order to function, users should not have to exit the park and walk through the neighborhood in order to return to the parking lot." Are trails proposed across a bridge over the swale? How will people access the park from the parking lot? Consider it's location when designing the trails. One option might be to move the parking lot to be accessed from the wide access off of Meyers Way.
 - Park Phasing Plan Issues: The parking lot serves the park which is part of Ph 1. The parking lot may not be part of a later phase as shown in the phasing plan. It is part of the park parcel (a lot cannot be platted across two separate phases and all parkland needs to be in Ph. 1). Additionally, the phasing plan does not provide access to the park with Ph. 1 per Article 3, Sections 3-010.7. Access to the parkland will be required with Ph. 1. Engineering has stated access to stormwater facilities is also necessary with Ph. 1. This can be a partial access (two-paved lanes with pedestrian access). Ensure the parking lot serving the park can be accessed with Ph. 1. This information (parking lot, phasing corrections, trail connections) is necessary for sufficient review.

Preliminary Plat

- Provide dimensions or the proposed width of the drainage easement in the common area for Engineering's review, Article 5, Section 5-010.4.H.

- Dedicated parkland means public and common area. The labeling on the plat for open space is not standard and does not properly define ownership. Change to “Common Area” and refine the “Dedicated Parkland” title to something along the lines of “Parkland Dedicated to City” or “City Parkland”.

Riverfront Trails PUD Subdivision Document

- Page 8, 19, and 21 states the 45 acres of open space are “for the entire Missoula Community to enjoy”. Either provide documentation that the HOA maintained common area will be accessible to the public (not just residents of the subdivision) or revise this statement so it is not misleading.
- Page 8: the last sentence for Gross Density is cut off on the page and does not continue on the next page. While the gross density excluding parkland is helpful for City Council to see, include the actual gross density as well.
- Page 27 and Page 41: “The overlay requests a reduction in minimum lot size...”. This is no longer accurate as the 2019 change to state law got rid of minimum lot sizes. See Title 20, Table 20.05-3 footnote 8 “The minimum parcel area requirement does not apply to lots created through subdivisions approved under MCA § 76-3, parts 5 and 6 after May 6, 2019. Total unit yield is calculated based upon the gross parcel area divided by the minimum parcel area per unit and any applicable hillside density reductions.” Remove this language from page 27 because it is not part of the overlay request (inconsistency).
- Page 31: States there are only reduced setbacks for single family and two-unit townhouses. There are additional lots with reduced setbacks proposed. Update this statement to be consistent with the neighborhood character overlay.
- Page 31 under #6 and page 46 states there are narrower vehicle lanes. Per the cross sections, two 10-foot drive lanes are provided for each road type which meets the code. Revise this inconsistency as it is important to show the roads are still safe for Fire access. Narrow right-of-way width might be better terminology.
- Page 32 under #9 states there are “swales incorporated intermittently with in the neighborhood street network. Pages 53 and 54 indicated there are no drainage swales. Correct this inconsistency.
- Page 38 states there is not high groundwater and no slopes exceeding 25%. This is incorrect. Correct this inconsistency.
- Page 39, ensure the slope category map is updated with the correct categories required in the Subdivision regulations.
- Page 47 states “The City will be responsible for the design of upgrades to Lower Miller Creek Road”. This is not accurate as ROW improvements will be required (though Engineering is planning a cost sharing mechanism. See Road Plans Section of this letter).
- Page 49: include the proposed street width (Back of curb to back of curb) for the Urban Collector and Urban Local Street. This will provide clear compliance or indicate the need to include the street width in the variation list.
- Page 50 still has mistakes in the table for Neighborhood Yield Street. The lane width minimum should state 10’, not 8’. The 28-foot street width allows for two 10’ travel lanes which is required by Fire, and an 8’ parking lane. The table currently states there are 8-foot travel lanes, 5-foot parking lanes, and no boulevards which is not accurate.
- Page 53 and 54: Several streets where bike lanes are proposed per the cross sections (Urban Local) indicate there are no bike lanes in the table. Correct this to align with the rest of the packet. Additionally, under the PUD Subdivision Variation Request line there is information

missing. Include all variations (ROW width, street width, varying boulevard width on Neighborhood Streets).

- Page 55: Building types table. Per the NC Overlay there is a permitted use table, and a permitted residential building types table. They are shown together as building types on page 55. The “use” table should include the Group Living use that is being modified for constituency with the NC Overlay document. See NC Overlay revisions. Staff believe that the NC Overlay should not eliminate the conditional use option for Group Living and Religious Assembly on other lots in the overlay. If you wish to do this, we can look into it further as these two uses are highly regulated at the state level, and you likely cannot restrict them further than the base zoning. Additionally, the use is called “Religious Assembly”, not “Assembly and Gathering”. Correct this. For the building types table, there is no labeling for Multi-Dwelling House indicating if it is prohibited or permitted. Revise the language in the last paragraph on this page to differentiate between permitted uses and permitted residential building types.
- Page 57 Phasing Plan: Note that you can set your phasing deadlines further out to allow yourself flexibility. There is no consequence for filing a plat early, but there are consequences for filing a plat late. I recommend giving yourself extra time if possible. Update the phasing plan per comments in the construction plans section, Parks and Rec comments, and Engineering’s sufficiency item document.
- Page 57: Revise the commentary about the phasing plan per Engineering’s phasing plan notes.
- Page 59 references smaller minimum lot sizes. Note, that minimum lot sizes are no longer permitted by state law. Revise the language to reflect this as the NC Overlay is not requesting smaller minimum lot sizes.

A – Rezone Application

- Page 2, Number 3 states the NC Overlay makes changes to the parcel standards (indicating parcel area). Title 20, Table 20.05-3 footnote 8 “The minimum parcel area requirement does not apply to lots created through subdivisions approved under MCA § 76-3, parts 5 and 6 after May 6, 2019. The NC Overlay does not modify parcel area because parcel area does not apply. Change this inaccuracy. This issue also occurs on page 5 and must be corrected for accuracy.
- Page 5 state setbacks are reduced for alley loaded lots. However, the NC Overlay shows setbacks are reduced for additional non-alley loaded lots. Correct this inconsistency in the rezoning application.
- Page 144 of the Growth Policy states amendments may be approved by the governing bodies when the following findings are made: 1) There is a public need for the change; 2) The change proposed is the best means of meeting that need; 3) There is public benefit that will result from the change. Under Review Criteria 1 regarding the Growth Policy, include a narrative explicitly stating how the review criteria are met for the targeted Growth Policy Amendment. While the narrative touches on “A Place to Call Home”, the review criteria need to be explicitly addressed. Alternatively, you could refer to specific pages of the Riverfront Trails PUD Subdivision document if this is covered elsewhere.
- Page 6 Criteria 3 must address additional uses permitted by the NC Overlay by right (group living and religious assembly) to be sufficient for review and assessment of this criteria.

C – Subdivision Application

- Page 2 requests gross density. The gross density excluding the parkland is helpful so you may keep it, but provide the true gross density in addition.

- Page 17, Item K.3.g.v requests a Geotech report for land with potential for slope instability or high ground water. The narrative states “not applicable”. The subdivision does contain areas of steep slope, described in the question above, and high ground water. The language “not applicable” is misleading and conflicts with previous answers in this section. Revise to just refer to the Geotech report.
- Page 23, Item K.6.a.iv.3.C.10 states that each short court will have 2 street parking spaces. This is not true as some short courts are located near bulb-outs. However, Article 3, Section 3-020.6.B.10 only applies if short courts are approved through variance. These short courts are approved through PUD, so this requirement does not apply. Revise the packed so it does not state these units each have two on street parking spaces. You could state that this requirement is not applicable, or just remove it.
- Page 26, Item K.6.a.iv.8 states “The City of Missoula is responsible for the design of upgrades to Lower Miller Creek Road in the project vicinity”. This is not true. Improvements will be required though Engineering has a cost sharing mechanism (agreement). Revise the packet to include improvements to Lower Miller Creek.

G – Draft Covenants

- Work with Stormwater and Parks and Recreation per the beginning of the letter to determine possible requirements for landscaping maintenance around the pond, as required of the HOA. Note that 5-020.14.H states “Landscaping and maintenance plans for common areas, parkland, and landscape buffer strips and screening, may be required”. This should be determined during sufficiency, though the actual covenant language may be a condition of approval.

H – Weed Management Plan

- The legal description is incomplete and does not align with other documents in the packet. Correct this inconsistency.

L – Riparian Management Plan

- Section 3-130.3.A.1 requires the riparian management plan to include proposed access to and through the area. Show trails for the parks for access. Also 3-130.6.A stating trail plans must be reviewed and approved by the Parks Department and approved by City Council. These plans are necessary for the packet to be sufficient to review compliance with 3-130.6.B. Trail maintenance for the HOA common area must be included per 3-130.6.B.5 as a condition of approval unless common area is dedicated to the City.
- Article 5, Section 5-020.14.L.6 requires the maintenance and monitoring plan to describe how the riparian resource will be maintained. This section of the plan states who will maintain the area, but does not cover what actions be completed by the HOA to monitor, maintain, and revegetate (in the event vegetation is destroyed) the riparian area.
- Article 5, Section 5-020.14.L.2.c requires the riparian management plan to include a vegetation map showing drainage. The provided vegetation map does not depict drainage and is not sufficient for review.
- Dimension the width of the riparian area and riparian buffer so that the Conservation District can determine if the buffer is the appropriate width.

P – Utility Design Reports

- See attached document for sufficiency items.

Q – Hydrant Layout Exhibit and Approval Request

- Hydrants for all phases are not shown and the hydrant plan is not sufficient for the whole subdivision. Though Dax has signed off, providing incomplete fire hydrant plans is not sufficient for review. Show a hydrant plan for the last phase. See attached document for more sufficiency item information. Engineering stated there may not be enough water quantity for Ph 1A.
- See additional attached document for more sufficiency items.

R – Preliminary Construction Plans

- Trail plans were not provided in full for the park. This is a sufficiency item as they must be reviewed for compliance with the subdivision standards. Note that Article 3, Section 3-020.15.F.2 states trails must be constructed concurrently with other required transportation infrastructure and Section 3-120.3.E requires PUDs to provide developed facilities for recreational purposes.
- Boulevard trees must be added to all boulevards shown.
- Engineering stated improvements to Lower Miller Creek Rd. will be required by the developer, though there is a cost sharing agreement that must occur given the City project. This will be a memorandum of understanding. Review Engineering's comments, and provide information throughout the packet about Lower Miller Creek Road. Not all insufficient sections in regards to LMC Rd have been noted, though I tried to catch as many as possible (3-020.13.A).
- The portion of Old Bitterroot Road in Ph 2 will need to be in Ph1A. See more information in Engineering comments document.
- **See additional attached document for more sufficiency items.**

S – Neighborhood Character Overlay

- See attached edits and comment on separate document from long range planning. All edits/comments must be addressed to move into governing body because the public must know exactly what the proposed zoning is for the rezoning.
- There are issues with including the setback exhibits. This will need to be managed a different way (likely combination of table and small hatched map showing areas). I recommend meeting as this is complicated to explain. This is further explained in the NC Overlay comment document.

T – PUD Subdivision Variance Outline

- The second variation has the wrong code section. The project is not varying from 3-020.3.B which allows private streets. It is varying from 3-020.6.B which prohibits short courts. Update this code reference for consistency and accuracy.

U – Hillside Density Adjustment

- This sheet states the zoning is PUD. Correct to RT5.4 with NC Overlay for consistency.

V – Block Length Exhibit

- The Block Length Exhibit does not include block length information for Lot 1 or Lot 176. Include this to align with the variation request stating how many blocks exceed the length.

W – Maps and Exhibits

- Slope Category Map: Slope category map does not show the required categories. Per 3-140.3.A must show 0-14.99%, 15-20%, 20.01-25% and over 25%. This is a sufficiency item because I am unable to identify slopes less than 15% and greater than 15% which is when regulations are triggered (current category shows 10% to 20%). This correction is necessary for adequate review of regulations.

*****See attached Engineering/Fire/Stormwater/Utility document for additional sufficiency items. Though attached as an additional document, sufficiency items have been highlighted and are required. Commenters are identified on the document and may be contacted with questions. NC Overlay corrections have also been attached as a separate document and are required for sufficiency.**

CONDITIONS IF NOT CORRECTED

The following items will result in conditions if they are not corrected during sufficiency. In an effort to reduce the overall number of conditions, staff recommend addressing the items below for the next submittal. The notes below do not reflect the final condition language and does not include all conditions that will be required of the subdivision.

General

- The easement for the stormwater swale (existing) has not been assigned to the City yet. Engineering is verifying who has responsibility for maintenance of the swale. In order for the City to maintain, assignment from the County will be necessary. A condition of approval will state that swale maintenance is either assigned to the City or information about HOA required maintenance is provided.
- Verification from the school hasn't been provide showing they will allow connection via trail and school way. A condition of approval will require proof of acceptance from the school unless this is placed in the packet now.

G – Draft Covenants

- Condition – Section 5 Amendment states sections of the covenants that may not be amended without governing body approval. This section will need to include maintenance and perpetuity of the privately maintained open spaces and private roads.

L – Riparian Management Plan

- Section 3-130.3.B states approved riparian resource management plans must be implemented in perpetuity and may not be altered without City Council approval. A condition of approval will require this language to be placed in the riparian management plan itself.
- Section 3-130.3.C states the riparian management plan must include a provision stating that all owners are subject to and must abide by the riparian resource management plan. Include language in plan. I understand it is stated in the covenants as well, but the code requires it to be in the riparian management plan itself.

M – Geotechnical Report

- Currently the covenants state basements are not permitted. Either this language will need to stay in the covenants for final plat and be added to the list of covenants that cannot be

amended without City Council approval, or we may condition basement study if basements do become desirable.

RECOMMENDATIONS

This section contains additional recommendations for improving the quality of the packet to assist with City Council review and approval. It also includes important notes about process and staff requests. These are not sufficiency items.

- Page 29 of the Riverfront Trails PUD Subdivision document: The neighborhood plan is mentioned but overall ignored due to age. There are some objectives of the Neighborhood Plan that are met. I think you could revise to show that some objectives are met, though the densities are outdated for current housing conditions. Addressing this in more detail now will ensure it isn't as much of a sticking point at the public hearings. Especially considering the Neighborhood Plan is an adopted part of the Growth Policy, and compliance with the Growth Policy is a review criterion for rezoning. I recommend also including this information in the rezoning application.
- Page 28 of the Riverfront Trails PUD Subdivision document: Lot 176 drawings. Note that there is development (parking lot/alley) shown in the no build zone which will not be permitted. At building permit, all development must comply with the no-build zone.
- PUD Subdivision Variance Outline: I recommend including the code language for City Council legibility. Rather than making them refer back to the code, including the language on the outline will help them understand exactly what you are varying from. Some of the sections summarize the requirement which is nice, others do not.
- Question – is the entire property owner's association responsible for the short courts, or just the lots benefiting from them?

When you are ready to submit your updated materials, please direct them to the attention of Cassie Tripard. If you have any additional questions, you may reach me at (406) 552-6673 or email me at TripardC@ci.missoula.mt.us.

Sincerely,

Cassie Tripard

Cassie Tripard, Planning Supervisor
Development Services
Community Planning, Development, & Innovation

cc: Dave DeGrandpre, CPDI
Mary McCrea, CPDI
Eran Pehan, CPDI
Walter Banziger, CPDI
Troy Monroe, PW&M
Steve Reichert, PW&M
Nathan McLeod, Parks & Rec

Codification Instructions: Amend the following section to add the new row to the existing table.

20.25.040 - /NC, Neighborhood Character Overlays Generally

G. Districts Established

The city's /NC overlay districts are listed below:

Map Symbol	District Name	Regulations
/NC-RT	Riverfront Trails Neighborhood Character Overlay	20.25.058

Codification instructions: add the following new section to the code.

20.25.058 - /NC-RT, Riverfront Trails Neighborhood Character Overlay

A. Purpose and Intent

The ~~/NC-RT~~, Riverfront Trails Neighborhood Character Overlay District (~~/NC-RT~~) is intended to create a variety of housing types, including large and small lot single-dwelling, townhouse, multi-dwelling, and senior living. The /NC-RT overlay district is intended to fit with the already established residential neighborhoods that adjoin the /NC-RT overlay district, while allowing enhanced opportunities for conservation of open lands and building upon the adjacent civic land use already established. The ~~/NC-RT~~, Riverfront Trails Neighborhood Character Overlay District enhances the base RT5.4 zoning by:

- Adapting dimensional standards of residential parcels to allow traditional neighborhood development patterns and architectural diversity, including alleys, rear garages, street facing townhouses, and courtyard cluster housing types.
- Expanding the permitted uses to include a contemporary mix of residential and public/civic land uses which will add architectural and socioeconomic diversity to the neighborhood.
- Expanding the building types to provide a wide array of housing options, accommodating a range of household sizes and generational characteristics.
- Incorporating common areas, trails, and open space to provide for a variety of outdoor and recreational activities and conservation of open resource lands.

B. Applicability

- The /NC-RT Overlay District regulations apply to the property legally described in the ordinance and in the location shown on Map 20.25.058-1-X/~~NC-RT Overlay~~.
- The /NC-RT ~~O~~verlay ~~D~~istrict regulations apply only to areas within underlying RT5.4 (residential) districts.
- The /NC-RT ~~O~~verlay ~~D~~istrict does not apply to areas within the designated 100-year floodplain.
- New construction and re-development, including additions, of primary structures shall address all parcel and building standards contained within the /NC-RT overlay district when development is proposed.

Commented [GU1]: REVISE. SEE THE SUFFICIENCY LETTER. REDUCTION IN MINIMUM LOT SIZES IS NOT NECESSARY DUE TO STATE LAW CHANGES. REVISE. YOU COULD SAY "ADAPTING PARCEL AND BUILDING STANDARDS OF RESIDENTIAL...." ALTERNATIVELY, YOU COULD STATE "ADAPTING SETBACK AND HEIGHT STANDARDS OF RESIDENTIAL PARCELS".

Commented [GU2]: RECOMMEND DELETING - WHAT DOES "CONTEMPORARY" MEAN? VAGUE LANGUAGE FOR REGULATIONS.

Commented [GU3]: THE PARKS ARE NOT INCLUDED IN THE OVERLAY SO THIS ISN'T REALLY TRUE. YOU CAN STATE SOMETHING ALONG THE LINES OF THE OVERLAY ALLOWING FOR CLUSTERING TO PRESERVE OPEN SPACE.

Commented [GU4]: ONCE THE OPEN SPACE (SEE COMMENT BELOW) IS REMOVED FROM THE MAP BECAUSE IT IS NOT IN THE OVERLAY, THESE TWO SENTENCES ARE NOT NECESSARY.



Map 20.25.058-1-X/NC-RT
Overlay

C. General Standards

1. Except as provided in this chapter, all applicable portions of the City of Missoula Zoning Ordinance Title 20 shall apply, ~~including RT5.4, 20.105.20.~~
2. ~~Where four or more adjoining Lots access a Public Access and Utility Easement, the front façade of each building shall be that which faces the Public Access and Utility Easement.~~

~~**D. Setbacks**~~

~~All Lots shall conform with the setback standards depicted on the Riverfront Trails Neighborhood Character Overlay Setback Exhibits.~~

E. /NC-RT Overlay Sub-District Designations

The /NC-RT Overlay sub-Districts are designated as depicted on Map 20.25.058-1-X/NC-RT Overlay. Applicable standards for each Overlay sub-District are defined in the following sections.

F. Allowed Uses

All uses permitted within the base RT5.4 zoning district shall be permitted ~~by right~~ on all ~~lots~~ within the /NC-RT overlay district. Additional uses identified with a "P" in the table below are permitted ~~by right on lots indicated~~ within the /NC-RT Overlay sub-Districts. Uses identified with "--" in the table below are not permitted.

Commented [EG5]: Remove the open space portion of the subdivision from this map to avoid confusion, since it is not included in this NC.

The legend should say "/NC-RT Subdistricts" instead of the second "base zoning districts," and should be more readable.

Commented [GU6R5]: BY REMOVE, WE MEAN DO NOT SHADE THE OPEN SPACE OR INCLUDE IT IN THE OVERLAY BOUNDARIES.

Commented [GU7]: DELETE THIS UNLESS YOU ARE DEFINING FRONT FAÇADE AND ADDING STANDARDS. THIS SENTENCE DOES NOT ALIGN WITH OTHER T20 DEFINITIONS. ADDITIONALLY, ARE THE ENTRANCES FOR THE FRONT UNITS INTENDED TO FACE THE UTILITY EASEMENT? ARE YOU TRYING TO STATE WHICH WAY THE ENTRY SHOULD FACE?

Commented [EG8]: This could be a footnote below the table

Commented [JG9R8]: NOT SURE YOU NEED ANY OF THIS PARAGRAPH IF A FOOT NOTE IS ADDED. THE TABLE ITSELF SAYS USES PER RT5.4 ARE PERMITTED. SAME WITH THE BUILDING TYPES.

Commented [LM(10R8): AGREED

<u>/NC-RT</u> Overlay Sub-District	Uses per RT5.4	Group Living Community Res. Facility (9+)	Religious Assembly
<u>/NC-RT</u>	P	--	--
/NC-RT Neighborhood Center South	P	P	--
/NC-RT Neighborhood Center North	P	--	P
/NC-RT Townhouse Corridor	P	--	--

Table 20.25.058-1. Allowed Uses per Subdistrict

G. Residential Building Types

All building types permitted within the base RT5.4 zoning district shall be permitted **by right** on all lots within **the /NC-RT overlay district**. Additional building types identified with a "P" in the table below are permitted **by right on the lots indicated** within the **/NC-RT Overlay sub-Districts**. Building types identified with "--" in the table below are not permitted.

<u>/NC-RT</u> Overlay Sub-District	Building Types per RT5.4	3+-unit Townhouse	Multi-dwelling Building
<u>/NC-RT</u>	P	--	--
/NC-RT Neighborhood Center South	P	P	P
/NC-RT Neighborhood Center North	P	--	--
/NC-RT Townhouse Corridor	P	P	--

Table 20.25.058-2. Allowed Residential Building Types per Subdistrict

H. Parcel and Building Standards

All primary structures shall comply with the parcel and building standards of the **RT5.4 district, City of Missoula Zoning Ordinance Title 20**, except as provided in **Section C. Setbacks of this document** and the table below.

