

Missoula Engineering, LLC



P.O. Box 2833 Missoula, MT 59806
Phone: (406) 215-1555

March 20, 2023

Community Planning, Development, & Innovation
Dave DeGrandpre, AICP
435 Ryman St.
Missoula, MT 59802

Re: 2145 W. Sussex – Rezone Application

Dear Mr. Degrandpre,

Attached for your review is a rezoning application for 2145 W. Sussex. The application has been updated based on the scoping notes provided on 02/02/2023 and our scoping meeting held on 02/03/2023. Please let me know if you have any questions or need any additional information as you review the proposed rezoning request.

Thank-you,

Missoula Engineering, LLC

James Sage, P.E.
Principal

Enclosures:

Rezoning Application Fee \$4,472.00
Rezoning Application

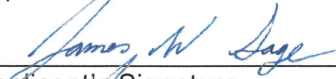




CITY REZONE APPLICATION

A. GENERAL INFORMATION

1. One submittal packet is required for Completeness/Sufficiency Review.
2. Once the application is deemed complete by Development Services (DS), the application fee and 27 submittal packets shall be submitted or 15 submittal packets for Planning Board and staff if an electronic submittal packet is also submitted meeting the electronic packet submittal guidelines. The packets submitted for governing body review must be exactly the same as the packet that was deemed complete.
3. Name of proposed Rezone: **RM 1-45**
4. Name(s) of Applicant: **James Sage**
Mailing Address: **P.O. Box 2833, Missoula, MT 59806**
Telephone Number: **(406) 215-1555**
Email Address: **James@mslaeng.com**
5. Name(s) of Owner of Record: **James Sage**
Mailing Address: **P.O. Box 2833, Missoula, MT 59806**
Telephone Number: **(406) 215-1555**
Email Address: **James Sage**
6. Name and Company of Representative: **James Sage, Missoula Engineering, LLC**
Mailing Address: **P.O. Box 2833, Missoula, MT 59806**
Telephone Number: **(406) 215-1555**
Email Address: **James@mslaeng.com**
7. Does the applicant(s) whose signature(s) are included below own at least 35% of the area or number of the parcels included within the area proposed to be rezoned? (Requirement of Title 20, 85.050(A)) Yes
8. If the applicant is someone other than the property owner, the owner must also sign the application in the space provided below.

Certification: I hereby certify that the foregoing information contained or accompanied in this application is true and correct to the best of my knowledge.

	03/20/2023
Applicant's Signature	Date
	03/20/2023
Owner's Signature	Date
	03/20/2023
Representative's Signature	Date

B. SUBJECT PROPERTY INFORMATION

General location of subject property and address (if address has been assigned): 2145 W Sussex Ave

Legal Description - complete and unabbreviated: Lots 13-16 of Block 28 Carline Addition Subdivision

Township, Range, Section(s): **T13N S29 R19W**

Subdivision, Lot(s), Block(s): **Carline Addition, Lots 13-16, Block 28**

Tract(s), COS#: **N/A**

Bearings & Distances Descriptions (if boundaries of proposed rezone are not exactly the same as the boundaries of the property legally described above): **N/A**

Geocode: **04-2200-29-3-04-32-0000**

C. ZONING AND GROWTH POLICY INFORMATION

1. Complete the following table (where applicable, indicate Unzoned):

	Zoning	Current Land Use
Adjacent (North)	RM 2.7	Single Family Residential
Adjacent (South)	C1-4	Commercial
Adjacent (East)	RM 2.7	Single Family Residential
Adjacent (West)	RM 2.7	Single Family Residential

2. What is the current zoning of the property (including intensity designator)? **RM 2.7**

3. What is the requested zoning for the property (including intensity designator)? **RM 1-45**

4. What is the applicable comprehensive plan and land use designation for the property? **Residential High Density - Greater than 24 units per acre.**

5. What is the intended use for the property? **Residential**

D. RESPONSES TO REVIEW CRITERIA REQUIRED BY STATE LAW & THE CITY OF MISSOULA TITLE 20 ZONING ORDINANCE

Review Criteria. Provide a response to the following review criteria for rezone requests.

