



**City of Missoula, Montana
City Council Committee Agenda Item**

Committee: Public Works and Mobility

Item: Lower Miller Creek Road Right-of-Way Vacation and Speed Limit Reduction

Date: July 21, 2023

Sponsor(s): Steve Reichert

Prepared by: Steve Reichert

Ward(s) Affected:

- | | |
|------------------------------------|--|
| ☐ Ward 1 | ☐ Ward 4 |
| ☐ Ward 2 | ☒ Ward 5 |
| ☐ Ward 3 | ☐ Ward 6 |
| ☐ All Wards | ☐ N/A |

Action Required:

Adopt a resolution of intention to vacate public right-of-way for Lower Miller Creek Road, as shown in Exhibit A, subject to the conditions of approval, and set a public hearing for August 28, 2023

Recommended Motion(s):

I move the City Council: I move the City Council: Adopt a resolution declaring it to be the intention of the City Council of the City of Missoula, Montana, to close and vacate a portion of Lower Miller Creek Road public right-of-way in Linda Vista Estates Subdivision Phase 2, and subject it to six (6) conditions of approval, and set a public hearing on August 28, 2023.

I move the City Council: Adopt a resolution for the City Council of the City of Missoula, Montana, to establish a speed limit of 25 mph for Lower Miller Creek Road in Linda Vista Estates Subdivision Phase 2.

Timeline:

Committee discussion:	August 9, 2023
Council action (or sets hearing):	August 14, 2023
Public Hearing (if required):	August 28, 2023
Final Consideration	September 11, 2023
Deadline:	N/A

Background and Alternatives Explored:

Public Works & Mobility has received a request from Joe Denhert with IMEG Engineering, on behalf of Lloyd Twite to vacate the portion of Lower Miller Creek Road right-of-way through the approved Linda Vista Estates Subdivision, formally described as:

"That portion of public street right-of-way known as the "Lower Miller Creek Road" as delineated on Exhibit 'A' currently bisecting the future Linda Vista Estates Subdivision, a portion of Tract 2 of Certificate of Survey No. 6355, located in the Southwest One-Quarter (SW 1/4) of S13, T12N, R20W, P.M.M. City of Missoula, Missoula County, Montana"

This vacation is necessary to conform to the previously approved Linda Vista Estates (Amended Application) Subdivision and Rezoning approved by the Missoula City Council on January 26, 2009. The preliminary plat approval provides a new alignment for Lower Miller Creek Road.

A list of conditions is shown in Attachment 1 explaining the easements and ROW improvements that will be required as part of this ROW vacation. These conditions must be completed prior to the vacation being recorded with the Missoula County Clerk and Recorder.

As a result of the new alignment for Lower Miller Creek Road, City Engineering required an engineering and traffic investigation in order to reduce the posted speed limit. The memo was reviewed and approved by the City Transportation Engineer and is included as Attachment 4.

Financial Implications: None

Links to external websites: None

Attachments:

1-Resolution of Intention - Lower Miller Creek Road

2-Resolution – Lower Miller Creek Road Speed Limit

3-Exhibit A – ROW Vacation

4-Engineering and Traffic Investigation Memo