<u>/NC-RT</u> Overlay Sub-District	Minimum Setbacks	Maximum Building Height (feet)
<u>/NC-RT</u>	As depicted on the Riverfront Trails	35
/NC-RT Neighborhood Center South	Neighborhood Character Overlay Setback Exhibit (Appendix 1)	45
/NC-RT Neighborhood Center North		45
/NC-RT Townhouse Corridor		35

Table 20.25.058-3. Parcel and Building Standards

Commented [EG11]: Both community residential facilities (9+) and religious assembly are conditional uses in the RT5.4 district. They should be conditional in all subdistricts instead of prohibited.

Commented [JG12R11]: ADDING CONDITIONAL USES ALSO REQUIRES DEFINING CONDITIONAL WITH A "C". SIMILAR TO "P" AND "--". EITHER PARAGRAPH OR FOOTNOTE.

Commented [GU13R11]: SEE MORE INFO IN THE LETTER REGARDING PROHIBITING THESE USES WHEN THEY ARE ALLOWED AS CONDITIONAL BY THE BASE ZONING.

Commented [GU14]: NAME THIS SUBDISTRICT SOMETHING SPECIFIC LIKE THE OTHERS.

Commented [EG15]: Change the orientation of this table (location on horizontal axis)

Commented [EG16]: This could be a footnote below the table

Commented [GU17]: NAME THIS SUBDISTRICT SOMETHING SPECIFIC LIKE THE OTHERS.

Commented [EG18]: Change the orientation of this table (location on horizontal axis)

Commented [EG19]: SEE COMMENT ABOVE - NEED SUBDISTRICT NAME

Commented [EG20]: This information needs to be provided in the code (an outside exhibit should not be referenced). We recommend providing this information directly in this table. If the setbacks are not organized by the subdistricts, a separate map could be made with hatching for areas with different setback standards, and then communicated with a separate table.

Descriptive language could be provided in a subsection within the parcel and building standards for setbacks that further explains how to apply setbacks (for example, for properties accessed with a public access and utility easement).

Commented [EG21R20]: OR ADD INFORMATION TO THE OVERLAY MAP THAT IS ALREADY MADE

Commented [EG22]: Switch the orientation of this table (location on horizontal axis)

Summary of Comments on Riverfront Trails 1st Sufficiency_archive.pdf

Type: Sticky Note

Page: 1 Author: Andy Schultz (SchultzA@ci.missoula.mt.us) Subject: Sticky Note Date: 6/9/2022 9:44:14 AM
Confirm which version of the floodplain this is coming from. Is this the latest version?

Page: 1 Author: Andy Schultz (SchultzA@ci.missoula.mt.us) Subject: Sticky Note Date: 6/9/2022 1:58:38 PM
where are the well protection zone easements? Where is utility lot located? is it adequately sized to accommodate well, well house, appurtenance, etc. (TM) additionally, show PWS well and well protection zones for Phase 1A.

What is the intent of this easement, should it be vacated?

 Page: 3 Author: Tracy (campbellt1@ci.missoula.mt.us) Subject: Sticky Note Date: 6/3/2022 12:13:27 PM

(removed)

Page: 3 Author: Eric Andersen (AndersenE@ci.missoula.mt.us) Subject: Sticky Note Date: 6/3/2022 12:49:41 PM


(removed)

I'm confused. Is Phase 3 part of this subdivision approval? If so, they don't show any utility designs for this and it isn't included in their reports.

(TM) Phase 3 needs to be included in all aspects of subdivision approval.

Page: 6 Author: Andy Schultz (SchultzA@ci.missoula.mt.us) Subject: Sticky Note Date: 6/13/2022 9:37:29 AM

The stormwater detention pond is being designed to be an amenity (wetland habitat). Do we need to add language to **make this a public access easement** as well or is that covered in whatever documents go with the "common space" dedication?

Page: 6 Author: Lucy Rummler (RummlerL@ci.missoula.mt.us) Subject: Sticky Note Date: 6/14/2022 1:38:28 PM

Trails must be shown on these plans. We want to see a full trail loop around the park, with two bridges over the drainage swale. Trails and bridges will need to be constructed prior to Parks accepting the land.

Page: 6 Author: Lucy Rummler (RummlerL@ci.missoula.mt.us) Subject: Sticky Note Date: 6/14/2022 1:37:21 PM

A better connection from the parking lot to the dedicated parkland trail is needed. We require a bridge over the swale to link the parking lot to open space trails.

Page: 13 Author: Lucy Rummler (RummlerL@ci.missoula.mt.us) Subject: Sticky Note Date: 6/14/2022 1:24:34 PM
It's unclear whether "bicycle trails" are the bike lanes labeled on the plans. Rename to avoid confusion.

Trails in open space areas are recommended as 8' gravel paths and must follow the standards in the Parks Design Manual.

Page: 13 Author: Monte Sipe (SipeM@ci.missoula.mt.us) Subject: Sticky Note Date: 6/8/2022 9:15:22 AM
Should this be a min of 2", are P&R spec's going to apply to trail?

Page: 14 Author: Andy Schultz (SchultzA@ci.missoula.mt.us) Subject: Sticky Note Date: 6/9/2022 9:47:38 AM
mis-labeled? Is this depth?

Page: 14 Author: Andy Schultz (SchultzA@ci.missoula.mt.us) Subject: Sticky Note Date: 6/9/2022 11:13:01 AM
this needs to be updated per the additional data in the stormwater report groundwater table. They are higher in June measurements.

Page: 14 Author: Andy Schultz (SchultzA@ci.missoula.mt.us) Subject: Sticky Note Date: 6/9/2022 12:52:29 PM
Based on updated groundwater info in the stormwater report, and the shallow depth of the sewer I don't think we can allow basements.

Page: 17 Author: Andy Schultz (SchultzA@ci.missoula.mt.us) Subject: Sticky Note Date: 6/9/2022 9:50:32 AM
Based on this narrative it sounds like they may not have caught the highest groundwater level.

Page: 17 Author: Tracy (campbellt@ci.missoula.mt.us) Subject: Sticky Note Date: 6/3/2022 9:26:35 AM
Does the subdivision plan to construct basements?

Type: Highlight

-
-  Page: 27 Author: Ryan Guelff (GuelffR@ci.missoula.mt.us) Subject: Highlight Date: 6/7/2022 9:53:45 AM
This data is not presented anywhere. It appears MDT 2019 count data is being used, so clarify this and factor this data up to the design year (from 2019) accordingly.
-
-  Page: 27 Author: Ryan Guelff (GuelffR@ci.missoula.mt.us) Subject: Highlight Date: 6/7/2022 9:54:49 AM
Briggs Street TMC data is missing from Appendix A contrary to what is being stated - include it.
-
-  Page: 27 Author: Ryan Guelff (GuelffR@ci.missoula.mt.us) Subject: Highlight Date: 6/7/2022 9:56:24 AM
Pedestrian data was captured, but bicyclist movements appear to be rolled into vehicle count data. Bicyclist data should be differentiated (MCPWSS 7.2.3.A.4).
-
-  Page: 27 Author: Ryan Guelff (GuelffR@ci.missoula.mt.us) Subject: Highlight Date: 6/7/2022 9:59:03 AM
The Beckwith continuous count site is a more appropriate comparison with MCR/LMCR based on functional class (collectors) and surrounding land use (primarily residential). Update seasonal/COVID related variation considerations based on the Beckwith count site.

What years are this 5-yr range over? 2014-2018 data we have on file indicates 78 crashes at Brooks/MCR, eight crashes at MCR/Briggs, and six crashes at MCR/LMCR.

No crashes are "acceptable". Evaluate how many crashes would be contributed by the development on an annual basis given the crash rates (especially at LMCR/Old Bitterroot).

Page: 33 Author: Ryan Guelff (GuelffR@ci.missoula.mt.us) Subject: Highlight Date: 6/7/2022 10:10:01 AM

Existing TMC data shown in Appendix D does not corroborate these distribution assumptions (e.g. more than 50% traffic appears to go east on Brooks in AM peak). There also isn't adequate justification as to why any traffic will head south from the subdivision on LMCR in any peak period. Provide justifications for distribution assumptions based on actual data and clearly articulate those data-driven assumptions here.

Page: 33 Author: Ryan Guelff (GuelffR@ci.missoula.mt.us) Subject: Highlight Date: 6/7/2022 10:15:27 AM

Intersection (vehicular) LOS is the only metric being evaluated in this report. We need to see considerations for bicycle/pedestrian and the implications of related commuting to/from the transit stop on Weeping Willow Dr. Pedestrian/bicyclist/transit analysis and considerations are required per MCPWSS 7.2.3.A.4.

Distribution percentages for departure patterns appear to differ from those of arrival patterns per the TMC data in Appendix B. Provide separate trip distributions for the AM vs. PM peak per MCPWSS 7.2.3.A.5.a.2.f.

Page: 35 Author: Ryan Guelff (GuelffR@ci.missoula.mt.us) Subject: Highlight Date: 6/7/2022 10:16:50 AM
Provided projected "no-build" LOS in design year per MCPWSS 7.2.3.A.5.a.3.

Page: 35 Author: Ryan Guelff (GuelffR@ci.missoula.mt.us) Subject: Highlight Date: 6/7/2022 10:18:36 AM
Include analysis for future LMCR/Old Bitterroot Rd roundabout. This intersection is critical for development access to LMCR and the local street network.

Page: 35 Author: Ryan Guelff (GuelffR@ci.missoula.mt.us) Subject: Highlight Date: 6/7/2022 10:19:37 AM
Provide projected LOS with these improvements, and queuing analysis for both, if recommended.

 Page: 38 Author: Ryan Guelff (GuelffR@ci.missoula.mt.us) Subject: Highlight Date: 6/7/2022 10:20:38 AM
LMCR?

 Page: 38 Author: Ryan Guelff (GuelffR@ci.missoula.mt.us) Subject: Highlight Date: 6/7/2022 10:20:06 AM
Bigfork Rd?

 Page: 38 Author: Ryan Guelff (GuelffR@ci.missoula.mt.us) Subject: Highlight Date: 6/7/2022 10:32:20 AM
Provide full two hour counts (per MCPWSS 7.2.3.A.5.a.2.a). This comment applies to all collected count data.

Type: Sticky Note

Page: 75 Author: monroet Subject: Sticky Note Date: 6/20/2022 2:16:19 PM
Need to include how RW will be utilized by City, ie. installation of X gpm well, route to Sofie storage, etc.

Page: 75 Author: monroet Subject: Sticky Note Date: 6/20/2022 2:17:01 PM
Need Phase 3 water distribution and how water main crosses drainage ditch

We need to see test well pumping records that show the proposed peak demand for the development can be met by an onsite well.

We need to make sure that we get the subdivision conditions right on this phasing. We can't serve them water until they have transferred their water rights and built the necessary infrastructure. Do they need to change their plat since the only thing we can approve/plat at this point is Phase 1A. We can't approve Phase 1B, 2, or 3 until water rights are provided and a public water supply well is drilled and connected to the Missoula Water System.

Does not mention Phase 3 at all. Need force main calculations, how it crosses the drainage ditch and that the main be HOA maintained.

There is a potentially limiting segment of existing sewer main between the proposed connection point and Lower Miller Creek Lift Station.

Sewer model results indicate that the gravity sewer main between manholes P08-28-A1 and P08-28-A2 is out of capacity.

The developer will need to survey the slope of this pipe segment. If investigation confirms inadequate pipe slope, the developer will need to increase the capacity of this segment by upsizing or steepening.

Type: Highlight

 Page: 99 Author: Adam Marsh (MarshA@ci.missoula.mt.us) Subject: Highlight Date: 6/9/2022 2:44:52 PM

Type: Sticky Note

 Page: 99 Author: Adam Marsh (MarshA@ci.missoula.mt.us) Subject: Sticky Note Date: 6/9/2022 2:45:47 PM

This does not match previously stated full buildout population. Is this a typo or is it meant to include additional future phases? (TM) Ensure all reports use the same # people

 Page: 99 Author: Adam Marsh (MarshA@ci.missoula.mt.us) Subject: Sticky Note Date: 6/9/2022 2:47:14 PM

City of Missoula design standards effective at the time of Stage 3 approval will be the construction/design standards

Subdivision drainage must account for Phase 3 and the townhouse lot. Show what is being done to the existing drainage crossing.

Page: 120 Author: Andy Schultz (SchultzA@ci.missoula.mt.us) Subject: Sticky Note Date: 6/9/2022 11:15:47 AM

I'm not sure this is correct. It would be pre-development peak flow rates for both the 2-year and 100-year storm. This makes it sound like the 100-year storm has to be released at 2-year pre-development levels.

Page: 120 Author: Andy Schultz (SchultzA@ci.missoula.mt.us) Subject: Sticky Note Date: 6/9/2022 11:21:30 AM

Add temperature to design goals.

Page: 121 Author: Andy Schultz (SchultzA@ci.missoula.mt.us) Subject: Sticky Note Date: 6/9/2022 11:22:42 AM
we would like to see perforated pipes as opposed to chambers from a maintenance perspective

Page: 121 Author: Tracy (campbellt@ci.missoula.mt.us) Subject: Sticky Note Date: 6/3/2022 1:37:44 PM
Are you proposing Chambermaxx or Stormtech?

Page: 121 Author: Andy Schultz (SchultzA@ci.missoula.mt.us) Subject: Sticky Note Date: 6/9/2022 11:23:36 AM
indicate which test pit this rate came from and which factor of safety was used.

is this appropriate given the lot sizes? Seems like the percent impervious would be higher?

Page: 126 Author: Andy Schultz (SchultzA@ci.missoula.mt.us) Subject: Sticky Note Date: 6/9/2022 11:33:23 AM

Just want to make sure the shallow sumps meet the spread width and flow depth requirements

Page: 126 Author: Adam Marsh (MarshA@ci.missoula.mt.us) Subject: Sticky Note Date: 6/9/2022 3:03:32 PM

Surcharging stormwater pipe networks should be modeled using a dynamic model that calculates and updates backwater conditions at each timestep.

Provide description of dynamic routing method used or revise results using a dynamic routing method.

Page: 126 Author: Adam Marsh (MarshA@ci.missoula.mt.us) Subject: Sticky Note Date: 6/9/2022 3:05:19 PM

Please provide a figure depicting the model nodes and flow connections

- Page: 131 Author: Adam Marsh (MarshA@ci.missoula.mt.us) Subject: Sticky Note Date: 6/9/2022 3:20:26 PM
Max Water Depth in table below implies 1.3-ft of water depth is accumulated during the 100-yr event. Which is correct?
-
- Page: 131 Author: Adam Marsh (MarshA@ci.missoula.mt.us) Subject: Sticky Note Date: 6/9/2022 3:21:34 PM
Discharge rate does not match table below.
-
- Page: 131 Author: Adam Marsh (MarshA@ci.missoula.mt.us) Subject: Sticky Note Date: 6/9/2022 5:11:26 PM
How was discharge from the basin calculated? I may be missing something but 4.6-cfs (6.33-cfs in table) seems high for a partially submerged 18" orifice. An 18" wide rectangular weir with 1.08' of head has a 5.18-cfs capacity.
-
- Page: 131 Author: Andy Schultz (SchultzA@ci.missoula.mt.us) Subject: Sticky Note Date: 6/9/2022 12:00:20 PM
Will a floodplain permit be required?
-
- Page: 131 Author: Andy Schultz (SchultzA@ci.missoula.mt.us) Subject: Sticky Note Date: 6/9/2022 12:00:37 PM
I think we would also want a flap gate on the outfall pipe...
-
- Page: 131 Author: Tracy (campbellt@ci.missoula.mt.us) Subject: Sticky Note Date: 6/3/2022 12:33:54 PM
Does this consider the draft floodplain data and channel migration zone too?
-
- Page: 131 Author: Andy Schultz (SchultzA@ci.missoula.mt.us) Subject: Sticky Note Date: 6/9/2022 12:01:36 PM
discuss outfall piping size and swale sizing. Need a detail of the swale that discharges to the river
-
- Page: 131 Author: Adam Marsh (MarshA@ci.missoula.mt.us) Subject: Sticky Note Date: 6/9/2022 3:56:12 PM
Provide calculation for suspended sediment removal

Discuss how maintenance access will be provided.

need to address temperature.

Page: 136 Author: Adam Marsh (MarshA@ci.missoula.mt.us) Subject: Sticky Note Date: 6/9/2022 4:11:45 PM

What is the general stormwater plan for Phase 3? If phase 3 will utilize the stormwater wetland, include calculations showing the stormwater wetland can handle the additional future flow.

Page: 136 Author: Monte Sipe (SipeM@ci.missoula.mt.us) Subject: Sticky Note Date: 6/8/2022 9:22:42 AM

Storm Drain Main A & B along with detention facility needs to be constructed with Ph1 and prior to City LMCR project

Lack of boulevard trees. They should be spaced 30' apart, 10' from underground utilities. Based on minimum 7' boulevard requirements all should be class 2 trees, except where there are overhead lines, then the trees need to be class 1.

Page: 142 Author: Marie (manderson@ci.missoula.mt.us) Subject: Sticky Note Date: 6/15/2022 2:03:06 PM
All boulevards need to be fully treed.

Page: 142 Author: Andy Schultz (SchultzA@ci.missoula.mt.us) Subject: Sticky Note Date: 6/9/2022 11:53:55 AM
What is this structure for?

Trees are required in all right-of-way areas

Trees need to be added in all boulevards

Page: 146 Author: Tracy (campbellt@ci.missoula.mt.us) Subject: Sticky Note Date: 6/3/2022 1:17:56 PM

What is the status of ownership and maintenance responsibilities for this basin?

Page: 146 Author: Andy Schultz (SchultzA@ci.missoula.mt.us) Subject: Sticky Note Date: 6/9/2022 11:57:28 AM

where is the access to get maintenance equipment to the forebay? Need reinforced turf and pad at a minimum to get a vac truck or excavator into the site.

Page: 146 Author: Adam Marsh (MarshA@ci.missoula.mt.us) Subject: Sticky Note Date: 6/9/2022 3:54:30 PM

Provide scour/undercutting protection for inlet and outlet structures

Page: 146 Author: Andy Schultz (SchultzA@ci.missoula.mt.us) Subject: Sticky Note Date: 6/9/2022 11:57:56 AM

what happens to the basin when it gets flooded? Are portions of it going to get destroyed, silted in, etc.

Page: 146 Author: Adam Marsh (MarshA@ci.missoula.mt.us) Subject: Sticky Note Date: 6/9/2022 3:49:07 PM

Provide debris screen to prevent plugging

Page: 146 Author: Tracy (campbellt@ci.missoula.mt.us) Subject: Sticky Note Date: 6/3/2022 12:55:18 PM

At what stage do we see details for the outfall?

This hydrant plan is not sufficient for the whole subdivision. Need hydrants on LMCR to cover the senior living lot, at Gustuson Rd to cover the townhouse lot, on Old Bitterroot towards the roundabout to cover the religious facility lot, and on Old Bitterroot to cover Phase 3

There needs to be complete preliminary design of all infrastructure, including servicing Phase 3 and the water main to Christian Drive. They don't need to be construction level, but we need complete subdivision level.

- Page: 157 Author: monroet Subject: Sticky Note Date: 6/17/2022 3:33:29 PM
 There will be a requirement to provide parking for the Park in Phase 1A. If that is the parking shown along Old Bitterroot Rd, the requirement would be for a 20-ft 2" asphalt road, gravel shoulders and a 5-ft temporary asphalt trail. If the drive lanes are not sacrificial, then water, sanitary sewer and storm sewer will need to be placed first.

- Page: 157 Author: Monte Sipe (SipeM@ci.missoula.mt.us) Subject: Sticky Note Date: 6/8/2022 8:55:33 AM
 I would say Old Fort Rd btw. Riverfront and LMCR needs to be constructed with Ph IA. There are utilities, storm water infrastructure, etc that need to be addressed on this stretch of street prior to the City project

- Page: 157 Author: Monte Sipe (SipeM@ci.missoula.mt.us) Subject: Sticky Note Date: 6/8/2022 8:47:44 AM
 Need to determine limits/elements of City LMCR CIP project - i.e. boulevards and sidewalk on west/north side of LMCR adjacent to development

- Page: 157 Author: Monte Sipe (SipeM@ci.missoula.mt.us) Subject: Sticky Note Date: 6/8/2022 8:52:34 AM
 City only installing intersection improvements for the street heading south. Other necessary improvements would be on developer

Sufficiency - Old Bitterroot Rd completed as full street upto end of parking lane, then just drive lanes and bike lanes to LMCR, no curbs, etc.

Subdivision responsible for half street improvements on LMCR. Need to show on plans and road section. City will provide design for LMCR upto curb, subdivision to design 10' blvd 6' sidewalk. City will postpone street work upto curb, subdivision responsible for curb to edge of ROW.



Page: 158 Author: Marie (manderson@ci.missoula.mt.us) Subject: Sticky Note Date: 6/15/2022 2:06:38 PM
Trees need to be added.

Page: 158 Author: Monte Sipe (SipeM@ci.missoula.mt.us) Subject: Sticky Note Date: 6/8/2022 8:59:08 AM
show ADA curb ramps and crossing at Drago on west side of LMCR. Once at Stage 3 - need to get plans to WGM for tie-in review with City LMCR project.

Page: 160 Author: Andy Schultz (SchultzA@ci.missoula.mt.us) Subject: Sticky Note Date: 6/9/2022 12:16:15 PM
need to look at placement of trees. Can't have them right next to dry wells, especially ones with chambers/perf cmp

Page: 160 Author: Marie (manderson@ci.missoula.mt.us) Subject: Sticky Note Date: 6/15/2022 2:07:15 PM
trees need to be added

Page: 162 Author: Monte Sipe (SipeM@ci.missoula.mt.us) Subject: Sticky Note Date: 6/8/2022 9:43:12 AM
delineation btw. bike/ped facilities - tactile strip?

Page: 162 Author: Marie (manderson@ci.missoula.mt.us) Subject: Sticky Note Date: 6/15/2022 2:08:59 PM
needs to be fully tree'd

Page: 162 Author: Monte Sipe (SipeM@ci.missoula.mt.us) Subject: Sticky Note Date: 6/8/2022 9:40:18 AM
Radius curb returns to front end of S/W - commercial approach Typ.,

Page: 162 Author: Monte Sipe (SipeM@ci.missoula.mt.us) Subject: Sticky Note Date: 6/8/2022 9:41:45 AM
Alley cove tie in to sidewalk - how are they conveying storm water at approaches Typ?

