



MISSOULA

COMMUNITY PLANNING, DEVELOPMENT & INNOVATION

Development Services Division

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

January 14th, 2022

Paul Forsting
IMEG Corp
1817 South Avenue W
Missoula, MT 59801

Re: West End Homes First Element Review

Dear Paul Forsting,

Development Services received your application packet for the above subdivision for *1st Element Review* on January 7th, 2022. The element review deadline is January 14th, 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 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. Only submit documents which have changed from first Element Review.

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 zoning is bundled with the annexation (zoning upon annexation). The rezoning application is not necessary and must be removed from the packet. I understand the FBC states projects must be rezoned from the neighborhood unit to the transect zones, however the application isn't necessary since this is covered by us applying zoning at annexation in compliance with the FBC.
- b. The petition to annex appears to be a photo copy. Please submit the original (wet ink) petition so that I can hand it over to the clerk and recorder to be assigned a petition number.
- c. The owner in the project summary is listed as Evergreen Housing Solutions, LLC. The owner on the subdivision application is Dougherty Ranch and Shannon R. Luikart. Correct this inconsistency.
- d. Ensure that as the roads plans develop, the Stage cross sections align with the cross sections provided in section A of the application. I noticed some differences in boulevards. I understand it is because you are still reconciling the boulevard/bioswale issue, but all street references throughout the packet should match on future submittals.

- e. At what stage in the process do you propose adding street names in compliance with 5-020.10.D?
- f. Article 5, Section 5-020.12.A & B requires the size and depth of the nearest sewer, water, and storm water lines and mains. The information in the packet only provides the location of these features.
- g. Article 5, Section 5-020.14.K.9 requires a statement in the covenants that permission of City Council is required before the homeowners association can be dissolved. I do not see this language in the draft covenants included with the application 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:

- h. Item A.12: A mailing address for the owners of record is required. Is there a reason why they don't have an address?
- i. Item B: Address incorrect (left over from previous application).
- j. Item F.1.d: This answer refers to a Phasing Plan Narrative included in Section B. I do not see this document provided in section B. However, based on the exhibit I understand that the required parkland will be dedicated with phase 1 so a narrative is not necessary. Change the application packet to refer to the exhibit rather than a narrative since none exists, or include a narrative.
- k. Item I: Landscape plans for the common areas and boulevards are required (5-020.14.H). Landscaping plans for these areas were not provided with the application packet.
- l. Item K.2.c.iz: requires evidence that water rights removal process has been initiated. While I see water rights documentation in the packet, I do not see any proof of this process being initiated.
- m. Item K.3.k: Groundwater. The subdivision application and Tetra Tech report indicates there is not ground water within 15 feet below grade. However, the Groundwater Depth Exhibit in section D of the application packet shows areas with groundwater depth between 12 and 14 feet below grade. Additionally, the Preliminary Grading and Drainage Engineering Design Report also states there is groundwater ranging from 12 to 20 feet. Based on the map provided for the borings, it doesn't look like the western portion of the subdivision where high ground water is described had any boring sites. I would like to discuss this further with Storm Water as it could impact sumps. Please address these inconsistencies in the application considering the application does not take the data stating there is ground water at 12 feet into account.
- n. K.2.n.iv refers to a Potentiometric Surface Exhibit completed by John LaFave in section D. I am not seeing this document. Am I missing something or was it not included?
- o. Item K.6.a.iii: Bus route exhibit does not include school bus stops or routes.

- p. Item K.6.a.iv: the road table to describe existing and proposed roads is not included. Please include the road table in the application, or attach as a supplementary document.
- q. Item K.6.e.i: The packet states the subdivision is served by Hellgate High School. This parcel is served by Big Sky Highschool.
- r. Item K.6.g: references the Our Missoula Growth Policy which is not the guiding regional plan for this area. Correct this to reference the Sxwtpqyen Master Plan.
- s. The parkland dedication table doesn't work perfectly for this code and there appears to be errors in the numbers entered. For parkland, net lotted area should be used (not the total acreage submitted with the table). Feel free to modify or delete the table and provide calculations on a separate sheet that are representative of the FBC requirements if you find the subdivision application table isn't working for this. The FBC states the greater of the following must be dedicated: 11% of the net lotted area or 0.02 acres per allowed density (up to 10 du/acre) of net lotted area. There will be a zoning officer opinion clarifying the language in the FBC.