1. Whether the zoning is made in accordance with a growth policy;

The proposed RM 1-45 Zoning request is in compliance with the growth policy and would result in a total allowable density of 12 units on the subject property. This density complies with the growth policy and is well aligned as a transition property given its location to existing commercial developments including a water pump station located to the south, a large commercial retail building to the south, and an existing carwash to the southwest.

2a. Whether the zoning is designed to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements

2b. Whether the zoning considers the effect on motorized and non-motorized transportation systems;

The property is bordered to the south by an existing alleyway and has adequate access to public utilities and transportation infrastructure necessary to support the proposed density while minimizing impacts to the surrounding neighborhood. A traffic circle was recently installed at the intersection of Sussex Avenue and Schilling Street directly adjacent to the property to the northwest which will provide traffic calming in the area and allow for a greater density of housing by reducing speeds in the area allowing for greatly improved safety for

further urban development. Sewer and water mains are currently located within the alley located directly adjacent to the south of the property within the existing alley way. As such new service connections would have minimal impact to existing transportation infrastructure and would preserve the integrity of the intact road, pavement and sidewalk infrastructure. The property is located within 900 feet of the recently developed Montana Rail Link Park and access to the Bitterroot Branch Trail to the east and existing sidewalk meeting ADA requirements including designated crossings provides continual year round pedestrian access to these facilities. The property is located within the Missoula School District.

3. Whether the zoning considers the promotion of compatible urban growth;

The proposed zoning is compatible with the promotion of urban growth in this area as many surrounding properties in the adjacent area have developed detached accessory dwelling units to provide additional urban growth. This type of development has been steadily increasing within this area over the past 10 years and has greatly increased in the past 3 years. As such, the neighborhood has demonstrated a need for continued urban growth within this community. We believe that providing a planned and reviewed development at this location adds to the much needed housing in this urban growth area while taking into consideration the existing character of the neighborhood. Additionally, this property is uniquely located on the border of existing commercial development to the south and therefore provides the opportunity to explore a greater density without undermining the existing residential developments that exist predominately to the north of this property.

4a. Whether the zoning is designed to promote public health, public safety, and the general welfare;

4b. Whether the zoning is designed to secure safety from fire and other dangers;

4c. Whether the zoning considers the reasonable provision of adequate light and air;

4d. Whether the zoning conserves the value of buildings and encourages the most appropriate use of land throughout the jurisdictional area;

Public health, safety, and general welfare will be promoted through the acceptance of the proposed re-zoning to RM 1-45. Through allowing for a greater density the existing property will be transformed from its previous history of heavy industrial use as a welding and machine shop that currently exists on the property to a residential development. This transformation not only aligns with the growth policy but increases public safety from fire and other dangers by removing the industrial aspect from a predominately residential neighborhood. This change not only reduces sound pollution in the surrounding area but also substantially reduces fire risk and eliminates large equipment and other machinery from being transported, accessing, and being operated regularly on this property.

Being located within the air stagnation zone all future development will take into consideration any impacts to air quality and adequately meet the regulations at the time of development. As such, future development of the property will greatly improve the air quality of the site and surrounding area by implementing the standards and regulations as compared to the existing conditions.

All proposed lighting will be in adherence to the current codes and regulations at the time of building permitting prior to construction. Lighting meeting the residential standards of the proposed improvements will be a great improvement to the current property and provide additional public safety as compared to the existing conditions.

Updating the zoning to the proposed RM 1-45 designation will allow for the current industrial facilities to be removed from the site. This will inherently improve the adjacent values of the predominately residential buildings in the neighborhood and contribute to the overall aesthetic of the area. Based upon the proposed growth policy the proposed zoning meets the definition of appropriate use for property in this area and this property in particular will serve as an excellent transition for the future of the surrounding area as the growth policy becomes adopted.

5. Whether the zoning considers the character of the district and its peculiar suitability for particular uses;

We believe that based on the property location and its previous historic use as heavy industrial that the proposed zoning aligns with the growth policy and this property in particular serves as a transitional property to meet the future demands of the neighborhood character.