Page: 163 Author: Marie (manderson@ci.missoula.mt.us) Subject: Sticky Note Date: 6/15/2022 2:09:23 PM
Trees need to be added

Page: 163 Author: Andy Schultz (SchultzA@ci.missoula.mt.us) Subject: Sticky Note Date: 6/9/2022 12:41:25 PM

What are the details of this stormwater crossing? Show something in the profile to show there is adequate clearance since we are cutting existing grade here.

Trees need to be 10' laterally from the edge of driveways and ADA ramps that bisect the boulevard.

Page: 166 Author: Lucy Rummler (RummlerL@ci.missoula.mt.us) Subject: Sticky Note Date: 6/14/2022 1:29:21 PM

Even this cul-de-sac is indicated as temporary and not within contract, this is a likely area people will park to access the river unless signs are placed or curbs painted to restrict parking and maintain fire turnaround clearance.

Page: 166 Author: Marie (manderson@ci.missoula.mt.us) Subject: Sticky Note Date: 6/15/2022 2:12:17 PM

remaining area needs to be tree'd

Add trees.

Type: Oval

	Page: 187	Author: Adam Marsh (MarshA@ci.missoula.mt.us)	Subject: Oval	Date: 6/13/2022 2:06:53 PM
	Page: 187	Author: Adam Marsh (MarshA@ci.missoula.mt.us)	Subject: Oval	Date: 6/13/2022 2:06:59 PM
	Page: 187	Author: Adam Marsh (MarshA@ci.missoula.mt.us)	Subject: Oval	Date: 6/13/2022 2:06:07 PM
	Page: 187	Author: Adam Marsh (MarshA@ci.missoula.mt.us)	Subject: Oval	Date: 6/13/2022 2:06:20 PM
	Page: 187	Author: Adam Marsh (MarshA@ci.missoula.mt.us)	Subject: Oval	Date: 6/13/2022 2:06:28 PM
	Page: 187	Author: Adam Marsh (MarshA@ci.missoula.mt.us)	Subject: Oval	Date: 6/13/2022 2:07:12 PM
	Page: 187	Author: Adam Marsh (MarshA@ci.missoula.mt.us)	Subject: Oval	Date: 6/13/2022 2:07:23 PM

Type: Line

	Page: 187	Author: Adam Marsh (MarshA@ci.missoula.mt.us)	Subject: Line	Date: 6/13/2022 2:09:22 PM
	Page: 187	Author: Adam Marsh (MarshA@ci.missoula.mt.us)	Subject: Line	Date: 6/13/2022 2:09:39 PM
	Page: 187	Author: Adam Marsh (MarshA@ci.missoula.mt.us)	Subject: Line	Date: 6/13/2022 2:09:32 PM
	Page: 187	Author: Adam Marsh (MarshA@ci.missoula.mt.us)	Subject: Line	Date: 6/13/2022 2:08:54 PM
	Page: 187	Author: Adam Marsh (MarshA@ci.missoula.mt.us)	Subject: Line	Date: 6/13/2022 2:08:50 PM
	Page: 187	Author: Adam Marsh (MarshA@ci.missoula.mt.us)	Subject: Line	Date: 6/13/2022 2:08:36 PM
	Page: 187	Author: Adam Marsh (MarshA@ci.missoula.mt.us)	Subject: Line	Date: 6/13/2022 2:08:41 PM
	Page: 187	Author: Adam Marsh (MarshA@ci.missoula.mt.us)	Subject: Line	Date: 6/13/2022 2:09:16 PM
	Page: 187	Author: Adam Marsh (MarshA@ci.missoula.mt.us)	Subject: Line	Date: 6/13/2022 2:08:59 PM
	Page: 187	Author: Adam Marsh (MarshA@ci.missoula.mt.us)	Subject: Line	Date: 6/13/2022 2:09:05 PM
	Page: 187	Author: Adam Marsh (MarshA@ci.missoula.mt.us)	Subject: Line	Date: 6/13/2022 2:07:05 PM
	Page: 187	Author: Adam Marsh (MarshA@ci.missoula.mt.us)	Subject: Line	Date: 6/13/2022 2:03:48 PM
	Page: 187	Author: Adam Marsh (MarshA@ci.missoula.mt.us)	Subject: Line	Date: 6/13/2022 2:08:15 PM
	Page: 187	Author: Adam Marsh (MarshA@ci.missoula.mt.us)	Subject: Line	Date: 6/13/2022 2:08:22 PM
	Page: 187	Author: Adam Marsh (MarshA@ci.missoula.mt.us)	Subject: Line	Date: 6/13/2022 2:07:57 PM
	Page: 187	Author: Adam Marsh (MarshA@ci.missoula.mt.us)	Subject: Line	Date: 6/13/2022 2:08:05 PM

Type: Polygonal Line

	Page: 187	Author: monroet	Subject: Polygonal Line	Date: 6/17/2022 2:56:08 PM
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Type: Sticky Note

Comments from page 187 continued on next page



Page: 188 Author: Andy Schultz (SchultzA@ci.missoula.mt.us) Subject: Sticky Note Date: 6/9/2022 12:43:40 PM
show east/west sewer

Page: 188 Author: Andy Schultz (SchultzA@ci.missoula.mt.us) Subject: Sticky Note Date: 6/9/2022 12:46:04 PM
I'm having a tough time following this. Isn't Sewer A on Riverfront Place, not Tolley?

Page: 191 Author: Andy Schultz (SchultzA@ci.missoula.mt.us) Subject: Sticky Note Date: 6/9/2022 12:49:48 PM
trees on top of sewer don't work (typ)

Page: 191 Author: Andy Schultz (SchultzA@ci.missoula.mt.us) Subject: Sticky Note Date: 6/9/2022 12:50:10 PM
with these sewer grades, basements won't work because they will have to be pumped. (typ)

Page: 192 Author: Andy Schultz (SchultzA@ci.missoula.mt.us) Subject: Sticky Note Date: 6/9/2022 12:50:42 PM
east/west sewer? (typ)

Page: 192 Author: Adam Marsh (MarshA@ci.missoula.mt.us) Subject: Sticky Note Date: 6/13/2022 4:55:46 PM
To the extent possible, keep sewer mains from crossing curb lines

need to flush out this stormwater crossing and ensure sewer can actually make it across

Page: 202 Author: Andy Schultz (SchultzA@ci.missoula.mt.us) Subject: Sticky Note Date: 6/9/2022 1:57:48 PM

need to see preliminary layout of well house, wells, etc to ensure they can fit within utility lot/easements.

Page: 202 Author: Andy Schultz (SchultzA@ci.missoula.mt.us) Subject: Sticky Note Date: 6/9/2022 1:08:06 PM

Final water main sizing will take place during the Stage process after more information is known about the public water supply well

Page: 202 Author: Andy Schultz (SchultzA@ci.missoula.mt.us) Subject: Sticky Note Date: 6/9/2022 2:12:14 PM

Need to have a condition that for Phase 1A, water mains can be utilized for fire protection but no service connections allowed until water rights are transferred and well, well house, transmission mains, and other associated appurtenances have been reviewed, approved, and constructed. (they will be served with water from a privately run public water supply that will be a small enough well to be exempt from water rights). Phases 1B and later are not allowed to be constructed until water rights are transferred and well, well house, transmission mains, and other associated appurtenances have been reviewed, approved, and constructed.

Page: 202 Author: Andy Schultz (SchultzA@ci.missoula.mt.us) Subject: Sticky Note Date: 6/9/2022 1:39:46 PM

Plans need to make it clear where the "temporary" public water supply well is and that it meets required setbacks.

Page: 202 Author: Andy Schultz (SchultzA@ci.missoula.mt.us) Subject: Sticky Note Date: 6/17/2022 12:06:46 PM

also need to have a comment that Phase 1B and beyond cannot be constructed until easements or public right of way is utilized to install water transmission main to a connection near the intersection of Christian Drive and Lower Miller Creek Road, above the existing pressure reducing vault.

Page: 205 Author: Andy Schultz (SchultzA@ci.missoula.mt.us) Subject: Sticky Note Date: 6/9/2022 4:07:27 PM
is there easement or r/w up here?

Page: 205 Author: Adam Marsh (MarshA@ci.missoula.mt.us) Subject: Sticky Note Date: 6/14/2022 5:41:11 PM
Make sure pipe joint deflection is not more than 50% of manufacturer recommendation

Should this water main extend north?

I don't think that we can require them to

Page: 224 Author: Andy Schultz (SchultzA@ci.missoula.mt.us) Subject: Sticky Note Date: 6/9/2022 2:15:36 PM
see comments on the plans in the stormwater report as well.

Page: 224 Author: Tracy (campbellt@ci.missoula.mt.us) Subject: Sticky Note Date: 6/3/2022 1:35:22 PM
Where are the plans and profiles for the dry wells?

Minimum boulevard width is 7'. Given the variable width of this boulevard, ensure that the minimum soil volume requirements in the Parks Design Manual are met

Update all STD's

Page: 242 Author: Tracy (campbellt@ci.missoula.mt.us) Subject: Sticky Note Date: 6/3/2022 1:14:33 PM

The Drainage Report identifies Contech Chambermaxx, while this detail shows ADS Stormtech Chambers. Not a big deal, just looking for consistency. I think this design is ok, but I thought we excluded these from a recent proposal in Sxwtpqyen? There was concern over maintenance. I am open to seeing how they function in this area. For the dry wells without pretreatment, is there something that can be added internally, to prevent debris from entering the chamber? The 2-foot catch basin is helpful, but debris can still be stirred up during storms and end up in the chambers.

Page: 242 Author: Andy Schultz (SchultzA@ci.missoula.mt.us) Subject: Sticky Note Date: 6/9/2022 2:19:25 PM

preference is to have perforated cmp for maintenance.

Page: 242 Author: Andy Schultz (SchultzA@ci.missoula.mt.us) Subject: Sticky Note Date: 6/9/2022 4:08:28 PM

is there a reason why these aren't open bottomed dry wells? I'd feel better from a maintenance standpoint if we didn't have water flowing into these chambers/pipes as often. Otherwise I agree with Tracy's comment that we need to provide some mechanism to prevent sediment from re-suspending and entering the chambers during a large storm.



COMMUNITY PLANNING, DEVELOPMENT & INNOVATION

Development Services Division

435 RYMAN | MISSOULA, MT 59802-4297 | 406.552.6630 | FAX 406.552.6053

May 31st, 2022

Kody Swartz
Woith Engineering, Inc
3860 O'Leary Street, Suite A
Missoula, MT 59808

Re: 6th Element Review of Riverfront Trails Subdivision

Dear Kody Swartz,

Development Services received your revised application packet for the above subdivision for *6th Element Review* on May 23rd, 2022. The element review deadline is May 31st, 2022. Note May 30th was a holiday. **At this time, Development Services certifies your application packet as containing all the necessary elements.**

To proceed with Agency Sufficiency Review, please follow the steps outlined below.

Information for Agency Sufficiency Review

An electronic version of your *6th Element Review* packet will become the "First Agency Sufficiency Review" packet. In lieu of reviewing a hard copy packet, agencies and interested parties will be reviewing your electronic packet via the Development Services web site.

As soon as all sections of the application packet are available online, our office will provide for you the web address to send to agencies and interested parties. So that I can complete uploading the materials, please email to me an updated cover page that states "First Agency Sufficiency Review" under the May 2022 date.

Once you receive the web address for the sufficiency review packet, you will send agencies and interested parties a **hard copy** letter indicating the subdivision is in "*First Agency Sufficiency Review*." Be sure to include the website address in the hard copy letter. Agencies and interested parties should be given **twelve (12)** working days to review and comment on the subdivision.

The information in the hard copy letter should be duplicated in an email to the same agencies and interested parties, on which I ask you to copy me.

The cover letter and email should include the following:

1. The date agencies and interested parties were notified of the packet's availability online for Sufficiency Review.
2. The agency review comment deadline.
3. The Sufficiency Review deadline, which should be 3 days after the agency review deadline to allow Development Services time to compile Agency Sufficiency items and send a letter stating whether the packet is Sufficient.

If you have additional questions, you may reach me at (406) 552-6673 or email me at TripardC@ci.missoula.mt.us.

Sincerely,

Cassie Tripard

Cassie Tripard, Planning Supervisor
Development Services
Community Planning, Development, & Innovation

encl: agency review list

cc: Mary McCrea, CPDI
Dave DeGrandpre, CPDI
Troy Monroe, PW&M
Steve Reichert, PW&M
Walter Banziger, CPDI
Eran Pehan, CPDI



MEMO

6TH ELEMENT REVIEW SUBMITTAL
MAY 23, 2022

TO: CASSIE TRIPARD, DEVELOPMENT SERVICES
FROM: KODY SWARTZ, PE, LSI
DATE: MAY 23, 2022
JOB: WEI-2101 RIVERFRONT TRAILS SUBDIVISION
RE: 6TH ELEMENT REVIEW SUBMITTAL
CC:

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY FOR YOUR USE

Dear Ms. Tripard,

Woith Engineering, Inc. received your 5th Element Review of the Riverfront Trails Subdivision preliminary plat application on May 20, 2022. This letter is intended to outline the revisions that have been made to address the identified deficiencies. Your comments are shown in normal font, with the project team's responses shown in *red italic* font. We have resubmitted only the documents that have changed in response to the fifth element review comments. Note that the only change in the PUD Subdivision document is the addition of the date of sixth element submittal to the cover sheet.

General

Provide all the information required under City Subdivision regulations Article 5, Sections 5-010 and 5-020 and provide answers to all questions consistently from one section to the next, and address all applicable subdivision design standards in Article 3 of the City Subdivision regulations. Please include the following items:

Short Courts:

- a. ... This is also part of the subdivision requirement that all lots be provided by legal and physical access. In order for Fire, Planning, and Engineering to provide comment on the short courts during sufficiency, the design for each short court must be included.

Lastly, Article 3-020.6.B.5 requires a circulation plan for short courts. It does not state

than an example of a short court is acceptable.

We have included designs for the portion of each short court inside the public access and utility easements on sheets C3.25 – C3.28 of the updated preliminary construction plans. These designs show the proposed grading of the asphalt and cove gutter, as well as the length of each short court measured from the edge of the traveled street. The short courts have a 21' pavement width, which is wide enough for an entering vehicle and departing vehicle to pass. The 26' public access easement and 20' setback to the garages will ensure that vehicles parked in front of garages have adequate backing distance as part of the circulation plan.

- b. Show parking locations on the plat. The short court exhibit shows use of on street parking which is acceptable to meet this requirement. However, some of the short courts align with bulb outs meaning street parking will not be available. For these short courts, expand the easement size to incorporate the over-flow parking provided in front of the two car garages.

Sheets C3.25 – C3.28 of the updated preliminary construction plans show the proposed overflow parking locations for each specific short court. For the short courts adjacent to bulb-outs, we have extended the easement an additional 16' to accommodate two overflow parking spaces, with the overall length remaining below the 150' maximum required by the fire department. Street parking will still be available for additional overflow parking in many instances, but adding the short extension to the short court helps to clarify the requirement and show the circulation plan for each.

Preliminary Plat

- a. The short court easements currently are only labeled “26’ public access easement” on the plat. The rest of the packet also refers to them as public utility easements as well. Correct the easement labeling on the plat to show short court easements are both PAE and PUE.

We have clarified the type of easements on the updated Preliminary Plat.

Neighborhood Character Overlay

- a. The ordinance for the overlay will need to include an amendment to the table in 20.25.040 to add this new neighborhood character overlay to the list.

We have included an example of the amendment to the table in 20.25.040 in the updated Neighborhood Character Overlay document.

- b. The code we will prescribe to this new section is 20.25.058 – this needs to be included in the ordinance in order for it to be put into Municode. Replace the title “Riverfront Trails Neighborhood Character Overlay with “20.25.058 - /NC-RT, Riverfront Trails Neighborhood Character Overlay”

We have updated the title of the Neighborhood Character Overlay document to reflect this change.

- c. Add an Applicability section to specify where this /NC applies – take a look at the other /NC’s in the code for examples of how these statements are worded.

The updated Neighborhood Character Overlay document includes an Applicability section.

- d. Do not refer to the overlay as “the District”. Instead, when shorthand is needed it should be referenced throughout as “/NC-RT”.

The updated Neighborhood Character Overlay reflects this change.

- e. Provide a vicinity map at a minimum, and maps or exhibits to demonstrate where the separate standards apply (if possible). Use hatching to designate different areas instead of color. Long Range Planning stated Title 20 cannot refer to outside documents like the plat. Instead, exhibits must be incorporated into the code. I recommend looking at the Development Park overlay to get an idea of how hatched maps showing permitted locations of specific standards may look.

The updated Neighborhood Character Overlay includes a vicinity map with hatching to designate the areas where each of the proposed standards apply. The setback exhibit can be more closely incorporated in-line with the text with captions during sufficiency review, if necessary.

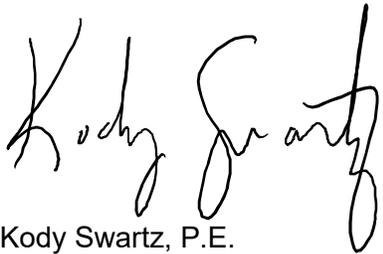
MEMO

6TH ELEMENT REVIEW SUBMITTAL
MAY 23, 2022

Additionally, thank you for noting the preliminary sufficiency items. We will begin our work to coordinate or clarify these items with the relevant agencies. Please let me know if you have any additional questions or require additional supporting information. Thank you for your patience and review of this subdivision plat!

Sincerely,

Woith Engineering, Inc.



Kody Swartz, P.E.
Missoula Operations Manager

ENCL: RIVERFRONT TRAILS PRELIMINARY PLAT
 RIVERFRONT TRAILS PUD SUBDIVISION APPLICATION
 REVISED APPENDICES



Development Services Division

435 RYMAN | MISSOULA, MT 59802-4297 | 406.552.6630 | FAX 406.552.6053

May 20th, 2022

Kody Swartz
Woith Engineering, Inc
3860 O'Leary Street, Suite A
Missoula, MT 59808

Re: 5th Element Review of Riverfront Trails Subdivision – 176 Lot Major

Dear Kody Swartz,

Development Services received your application packet for the above subdivision for *5th Element Review* on May 13th, 2022. The element review deadline is May 20th, 2022. **At this time, Development Services cannot certify your application packet as containing all the necessary elements.**

Please address the items listed below. Once these items have been addressed, please submit a *6th Element Review* packet with a new cover page clearly titled as *6th Element Review*, and include the date submitted. In lieu of a CD, please provide the *6th Element Review* materials on a USB drive or provide a link for downloading the application materials.

General

Provide all the information required under City Subdivision regulations Article 5, Sections 5-010 and 5-020 and provide answers to all questions consistently from one section to the next, and address all applicable subdivision design standards in Article 3 of the City Subdivision regulations. Please include the following items:

Short Courts:

- a. Article 5, Section 5-020.10 requires street and road plans. Private road cross sections and construction plans were not included with the Preliminary Construction Plan set. There is a standard short court drawing, however it does not represent the short courts in all lot layout instances meaning not all road and street plans have been provided.

The short courts are roads, they are not driveways. In the response cover letter, the applicant stated “we cannot design the grading of each short court in detail without plans for each building.” The private roads must be installed with the subdivision and must be designed.

Under the final plat section, Article 4, Section 4-070.4.F.2.d it states the Engineering Office cannot sign off on a final plat unless the following requirement is met: “Provide a cost estimate for all public and **private improvements, including roads**, drainage structures, curbs and gutters, sidewalks, bridges, deferred monumentation, and community sewer and water systems, for purposes of determining the amount of the improvements guarantee; or provide a letter certifying acceptance of the required public or private improvements if the subdivider chooses to install the improvements prior to the filing of the final plat.” **This means that the private roads will need to be**

installed by the subdivider either prior to final plat approval or with a cost estimate, security, and IA.

This is also part of the subdivision requirement that all lots be provided by legal and physical access. In order for Fire, Planning, and Engineering to provide comment on the short courts during sufficiency, the design for each short court must be included.

Lastly, Article 3-020.6.B.5 requires a circulation plan for short courts. It does not state than an example of a short court is acceptable.

- b. Article 3-020.6.B.10 states “No parking is allowed on the short court. **Provide a common area or easement with defined maintenance for over-flow parking at the rate of .5 spaces per dwelling with a minimum of two spaces.** For short court lots adjacent to the street, this amount may be reduced by the number of available on-street parking spaces adjacent to those lots. The subdivider must indicate the overflow parking showing the proposed locations and numbers of parking spaces on the circulation plan. Show parking locations on the plat. The short court exhibit shows use of on street parking which is acceptable to meet this requirement. However, some of the short courts align with bulb outs meaning street parking will not be available. For these short courts, expand the easement size to incorporate the over-flow parking provided in front of the two car garages.

Preliminary Plat

Provide all applicable information required under City Subdivision regulations Article 5, Section 5-010 and applicable preliminary plat supplements under Article 5, Section 5-020 while addressing all applicable subdivision design standards in Article 3 of the City Subdivision regulations. Include the following items:

- c. The short court easements currently are only labeled “26’ public access easement” on the plat. The rest of the packet also refers to them as public utility easements as well. Correct the easement labeling on the plat to show short court easements are both PAE and PUE.

Neighborhood Character Overlay

I received comment back from Long Range Planning on the NC Overlay. Most formatting/wording issues can be taken care of during sufficiency (e.g. the list below is not comprehensive). The overlay will need further refinement throughout the sufficiency process. However, major items are included below to be revised prior to the next element submittal. I recommend meeting with me to address the additional items that will come up in sufficiency.

- d. The ordinance for the overlay will need to include an amendment to the table in 20.25.040 to add this new neighborhood character overlay to the list.
- e. The code we will prescribe to this new section is 20.25.058 – this needs to be included in the ordinance in order for it to be put into Municode. Replace the title “Riverfront Trails Neighborhood Character Overlay with “20.25.058 - /NC-RT, Riverfront Trails Neighborhood Character Overlay”

- f. Add an Applicability section to specify where this /NC applies – take a look at the other /NC’s in the code for examples of how these statements are worded.
- g. Do not refer to the overlay as “the District”. Instead, when shorthand is needed it should be referenced throughout as “/NC-RT”.
- h. Provide a vicinity map at a minimum, and maps or exhibits to demonstrate where the separate standards apply (if possible). Use hatching to designate different areas instead of color. Long Range Planning stated Title 20 cannot refer to outside documents like the plat. Instead, exhibits must be incorporated into the code. I recommend looking at the Development Park overlay to get an idea of how hatched maps showing permitted locations of specific standards may look.

