

From: [Julie Anton](#)
To: [Stacie Anderson](#); [John P. Contos](#); [Cassie Tripard](#)
Subject: Riverfront Trails Comments and Suggestions
Date: Wednesday, December 7, 2022 4:52:57 PM

Hi Stacie, John, and Cassie,

First, I want to thank you for the time and energy you have put into all of the presentations, meetings, and discussions around the Riverfront Trails Major Subdivision. It is a beast of a proposal with great complexity. You have surely heard me speak enough to know my concerns as a resident in the area. Below is a summary of the compromises I am proposing.

1. Deny the 45' height variance requested in the NC-RT-Overlay for 3 lots. This height simply does not conform with the surrounding area in any way, shape, or form.
2. Apply R20 zoning to Lot 176, the southernmost lot on the south side of Lower Miller Creek Rd. All of the other lots in the immediate vicinity on this side of Lower Miller Creek Rd are zoned R20. While I appreciate the developers' representative stating that they would be amenable to sticking to a height no greater than 35' on this lot, it is still uncanny to place a 5-plex there as it does not blend with the character of the adjacent lots. It is worth noting that three of the immediately adjacent lots (lots 2, 3, and 4) are currently undeveloped and all have the same owner. I would imagine placing a 5-plex on Lot 176 will have a significantly negative impact on the saleability of those 3 lots and does not protect the owner's property rights.
3. Require developer to pay 100% of the cost of the roundabout at Lower Miller Creek Rd and Old Bitterroot Rd. The roundabout benefits the developer and has no benefit to existing residents of the area. To pass a SID along to surrounding residents is not just.
4. Make it a requirement that the developer put some sort of safety mechanism in place to ensure public safety around the stormwater collection pond. It was mentioned that the pond will be 4 feet deep at its max depth and that it will be open without any sort of fencing around its' perimeter. If a small child or animal accidentally fell in, that could end in an unspeakable tragedy.
5. Create a management plan and/or put some restrictions in place regarding the public river access to ensure that it does not become problematic like Sha-Ron and other river access sites throughout the city with parking filling up the residential streets, trash being left in the area, and degradation occurring to the land.
6. If allowed based on law, create a condition or amendment designating the sites for Community Residential Facility and Religious Assembly as such, and provide assurance that these lots would revert back to RT5.4 zoning without the special NC-RT-Overlay requests specific to these lots if the Community Residential Facility and Religious Assembly were to not come to fruition.
7. Create a road improvement trust fund and require developer to pay a set amount from each building or unit towards the trust fund. Money will be allocated to future road

improvements that will inevitably become necessary on Lower Miller Creek Rd between Jeanette Rankin Elementary School and the existing roundabout at Lower Miller Creek/Miller Creek Rd, as well as the stretch of Miller Creek Rd from the aforementioned existing roundabout to its intersection with Hwy 93/Brooks St. If there is a way to make this applicable to all newly constructed buildings or units from here on out that will need access to Lower Miller Creek Rd as an egress/ingress route, that is seemingly ideal so as not to place any undue burden on this one subdivision.

8. Require the City, MDT and any other entity needing to be involved to prioritize the creation and eventual implementation of a traffic mitigation plan for the intersection of Miller Creek Rd/Briggs St, as well as the intersection of Miller Creek Rd/Hwy 93/Brooks St. Per the traffic study, these intersections are already at unacceptable levels. This problem will only get worse as more and more units and cars are added to the Lower Miller Creek area that all must funnel out via these intersections. And it sounds like getting bus service to the area is a long way out. This proposed item likely falls outside of the approvals that the developer seeks, but I felt it is worth mentioning just in case there is a way to incorporate it now.

And I do have one comment that I wanted to make at the Land Use and Planning Committee meeting today that came to me after council discussion. Someone mentioned that a study showed that groundwater flooding was not an issue on the parcel. I do not know about the study and when it was performed, but I can tell you that the following parcels on the north side of Lower Miller Creek Rd flood with groundwater most, if not every, year in the Spring when snow melts - 4995 Lower Miller Creek Rd gets water in their basement and deals with it via a sump pump; 4955 Lower Miller Creek Rd/Western MT Retriever Club floods; 4915 Lower Miller Creek Rd/Linda Vista Golf Course floods; and 4775 and 4755 Lower Miller Creek Rd have water in their backyards most years. I would like to have assurance from the developer that proper mechanisms will be put into place so as to protect the homes being built from groundwater flooding. I understand that there is a condition that prohibits basements, which is a great first step. Maybe another condition is that every home has to be built with a sump pump included in the crawlspace?? Or maybe a certain amount of ground fill needs to be brought in to ensure the ground level is above the current groundwater flood elevation??

That's all I can think of. This is a HUGE proposal that has a TON of impact to the surrounding area and its residents. I recognize that there is a lot to ponder and there is not much time to do so. If that means denying the rezone request to allow some of these items the time necessary to figure out viable solutions, that is an avenue I would recommend. My intent is to find a compromise that protects the character of the existing neighborhood while providing public safety so that we can all continue to enjoy this wonderful community in which we live. I have to believe this is possible.

Cheers,

Julie Anton
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