E. ATTACHMENTS

As separate attachments (8.5" x 11" or 11" x 17"), provide the following materials with the site clearly identified. Where appropriate, required information may be combined as long as the information is clearly presented. Please check the box if the material is included in the packet. If the material is not included in the submittal packet, please note "N/A".

- A vicinity map** showing the subject property and the area within 300 feet of the subject property.
- A Zoning map** of the subject property and vicinity (showing the existing zoning district), extending at least 300 feet from the property boundaries.
- An aerial photo** of the subject property and vicinity extending at least 300 feet from the property boundaries.
- A Growth Policy/Comprehensive Plan map** of the subject property and vicinity extending at least 300 feet from the property boundaries for the applicable comprehensive plan, clearly showing the land use designation of the subject property and surrounding properties.
- The current plat** of the subject property.



MISSOULA ENGINEERING

PO Box 2833 Missoula, Montana 59806
Phone # (406) 215-1555

LOTS 13-16, BLOCK 26, CARLINE ADDITION

VICINITY MAP

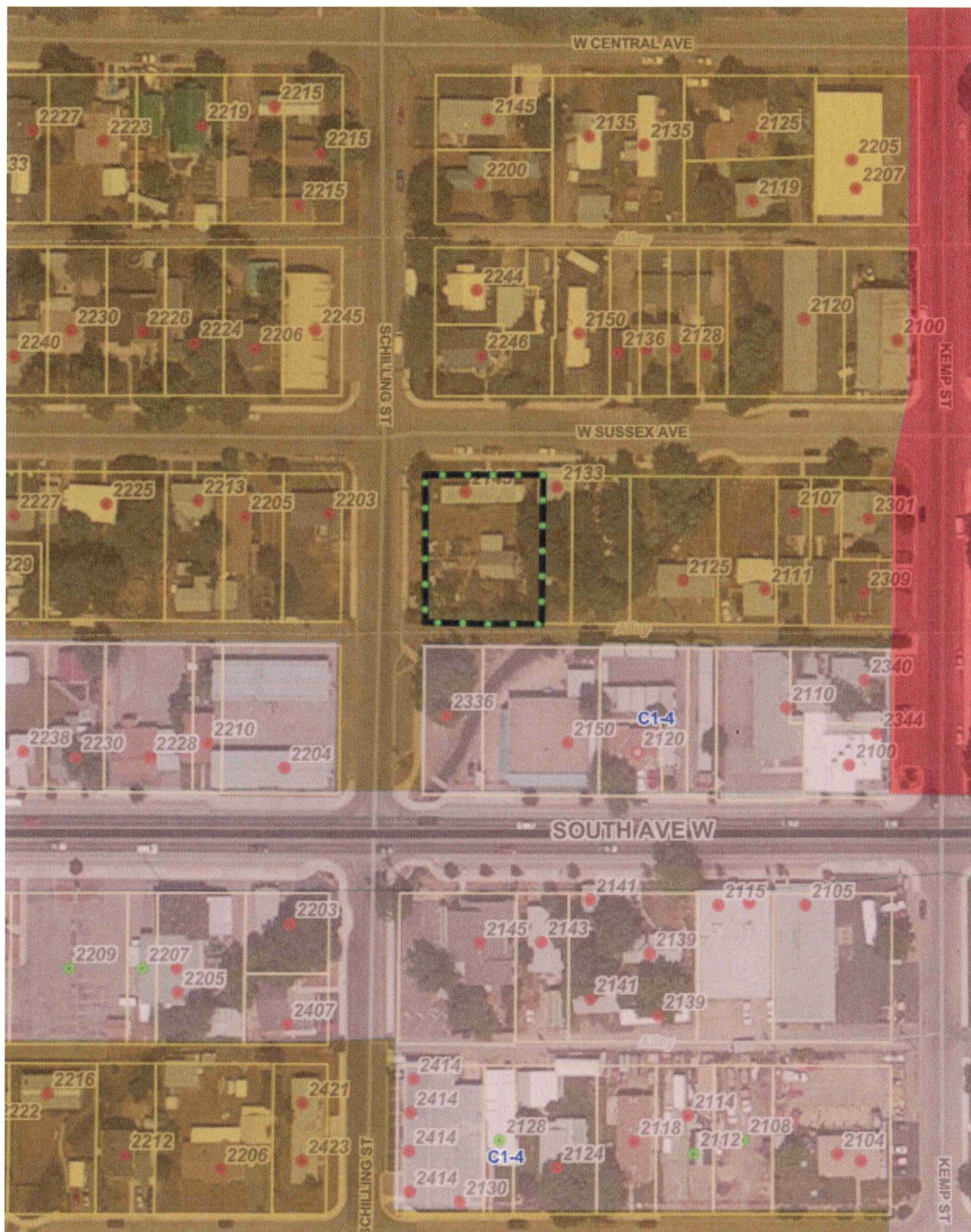
MISSOULA COUNTY

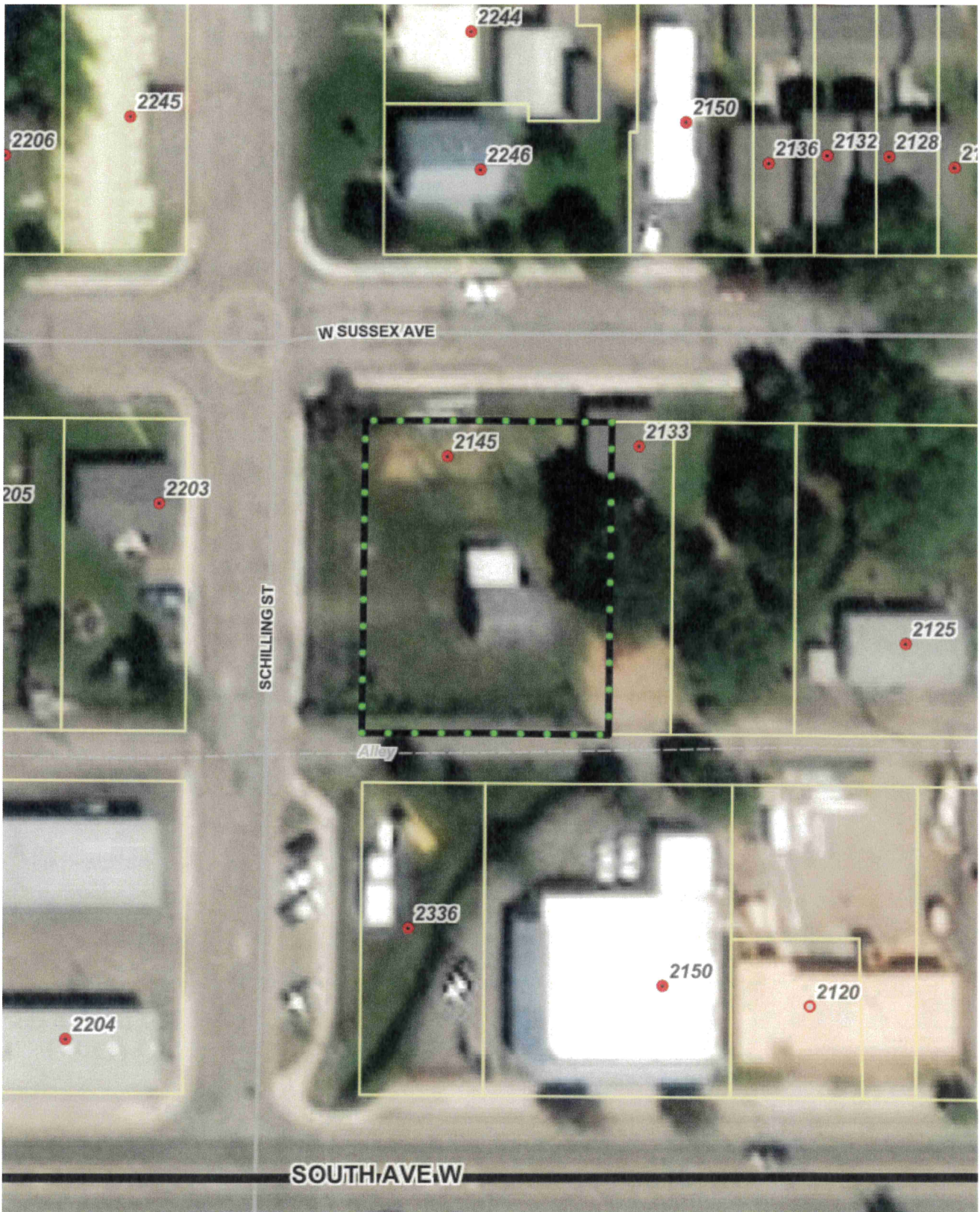
SEC. 29, T. 13 N., R. 19 W.