Other (preliminary sufficiency items)

The **following items are not required for element review**. However, addressing these items now will speed up the process once we reach sufficiency review.

- a. The annexation petition does not include the full accurate legal description. Section 11 is missing from the description.
- b. Page 38 of the Riverfront Trails Community states there are no slopes over 25%. This is not true.
- c. The Neighborhood Yield Street table on page 50 of the “Riverfront Trails Community” document has errors. It states there are two 10-foot drive lanes at the top of the table, then further down says there are 8-foot travel lanes, 5 foot parking lane, and 7.5 foot sidewalks. This appears to be a typo when compared to the road cross sections and construction plans. I recommend correcting this prior to sufficiency to facilitate review by Engineering, though it is not an element item.
- d. Title 20, Section 20.05.050.B under footnote 8 (below the table) states “The minimum parcel area requirement does not apply to lots created through subdivisions approved under MCA § 76-3, parts 5 and 6 after May 6, 2019. Total unit yield is calculated based upon the gross parcel area divided by the minimum parcel area per unit and any applicable hillside density reductions.” This means that the NC Overlay and PUD subdivision are not varying from minimum lot size, because minimum lot size does not apply to this subdivision. Per recent changes in state law, density is calculated across the entire site. There are references to varying from minimum lot size throughout the packet. For sufficiency, remove these references. Note that the overall proposed subdivision is well below the maximum density. Since density is applied across the subdivision, you might consider placing density limits in the NC Overlay on Lots 1 and 2 in case the current development plans fall through and the site is used for other forms of housing.
- e. Article 3, Section 3-130.3.C states “The riparian management plan must include a provision stating that all owners are subject to and must abide by the riparian resource management plan.” While this statement was included in the covenants, the regulations specifically state it must be included in the riparian management plan itself. Add this statement to the riparian management plan, in addition to the covenants.
- f. Page 6 of the Preliminary Plat states that keynote 1 is an 80’ wide public right-of-way where the storm drainage easement is. Page 3 of the Preliminary Plat, keynote 14,

states the storm drainage easement is a 60' wide public right-of-way. All other pages state this is "PUBLIC STORM DRAINAGE EASEMENT PER BOOK 564 MICRO, PAGE 1924". Per the 4th Element response letter, the applicant indicated this would be ROW to facilitate City maintenance. An easement is sufficient for maintenance and ROW is generally not be the correct tool. ROW is intended for roads. If Engineering does allow ROW for the drainage during sufficiency, then I will confirm with Mary whether additional lots in the common area are needed per Article 3, Section 3-030.1.C.2 "a single lot may not be divided by a street, road, alley, road right-of way or easement, or other lot". No action is required at this time as it is a sufficiency item. I just wanted to put it on Engineering's and your radar.

If you have additional questions, you may reach me at 552-6673 or email me at TripardC@ci.missoula.mt.us.

Sincerely,

Cassie Tripard

Cassie Tripard, Permits and Land Use Supervisor
Development Services, CPDI

cc: Mary McCrea, DS
Dave DeGrandpre, DS
Eran Pehan, CPDI
Troy Monroe, PWM
Steve Reichert, PWM
Nate Tollefson

MEMO

5TH ELEMENT REVIEW SUBMITTAL
MAY 13, 2022

TO: CASSIE TRIPARD, DEVELOPMENT SERVICES
FROM: KODY SWARTZ, PE, LSI
DATE: MAY 13, 2022
JOB: WEI-2101 RIVERFRONT TRAILS SUBDIVISION
RE: 5TH ELEMENT REVIEW SUBMITTAL
CC:

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY FOR YOUR USE

Dear Ms. Tripard,

Woith Engineering, Inc. received your 4th Element Review of the Riverfront Trails Subdivision preliminary plat application on April 4, 2022. This letter is intended to outline the revisions that have been made to address the identified deficiencies. Your comments are shown in normal font, with the project team's responses shown in *red italic* font. Note that we have revised the project to propose a Neighborhood Character Overlay in lieu of a PUD Overlay District; the responses below reflect this change. We have resubmitted only the documents that have changed in response to the fourth element review comments or the Neighborhood Character Overlay replacing the PUD Overlay.

General

- a. Provide density calculations for the portion of the project in the RT5.4/PUD Overlay. (e.g. there are XX sf of lots zoned RT5.4 and XX units). I would like to double check that with the removal of the parkland and religious assembly lot from the PUD, the project does not need to modify the density requirements for the zoning district.

The RT5.4/NC Overlay District covers 41.49 acres. There are 178 single- and multi-family dwelling units within the district, for a total density of 4.29 DU/acre. Including the 110 units in the assisted living facility, the total number of units in the Overlay District is 288, for a density of 6.94 DU/acre.

- b. Private road cross sections and construction plans were not included with the Preliminary Construction Plan set. There is a standard short court drawing, however it

does not represent the short courts in all lot layout instances which is not sufficient for review.

We have added a typical cross section for the short courts to the short court detail sheet in the Preliminary Construction Plans. Missoula Fire Department has indicated that the short courts do not need a fire apparatus turnaround if the length does not exceed 150 feet from the edge of the traveled right-of-way – we have depicted the lengths on the setback exhibit in the neighborhood character overlay to confirm this. The access and utility easements for each short court are designed to ensure they do not exceed this length. The typical section and short court standard detail will guide construction of the short courts, allowing a 26' easement width for backing distances, a 20' parking depth between the easement and garage face, and adequate snow storage. We cannot design the grading of each short court in detail without plans for each building. The details provided will ensure the short courts meet the standards of the subdivision regulations.

- c. Proposed zoning map in Section II Project Background states SD / Riverfront Trails zoning. You are not applying for a special district. You are applying for a PUD. Correct the map to say PUD Riverfront Trails / RT5.4.

We have provided an updated version of the proposed zoning map that calls out the district as RT5.4/Riverfront Trails Neighborhood Character Overlay.

- d. Page 8 of Section II Project Background in the packet has an incorrect legal description (missing full Section information). Correct to say "Tract 1 of COS 6449, located in the South ½ of Section 2 and the Northeast ¼ of Section 11..."

We have corrected the legal description in this section, and the other locations of the subdivision application, to include the full section information.

- e. Subdivision Application, Section K.2.c.ii states the fact the water rights have been or will be removed from the land within the subdivision shall be denoted on the preliminary plat. This note has not been provided on the preliminary plat. This is a requirement of Article 3, Section 3-060.4.C.

We have added the note specifying that the existing water rights will be transferred from the subject property. See Note 6 on Sheet 1 of the preliminary plat.

- f. Article 5, Section 5-020.14.L.2 states a vegetation map must be included in the Riparian Management Plan. You provided a map in other sections. Please attach the map to the Riparian Management Plan exhibit.

We have provided an updated version of the Riparian Management Plan document with the updated vegetation map exhibit attached.

- g. Article 3, Section 3-130.2 states “Riparian resource areas, riparian resources and riparian buffers must be designated with bearings and distances.” Clearly describe the width and dimensions of the riparian resource area and buffer area on the vegetation map.

We have added bearings and distances to the boundary of the proposed riparian buffer zone depicted on the vegetation map exhibit in the Riparian Management Plan.

- h. Article 3, Section 3-130.3.C states “The riparian management plan must include a provision stating that all owners are subject to and must abide by the riparian resource management plan.” This statement is not included in the provided plan or in the covenants.

This statement has been added to the covenant and the updated Riparian Management Plan has been appended to the covenant.

- i. MUTD Petition: Correct the legal description to include the correct Sections. Additionally, it states “the subject property as shown on the attached map” but no map is attached. Please add the map to the PDF.

We have corrected the MUTD petition to include the correct sections and attached a copy of COS 6449 to the document.

- j. Article 3, Section 3-020.5.B.4 states the maximum length of a cul-de-sac street must not be more than 600 feet. This is not met for Old Bitterroot Road. Add this to the list of variances. Additionally, determine if the cul-de-sac street is more than 15% of the total road way miles in the subdivision per Article 3, Section 3-020.5.B.3. This scenario does include practical difficulties due to the presences of topographic constraints, however it should be added to the variance list if not met.

We have updated the narrative of the variations document to include the length of the cul-de-sac and justifications. The cul-de-sac does not account for more than 15% of the total roadway miles in the subdivision. It is approximately 14% of the roadway miles, not including the length of Lower Miller Creek Road adjacent to and within the subdivision.

- k. Article 3, Section 3-020.5.B.11 states “in short court developments with front yard setbacks, curbs, gutters, and sidewalk on one side are also required.” This code section applies to the short courts. Are you intending to vary from this section?

We do not intend to vary from this section. We are not proposing front yard setbacks from the short court, other than the 20’ parking setback between the access and utility easement and the face of the garage. We will coordinate the drainage (curb) requirements with engineering during sufficiency review. At this time, we intend for a cove gutter to drain the invert of the driveways, similar to an alley. The cove gutter will convey the runoff to the street, where it will join the rest of the storm drainage system. The subdivision storm drainage system and model is sized to account for the impervious surfaces in the short courts.

- l. Page 14, Project Background, states duplexes are included as a building type. This is not accurate (see PUD Zoning Overlay section below).

We have removed the reference to duplexes from this section.

Preliminary Plat

- a. Page 5 of the Preliminary Plat states that keynote 1 is an 80’ wide public right-of-way. All other pages state this is “PUBLIC STORM DRAINAGE EASEMENT PER BOOK 564 MICRO, PAGE 1924”. Correct keynote 1 on page 5.

Key Note 1 on Page 5 of the preliminary plat calls out the drainage easement as PUBLIC STORM DRAINAGE EASEMENT PER BOOK 564 MICRO, PAGE 1924.

- b. Page 5 of the Preliminary Plat, Keynote 6 states there is a 5’ public utility easement. However, I do not see accompanying line work for the easement. Show the easement in addition to the keynote.

We have revised Page 5 of the Preliminary Plat to correctly depict the proposed 5’ public utility easement.

- c. Page 4 of the Preliminary Plat; what is the purpose of Keynotes 9, 10, and 11? I do not see them on the plat.

These key notes remained on the plat in error from a previous version. We have removed them.

- d. Page 3 of the Preliminary Plat; keynote 14 for a 60' public right-of-way is not shown on the plat. Where is the associated ROW for this keynote?

This ROW refers to the existing public storm drainage easement. It is shown in the southwest corner along the length of the easement. The project proposes the easement to be dedicated as a public right-of-way in this area, owned and maintained by the City, to avoid complications of maintenance agreements and property assessments associated with the drainage channel being in an easement across private properties.

- e. Preliminary Plat Page 3; what is the purpose of keynotes 1 and 2?

These key notes remained on the plat in error from a previous version. We have removed them.

- f. Page 2 of the Preliminary Plat; the existing ROW for Lower Miller Creek Road is shown, but the full ROW width shown on this plat is not labeled. Provide the ROW width for Lower Miller Creek Road to be established with this plat.

The ROW and existing easement width have been shown in this area, totaling an 80' width.

- g. Preliminary Plat pages 1 and 6; show dimensions (width) for the large public storm drainage easement in the common space. Show the easement on page 1 considering other large easements are shown on this page. Article 5, Section 5-010.4.H.

The exact dimensions of the stormwater wetland/detention basin have not been determined at this time – additional coordination of the requirements is needed during sufficiency review and public infrastructure design review. This easement is intended to cover the extents of the stormwater basin and does cover the extents of the basin shown on the preliminary plans, but we can't provide bearing and distance dimensions until the design of the pond is finalized. The easement is located on

Subdivision Application

- a. The subdivision application states this is also a condominium project. Is this accurate? Are condos only intended for the multi-dwelling building on Lot 176?

This was not accurate; there are no condominiums proposed. We have corrected the subdivision application document.

- b. Subdivision Application Section B: Subject Property Information, legal description. The legal description is inaccurate in terms of the correct Sections. Correct to say "Tract 1 of COS 6449, located in the South ½ of Section 2 and the Northeast ¼ of Section 11..."

We have corrected the legal description in this section of the subdivision application.

- c. Subdivision Application Section K.3.e.vi: Water Quality. The application states not applicable. Though you won't apply for a floodplain permit until you are ready to perform the work, a floodplain permit will be required for the stormwater infrastructure in the floodplain. Describe this requirement in the application. Stormwater infrastructure in the floodplain may require SPA 124 Permit (contact Fish, Wildlife & Parks), 310 Permit (Missoula Conservation District), 318 Authorization (DEQ). Additional permitting is likely required due to the stormwater connection to the river. Investigate and add a description of all applicable permit requirements to this section.

We have corrected this section of the subdivision application to indicate that the 310 Permit, SPA 124 Permit, Floodplain Permit, and 318 Authorization may be necessary and will be applied for at the time of permitting of construction documents.

- d. Subdivision Application Section K.3.g.i states that per the Geotech report, "positive drainage at a minimum slope of 2 percent, extending ten feet horizontally from all buildings, shall be provided." Is this possible with the 6-foot setbacks?

Drainage from the buildings can extend into the right-of-way. In these situations, a swale will be graded along the property line between buildings to direct the runoff towards the street. The impervious surfaces on the residential lots are estimated and accounted for in the storm drainage design.

- e. Subdivision Application Section K.6.a.iv.3.E states no loop streets are proposed. Cassidy Court is considered a loop street. Correct this in the application and address all items in this section.

We have corrected the statement that no cul-de-sacs and loop streets are proposed, and included a reference to Appendix T, which outlines the justification for the cul-de-sac and loop street.

PUD Application

- a. PUD Application Section B: Subject Property Information, legal description. The legal description is inaccurate in terms of the correct Sections. Correct to say “Tract 1 of COS 6449, located in the South ½ of Section 2 and the Northeast ¼ of Section 11...”

The PUD Application has been removed from the submittal package with the shift to a Neighborhood Character Overlay. We have provided a sheet to replace the file for Appendix B to avoid renaming all appendices and cross-references throughout the application package.

Rezoning Application

- a. Rezoning Application Section B: Subject Property Information, legal description. The legal description is inaccurate in terms of the correct Sections. Correct to say “Tract 1 of COS 6449, located in the South ½ of Section 2 and the Northeast ¼ of Section 11...”

We have corrected the legal description in this section, and the other locations of the subdivision application, to include the full section information.

PUD Zoning Overlay

- a. When reviewing Title 20, Section 20.25.030, the standards eligible for modification do not include design standards. Note that all townhouse unit types must comply with the design standards of 20.40.140 and multi-dwelling buildings must comply with 20.40.090. Ensure all PUD designs are feasible within these regulations. I apologize for suggesting you may be able to vary from them before – upon further inspection of the code the only way to vary from design standards is through DRB.

As discussed, we have replaced the PUD Zoning Overlay with a Neighborhood Character (NC) Overlay. The NC Overlay allows for modifications to setbacks, per the setbacks exhibit attached to the overlay document, as well as modifications to building height, building types, and parcel uses. The townhouse building types fronting the short courts can meet the standards of Section 20.40.140, provided that the façade facing the short court is considered the front façade for each dwelling unit.

- b. D.3 states it is a duplex (two-unit house). Based on the definition in Title 20, these units are actually two-unit townhouse because each unit is located on it’s own lot. The standards of 20.40.140 will apply. Additionally, the quad courts (D.6) are also considered two-unit townhouses, not two-unit house. Revise the building type table to correctly

describe using Title 20 language, though you may come up with some sort of name to differentiate the two-unit townhouse types throughout the rest of the document. There are no two-unit houses (defined as two units on the same lot/parcel) in this project.

The PUD Overlay document has been replaced with the proposed NC Overlay document.

- c. Can you clarify whether the senior living center will fall under group living, as defined by MCA, or if it will be a retirement home with full apartments, similar to a multi-dwelling building? This is another item I want to double check prior to sufficiency to ensure we are looking at density and design standards accurately.

The Goodman Group has confirmed to us that their operation will fall under the MCA definition of assisted living.

- d. The 3+ unit townhouses show a two-unit design. Show designs that match the site plan for this lot (these appear too wide and don't show the proper number of units).

The PUD Overlay document has been replaced with the proposed NC Overlay document.

- e. Title 20, Section 20.85.060.C.1 requires "architectural drawings showing the design of each structure." While the renderings are helpful, ensure architectural drawings are also submitted.

The PUD Overlay document has been replaced with the proposed NC Overlay document.

Other (preliminary sufficiency items)

- a. The Traffic Impact Study does not accurately describe the number of units/make up of lots. The 5-unit multi-dwelling building is excluded and it states there are 174 SF lots instead of 173. Additionally, the proposed development map does not show parts of the development.

We have provided the updated unit counts to our subconsultant to update the Traffic Impact Study for sufficiency review.

- b. Subdivision Regulation Variances: There is a typo on the first item. Correct code section is 3-020.2.B, not A.

We have corrected this typo in the resubmittal.

- c. The table for the Neighborhood Yield Street on Page 50 appears to be off by a row (e.g. the number of lanes box is one row too high and following boxes do not align with their row label).

We have corrected this table in the fifth element submittal package.

- d. Page 43 in Section III of the packet states “All known electric transmission lines and natural gas lines are shown on the existing conditions map found in Chapter II.” I do not see a map showing this information in Chapter II. Correct this note to direct reviewers to the correct map in the Preliminary Construction Plans. Is this the intent?

We have corrected this sentence in the fifth element submittal package to direct reviewers to the preliminary construction plans.

- e. Subdivision Application Section K.5 states “notification will be provided within the covenants and the associated rules pertaining to driveways, woodstoves, and outdoor burning will be enforced”. However, none of this information has been included in the covenants.

We have added notification of the Missoula County Air Stagnation rules to the covenant.

- f. Subdivision Application Section F.1.e Phasing Plan states “If the Phasing Plan is in color, also number each phase directly on the platted areas.” The Phasing Plan submitted in Section III of the packet does not show each phase directly on the platted areas. This is required because reviewers and City Council members often print the document in black and white.

We have updated the phasing plan to show the phases with text in addition to color.

- g. PUD Application D.3.a.ii; remove the reference to duplex and ensure you use the terminology “townhouse”, not “townhome”. Townhouse is a building type whereas townhome is a process for dividing land.

We have updated the PUD application to include the correct reference.

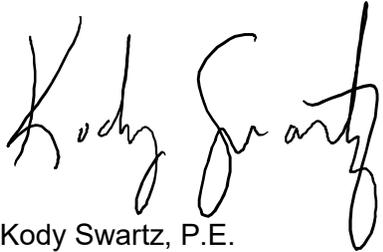
MEMO

5TH ELEMENT REVIEW SUBMITTAL
MAY 13, 2022

Please let me know if you have any additional questions or require additional supporting information. Thank you for your patience and review of this subdivision plat!

Sincerely,

Woith Engineering, Inc.



Kody Swartz, P.E.
Missoula Operations Manager

ENCL: RIVERFRONT TRAILS PRELIMINARY PLAT
RIVERFRONT TRAILS PUD SUBDIVISION APPLICATION
REVISED APPENDICES



Development Services Division

435 RYMAN | MISSOULA, MT 59802-4297 | 406.552.6630 | FAX 406.552.6053

April 4th, 2022

Kody Swartz
Woith Engineering, Inc
3860 O'Leary Street, Suite A
Missoula, MT 59808

Re: 4th Element Review of Riverfront Trails Subdivision – 176 Lot Major

Dear Kody Swartz,

Development Services received your application packet for the above subdivision for *4th Element Review* on March 28, 2022. The element review deadline is April 4, 2022. **At this time, Development Services cannot certify your application packet as containing all the necessary elements.**

Please address the items listed below. Once these items have been addressed, please submit a fifth Element Review packet with a new cover page clearly titled as *5th Element Review*, and include the date submitted. In lieu of a CD, please provide the *5th Element Review* materials on a USB drive or provide a link for downloading the application materials.

General

Provide all the information required under City Subdivision regulations Article 5, Sections 5-010 and 5-020 and provide answers to all questions consistently from one section to the next, and address all applicable subdivision design standards in Article 3 of the City Subdivision regulations. Please include the following items:

- a. Provide density calculations for the portion of the project in the RT5.4/PUD Overlay. (e.g. there are XX sf of lots zoned RT5.4 and XX units). I would like to double check that with the removal of the parkland and religious assembly lot from the PUD, the project does not need to modify the density requirements for the zoning district.
- b. Private road cross sections and construction plans were not included with the Preliminary Construction Plan set. There is a standard short court drawing, however it does not represent the short courts in all lot layout instances which is not sufficient for review.
- c. Proposed zoning map in Section II Project Background states SD / Riverfront Trails zoning. You are not applying for a special district. You are applying for a PUD. Correct the map to say PUD Riverfront Trails / RT5.4.
- d. Page 8 of Section II Project Background in the packet has an incorrect legal description (missing full Section information). Correct to say "Tract 1 of COS 6449, located in the South ½ of Section 2 and the Northeast ¼ of Section 11..."
- e. Subdivision Application, Section K.2.c.ii states the fact the water rights have been or will be removed from the land within the subdivision shall be denoted on the preliminary plat. This note has not been provided on the preliminary plat. This is a requirement of Article 3, Section 3-060.4.C.

- f. Article 5, Section 5-020.14.L.2 states a vegetation map must be included in the Riparian Management Plan. You provided a map in other sections. Please attach the map to the Riparian Management Plan exhibit.
- g. Article 3, Section 3-130.2 states “Riparian resource areas, riparian resources and riparian buffers must be designated with bearings and distances.” Clearly describe the width and dimensions of the riparian resource area and buffer area on the vegetation map.
- h. Article 3, Section 3-130.3.C states “The riparian management plan must include a provision stating that all owners are subject to and must abide by the riparian resource management plan.” This statement is not included in the provided plan or in the covenants.
- i. MUTD Petition: Correct the legal description to include the correct Sections. Additionally, it states “the subject property as shown on the attached map” but no map is attached. Please add the map to the PDF.
- j. Article 3, Section 3-020.5.B.4 states the maximum length of a cul-de-sac street must not be more than 600 feet. This is not met for Old Bitterroot Road. Add this to the list of variances. Additionally, determine if the cul-de-sac street is more than 15% of the total road way miles in the subdivision per Article 3, Section 3-020.5.B.3. This scenario does include practical difficulties due to the presences of topographic constraints, however it should be added to the variance list if not met.
- k. Article 3, Section 3-020.5.B.11 states “in short court developments with front yard setbacks, curbs, gutters, and sidewalk on one side are also required.” This code section applies to the short courts. Are you intending to vary from this section?
- l. Page 14, Project Background, states duplexes are included as a building type. This is not accurate (see PUD Zoning Overlay section below).