Example:

T3: 0.02 acres x max density of 8 du/acre x 17.9 acres zoned T3 = 2.864 acres

T4: 0.02 acres x max density of 10 du/acre x 7.4 acres = 1.48 acres

Total Parkland Dedication Required: 4.344 acres

Preliminary Plat / Master Site Plan / Regulating Plan

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. This subdivision must also comply with Title 21 (Sxwtpqyen Form Based Code). Include the following items:

- t. Article 3, Section 3-060.4.C states that when water rights have been or will be removed it must be denoted on the plat. I don't see any reference to this on the plat.
- u. 3-030.1.C.3 "Each lot must abut on and have access to a public or private street or road;" Lots 152 through 162 and 131 through 136 do not abut a street or road. They abut alleys and open spaces. I do understand the FBC seemed to promote this, but can't find a directly conflicting code that allows lots to front on open spaces without abutting roads. Let me know if you find a conflicting code and we can investigate further. As of now, this subdivision regulation applies and the lots are not compliant.
- v. There are several lots that do not comply with the minimum width standards for the transect zone they are located in. Lot dimension standards can be found in Title 21, Table 3-1. Per the glossary (Division 8), lot width means "the length of the primary frontage line of a lot". The definition for "primary frontage line" states that it is a synonym for "front lot line". The definition for "front lot line" is "the lot line dividing a lot from the street right-of-way". The width of the front lot line must comply with the width standards in Table 3-1. While some lots were wholly non-compliant, others only were noncompliant along the front lot line which is where this standard is required to be met.
- w. Lots 13 through 18 in the T3 zone do not meet the 50-foot minimum lot width.

- x. Lots 57 and 58 in the T3 zone do not meet the 50-foot minimum lot width.
- y. Lots 74 and 77 in the T3 zone do not meet the 50-foot minimum lot width.
- z. Lot 191 in the T3 zone does not meet the 50-foot minimum lot width.
- aa. Lot 212 in the T3 zone does not meet the 50-foot minimum lot width.
- bb. Lot depths are not provided for all lots as required by Article 5, Section 5-010.4.C. This is not necessary for every lot on uniform blocks. Depths are missing on some lots in non-uniform blocks. Please review the plat for these instances. For example some depth measurements are missing on block containing lot 183 (this block is close to uniform, but not quite).
- cc. Lot 137 on the plat is missing the 33.9-foot dimension.
- dd. Article 5-010.4.E requires dimensions for all parks. Provide the dimension for the western side of Flynn Square Park on page 3 of plat. Dimension missing from south western side of OS 3 on page 4 of the plat. Dimension missing on eastern side of OS 1 on page 6 of the plat.
- ee. Lot 111 fronts the trail street per the street hierarchy provided in Division 6. This means the lot depth is non-compliant (80 ft minimum).
- ff. Lot 150 fronts the trail street per the street hierarchy provided in Division 6. This means the depth is non-compliant (80 ft minimum).
- gg. Lot 183 fronts the trail street per the street hierarchy provided in Division 6. This means the depth is non-compliant (110 ft minimum).
- hh. Lot 184 fronts the trail street per the street hierarchy provided in Division 6. This means the depth is non-compliant (110 ft minimum).
- ii. Article 5, Section 5-010.4.H requires the approximate location and identification of all existing and proposed public and private easements and rights-of-way, including descriptions of their widths and purposes. There are rights-of-way (e.g. what appears to be an alley or rear lane on the western edge) which do not have a stated purpose or description. Please ensure all rights-of-way, including small alley pieces at the edges, comply with this code on the plat.
- jj. Division 2.4.A.3 states block faces in T3 that exceed 600 feet shall have a mid-block pedestrian access of at least 12 feet in width. The block containing lots 1 through 12 exceeds 600 feet but does not have a mid-block pedestrian access.

Additional Form Based Code Items

- kk. Division 5.1.B states fronts facing backs is prohibited. I'm not seeing how this can be met for lots 198 through 201. However, Article 3, Section 3-030.1.C.3 states "each lot must abut on and have access to a public or private street or road;" so these lots may be changing anyways.
- ll. Division 6.5 provides requirements for street lighting. The road and utility plans do not appear to show street lighting. Note that this section has strict placement requirements for street lighting. Please review and show compliant street light locations in the road plans.

Road Construction Plans

- mm. The required 6 foot sidewalk for the neighborhood bike street (two way track) on Flynn Lane is not shown. If you have been instructed by Engineering to not include a sidewalk, please contact me. If the sidewalk is not included, this will be considered a variance.
- nn. A bioswale is required in the planting strip of the trail street. The required bioswales are also not shown on Dougherty Drive. Please work with Storm Water and Parks and Recreation to reconcile placement of bioswales in the boulevard. Cc me in communications with them.

Other Issues (Sufficiency)

- The handwritten neighborhood meeting notes are quite difficult to read. Please transcribe into a legible format to include with the packet.
- Item K.3.m.iv of the subdivision application: add a reference to the weed management plan since the question asks what means of weed control are proposed.
- Item K.1.a of the subdivision application: change measurement on agricultural production map to acres instead of square miles.
- Item I of the subdivision application: Adjacent property owner map does not include all owners to the west and north of the property. The parcel across Flynn Lane that is across from the northeastern most point of the property should be included as well.

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

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