MISSOULA, MT



NTS





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LOTS 13-16, BLOCK 26, CARLINE ADDITION

AERIAL PHOTOGRAPH

MISSOULA COUNTY

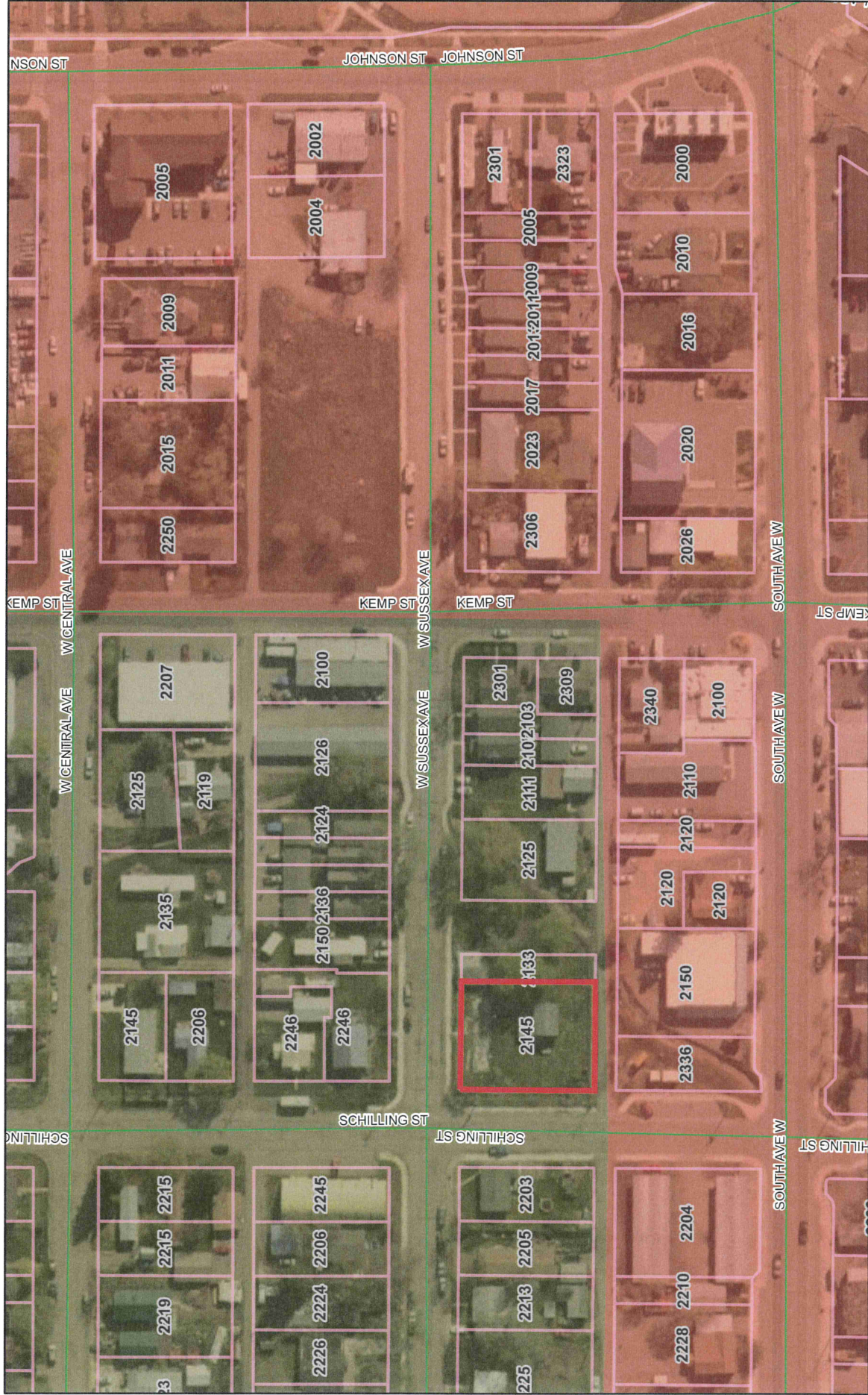
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MISSOULA, MT