Preliminary Plat

Provide all applicable information required under City Subdivision regulations Article 5, Section 5-010 and applicable preliminary plat supplements under Article 5, Section 5-020 while addressing all applicable subdivision design standards in Article 3 of the City Subdivision regulations. Include the following items:

- m. Page 5 of the Preliminary Plat states that keynote 1 is an 80’ wide public right-of-way. All other pages state this is “PUBLIC STORM DRAINAGE EASEMENT PER BOOK 564 MICRO, PAGE 1924”. Correct keynote 1 on page 5.
- n. Page 5 of the Preliminary Plat, Keynote 6 states there is a 5’ public utility easement. However, I do not see accompanying line work for the easement. Show the easement in addition to the keynote.
- o. Page 4 of the Preliminary Plat; what is the purpose of Keynotes 9, 10, and 11? I do not see them on the plat.
- p. Page 3 of the Preliminary Plat; keynote 14 for a 60’ public right-of-way is not shown on the plat. Where is the associated ROW for this keynote?
- q. Preliminary Plat Page 3; what is the purpose of keynotes 1 and 2?

- r. Page 2 of the Preliminary Plat; the existing ROW for Lower Miller Creek Road is shown, but the full ROW width shown on this plat is not labeled. Provide the ROW width for Lower Miller Creek Road to be established with this plat.
- s. Preliminary Plat pages 1 and 6; show dimensions (width) for the large public storm drainage easement in the common space. Show the easement on page 1 considering other large easements are shown on this page. Article 5, Section 5-010.4.H.

Subdivision Application

Provide all applicable information required under City Subdivision regulations Article 5, Section 5-020 while addressing all applicable subdivision design standards in Article 3 of the City Subdivision regulations. Include the following items:

- t. The subdivision application states this is also a condominium project. Is this accurate? Are condos only intended for the multi-dwelling building on Lot 176?
- u. Subdivision Application Section B: Subject Property Information, legal description. The legal description is inaccurate in terms of the correct Sections. Correct to say "Tract 1 of COS 6449, located in the **South ½** of Section 2 and the **Northeast ¼ of Section 11...**"
- v. Subdivision Application Section K.3.e.vi: Water Quality. The application states not applicable. Though you won't apply for a floodplain permit until you are ready to perform the work, a floodplain permit will be required for the stormwater infrastructure in the floodplain. Describe this requirement in the application. Stormwater infrastructure in the floodplain may require SPA 124 Permit (contact Fish, Wildlife & Parks), 310 Permit (Missoula Conservation District), 318 Authorization (DEQ). Additional permitting is likely required due to the stormwater connection to the river. Investigate and add a description of all applicable permit requirements to this section.
- w. Subdivision Application Section K.3.g.i states that per the Geotech report, "positive drainage at a minimum slope of 2 percent, extending ten feet horizontally from all buildings, shall be provided." **Is this possible with the 6-foot setbacks?**
- x. Subdivision Application Section K.6.a.iv.3.E states no loop streets are proposed. Cassidy Court is considered a loop street. Correct this in the application and address all items in this section.

PUD Application

- y. PUD Application Section B: Subject Property Information, legal description. The legal description is inaccurate in terms of the correct Sections. Correct to say "Tract 1 of COS 6449, located in the **South ½ of Section 2** and the **Northeast ¼ of Section 11...**"

Rezoning Application

- z. Rezoning Application Section B: Subject Property Information, legal description. The legal description is inaccurate in terms of the correct Sections. Correct to say "Tract 1

of COS 6449, located in the **South ½ of Section 2** and the **Northeast ¼ of Section 11...**

PUD Zoning Overlay

- aa. When reviewing Title 20, Section 20.25.030, the standards eligible for modification do not include design standards. Note that all townhouse unit types must comply with the design standards of 20.40.140 and multi-dwelling buildings must comply with 20.40.090. Ensure all PUD designs are feasible within these regulations. I apologize for suggesting you may be able to vary from them before – upon further inspection of the code the only way to vary from design standards is through DRB.
- bb. D.3 states it is a duplex (two-unit house). Based on the definition in Title 20, these units are actually two-unit townhouse because each unit is located on it's own lot. The standards of 20.40.140 will apply. Additionally, the quad courts (D.6) are also considered two-unit townhouses, not two-unit house. Revise the building type table to correctly describe using Title 20 language, though you may come up with some sort of name to differentiate the two-unit townhouse types throughout the rest of the document. There are no two-unit houses (defined as two units on the same lot/parcel) in this project.
- cc. Can you clarify whether the senior living center will fall under group living, as defined by MCA, or if it will be a retirement home with full apartments, similar to a multi-dwelling building? This is another item I want to double check prior to sufficiency to ensure we are looking at density and design standards accurately.
- dd. The 3+ unit townhouses show a two-unit design. Show designs that match the site plan for this lot (these appear too wide and don't show the proper number of units).
- ee. Title 20, Section 20.85.060.C.1 requires "architectural drawings showing the design of each structure." While the renderings are helpful, ensure architectural drawings are also submitted.

Other (preliminary sufficiency items)

The following items are not required for element review. However, addressing these items now will speed up the process once we reach sufficiency review.

- ff. The Traffic Impact Study does not accurately describe the number of units/make up of lots. The 5-unit multi-dwelling building is excluded and it states there are 174 SF lots instead of 173. Additionally, the proposed development map does not show parts of the development.
- gg. Subdivision Regulation Variances: There is a typo on the first item. Correct code section is 3-020.2.B, not A.
- hh. The table for the Neighborhood Yield Street on Page 50 appears to be off by a row (e.g. the number of lanes box is one row too high and following boxes do not align with their row label).
- ii. Page 43 in Section III of the packet states "All known electric transmission lines and natural gas lines are shown on the existing conditions map found in Chapter II." I do

not see a map showing this information in Chapter II. Correct this note to direct reviewers to the correct map in the Preliminary Construction Plans. Is this the intent?

- jj. Subdivision Application Section K.5 states “notification will be provided within the covenants and the associated rules pertaining to driveways, woodstoves, and outdoor burning will be enforced”. However, none of this information has been included in the covenants.
- kk. Subdivision Application Section F.1.e Phasing Plan states “If the Phasing Plan is in color, also number each phase directly on the platted areas.” The Phasing Plan submitted in Section III of the packet does not show each phase directly on the platted areas. This is required because reviewers and City Council members often print the document in black and white.
- ll. PUD Application D.3.a.ii; remove the reference to duplex and ensure you use the terminology “townhouse”, not “townhome”. Townhouse is a building type whereas townhome is a process for dividing land.

If you have additional questions, you may reach me at 552-6673 or email me at TripardC@ci.missoula.mt.us.

Sincerely,

Cassie Tripard

Cassie Tripard, Permits and Land Use Supervisor
Development Services, CPDI

cc: Mary McCrea, DS
Dave DeGrandpre, DS
Eran Pehan, CPDI
Troy Monroe, PWM
Steve Reichert, PWM
Nate Tollefson



MEMO

4TH ELEMENT REVIEW SUBMITTAL
MARCH 28, 2022

TO: DAVE DEGRANDPRE, AICP AND CASSIE TRIPARD, AICP
FROM: KODY SWARTZ, PE, LSI
DATE: MARCH 28, 2022
JOB: WEI-2101 RIVERFRONT TRAILS SUBDIVISION
RE: 4TH ELEMENT REVIEW SUBMITTAL
CC:

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY FOR YOUR USE

Dear Ms. Tripard,

Woith Engineering, Inc. received your 3rd Element Review of the Riverfront Trails Subdivision preliminary plat application on February 28, 2022. This letter is intended to outline the revisions that have been made to address the identified deficiencies. Your comments are shown in normal font, with the project team's responses shown in *red italic* font.

General

- a. An updated PUD Zoning (appendix S) document was not provided with this element packet. The plan has since changed (multi-dwelling lot is now religious assembly which should not be included in the PUD). Provide an updated PUD Zoning document with the next submittal. The PUD Zoning document from 2nd Element does not say it exempts or modifies the townhouse or multi-dwelling standards of Title 20, Section 20.40. Is this the intent? I believe some building types, such as the quadquart houses (technically 2-unit townhouses) will not meet these standard. Check for feasibility of each building type meeting the design requirements, or request a variation. Note development will be held to the PUD drawings so they should be feasible. Additionally, the PUD zoning document says landscaping to be negotiated as a condition of approval. What is meant by this? Are you intending to have landscaping requirements different from Title 20?

We have revised Appendix S, the PUD Overlay zoning document, to exempt the quadcourt building types from the requirements of Section 20.040 of Title 20. The clause specifying that landscaping will be negotiated as a condition of approval has been

deleted, as it is not needed for this PUD. Each proposed lot type will be able to comply with the landscaping requirements of Title 20.

- b. Article 3, Section 3-120.2.I requires “a description of all proposed variations from the requirements and provisions of this Article 3”. While this information is provided throughout the packet, it would be extremely helpful to include a list of variations and their code sections. The cover letter referenced a list of variations in the appendices, however I do not see a list in the packet. Where is this located? Again, it’s difficult to get an idea of the full scope of the request without a detailed list of all variations. This cohesive list should include roads, block length, through lots, prohibition of loops roads, parking not on both sides of street, cul-de-sacs and all other variations requested.

The requested list is included in the appendices with narrative descriptions of the variances. Please refer to Appendix T for variations from Article 3-080 of the subdivision regulations, and Appendix S for variations from the base Title 20 zoning.

- c. Page 14, Project Background, states the building types comply with zoning which is not true. The permitted building types are being modified through the PUD Zoning. Make this clear on this page, and throughout the packet.

We have added an additional sentence to make clear that the PUD Special District is requesting additional flexibility in residential building types. Appendix S includes the building types.

- d. The PUD Development Overview on page 19 of the packet does not include a reference to modifications to setbacks which is proposed. Reference all variations covered by the PUD.

We have added references to the setback, lot sizes, and building height modifications and requested exemption from the townhouse standards of Section 20.040.

- e. Under the application requirement crosswalk Appendix B is referenced as a supporting document for most zoning items. However, appendix B with this submittal is the traffic impact study. Is this reference incorrect? What is the correct appendix for zoning review criteria?

Appendix B with this submittal is the PUD application document.

- f. The application requirement crosswalk does not list height as a proposed modification; however, the rezoning application states height is being modified. Correct this. Make sure to incorporate this information throughout the variation explanations and in the list of zoning modifications.

We have added the building height modification to the list of variations in the PUD Development Overview on Page 19 of the packet, and have ensured it is consistent throughout the packet. Appendix S serves as the list of proposed variations from Title 20. Appendix T is a list of variations from the subdivision design standards.

- g. Article 3, Section 3-020.3.N states a parking lane is required on both sides of local residential streets. You are treating the Neighborhood and Neighborhood yield streets as modifications of these road types. Add this item to the list of PUD variations. For example, the road design summary has a row for "PUD variation requested" but does not indicate this as a variation on the road types. Additionally, the Neighborhood Yeild street was being treated as a woonerf, but is now "woonerf inspired". Are you no longer proposing woonerf road types?

The Neighborhood Streets have been identified as "woonerf-inspired" and the proposed design has not changed since the first element submittal. We do not consider them true woonerf streets since the vehicle lanes are separated from the sidewalks by curb, so we consider them a modification of the Urban Local Street road type. City Engineering and City Fire have both reviewed these street types and have indicated that they meet requirements. The variation to the parking lane on both sides of the street is indicated in the summary of variations, Appendix T, and was also indicated as such in the third element submittal. We have updated the road design table to reference the proposed variation in parking lanes.

- h. Article 3, Section 3-040.2.A (2) states blocks may not exceed a maximum length of 480 feet. A statement on page 51, III The Riverfront Trails Community, says there is only one instance (block with pedestrian connection for school) where block exceeds 480'. This is not true. Several blocks on the plat do exceed 480 feet. Include one summary place where all variations and all instances of the variation are listed for clarity. Make sure to address reasoning for each instance of block non-compliance.

We have updated this page, and the list of variations from the subdivision design standards, to clarify each instance of block lengths exceeding 480 feet and the

constraints, as well as mitigation provided. Additionally, a block length exhibit is included with the resubmittal as Appendix V for additional clarification.

- i. Prior, we had discussed that the religious assembly lot would be removed from the PUD zoning because drawings are not included. Instead, you opted to zone the parcel to regular RT5.4 without an overlay and go through the conditional use process at a later date. However, the packet still includes the religious assembly as part of the PUD Overlay. The zoning map still shows this lot as part of the overlay. The zoning map also still shows the open space as RT5.4 which is incorrect and conflicts with other parts of the packet. Page 19 of III The Riverfront Trails Community says religious assembly is part of PUD. Correct inconsistencies throughout packet.

We have corrected the inconsistencies regarding religious assembly usage. The proposed zoning map has been updated to depict the proposed districts of OP2, RT5.4, and SD/Riverfront Trails.

- j. The packet states School Way is an access drive. Is this considered right-of-way but not a road type? Please clarify request for School Way.

At this time, we are considering this a public right-of-way. Specific requirements should be indicated by the school district and Engineering during sufficiency review, as this access was specifically requested by these agencies. We have proposed a typical section that will be adequate for a driveway access but is not considered a road type.

- k. Most of the packet pages/sections state rezoning to OS2. The zoning district is called OP2. Look through the entire packet and correct all instances of this. Check for consistency as there are still pages and maps that do not take this zoning into account.

We have corrected the inconsistencies with the naming of the zoning district, ensuring it is called OP2 throughout, and updated the exhibits and pages that do not take it into account.

- l. Show no build zone for Lot 176 on page 28 of III The Riverfront Trails Community (PUD site plan). Are you planning to grade the no build zone flat to accommodate the parking lot? Note that development will be held to the PUD drawings.

Yes, the parking lot will be graded to accommodate development. Retaining walls can be used to accomplish this. We have added the no-build zone to the PUD exhibits.

- m. Page 50 of III The Riverfront Trails Community references Oxbow Court as a neighborhood yield street. This street doesn't appear to exist. Correct this.

This error has been corrected. Oxbow Court was renamed to Cassidy Court during a previous revision. Sorry for the misunderstanding.

- n. For the next submittal, only submit the construction plans in one place. When submitted twice, it is difficult for me to verify that they match in all cases.

All appendices have been provided as individual PDFs in the resubmittal.

- o. The parkland piece of the application is inconsistent throughout. For example, the Water Supply Design Report – 1.1.2 states 4.34 acres of parkland dedicated, with 40.66 acres available for purchase by City of Missoula. The plat shows 19.45 acres dedicated, with 25.26 acres of common space which aligns with the subdivision application. On page 8 of section II Project Background says there is 44.72 acres of parkland. Make this information consistent throughout the packet so that I can review for compliance.

The narratives have been updated to reflect the correct parkland proposal. The parkland proposal is indicated on the preliminary plat and Appendix C, subdivision application. There is a total of 44.8 acres of parkland and common space – 19.45 acres of dedicated parkland, 25.26 acres of common space along the riverfront, and 0.09 acres of common space in the parklet created by the loop of Cassidy Court. This has been revised to be indicated consistently throughout. We apologize for any confusion with earlier proposals remaining in various sections of the Third Element submittal.

- p. Page 8 in Section II of the application packet says there are 173 single family lots. This is incorrect as the rest of the packet says 174. Additionally, they are not all single-family lots (e.g. lot 176 is multi-dwelling by definition).

There are 173 single-family residential lots, with one residential lot for a multi-dwelling building (Lot 176). There are a total of 174 residential lots, one commercial lot for the assisted living facility, and one commercial lot for the future religious assembly. This breakdown of lot types and usage has been clarified on Page 8 and throughout the application packet.

Preliminary Plat

- a. Article 5, Section 5-010.4.H – identify all public/private easements and rights-of-way. Label the trail/midblock pedestrian paths on the plat. Their purpose is not stated. Are these easements of common area? Additionally, mark the width on the plat.

The trail/mid-block easements have been labeled on the plat. The purpose of these trails is to provide increased circulation and to mitigate block length requirements.

- b. The labeling of Lots 1 and 2 switches between plat pages. Make sure the labels for these lots are consistent throughout the packet.

This error has been corrected on the plat.

Subdivision Application

- a. Section C.3 says zoning will be OS2 Open and Resource Lands. The name of this zoning district is OP2 Open and Resource Lands. Correct throughout application.

This error has been corrected in the subdivision application document and throughout the resubmittal package.

- b. D.2.d, D.3.a, D.4.a state the entire property will be rezoned to RT5.4/PUD. This does not align with other parts of the application which states part of the property will be zoned OP2.

The subdivision application packet has been revised to indicate the zoning of the open space portions as OP2 and Lot 2 as base RT5.4.

- c. Section K.3.g.vi states there are no slopes of 25% or greater. Lot 177 does contain slopes over 25%. Change this answer in the application packet to “yes”. Additionally, Section K.3.g.vii requires a Hillside Density Adjustment Calculation worksheet.

This error on the subdivision application form has been corrected. The Hillside Density Adjustment Calculation worksheet is included as Appendix U.

- d. Item I of the Subdivision Application requires landscape plans for the common areas and boulevards (5-020.14.H). Boulevard trees not shown in some parts of construction plans (e.g. C5.11 one side of Tolley Lane and Boulevard on Cassidy Court).

The trees in this area were set to a layer that did not plot on many sheets. This has been corrected. Please refer to Appendix R, specifically sheets C8.0 and C8.1, for the preliminary landscaping plans.

Rezoning Application

- a. D.3.a.i states that the PUD allows religious assembly. I thought we discussed the religious assembly would not be included in the PUD since you do not want to provide drawings with this application. The religious assembly lot can either be excluded from the PUD and go through the conditional use process, or be included in the PUD with drawings.

The rezoning application and proposed zoning map have been revised to show the religious assembly lot as a standard RT5.4 district outside the PUD overlay district.

- b. D.3.a.ii lists housing types. This project includes multi-dwelling buildings on the "townhome lot" (176) which should be included in this list. Is this intended for TED? If so, review the TED standards in Title 20, Section 20.40.180 as this lot has conditions not suitable for TED.

We have updated this section to include multi-dwelling buildings in the list, and updated the application packet and Appendix S to reference multi-dwelling buildings being allowed in PUD Overlay District. Lot 176 is not intended for TED.

- c. Rezoning application references OS2 throughout. The zoning district is called OP2. Correct throughout application.

The references to OS2 have been corrected to read OP2 throughout the packet.

- d. Most of the rezoning criteria explanations only speak to RT5.4. Please include information about OP2 throughout the criteria explanations, clearly showing the intent is to apply for both zoning districts.

The rezoning criteria explanations have been revised to include references to the proposed OP2 district.

- e. For the proposed zoning map, do not show the Open Space near the river as RT5.4/Riverfront Trails PUD Overlay. This area should not be zoned RT5.4. The

MEMO

4TH ELEMENT REVIEW SUBMITTAL
MARCH 28, 2022

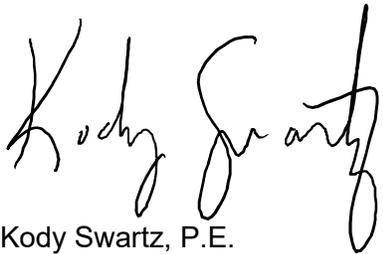
parkland should be zoned OP2 in compliance with the Growth Policy land use designation. Go through the application packet and update where necessary. Anywhere in the application packet referencing proposed zoning must be updated to include OP2 for the parkland.

The proposed zoning map and all locations referencing zoning have been updated to include reference to the proposed OP2 zoning district.

Please let me know if you have any additional questions or require additional supporting information. Thank you for your patience and review of this subdivision plat!

Sincerely,

Woith Engineering, Inc.



Kody Swartz, P.E.
Missoula Operations Manager

ENCL: RIVERFRONT TRAILS PRELIMINARY PLAT
RIVERFRONT TRAILS PUD SUBDIVISION APPLICATION
REVISED APPENDICES

**School Way - request for access to Jeannette Rankin
from Drago Lane**

Matt Hammerstein

From: Kody Swartz
Sent: Friday, January 29, 2021 10:49 AM
To: Matt Hammerstein; Tony Hilliard
Subject: FW: Riverfront Acres - request for changes to proposed roads
Attachments: Riverfront Trails infrastructure request.pdf

KODY SWARTZ, PE, LSI

MISSOULA OPERATIONS MANAGER



3860 O'Leary Street, Suite A
Missoula, MT 59808
Office: (406) 203-0869
Cell: (406) 868-5478

From: Troy Monroe <MonroeT@ci.missoula.mt.us>
Sent: Friday, January 29, 2021 10:38 AM
To: Kody Swartz <kody@woitheng.com>
Cc: Mary McCrean <McCreaM@ci.missoula.mt.us>; Dave DeGrandpre <DeGrandpreD@ci.missoula.mt.us>; Kevin Slovarp <KSlovarp@ci.missoula.mt.us>; Monte Sipe <SipeM@ci.missoula.mt.us>; Logan McInnis <LMcInnis@ci.missoula.mt.us>; Aaron Lebsack <LebsackA@ci.missoula.mt.us>; Bob Hayes <HayesB@ci.missoula.mt.us>; Mickey Morin <MorinM@ci.missoula.mt.us>; Traci Freshour <FreshourT@ci.missoula.mt.us>; Triston Firth <FirthT@ci.missoula.mt.us>; Will Wagner <WagnerW@ci.missoula.mt.us>
Subject: Riverfront Acres - request for changes to proposed roads

Kody –

Attached are redline comments related to the proposed road layout for Riverfront Acres.

As you are aware, Lower Miller Creek Road is being improved. Old Bitterroot Rd will need to line up with the proposed LMC intersection.

A vehicle access between Jeanette Rankin School and the subdivision will need to be created (apparently the school has planned for this).

