



Development Services Division

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PUBLIC FORUM

Agenda Item: Public Forum for the University of Montana regarding the removal of the existing ground sign at Arthur and Connell Avenues and the addition of one internally illuminated ground sign.

Report Date: January 4, 2023

Case Number: 2022-MSS-BRD-00013

Case Planner: Charlie Ream, Assistant Planner, CPDI

Report Reviewed & Approved By: Cassie Tripard, Land Use Supervisor, CPDI

Public Meetings & Hearing Dates:

City Council Consent Agenda: January 9, 2023

Land Use and Planning Committee – Informational Item: January 11, 2023

City Council – Public Hearing: January 23, 2023

Applicant: University of Montana
32 Campus Drive
Missoula, MT 59812

Agent: Ali Martin, SMA Architects + Design
920 Front St. #101
Helena, MT 59601

Location of Request: 950 Arthur Ave. Missoula, MT 59812. The sign itself is located in Vacated Connell Avenue, located in Section 27, Township 13 North, Range 19 West, P.M.M.

Legal Notification: The legal ad for the January 23, 2023 public hearing was published in the *Missoulian* on January 1 and 8, 2023. Development Services sent mailings to owners within 150 feet of the subject property on December 28, 2022. Notification was posted on the property on January 29, 2022.

Zoning: OP3 Public Lands and Institutional

Surrounding Land Uses

North: Multi-Dwelling Residential, College/University uses including Medical Office

South: College/University

East: College University

West: Single Dwelling, Duplex, and Multi-Dwelling Residential

Surrounding Zoning

North: R5.4 Residential and OP3 Public Lands and Institutional

South: OP3 Public Lands and Institutional

East: OP3 Public Lands and Institutional

West: R5.4 Residential

STAFF RECOMMENDATION: None.

RECOMMENDED MOTION: Not applicable. Title 20, Section 20.85.095.E indicates City Council has no power to deny the proposal but shall act only to allow a public forum for comment.

I. INTRODUCTION

The University of Montana proposed project includes the removal an existing sign at the intersection of Arthur Ave. and Connell Ave and the addition of one 8'-10" tall ground sign at the same location on the southwest corner of Gilkey Hall, perpendicular to the sidewalk along Arthur Ave.

The proposed sign will be taller and in the style of the University's new wayfinding signage initiative. The size and orientation of the new design will better orient visitors to the University of Montana Campus and intends to improve vehicular, bicycle, and pedestrian campus circulation and safety.

For the purposes of Title 20, Chapter 20.85.095 – Public Forum, an "agency" is defined as a board, bureau, commission, department, an authority, or other entity of state or local government. The University of Montana is considered a local government agency and has the authority to vary from zoning requirements. In this case, the University of Montana is varying from the maximum ground sign height and area permitted in the OP3 Public Lands and Institutional zoning district. Title 20, Chapter 20.85.095.E states, City Council shall hold the public hearing as a public forum and shall have no power to deny or condition the proposed use but shall act only to allow a public forum for comment on the proposed use.

II. APPLICABLE REGULATIONS

Part 4 of Title 76, MONTANA CODE ANNOTATED 2021, Planning and Zoning, Section 76-2-402 reads as follows:

Local zoning regulations - Application to agencies. (1) Whenever an agency proposes to use public land contrary to local zoning regulations, a public hearing must be held and the agency shall attend the public hearing.

(2) The local governing body shall hold a hearing within 30 days of the date the agency gives notice to the local governing body of its intent to develop land contrary to local zoning regulations.

"Agency" is defined as a board, bureau, commission, department, an authority, or other entity of state or local government.

Missoula City Zoning Code, Title 20, Section 20.85.095 - Public Forum reads as follows:

For the purposes of this section, an "agency" means a board, bureau, commission, department, district, an authority, or other entity of state or local government.

A. Applicability; Authorized Public Forum - The City Council must hold a public hearing when an agency proposes to develop or use public land contrary to these zoning regulations.

E. Hearing - The City Council shall hold a public hearing within 30 days of the date the agency gives notice to Development Services of its intent to develop or use land contrary to these zoning regulations. The City Council shall hold the public hearing as a public forum and shall have no power to deny or condition the proposed use but shall act only to allow a public forum for comment on the proposed use. The agency shall attend the public hearing (See 76-2-402, MCA.)

III. DISCUSSION

The proposed ground sign would be placed 5 feet from the Arthur Ave. sidewalk and 6 feet from Connell Ave. The sign will be approximately 35 square feet in area and 8'-10" feet in height. The sign is composed of an illuminated black box with white text reading 'Harold and Priscilla Gilkey Welcome Center' and topped with an internally illuminated maroon UM logo approximately 2'-10" x 4'.

The proposed sign would be at the southwest corner of the Harold and Priscilla Gilkey Building at 950 Arthur Avenue. The sign is intended to be more visible to those traveling Arthur Ave. in cars or by bicycle. The design will be in the updated style for future signage on the University of Montana campus.

The sign is approximately 12 feet from an existing Norway Maple, 22 inches in diameter and an estimated canopy of 44 feet. The tree protection zone, or TPZ, for the Norway Maple is 22 feet.

The proposed sign is larger than the maximum allowed area and height for a ground sign in the OP3 Public Lands and Institutional zoning district (Title 20, Chapter 20.75.050). The maximum area allowed is 24 square feet and the maximum height is 6 feet. The sign exceeds the maximum permitted area by 11 square feet and exceeds the maximum height by 2 feet and 10 inches.

IV. NOTICE

Notices of this Public Forum have been published in the Missoulian and sent out to applicable City departments as well as to adjacent property owners within a 150-foot radius for comment. Notice has also been posted on the property.

V. COMMENTS FROM ADJACENT PROPERTY OWNERS

In Favor: No comment received at time of staff report.

Not in Favor: No comment received at time of staff report.

No Response: 10

Total: 10

VI. COMMENTS FROM CITY AGENCIES

Fire Department: No comment.

Police Department: No comment received at time of staff report.

Health Department: No comment received at time of staff report.

Parks and Recreation: Marie Boggess, Forestry Specialist II: “Forestry is minorly concerned about the adjacent tree. Tree protection should be utilized to ensure no equipment comes into contact with the tree trunk or canopy. The excavation is within the acceptable region, but if the location is reset, this will need to be revisited.

Tree protection zone standards can be linked at 12.32.050 Section 5, Definitions, E. “Tree preservation zone” or “TPZ” is a circle surrounding the target tree with a radius of one foot for every one inch of diameter of tree being considered.”

City Public Works and Mobility – Engineering: No comment received at time of staff report.

City Public Works and Mobility – Storm Water: No comment received at time of staff report.

Missoula Urban Transportation District: No comment received at time of staff report.

Missoula Redevelopment Agency: No comment received at time of staff report.

City Public Works and Mobility – Transportation Division: No comment.

Montana Department of Transportation: No comment received at the time of staff report.

Northwestern Energy: No comment received at the time of staff report.

VII. ATTACHMENTS

- A. Application Packet
- B. Public Comment

VIII. EXHIBIT A LEGAL MAP