If you have questions, please contact Kevin Slovarp, City Engineer for Surface Infrastructure, on these requests' details.

Thanks,

Troy Monroe PE | he/him/his | City Engineer for Development Review
Department of Public Works & Mobility
Infrastructure & Mobility Division



Promoting a safe, healthy Missoula through the development of transportation and mobility networks and the efficient delivery of high-quality public infrastructure, utilities, and services.

Messages and attachments sent to or from this e-mail account pertaining to City business may be considered public or private records depending on the message content. The City is often required by law to provide public records to individuals requesting them. The City is also required by law to protect private, confidential information. This message is intended for the use of the individual or entity named above. If you are not the intended recipient of this transmission, please notify the sender immediately, do not forward the message to anyone, and delete all copies. Thank you



February 28th, 2022

Kody Swartz
Woith Engineering, Inc
3860 O'Leary Street, Suite A
Missoula, MT 59808

Re: Riverfront Trails Subdivision – 176 Lot Major

Dear Kody Swartz,

Development Services received your application packet for the above subdivision for *3rd Element Review* on February 18, 2022. The element review deadline is February 28, 2022. Note that Monday February 21 was a holiday and not included in the five working day review time. **At this time, Development Services cannot certify your application packet as containing all the necessary elements.** Not all sufficiency and element items are necessarily noted below. There are major inconsistencies throughout the packet and missing information making comprehensive review difficult. In the future, please break the large documents into separate PDFs by section. My computer has difficulty loading very large PDFs and separating sections allows me to check for consistency throughout the packet more easily.

Please address the items listed below. Once these items have been addressed, please submit a third Element Review packet with a new cover page clearly titled as *4th Element Review*, and include the date submitted. In lieu of a CD, please provide the *4th Element Review* materials on a USB drive or provide a link for downloading the application materials.

General

Provide all the information required under City Subdivision regulations Article 5, Sections 5-010 and 5-020 and provide answers to all questions consistently from one section to the next, and address all applicable subdivision design standards in Article 3 of the City Subdivision regulations. Please include the following items:

- a. An updated PUD Zoning (appendix S) document was not provided with this element packet. The plan has since changed (multi-dwelling lot is now religious assembly which should not be included in the PUD). Provide an updated PUD Zoning document with the next submittal. The PUD Zoning document from 2nd Element does not say it exempts or modifies the townhouse or multi-dwelling standards of Title 20, Section 20.40. Is this the intent? I believe some building types, such as the quadquart houses (technically 2-unit townhouses) will not meet these standard. Check for feasibility of each building type meeting the design requirements, or request a variation. Note development will be held to the PUD drawings so they should be feasible. Additionally, the PUD zoning document says landscaping to be negotiated as a condition of approval. What is meant by this? Are you intending to have landscaping requirements different from Title 20?
- b. Article 3, Section 3-120.2.I requires “a description of all proposed variations from the requirements and provisions of this Article 3”. While this information is provided

throughout the packet, it would be extremely helpful to include a list of variations and their code sections. The cover letter referenced a list of variations in the appendices, however I do not see a list in the packet. Where is this located? Again, it's difficult to get an idea of the full scope of the request without a detailed list of all variations. This cohesive list should include roads, block length, through lots, prohibition of loops roads, parking not on both sides of street, cul-de-sacs and all other variations requested.

- c. Page 14, Project Background, states the building types comply with zoning which is not true. The permitted building types are being modified through the PUD Zoning. Make this clear on this page, and throughout the packet.
- d. The PUD Development Overview on page 19 of the packet does not include a reference to modifications to setbacks which is proposed. Reference all variations covered by the PUD.
- e. Under the application requirement crosswalk Appendix B is referenced as a supporting document for most zoning items. However, appendix B with this submittal is the traffic impact study. Is this reference incorrect? What is the correct appendix for zoning review criteria?
- f. The application requirement crosswalk does not list height as a proposed modification; however, the rezoning application states height is being modified. Correct this. Make sure to incorporate this information throughout the variation explanations and in the list of zoning modifications.
- g. Article 3, Section 3-020.3.N states a parking lane is required on both sides of local residential streets. You are treating the Neighborhood and Neighborhood yield streets as modifications of these road types. Add this item to the list of PUD variations. For example, the road design summary has a row for "PUD variation requested" but does not indicate this as a variation on the road types. Additionally, the Neighborhood Yield street was being treated as a woonerf, but is now "woonerf inspired". Are you no longer proposing woonerf road types?
- h. Article 3, Section 3-040.2.A (2) states blocks may not exceed a maximum length of 480 feet. A statement on page 51, III The Riverfront Trails Community, says there is only one instance (block with pedestrian connection for school) where block exceeds 480'. This is not true. Several blocks on the plat do exceed 480 feet. Include one summary place where all variations and all instances of the variation are listed for clarity. Make sure to address reasoning for each instance of block non-compliance.
- i. Prior, we had discussed that the religious assembly lot would be removed from the PUD zoning because drawings are not included. Instead, you opted to zone the parcel to regular RT5.4 without an overlay and go through the conditional use process at a later date. However, the packet still includes the religious assembly as part of the PUD Overlay. The zoning map still shows this lot as part of the overlay. The zoning map also still shows the open space as RT5.4 which is incorrect and conflicts with other parts of the packet. Page 19 of III The Riverfront Trails Community says religious assembly is part of PUD. Correct inconsistencies throughout packet.
- j. The packet states School Way is an access drive. Is this considered right-of-way but not a road type? Please clarify request for School Way.

- k. Most of the packet pages/sections state rezoning to OS2. The zoning district is called **OP2**. Look through the entire packet and correct all instances of this. Check for consistency as there are still pages and maps that do not take this zoning into account.
- l. Show no build zone for Lot 176 on page 28 of III The Riverfront Trails Community (PUD site plan). Are you planning to grade the no build zone flat to accommodate the parking lot? Note that development will be held to the PUD drawings.
- m. Page 50 of III The Riverfront Trails Community references Oxbow Court as a neighborhood yield street. This street doesn't appear to exist. Correct this.
- n. For the next submittal, only submit the construction plans in one place. When submitted twice, it is difficult for me to verify that they match in all cases.
- o. The parkland piece of the application is inconsistent throughout. For example, the Water Supply Design Report – 1.1.2 states 4.34 acres of parkland dedicated, with 40.66 acres available for purchase by City of Missoula. The plat shows 19.45 acres dedicated, with 25.26 acres of common space which aligns with the subdivision application. On page 8 of section II Project Background says there is 44.72 acres of parkland. Make this information consistent throughout the packet so that I can review for compliance.
- p. Page 8 in Section II of the application packet says there are 173 single family lots. This is incorrect as the rest of the packet says 174. Additionally, they are not all single-family lots (e.g. lot 176 is multi-dwelling by definition).

Preliminary Plat

Provide all applicable information required under City Subdivision regulations Article 5, Section 5-010 and applicable preliminary plat supplements under Article 5, Section 5-020 while addressing all applicable subdivision design standards in Article 3 of the City Subdivision regulations. Include the following items:

- a. Article 5, Section 5-010.4.H – identify all public/private easements and rights-of-way. Label the trail/midblock pedestrian paths on the plat. Their purpose is not stated. Are these easements of common area? Additionally, mark the width on the plat.
- b. The labeling of Lots 1 and 2 switches between plat pages. Make sure the labels for these lots are consistent throughout the packet.

Subdivision Application

Provide all applicable information required under City Subdivision regulations Article 5, Section 5-020 while addressing all applicable subdivision design standards in Article 3 of the City Subdivision regulations. Include the following items:

- a. Section C.3 says zoning will be OS2 Open and Resource Lands. The name of this zoning district is OP2 Open and Resource Lands. Correct throughout application.
- b. D.2.d, D.3.a, D.4.a state the entire property will be rezoned to RT5.4/PUD. This does not align with other parts of the application which states part of the property will be zoned OP2.

- c. Section K.3.g.vi states there are no slopes of 25% or greater. Lot 177 does contain slopes over 25%. Change this answer in the application packet to “yes”. Additionally, Section K.3.g.vii requires a Hillside Density Adjustment Calculation worksheet.
- d. Item I of the Subdivision Application requires landscape plans for the common areas and boulevards (5-020.14.H). Boulevard trees not shown in some parts of construction plans (e.g. C5.11 one side of Tolley Lane and Boulevard on Cassidy Court).

Rezoning Application

- a. D.3.a.i states that the PUD allows religious assembly. I thought we discussed the religious assembly would not be included in the PUD since you do not want to provide drawings with this application. The religious assembly lot can either be excluded from the PUD and go through the conditional use process, or be included in the PUD with drawings.
- b. D.3.a.ii lists housing types. This project includes multi-dwelling buildings on the “townhome lot” (176) which should be included in this list. Is this intended for TED? If so, review the TED standards in Title 20, Section 20.40.180 as this lot has conditions not suitable for TED.
- c. Rezoning application references OS2 throughout. The zoning district is called OP2. Correct throughout application.
- d. Most of the rezoning criteria explanations only speak to RT5.4. Please include information about OP2 throughout the criteria explanations, clearly showing the intent is to apply for both zoning districts.
- e. For the proposed zoning map, do not show the Open Space near the river as RT5.4/Riverfront Trails PUD Overlay. This area should not be zoned RT5.4. The parkland should be zoned OP2 in compliance with the Growth Policy land use designation. Go through the application packet and update where necessary. Anywhere in the application packet referencing proposed zoning must be updated to include OP2 for the parkland.

Other (preliminary sufficiency items)

The following items are not required for element review. However, addressing these items now will speed up the process once we reach sufficiency review.

- a. On the cover letter for this submittal my name says “AICP” after it. Unfortunately, I am not yet AICP certified so you may remove this for future submittals.
- b. Subdivision application Page 2, Section B Legal Description: The legal description on the application does not include Section 11. Correct this.
- c. Rezoning application, Section B Subject Property Information: Legal description does not include Section 11. Correct this.
- d. Section II Project Background, subject property of the application packet (page 8) does not include Section 11 in the legal description. Ensure this is corrected throughout the packet.
- e. For the road standards tables on pg. 49 in Chapter III, the proposed street widths for urban collector and urban local are missing.

- f. The Traffic Impact Study map on page 2 does not show the correct proposed development site boundaries. Correct this.
- g. I recommend having conversations with DNRC early regarding the pond in the floodplain. I do not see anything prohibiting this in our floodplain regulations, but advise speaking to DNRC to ensure this is feasible.

If you have additional questions, you may reach me at 552-6673 or email me at TripardC@ci.missoula.mt.us. I'm happy to meet via TEAMS to address questions.

Sincerely,

Cassie Tripard

Cassie Tripard, Permits and Land Use Supervisor
Development Services, CPDI

cc: Mary McCrea, DS
Dave DeGrandpre, DS
Eran Pehan, CPDI
Troy Monroe, PWM
Steve Reichert, PWM
Nate Tollefson

MEMO

3ND ELEMENT REVIEW SUBMITTAL
FEBRUARY 18, 2022

TO: DAVE DEGRANDPRE, AICP AND CASSIE TRIPARD, AICP
FROM: KODY SWARTZ, PE, LSI
DATE: FEBRUARY 18, 2022
JOB: WEI-2101 RIVERFRONT TRAILS SUBDIVISION
RE: 3ND ELEMENT REVIEW SUBMITTAL
CC:

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY FOR YOUR USE

Dear Ms. Tripard,

Woith Engineering, Inc. received your 3rd Element Review of the Riverfront Trails Subdivision preliminary plat application on August 24, 2021. This letter is intended to outline the revisions that have been made to address the identified deficiencies. Your comments are shown in normal font, with the project team's responses shown in *red italic* font.

General

- a. The required cover page was not submitted with the packet. The City has a specific required cover page. Our website is currently "under construction" so I cannot find the page either. I apologize that this was not clear in my last letter and that the document does not appear to be publicly accessible at the moment. I will send the standard cover page to you once I locate the document.

We have not received the required cover page, but will add it when we have received it. We have indicated submittal dates for previous submittals on the current cover page for our document.

- b. Article 3, Section 3-120.2.I requires "a description of all proposed variations from the requirements and provisions of this Article 3". While this information is provided throughout the packet, it would be extremely helpful to include a list of variations and their code sections (e.g. prohibition of loop roads insert code section, block length insert code section, ROW widths insert code section, etc.). Then, you may reference where additional narratives of these variations can be found. There are many

variations in this project and a cohesive list will help staff keep track of variations and make sure everything is covered for the staff report. Trying to locate this information across several different sections can be difficult.

We have added a summary of variance to the appendices.

- c. Article 3, Section 3-020.3.N states a parking lane is required on both sides of local residential streets. Add this item to the list of variations and address in the streets narrative.

We have addressed this item in the streets narrative and added it to the list of variances.

- d. Article 5, Section 5-020.13.E regarding water availability. Specifically, 5-020.13.E “for new water supply systems, unless cisterns are proposed, evidence of adequate water availability.” While there is a Water Rights Consultant Confirmation document and a Water Distribution Design Report, there is not an element containing evidence of adequate water availability. Additionally, Article 3, Section 3-120.4.E states the PUD must comply with Section 3-070 regarding water supply. The Water Rights Consultant Confirmation states the following under the “Expected Challenges” section: “lack of sufficient volume under the water right being changed to provide the needed volume for the subdivision”.

Staff met with the Development Team on 8/24/2021 to discuss issues with water availability. While several opportunities to provide adequate water were proposed, additional modeling and research is necessary to form an adequate plan for supplying water. The processes for obtaining water rights and installing necessary infrastructure may happen in tandem with the application process, however a feasible plan must first be established in order to move forward with the formal application process. Per the description above, the packet lacks an element item providing evidence of water availability. Staff would also struggle to recommend approval of annexation as our annexation policy requires the subdivision to provide the same level of infrastructure as elsewhere in the city. This criterion would not be met. Staff are happy to schedule additional DRT meetings to discuss the PUD and subdivision layout. While the formal application process may not move forward, we can spend time providing additional feedback to get the packet ready for sufficiency review

Engineering has confirmed that the updated water report provides a path to obtaining adequate water supply. The updated water report is included with the updated submittal packet.

- e. Article 3, Section 3-120.6.B.14 requires an agreement stating that the property owners shall be responsible for the cost associated with the maintenance, repair, and/or replacement of all surface infrastructure for short courts. Include this agreement. Additionally, in the subdivision application you marked there are no private streets. The short courts serve more than two units which defines them as streets. They are not dedicated right-of-way. Please clarify if the short courts are private streets in public access easements or something else.

The short courts are intended to be private streets in access easements. This has been clarified on the preliminary plat, and maintenance provisions are included in the covenant.

- f. Article 3, Section 3-030.1.E states through lots are prohibited unless the Director of CPDI determines that the design is warranted because of topography or other physical site constraints. The multi-dwelling lot and assisted living lot are shown as through lots. Even with the no-access strip, the lots are defined as through lots "a lot whose front and rear lot lines both abut on a street other than an alley." If you plan to move forward with through lots, provide reasoning as to why they are necessary due to topographic or physical constraints. Additionally, include this code section to the list of variations.

We have included additional narrative about these two lots, and added this code section to the list of variations that was added to the packet.

- g. Article 3, Section 3-040.2.A (2) states blocks may not exceed a maximum length of 480 feet. Several blocks on the plat do exceed 480 feet. Only two blocks were mentioned. Block lengths also exceed 480 feet on the northeastern block, the block on Old Bitterroot Road, and the western block along the drainage easement. Include a description of why this variation is necessary for all blocks exceeding 480 feet. To meet PUD requirements provide information about how the long block lengths better serve the PUD in terms of circulation than the normal requirement would. You may include descriptions of why this is necessary due to placement of open space and other topographic factors.

We have added additional narrative regarding block lengths, as well as added an access easement across Lot 2.

- h. Article 3, Section 3-030.1.B states slopes in excess of 25% are deemed unsuitable for

building sites and must be shown as such on the plat. Lot 177 contains slopes over 25% per the slope category map in the application packet. Mark this area as a no-build zone on the plat. Check over the rest of the application to make sure this information is consistent throughout.

This area has been depicted as a no build zone on the plat.

- i. Article 5, Section 5-010.4.C requires approximate lot dimensions to be shown on the plat. Lot dimensions not provided for lots 71, 86, and 75-78.

The preliminary plat has been updated to include dimensions for all lots.

- j. Article 5, Section 5-010.4.H – identify all public/private easements and rights-of-way. Label the trail/midblock pedestrian paths on the plat. Their purpose is not stated.

The mid-block pedestrian paths will be 20-foot wide public right-of-way, and are depicted on the plat. All easements are labeled on the plat.

- k. Section J, Water and Sanitation of the application: once you have selected a feasible plan for providing water, review this section and ensure all required items are included in the revised water and sewer engineering reports

We have reviewed these items, and provided the updated water report for the water rights change and mitigation. We have also updated the water and sewer reports to reflect the proposed religious assembly facility on Lot 2.

- l. Section K.3.g.vi states there are no slopes of 25% or greater. Lot 177 does contain slopes over 25%. Change this answer in the application packet to “yes”. Additionally, Section K.3.g.vii requires a Hillside Density Adjustment Calculation worksheet.

We have changed this answer to “yes”, and included the Hillside Density Adjustment Calculation worksheet.

- m. For the proposed zoning map, do not show the Open Space near the river as RT5.4/Riverfront Trails PUD Overlay. This area should not be part of the PUD. The parkland should be zoned OP2 in compliance with the Growth Policy land use designation. Go through the application packet and update where necessary. Anywhere in the application packet referencing proposed zoning must be updated to include OP2 for the parkland.

MEMO

3RD ELEMENT REVIEW SUBMITTAL
FEBRUARY 18, 2022

The proposed zoning map has been updated as requested.

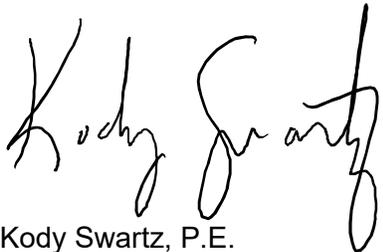
- n. Title the zoning on the map RT5.4 / Riverfront Trails PUD Overlay for clarity.

The title has been changed as requested.

Please let me know if you have any additional questions or require additional supporting information. Thank you for your patience and review of this subdivision plat!

Sincerely,

Woith Engineering, Inc.



Kody Swartz, P.E.
Missoula Operations Manager

ENCL: RIVERFRONT TRAILS SUBDIVISION APPLICATION
REVISED APPENDICES
RIVERFRONT TRAILS PRELIMINARY PLAT
PRELIMINARY CONSTRUCTION PLANS



August 24th, 2021

Kody Swartz
Woith Engineering, Inc
3860 O'Leary Street, Suite A
Missoula, MT 59808

Re: Riverfront Trails Subdivision – 177 Lot Major

Dear Kody Swartz,

Development Services received your application packet for the above subdivision for *2nd Element Review* on August 17, 2021. The element review deadline is August 24, 2021. **At this time, Development Services cannot certify your application packet as containing all the necessary elements.**

Please address the items listed below. Once these items have been addressed, please submit a third Element Review packet with a new cover page clearly titled as *3rd Element Review*, and include the date submitted. In lieu of a CD, please provide the *3rd Element Review* materials on a USB drive or provide a link for downloading the application materials.

General

Provide all the information required under City Subdivision regulations Article 5, Sections 5-010 and 5-020 and provide answers to all questions consistently from one section to the next, and address all applicable subdivision design standards in Article 3 of the City Subdivision regulations. Please include the following items:

- a. The required cover page was not submitted with the packet. The City has a specific required cover page. Our website is currently “under construction” so I cannot find the page either. I apologize that this was not clear in my last letter and that the document does not appear to be publicly accessible at the moment. I will send the standard cover page to you once I locate the document.
- b. Article 3, Section 3-120.2.I requires “a description of all proposed variations from the requirements and provisions of this Article 3”. While this information is provided throughout the packet, it would be extremely helpful to include a list of variations and their code sections (e.g. prohibition of loop roads *insert code section*, block length *insert code section*, ROW widths *insert code section*, etc.). Then, you may reference where additional narratives of these variations can be found. There are many variations in this project and a cohesive list will help staff keep track of variations and make sure everything is covered for the staff report. Trying to locate this information across several different sections can be difficult.
- c. Article 3, Section 3-020.3.N states a parking lane is required on both sides of local residential streets. Add this item to the list of variations and address in the streets narrative.
- d. Article 5, Section 5-020.13.E regarding water availability. Specifically, 5-020.13.E “for new water supply systems, unless cisterns are proposed, evidence of adequate water

availability.” While there is a Water Rights Consultant Confirmation document and a Water Distribution Design Report, there is not an element containing evidence of adequate water availability. Additionally, Article 3, Section 3-120.4.E states the PUD must comply with Section 3-070 regarding water supply. The Water Rights Consultant Confirmation states the following under the “Expected Challenges” section: “lack of sufficient volume under the water right being changed to provide the needed volume for the subdivision”.

Staff met with the Development Team on 8/24/2021 to discuss issues with water availability. While several opportunities to provide adequate water were proposed, additional modeling and research is necessary to form an adequate plan for supplying water. The processes for obtaining water rights and installing necessary infrastructure may happen in tandem with the application process, however a feasible plan must first be established in order to move forward with the formal application process. Per the description above, the packet lacks an element item providing evidence of water availability. Staff would also struggle to recommend approval of annexation as our annexation policy requires the subdivision to provide the same level of infrastructure as elsewhere in the city. This criterion would not be met. Staff are happy to schedule additional DRT meetings to discuss the PUD and subdivision layout. While the formal application process may not move forward, we can spend time providing additional feedback to get the packet ready for sufficiency review.

- e. Article 3, Section 3-120.6.B.14 requires an agreement stating that the property owners shall be responsible for the cost associated with the maintenance, repair, and/or replacement of all surface infrastructure for short courts. Include this agreement. Additionally, in the subdivision application you marked there are no private streets. The short courts serve more than two units which defines them as streets. They are not dedicated right-of-way. Please clarify if the short courts are private streets in public access easements or something else.
- f. Article 3, Section 3-030.1.E states through lots are prohibited unless the Director of CPDI determines that the design is warranted because of topography or other physical site constraints. The multi-dwelling lot and assisted living lot are shown as through lots. Even with the no-access strip, the lots are defined as through lots “a lot whose front and rear lot lines both abut on a street other than an alley.” If you plan to move forward with through lots, provide reasoning as to why they are necessary due to topographic or physical constraints. Additionally, include this code section to the list of variations.
- g. Article 3, Section 3-040.2.A (2) states blocks may not exceed a maximum length of 480 feet. Several blocks on the plat do exceed 480 feet. Only two blocks were mentioned. Block lengths also exceed 480 feet on the northeastern block, the block on Old Bitterroot Road, and the western block along the drainage easement. Include a description of why this variation is necessary for all blocks exceeding 480 feet. To meet PUD requirements provide information about how the long block lengths better serve the PUD in terms of circulation than the normal requirement would. You may include descriptions of why this is necessary due to placement of open space and other topographic factors.

Preliminary Plat

Provide all applicable information required under City Subdivision regulations Article 5, Section 5-010 and applicable preliminary plat supplements under Article 5, Section 5-020 while addressing all applicable subdivision design standards in Article 3 of the City Subdivision regulations. Include the following items:

- a. Article 3, Section 3-030.1.B states slopes in excess of 25% are deemed unsuitable for building sites and must be shown as such on the plat. Lot 177 contains slopes over 25% per the slope category map in the application packet. Mark this area as a no-build zone on the plat. Check over the rest of the application to make sure this information is consistent throughout.
- b. Article 5, Section 5-010.4.C requires approximate lot dimensions to be shown on the plat. Lot dimensions not provided for lots 71, 86, and 75-78.
- c. Article 5, Section 5-010.4.H – identify all public/private easements and rights-of-way. Label the trail/midblock pedestrian paths on the plat. Their purpose is not stated.

Subdivision Application

Provide all applicable information required under City Subdivision regulations Article 5, Section 5-020 while addressing all applicable subdivision design standards in Article 3 of the City Subdivision regulations. Include the following items:

- a. Section J, Water and Sanitation of the application: once you have selected a feasible plan for providing water, review this section and ensure all required items are included in the revised water and sewer engineering reports.
- b. Section K.3.g.vi states there are no slopes of 25% or greater. Lot 177 does contain slopes over 25%. Change this answer in the application packet to “yes”. Additionally, Section K.3.g.vii requires a Hillside Density Adjustment Calculation worksheet.

Rezoning Application

- a. For the proposed zoning map, do not show the Open Space near the river as RT5.4/Riverfront Trails PUD Overlay. This area should not be part of the PUD. The parkland should be zoned OP2 in compliance with the Growth Policy land use designation. Go through the application packet and update where necessary. Anywhere in the application packet referencing proposed zoning must be updated to include OP2 for the parkland.
- b. Title the zoning on the map RT5.4 / Riverfront Trails **PUD** Overlay for clarity.

Other (preliminary sufficiency items)

The following items are not required for element review. However, addressing these items now will speed up the process once we reach sufficiency review. Please let us know if you would like to schedule a meeting to clarify the requested items. Additionally, staff recommend DRT meetings do discuss other potential sufficiency items not listed in this letter. Covering possible sufficiency items in advance will keep the project moving forward while the water issue is resolved.

- a. Page one of preliminary plat: the wrong note number is shown for the floodplain (marked as “10” instead of “9”).
- b. For the road standards tables on pg. 49 in Chapter III, the proposed street widths for urban collector and urban local are missing.
- c. Article 3, Section 3-080.8.B (5) requires that at least 50% of the park’s perimeter be adjacent to public streets. You are correct Parks and Recreation expressed they are open to the parkland not quite meeting this rule. Staff met to discuss an email from the development team. In order to waive this requirement, Parks and Recreation requests one additional access point. Parks and Recreation also requests fences along the park be see through in order to prevent littering and undesirable activity in the park in alignment with CPTED standards. Staff recommend a DRT Core meeting to discuss this with Parks and Recreation further.
- d. Per Article 3, Section 3-080.9.D, storm water retention and detention ponds are prohibited in parkland. In your response to the last letter, you stated that further coordination and review by Parks and Rec and Engineering of stormwater infrastructure in open space is warranted. You suggested this could be done through sufficiency review. Considering we cannot move forward until water availability is feasible, staff recommend we handle this in advance through DRT Core.
- e. Article 3, Section 3-120.G requires “a statement describing measures to be taken to assure permanence and maintenance of open space and other facilities to be held in common ownership.” The covenants do not provide measures for maintenance of Tract B.
- f. Attached units each located on their own lot are defined in T20 as townhouses and must comply with the design standards in Title 20, Section 20.40.140. The “duplex” and “quad court” building types shown in the PUD are defined in Title 20 as townhouses. These types may have issues complying with some of these standards (e.g. maximum garage width, glazing, and street facing entry). Check that the sketches of unit types in Appendix S are able to comply with Title 20, Sections 20.40.140 Townhouse design standards and Section 20.40.090
- g. Include the full multi-dwelling lot site plan in Appendix S. Only half of the site plan is shown. Additionally, include the site plan for Lot 177 in Appendix S.
- h. Note that there is a storm water easement on Lot 177. The development will need to provide the storm water conveyance from the south of the property to the west of the property per pipes under driveway/parking and pipes or swales outside of hard surfaces. This can be discussed further at DRT Core.

If you have additional questions, you may reach me at 552-6673 or email me at TripardC@ci.missoula.mt.us. I’m happy to set up meetings with the DRT Core Group to discuss the requirements and the best path forward for this project.

Sincerely,

Cassie Tripard

Cassie Tripard, Associate Planner
Development Services, CPDI

cc: Mary McCrea, DS
Dave DeGrandpre, DS
Eran Pehan, CPDI
Troy Monroe, PWM
Nate Tollefson

MEMO

2ND ELEMENT REVIEW SUBMITTAL
AUGUST 17, 2021

TO: DAVE DEGRANDPRE, AICP AND CASSIE TRIPARD, AICP
FROM: KODY SWARTZ, PE, LSI
DATE: AUGUST 17, 2021
JOB: WEI-2101 RIVERFRONT TRAILS SUBDIVISION
RE: 2ND ELEMENT REVIEW SUBMITTAL
CC:

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY FOR YOUR USE

Dear Ms. Tripard,

Woith Engineering, Inc. received your 1st Element Review of the Riverfront Trails Subdivision preliminary plat application on June 18, 2021. This letter is intended to outline the revisions that have been made to address the identified deficiencies. Your comments are shown in normal font, with the project team's responses shown in *red italic* font.

General

- a. The required cover page for 1st element review was not submitted with the packet. Be sure to include the cover letter for future submittals.

A cover letter will be included with all future submittals.

- b. The title report is from 2016. Include a more recent title report.

We have ordered an updated title report, which will be included with the subdivision application at sufficiency review.

- c. The application packet states you are applying for a PUD rezoning. Based on the submittal, I believe it is your intent to also apply for a PUD subdivision. The application packet needs to clearly state a "PUD subdivision" is being applied for throughout per Article 3, Section 3-120.2.A.

We are formally requesting that the proposed subdivision be reviewed as a planned unit development (PUD), pursuant to Article 3, Section 3-120.2.A. Reference has been made to this request, where appropriate, throughout the application materials.

- d. The illustrative plan does not show the building or parking for the multi-dwelling lot. This is required per Article 3, Section 3-120.2.B. Title 20, Section 20.85.060.C.1 requires that information about the structures including size, locations, and architectural drawings showing the design of each structure must be provided.

The illustrative plan has been updated to show the multi-family building footprints and required parking, and the required materials detailing building size, location, and basic architectural character have been provided with the resubmittal package in Appendix S.

- e. Article 3, Section 3-120.4.E states the PUD must comply with Section 3-070 regarding water supply. Water supply has not sufficiently been addressed in the packet as it is still in process. The project cannot be certified for element review without this information.

The intended means of securing adequate water supply has been addressed within the application materials. A final resolution on water availability should not be a considered a condition of element review since coordination with the City of Missoula will be required during sufficiency review to determine water provisions.

- f. Article 3, Section 3-120.5 states roads requirements may be modified or waived by City Council when the standards are not practical or reasonable in the overall PUD subdivision design. The application packet does not adequately address why the required road standards are unreasonable for the development.

Additional narrative description detailing the proposed modifications to the typical road sections is included in Chapter 3 of the revised submittal packet.

- g. Title 20, Section 20.25.030.G.7 states "Alternatives to otherwise "standard" street cross-sections and designs may be approved when the City Council determines that such alternative designs would better meet the purpose of the PUD overlay, while still providing a safe and efficient traffic circulation system." While the application does address the desire to use alternatives to create a better pedestrian setting, the description does not address how the proposed street types really accomplish this. Some lack bike lanes that would otherwise be required to provide safe multi-modal paths. Make it clear using specific examples of how the proposed road types better

accomplish the goals of the PUD than the regularly required road types would. Staff's recommendation to City Council will be based on your ability to describe how the proposed road types are doing as good of or a better job of meeting the intent and requirements of Article 3, Sections 3-010 and 3-020.

Bike lanes have been added to street sections where they had otherwise not been shown, and these sections have been included in the resubmittal. Additional narrative description detailing this change and reconfirming the importance of multi-modal connectivity previously introduced in the PUD application has been included in the revised submittal packet (refer to Chapter III for additional detail).

- h. A PUD Overlay Zoning document was not submitted with the application packet. The application packet only shows items that would be included in the PUD. Please submit the draft PUD zoning document. Include multi-dwelling in the use table for the PUD. It is not included in the use table on page 19 of the application packet.

A draft PUD Overlay Zoning document has been included with the revised submittal packet as Appendix S. The multi-dwelling building type has been addressed in Chapter III of the resubmittal, along with a request to also allow three-unit townhomes as a permitted building type in the PUD overlay.

- i. Per Article 3, Section 3-010.5 the subdivision must provide for adequate non- motorized systems. The rear flag lots do not appear to have adequate physical and pedestrian access to the street. There are not easements over the flags providing physical access for motor vehicles to all lots though the illustrative plan shows this is likely the intent.

Please refer to the updated materials addressing short court standards. The flag lot configurations have been revised to replace the flags with a 26' wide public access and utility easement. A typical detail of the proposed short courts is included in the updated Preliminary Construction Plans; see sheet C7.2. The specific lengths of each short court are shown on the road plan and profile sheets. The short court public access and utility easements will provide physical access to the rear lots. The fire department has approved the standard detail of the short court layout.

- j. It is unclear what the intent of the flag lots are. The 5 foot fee simple is for amended plats, not subdivision. The illustrative plan appears to show the flag lots serving as short courts which are prohibited per 3-020.B. The short courts to access rear flag lots serve more than two units which designates them as a road. In this case, they would be private roads. Short courts must be approved by variance and comply with the standards in

Article 3-020.B. The application packet does not recognize them as roads, does not include a variance request, nor do the short courts meet the standards. Standards are in place to ensure fire safety. These short courts would need to prohibit parking other than in designated spaces to allow sufficient backing up space. If the dwelling unit on the short courts are not within 150 feet of the short court entrance, City Fire may have difficulty serving them in emergencies. If short courts are proposed as part of the PUD you will need to describe how their design is equal or better to our standards, including descriptions of how the design does a better job of protecting public safety. Additionally, the short courts will be private roads which require maintenance statements in the covenants.

The flag lot configurations have been revised to replace the flags with a 26' wide public access and utility easement. The design of the short courts has been addressed to meet the requirements of Article 3-020.B. Please refer to section k.6.a.iv.3.C. of the subdivision application document for a narrative description of how the short courts meet the standards. The narrative description is accompanied by a typical detail on Sheet C7.2 of the Preliminary Construction Plans, and length labels shown on the road plan and profile sheets. All dwelling units on short courts will be within 150 feet of the street.

- k. Per Article 3, Section 3-020.5 Cul-de-sacs and loops streets are prohibited. Both of these road types are proposed but not specifically addressed as such in the street sections or PUD road type table. You may apply for a variance and comply with all standards in 3-020.5. Alternatively, you can include it with the PUD but must address how these road types do as good of or better job of meeting the intent of the standards in 3-020.5. Ensure the cul-de-sac allows for proper fire turnaround.

The cul-de-sac at the end of Old Bitterroot Road will ultimately be temporary, as the extension of Old Bitterroot Road to Christian Drive is depicted on the Missoula Long Range Transportation Plan. This extension depends on the potential for future development to the west, however. The cul-de-sac radius will allow for proper fire turnaround. We are requesting that the PUD overlay allow for the proposed cul-de-sac and loop street road types proposed. The road type table beginning on page 53 in Chapter III of the resubmittal has been updated to reflect this and additional narrative has been provided to address why these road types are necessary to facilitate the design of the development.

- l. Article 3, Section 3-040.1.E states through lots are prohibited. The multi-dwelling lot and assisted living lot are shown as through lots.

The revised preliminary plat depicts a no access strip along the Lower Miller Creek Road frontage of Lots 1 and 2 to eliminate the through lots.

- m. Article 5, Section 5-020.13.E regarding water availability. Specifically, 5-020.13.E “for new water supply systems, unless cisterns are proposed, evidence of adequate water availability.” This is not met. Packet says required volume may not be available under the water rights consultant document. Staff stated in the scoping notes the project could move forward if plans to serve initial phases were included. The packet does not adequately address serving initial phases and how adequate water supply will be provided to these initial phases. Additionally, evidence that water rights can be obtained is necessary. The application packet states that even once water rights are converted, there may not be adequate volume to service the subdivision. The water distribution design report does not have completed flow calculations. It is unclear how much water is required and how it will be supplied. In order to move forward, this needs to be addressed. City Council will need to have a solid sense that adequate water supply is available to take action. If water supply will come from the extra well on Twight’s property, then a draft agreement with Twight should be included. Staff are concerned that if the rezoning is approved and later phases fall through with the current developer due to insufficient water, the PUD overlay will still exist and be restrictive for another developer to comply with as opposed to a standard zoning district.

The intended means of securing adequate water supply has been addressed within the application materials. A final resolution on water availability should not be a considered a condition of element review since coordination with the City of Missoula will be required during sufficiency review to determine water provisions.

- n. Article 3, Section 3-040.2.A (2) states blocks may not exceed a maximum length of 480 feet. Several blocks on the plat do exceed 480 feet. This either needs to be included as a variance with mitigation, corrected, or mentioned in the PUD variations from the regulations with information about how the long block lengths better serve the PUD in terms of circulation than the normal requirement would.

The block length mitigation has been addressed in the PUD. The 10-foot wide asphalt shared-use path connecting Jeannette Rankin Elementary to Old Bitterroot Road serves to create a pedestrian and bicycle access route between the blocks exceeding 480 feet in length. Additional crosswalks have been added along Old Bitterroot Road to facilitate pedestrian access where it exceeds 480 feet. Additional intersections are not practical in this area because the right-of-way width is insufficient without encroaching on the adjacent parcel to the south.

- o. Article 5, Section 5-020.7 requires the community impact report to cover impacts on school bus service.

The community impact report has been updated to address impacts to school bus service. The existing school bus stops have been identified in the City of Missoula Major Subdivision Application document, and potential school bus stop locations within the Riverfront Trails development are proposed. Missoula County Public Schools' input on bus stop locations will be requested with the agency comments during sufficiency review.

- p. Article 5, Section 5-020.14.A (1) requires the amount of parkland required and provided with each phase to be shown in the phasing plan. Parkland dedication, parking for the parkland, and access to parkland must be included with Phase 1.

The phasing plan has been revised to depict the entirety of the parkland dedication, parking for the riverfront open space, and primary access to the open space within Phase I. Approximately 470 feet of the westward extension of Old Bitterroot Road will be constructed to support the access to the open space within Phase I.

- q. Per Article 5, Section 5-020.14.C a ground water mitigation plan is required where high ground water is present. Ground water was found at a depth of 12 feet which would limit basements. Provide a groundwater mitigation plan. Ensure the mitigation plan is enforceable through the plans for the PUD.

A provision is included within the Draft Covenants and Restrictions (Appendix G) to prohibit basements within Riverfront Trails. Additionally, the storm drainage design report addresses the measured high groundwater elevations, and the measures to mitigate impacts to it within the storm drainage design. Based on conversations with the City Design Review Team, an additional report will not be necessary.

- r. A flood hazard evaluation report is required for Article 3, Section 3-010.2.A and Article 5, Section 5-020.14.D.

Based on conversations with you on June 21, 2021, a flood hazard evaluation report is not required, since the official floodway delineation and floodway study has been previously prepared by FEMA for the Bitterroot River.

- s. Article 5, Section 5-020.14.F requires a development agreement between City Council and the developer or in the covenants except in cases where need to protect riparian resource areas or habitat for species of special concern outweigh dangers of wildfire. This is not provided. Additionally, the packet does not demonstrate that required water flow will be provided for Fire Hydrants.

The standards in Article 5, Section 5-020.14.F were included in the previously submitted Proposed Covenant. Please refer to Article II, Protective Covenants, Section 13. Missoula Water typically completes the updates to their hydraulic model of the water distribution system to demonstrate the required water flow will be provided for the fire hydrants during sufficiency review.

- t. Article 5, Section 5-020.14.K provides minimum requirements for covenants when common property is deeded to a property owner's association. The following sections have not been included in the covenants: (1), (3), (4), (5), (6), (7), (8), (9), (10).

The requirements above have been included in Article III of the revised proposed covenant.

- u. Article 5, Section 5-020.14.L requires that the riparian management plan, plat, or supplemental data sheet show the riparian resource area and riparian buffer. This information is not provided.

Additional information showing the riparian resource area, riparian buffer, location, and quantities of riparian vegetation, has been added to the Vegetation Map included with the submittal packet.

- v. Article 5, Section 5-020.14.L (3) requires a riparian management plan vegetation map. Show location of vegetation types (and quantities per (3) (a)), riparian buffer area, and drainage.

The Vegetation Map has been updated to depict the location and area of the riparian habitats. A proposed riparian buffer has been depicted as well. The existing ground contours have been added to the exhibit to depict the drainage. Additionally, this exhibit has been appended to the Riparian Management Plan document.

- w. Article 3, Section 3-080.8.B (5) requires that at least 50% of the park's perimeter be adjacent to public streets. This is not met.

Based on conversations with Parks and Recreation on March 2, 2021, the configuration of the riverfront open space as parkland dedication is acceptable. The benefits of the large dedication, contiguous tract, riverfront, riparian areas, and creation of a buffer between development and the riparian areas support waiving of the requirement of 50% of the park's perimeter being adjacent to public streets.

- x. Article 3, Section 3-120.7 requires that each PUD provide at least 1/9 of the platted area, exclusive of all other dedications, for common open space. Demonstrate this standard is being met.

The PUD proposes a possible dedication and purchase, through the open space bond program, of 45 acres of open space adjacent to the Bitterroot River for public use. Of these 45 acres, 4.34 acres is required as the public parkland dedication. Article 3, Section 3-120.7 further states that the required 1/9 of the platted area (10.3 of 92.73 acres) dedicated as open space, exclusive of all other dedications, may be dedicated to public use, if this alternative is acceptable to City Council. Therefore, the developer requests that a total dedication of 14.64 be considered to satisfy this requirement. Furthermore, should the City elect to purchase the remainder of the open space through the bond program, the proposed PUD and riverfront open space dedication will provide an additional 30.36 acres of public open space, above and beyond the combined 4.34-acre parkland dedication and 10.3-acre public open space required for the PUD designation.

- y. Which area is the dedicated parkland versus common area? Does parkland include storm water retention or detention ponds as prohibited by Section 3-080.9.D?

Parks and Recreation indicated to us during a meeting in March that they may accept ownership and maintenance of the stormwater detention basin if it is designed as an engineered wetland concept with minimal maintenance. We have proposed an engineered wetland concept, but it has not been reviewed by City Engineering, so we cannot provide design and maintenance details to Parks at this time. Coordination between these agencies will be simplified during sufficiency review when both parties have had opportunity to review the project proposal in detail.

- z. Article 3, Section 3-020.L requires 20-foot minimum unobstructed road clearance in the WUI. The road type with 7-foot-wide drive lanes does not meet this requirement.

The proposed Neighborhood Yield Street has been revised to include two 10' wide travel lanes and a single 8' wide parking lane. The proposed street section is further discussed in the transportation narrative.

- aa. The transmission and phone line per Book 176 Page 443 do not appear to be noted on the existing conditions page. Understood the exact easement cannot be located on the plat.

All utilities identified through the utility locates prior to the topographic survey of the property are shown on the existing conditions page. It is not known which utility line the easement recorded at Page 443 of Book 176 is associated with, or if it remains on the property.

Preliminary Plat

- a. Page 5 of 5 of the preliminary plat does not have a north arrow or scale as required by Article 5, Section 5-010.3.

A north arrow and scale have been added to Page 5 of 5 of the revised preliminary plat. We have ensured that each page of the revised preliminary plat includes the required north arrow and scale.

- b. Section 5-010.D; Show the alley width on page 3 of 5 of the preliminary plat for the alley between lots 59 and 73.

The alley width for the alley between lots 59 and 73 is shown on the revised preliminary plat.

- c. On page 3 of 5 of the preliminary plat there is a 20 foot wide area between Lots 5 & 8. What is this area designated for? Mark the designation (common area, access, etc.) per Section 5-010.4.E.

The 20-foot-wide area between Lots 5 and 8 is a public utility easement for a proposed water main. This has been clarified on the revised preliminary plat.

- d. Section 5-010.4.E requires the area, location, boundaries, and dimensions of all parks, common area, and other areas dedicated for public use to be shown. Are all common areas called out?

The two open space Tracts are depicted on the preliminary plat. Tract B shall be common space owned and maintained by the property owners' association. Tract A (45.36 acres) shall fully satisfy the 4.34-acre parkland dedication required per Section 3-080 and the 10.30-acre common space dedication required per Section 3-120.7 of the City of Missoula Subdivision Regulations. Further delineation of dedicated parkland, public open space purchased through the bond program, common space owned by the property owners' association, and stormwater detention will be required pending sufficiency review by Parks and Recreation and, ultimately, City Council review of the PUD.

- e. Article 3, Section 3-010.B.3 requires all tracts to be shown on the plat and designated as to their proposed uses. What is the purpose of Lot 177? Is this a buildable lot? What are the purposes of Tract A and B. Are these open space or common area? Is the landscape area created by Oxbow Court common area?

Lot 177 will be used for an additional multi-family development. The application packet has been revised to reflect this. The allocation of dedicated open space and common area has been clarified on the revised preliminary plat.

- f. Section 5-010.4.H; show easement width for key note 1 on sheet 2/5 (Book 39 Page 1430, Book 42 Page 1096).

Easement width for key note 1 is depicted on the revised preliminary plat.

- g. Section 5-010.4.H; show easement width for key note 2 on sheet 2/5 (Book 564 Page 1924).

Easement width for key note 2 is depicted on the revised preliminary plat.

- h. Section 5-010.4.H show easement width for key note 3 on sheet 3/5 (Book 564 Page 1924).

Easement width for key note 3 is depicted on the revised preliminary plat. The easement width varies and is depicted in the key note and the Book and Page referenced.

- i. Section 5-010.4.H show easement width for key note 1 on sheet 4/5 (Book 564 Page 1924).

Easement width for key note 1 is depicted on the revised preliminary plat. The easement width varies and is depicted in the key note and the Book and Page referenced.

- j. Section 5-010.4.H show easement width for key note 1 on sheet 5/5 (Book 564 Page 1924).

Easement width for key note 1 is depicted on the revised preliminary plat. The easement width varies and is depicted in the key note and the Book and Page referenced.

- k. The cul-de-sac on Page 5/5 is not shown completely within the right-of-way.

The preliminary plat has been revised to depict the cul-de-sac entirely within the public right-of-way.

- l. The cathodic protection system for a natural gas pipe as described in Book 613 Page 1831 is shown on the existing conditions but not shown on the plat. This is required per Article 5, Section 5-010.4.K.

The cathodic protection system easement cannot be located given the information provided in the easement documentation.

- m. Book 138, Page 651 describes a 10 foot easement for a TV line. Where is this located? It is not shown on the plat nor the existing conditions map.

Per the easement document, the easement for the TV line falls within existing easements, but the document does not provide an adequate description to locate the easement on the preliminary plat. All utilities identified during the utility locate and topographic survey are depicted on the existing conditions map.

- n. Section 5-010.K requires identified hazard areas to be prominently shown on the subdivision plat. High-voltage electric transmission lines and gas lines are not shown on the plat but are described in the easements. Gas lines are difficult to visually locate on existing conditions map. Please make the gas lines described to be in the roadways legible.

The high-voltage transmission line easement is shown on the subdivision plat. The easement contains the hazard area.

- o. Per Article 5, Section 5-010.4.M provide the area of the subdivision within the FEMA-designated floodway and/or fringe on the preliminary plat. Provide the area (acreage) of the FEMA designated floodway on the preliminary plat.

The total acreages of the subdivision within the FEMA-designated regulatory floodway and 100-year floodplain are provided on the revised preliminary plat.

Subdivision Application

- a. Section H of the application: Chapter II does not provide information on summary of roads and non-motorized facilities. State on the application where this information can be found in the packet.

The application has been updated with the corrected Chapter reference.

- b. Section I, Existing Conditions Map of the application: The existing conditions map in Chapter III does not include all information required by the application. The existing conditions map in the constructions plan does show more information. Correct the application to also reference the existing conditions map in the construction plans in addition to the existing conditions map and vegetation map in Chapter III.

The application has been updated with the cross-reference requested.

- c. Section I, Landscape and Maintenance Plans for common areas and boulevards of the application packet: A landscape and maintenance plan is not provided for common areas.

The landscaping and maintenance plan for common areas and boulevards is provided in the Preliminary Construction Plans. Please refer to Sheets C8.0 and C8.1.

- d. Section J, Water and Sanitation of the application: state in the application where to find each required item in the packet.

The required information can be found in the Water Distribution Engineering Report, Sanitary Sewer Engineering Report, and Preliminary Construction Plans in the subdivision application packet..

- e. Section K.6.a.iii of the application requires a map be provided showing the locations of any bus stops and turnarounds for school buses and public transit.

Future Mountain Line service provisions are not known at this time and are dependent on future transit plans and population growth in the vicinity. Old Bitterroot Road has sufficient right-of-way width to support the addition of transit stops, should public transit service be expanded to the area in the future. A narrative description of potential school bus stop locations has been added to the subdivision application document. The exact location of the school bus stops will be determined by Missoula County Public Schools based on their determined needs during sufficiency review.

- f. Section K.6.a.iv.3.C of the application states short courts are not proposed. This is not accurate.

This section of the subdivision application packet has been revised in accordance with the responses above. The criteria for short courts have been addressed in the revised application.

- g. Section K.6.a.6.D of the application requires the submittal of a slope category map showing grades between 5-10%, 10.01% - 20%, 20.01 – 25%, and over 25% per Article 5, Section 5-020.11.D.

A slope category map is included with the revised application packet.

- h. Section K.6.b.iii of the application: state who will install the street lighting.

The subdivision will require the applicant to petition the City of Missoula to create a new street lighting improvement district. The street lights will be installed under the improvement district through installation and maintenance fees assessed to the developer and/or lot owners. This has been clarified in the revised subdivision application document.

- i. Section K.6.b.iv: of the application state where to find the required information in the packet. If it is not included, provide required information per Article 5, Section 5- 020.12.

The preliminary construction plans depict the location of identified sanitary and storm sewers and storm drainage ditches. There are no known septic tanks, subsurface treatment systems, drainfield replacement areas, or detention/retention basins located on the subject property. All known water mains, water lines, irrigation pipes, wells, and fire hydrants within 500 feet of the property boundary are depicted on the preliminary construction plans. This has been clarified on the application form.

- j. Section K.6.c.4 states an initial phase can be served prior to completion of water rights. Provide information on how the initial phases and which phases will be served. Then, show evidence that water rights and adequate supply can be obtained in the future through contracts/agreements.

The intended means of securing adequate water supply has been addressed within the application materials. A final resolution on water availability should not be a considered a condition of element review since coordination with the City of Missoula will be required during sufficiency review to determine water provisions.

- k. Open Space and Parkland Dedication – section states that the additional open space may be purchased by the City or dedicated as common area under the home owners’ association. This should be discussed with Parks and Recreation because the plat must show the area as common area if not purchased by the City and additional maintenance information will need to be provided.

Final determination on this item during sufficiency review, when the agencies have had opportunity to review the project proposal in detail. The final combination of common space, dedicated parkland, parkland purchased through the open space bond, and stormwater detention parcels will require this agency coordination during sufficiency review.

Subdivision Application

- a. Include a map of the proposed zoning. Ensure the open space is not within the PUD overlay zoning.

The proposed zoning is a uniform PUD overlay of “RT5.4/PUD”; a map depicting this has been provided in Chapter II.

Other (preliminary sufficiency items)

- a. Application Packet D.3.a, state zoning is RT5.4 / PUD

The zoning stated in the application packet has been revised to read “RT5.4 / PUD”.

- b. Covenants state uses are permitted by zoning. This section should reference uses permitted by PUD.

MEMO

2ND ELEMENT REVIEW SUBMITTAL
AUGUST 17, 2021

The Land Use and Building Types section has been revised to read "All lots may be used for any purpose consistent with the uses permitted by the Riverfront Trails Planned Unit Development as approved by the City of Missoula."

- c. The Covenants reference "McNett Flats".

This error has been corrected in the proposed Covenants.

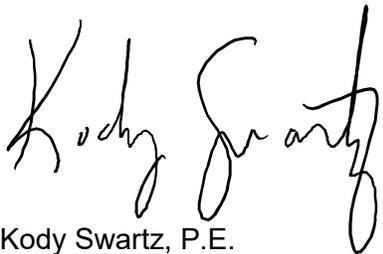
- d. On page 65 regarding the neighborhood meeting, it states that "XX" invitations were sent. Insert the real number.

This omission has been corrected in the revised application materials.

Please let me know if you have any additional questions or require additional supporting information. Thank you for your patience and review of this subdivision plat!

Sincerely,

Woith Engineering, Inc.



Kody Swartz, P.E.
Missoula Operations Manager

ENCL: RIVERFRONT TRAILS SUBDIVISION APPLICATION
RIVERFRONT TRAILS PRELIMINARY PLAT
PRELIMINARY CONSTRUCTION PLANS



DEVELOPMENT SERVICES

435 RYMAN • MISSOULA, MT 59802 - 4297 • (406) 552-6630 • FAX: (406) 552-6053

June 18, 2021

Kody Swartz
Woith Engineering, Inc
3860 O'Leary Street, Suite A
Missoula, MT 59808

Re: Riverfront Trails Subdivision – 177 Lot Major

Dear Kody Swartz,

Development Services received your application packet for the above subdivision for *1st Element Review* on June 11, 2021. The element review deadline is June 18, 2020. **At this time, Development Services cannot certify your application packet as containing all the necessary elements.**

For some items outlined below, not every instance of the missing element in the application packet is listed. Rather, there are a few major items that do not comply with code. We ask that you carefully review the application packet before resubmitting for second element review to eliminate inconsistencies throughout the packet once these larger items are addressed.

Please address the items listed below. Once these items have been addressed, please submit a second Element Review packet with a new cover page clearly titled as *2nd Element Review*, and include the date submitted. In lieu of a CD, please provide the *2nd Element Review* materials on a USB drive or provide a link for downloading the application materials.

General

Provide all the information required under City Subdivision regulations Article 5, Sections 5-010 and 5-020 and provide answers to all questions consistently from one section to the next, and address all applicable subdivision design standards in Article 3 of the City Subdivision regulations. Please include the following items:

- a. The required cover page for 1st element review was not submitted with the packet. Be sure to include the cover letter for future submittals.
- b. The title report is from 2016. Include a more recent title report.
- c. The application packet states you are applying for a PUD rezoning. Based on the submittal, I believe it is your intent to also apply for a PUD subdivision. The application packet needs to clearly state a "PUD subdivision" is being applied for throughout per Article 3, Section 3-120.2.A.
- d. The illustrative plan does not show the building or parking for the multi-dwelling lot. This is required per Article 3, Section 3-120.2.B. Title 20, Section 20.85.060.C.1 requires that information about the structures including size, locations, and architectural drawings showing the design of each structure must be provided.
- e. Article 3, Section 3-120.4.E states the PUD must comply with Section 3-070 regarding water supply. Water supply has not sufficiently been addressed in the packet as it is

still in process. The project cannot be certified for element review without this information.

- f. Article 3, Section 3-120.5 states roads requirements may be modified or waived by City Council when the standards are not practical or reasonable in the overall PUD subdivision design. The application packet does not adequately address why the required road standards are unreasonable for the development.
- g. Title 20, Section 20.25.030.G.7 states “Alternatives to otherwise "standard" street cross-sections and designs may be approved when the City Council determines that such alternative designs would better meet the purpose of the PUD overlay, while still providing a safe and efficient traffic circulation system.” While the application does address the desire to use alternatives to create a better pedestrian setting, the description does not address how the proposed street types really accomplish this. Some lack bike lanes that would otherwise be required to provide safe multi-modal paths. Make it clear using specific examples of how the proposed road types better accomplish the goals of the PUD than the regularly required road types would. Staff’s recommendation to City Council will be based on your ability to describe how the proposed road types are doing as good of or a better job of meeting the intent and requirements of Article 3, Sections 3-010 and 3-020.
- h. A PUD Overlay Zoning document was not submitted with the application packet. The application packet only shows items that would be included in the PUD. Please submit the draft PUD zoning document. Include multi-dwelling in the use table for the PUD. It is not included in the use table on page 19 of the application packet.
- i. Per Article 3, Section 3-010.5 the subdivision must provide for adequate non-motorized systems. The rear flag lots do not appear to have adequate physical and pedestrian access to the street. There are not easements over the flags providing physical access for motor vehicles to all lots though the illustrative plan shows this is likely the intent.
- j. It is unclear what the intent of the flag lots are. The 5 foot fee simple is for amended plats, not subdivision. The illustrative plan appears to show the flag lots serving as short courts which are prohibited per 3-020.B. The short courts to access rear flag lots serve more than two units which designates them as a road. In this case, they would be private roads. Short courts must be approved by variance and comply with the standards in Article 3-020.B. The application packet does not recognize them as roads, does not include a variance request, nor do the short courts meet the standards. Standards are in place to ensure fire safety. These short courts would need to prohibit parking other than in designated spaces to allow sufficient backing up space. If the dwelling unit on the short courts are not within 150 feet of the short court entrance, City Fire may have difficulty serving them in emergencies. If short courts are proposed as part of the PUD you will need to describe how their design is equal or better to our standards, including descriptions of how the design does a better job of protecting public safety. Additionally, the short courts will be private roads which require maintenance statements in the covenants.
- k. Per Article 3, Section 3-020.5 Cul-de-sacs and loops streets are prohibited. Both of these road types are proposed but not specifically addressed as such in the street sections or PUD road type table. You may apply for a variance and comply with all standards in 3-020.5. Alternatively, you can include it with the PUD but must address

how these road types do as good of or better job of meeting the intent of the standards in 3-020.5. Ensure the cul-de-sac allows for proper fire turnaround.

- l. Article 3, Section 3-040.1.E states through lots are prohibited. The multi-dwelling lot and assisted living lot are shown as through lots.
- m. Article 5, Section 5-020.13.E regarding water availability. Specifically, 5-020.13.E “for new water supply systems, unless cisterns are proposed, evidence of adequate water availability.” This is not met. Packet says required volume may not be available under the water rights consultant document. Staff stated in the scoping notes the project could move forward if plans to serve initial phases were included. The packet does not adequately address serving initial phases and how adequate water supply will be provided to these initial phases. Additionally, evidence that water rights can be obtained is necessary. The application packet states that even once water rights are converted, there may not be adequate volume to service the subdivision. The water distribution design report does not have completed flow calculations. It is unclear how much water is required and how it will be supplied. In order to move forward, this needs to be addressed. City Council will need to have a solid sense that adequate water supply is available to take action. If water supply will come from the extra well on Twight’s property, then a draft agreement with Twight should be included. Staff are concerned that if the rezoning is approved and later phases fall through with the current developer due to insufficient water, the PUD overlay will still exist and be restrictive for another developer to comply with as opposed to a standard zoning district.
- n. Article 3, Section 3-040.2.A (2) states blocks may not exceed a maximum length of 480 feet. Several blocks on the plat do exceed 480 feet. This either needs to be included as a variance with mitigation, corrected, or mentioned in the PUD variations from the regulations with information about how the long block lengths better serve the PUD in terms of circulation than the normal requirement would.
- o. Article 5, Section 5-020.7 requires the community impact report to cover impacts on school bus service.
- p. Article 5, Section 5-020.14.A (1) requires the amount of parkland required and provided with each phase to be shown in the phasing plan. Parkland dedication, parking for the parkland, and access to parkland must be included with Phase 1.
- q. Per Article 5, Section 5-020.14.C a ground water mitigation plan is required where high ground water is present. Ground water was found at a depth of 12 feet which would limit basements. Provide a groundwater mitigation plan. Ensure the mitigation plan is enforceable through the plans for the PUD.
- r. A flood hazard evaluation report is required for Article 3, Section 3-010.2.A and Article 5, Section 5-020.14.D.
- s. Article 5, Section 5-020.14.F requires a development agreement between City Council and the developer or in the covenants except in cases where need to protect riparian resource areas or habitat for species of special concern outweigh dangers of wildfire. This is not provided. Additionally, the packet does not demonstrate that required water flow will be provided for Fire Hydrants.
- t. Article 5, Section 5-020.14.K provides minimum requirements for covenants when common property is deeded to a property owner’s association. The following sections have not been included in the covenants: (1), (3), (4), (5), (6), (7), (8), (9), (10).

- u. Article 5, Section 5-020.14.L requires that the riparian management plan, plat, or supplemental data sheet show the riparian resource area and riparian buffer. This information is not provided.
- v. Article 5, Section 5-020.14.L (3) requires a riparian management plan vegetation map. Show location of vegetation types (and quantities per (3) (a)), riparian buffer area, and drainage.
- w. Article 3, Section 3-080.8.B (5) requires that at least 50% of the park's perimeter be adjacent to public streets. This is not met.
- x. Article 3, Section 3-120.7 requires that each PUD provide at least 1/9 of the platted area, exclusive of all other dedications, for common open space. Demonstrate this standard is being met.
- y. Which area is the dedicated parkland versus common area? Does parkland include storm water retention or detention ponds as prohibited by Section 3-080.9.D?
- z. Article 3, Section 3-020.L requires 20-foot minimum unobstructed road clearance in the WUI. The road type with 7-foot-wide drive lanes does not meet this requirement.
- aa. The transmission and phone line per Book 176 Page 443 do not appear to be noted on the existing conditions page. Understood the exact easement cannot be located on the plat.

Preliminary Plat

Provide all applicable information required under City Subdivision regulations Article 5, Section 5-010 and applicable preliminary plat supplements under Article 5, Section 5-020 while addressing all applicable subdivision design standards in Article 3 of the City Subdivision regulations. Include the following items:

- a. Page 5 of 5 of the preliminary plat does not have a north arrow or scale as required by Article 5, Section 5-010.3.
- b. Section 5-010.D; Show the alley width on page 3 of 5 of the preliminary plat for the alley between lots 59 and 73.
- c. On page 3 of 5 of the preliminary plat there is a 20 foot wide area between Lots 5 & 8. What is this area designated for? Mark the designation (common area, access, etc.) per Section 5-010.4.E.
- d. Section 5-010.4.E requires the area, location, boundaries, and dimensions of all parks, common area, and other areas dedicated for public use to be shown. Are all common areas called out?
- e. Article 3, Section 3-010.B.3 requires all tracts to be shown on the plat and designated as to their proposed uses. What is the purpose of Lot 177? Is this a buildable lot? What are the purposes of Tract A and B. Are these open space or common area? Is the landscape area created by Oxbow Court common area?
- f. Section 5-010.4.H; show easement width for key note 1 on sheet 2/5 (Book 39 Page 1430, Book 42 Page 1096).
- g. Section 5-010.4.H; show easement width for key note 2 on sheet 2/5 (Book 564 Page 1924).

- h. Section 5-010.4.H show easement width for key note 3 on sheet 3/5 (Book 564 Page 1924).
- i. Section 5-010.4.H show easement width for key note 1 on sheet 4/5 (Book 564 Page 1924).
- j. Section 5-010.4.H show easement width for key note 1 on sheet 5/5 (Book 564 Page 1924).
- k. The cul-de-sac on Page 5/5 is not shown completely within the right-of-way.
- l. The catholic protection system for a natural gas pipe as described in Book 613 Page 1831 is shown on the existing conditions but not shown on the plat. This is required per Article 5, Section 5-010.4.K.
- m. Book 138, Page 651 describes a 10 foot easement for a TV line. Where is this located? It is not shown on the plat nor the existing conditions map.
- n. Section 5-010.K requires identified hazard areas to be prominently shown on the subdivision plat. High-voltage electric transmission lines and gas lines are not shown on the plat but are described in the easements. Gas lines are difficult to visually locate on existing conditions map. Please make the gas lines described to be in the roadways legible.
- o. Per Article 5, Section 5-010.4.M provide the area of the subdivision within the FEMA-designated floodway and/or fringe on the preliminary plat. Provide the area (acreage) of the FEMA designated floodway on the preliminary plat.

Subdivision Application

Provide all applicable information required under City Subdivision regulations Article 5, Section 5-020 while addressing all applicable subdivision design standards in Article 3 of the City Subdivision regulations. Include the following items:

- a. Section H of the application: Chapter II does not provide information on summary of roads and non-motorized facilities. State on the application where this information can be found in the packet.
- b. Section I, Existing Conditions Map of the application: The existing conditions map in Chapter III does not include all information required by the application. The existing conditions map in the constructions plan does show more information. Correct the application to also reference the existing conditions map in the construction plans in addition to the existing conditions map and vegetation map in Chapter III.
- c. Section I, Landscape and Maintenance Plans for common areas and boulevards of the application packet: A landscape and maintenance plan is not provided for common areas.
- d. Section J, Water and Sanitation of the application: state in the application where to find each required item in the packet.
- e. Section K.6.a.iii of the application requires a map be provided showing the locations of any bus stops and turnarounds for school buses and public transit.
- f. Section K.6.a.iv.3.C of the application states short courts are not proposed. This is not accurate.
- g. Section K.6.a.6.D of the application requires the submittal of a slope category map showing grades between 5-10%, 10.01% - 20%, 20.01 – 25%, and over 25% per Article 5, Section 5-020.11.D.

- h. Section K.6.b.iii of the application: state who will install the street lighting.
- i. Section K.6.b.iv: of the application state where to find the required information in the packet. If it is not included, provide required information per Article 5, Section 5-020.12.
- j. Section K.6.c.4 states an initial phase can be served prior to completion of water rights. Provide information on how the initial phases and which phases will be served. Then, show evidence that water rights and adequate supply can be obtained in the future through contracts/agreements.
- k. Open Space and Parkland Dedication – section states that the additional open space may be purchased by the City or dedicated as common area under the home owners' association. This should be discussed with Parks and Recreation because the plat must show the area as common area if not purchased by the City and additional maintenance information will need to be provided.

Rezoning Application

- a. Include a map of the proposed zoning. Ensure the open space is not within the PUD overlay zoning.

Other (preliminary sufficiency items)

The following items are not required for element review. However, addressing these items now will speed up the process once we reach sufficiency review. Please let us know if you would like to schedule a meeting to clarify the requested items.

- a. Application Packet D.3.a, state zoning is RT5.4 / PUD
- b. Covenants state uses are permitted by zoning. This section should reference uses permitted by PUD.
- c. The Covenants reference “McNett Flats”.
- d. On page 65 regarding the neighborhood meeting, it states that “XX” invitations were sent. Insert the real number.

Subdivision Application (preliminary sufficiency items)

Provide all applicable information required under City Subdivision regulations Article 5, Section 5-020 while addressing all applicable subdivision design standards in Article 3 of the City Subdivision regulations. Include the following items:

- a. Easement descriptions under the “Utility Easements” section of the application packet states gas pipes, power lines, and other utilities are shown on an Existing Conditions Map in Section III of the application packet. Map is actually in construction plan set. Correct this.

If you have additional questions, you may reach me at 552-6673 or email me at TripardC@ci.missoula.mt.us. I'm happy to set up meetings with the DRT Core Group to discuss the requirements and the best path forward for this project.

Sincerely,

Cassie Tripard

Cassie Tripard, Associate Planner
Development Services, CPDI

cc: Mary McCrea, DS
Dave DeGrandpre, DS
Eran Pehan, CPDI
Troy Monroe, PWM
Nate Tollefson