NTS

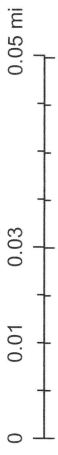
Land Use Designation



3/20/2023, 11:38:47 AM

- Parcels
- City Limits
- Land Use
- Community Mixed Use
- Residential High Density - Greater than 24 units per acre

1:2,257



Bureau of Land Management, Esri, HERE, Garmin, INCREMENT P, NGA, USGS

City of Missoula
Community Planning, Development & Innovation

Carbine Addition

MISSOULA MONTANA

Scale - 1 inch = 300'

James H Bonner
Engineers

James H Bonner

CERTIFICATE OF DEDICATION

Know all men by these presents that the CARLINE LAND CO. a corporation organized and existing under the laws of the State of Montana does hereby certify that it has caused to be surveyed, subdivided and platted into lots, blocks, avenues, streets and alleys as shown by the plat and certificate of survey hereunto annexed the following described tract of land to-wit: Part of Lots 9, 14, 15, 20, 22, 23, 27, 28, 31, 32, 33, 34, 37, 38, 39, 40, 41, 42, 43, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 66, 67, 68, 69, 70, 71, 72, 73, 76, 77, 78, 79, 80, 81, 82, 83, 85, 87, 88, a portion of lots 62, 63, 64, and all that portion of the E 1/2 of the NE 1/4 of the NW 1/4 of Sec. 32, T. 134 N. R. 10 E. of the Principal Meridian Montana lying North of the North line of the Right of Way of the Northern Pacific Railway, to be known and designated as Car Line Addition to Missoula Montana, and the lands included in all avenues, streets and alleys shown on said plat to be and are hereby granted to public use forever except that said dedicators reserve aright to lay water mains, improve streets and alleys and erect telephone poles, subject to the regulation of the board of County Commissioners.

CARLINE LAND CO.

By W.H. Houston - President

Attest Frank Cannon Secy

State of Montana }
County of Missoula }

On this 22 day of July 1909 before me R.R. Jones a Notary Public for the State of Montana personally appeared W.H. Houston known to me to be the President of the Car Line Land Co. the corporation that execute the foregoing instrument and acknowledged to me that such corporation executed the same.

In Witness Whereof I have hereunto set my hand and affixed my official seal, the day and year first above written.

R.R. Jones

Notary Public for the State of Montana residing at Missoula Montana, my commission expires - 23 1910

SURVEYORS CERTIFICATE

State of Montana }
County of Missoula }

We Newton Orr and James H. Bonner assert that we are Engineers and that during the months of June and July 1909 we made a careful survey of The Car Line Addition to Missoula Montana and that the annexed plat is in strict conformity with such survey and that the dimensions of all lots, blocks, streets and alleys are as thereon shown, said survey being made in accordance with Chap. VI, Part IV, Title III of the revised Montana Statutes.

Subscribed and sworn to before me this 19 day of July 1909

Notary Public for the State of Montana residing at Missoula Montana, my commission expires Oct 26 1909

This plat was examined and approved by us this 26 day of July 1909

Commissioners in and for Missoula County, State of Montana.

Lots 13-16 Carline Addition

State recorded Missoula County
Clerk & Recorder office 10-12-09
Index of 1/4 of an acre
subdivision B-2
from the State of Montana
according to
the Laws of Montana 1901 sec. No.
136 Addition by name
filed by

9587

July 10 1909

F.W. Kaphal

July 10 1909

July 10 1909

July 10 1909

July 10 1909

July 10 1909

July 10 1909

CAR LINE ADDITION

~TO~

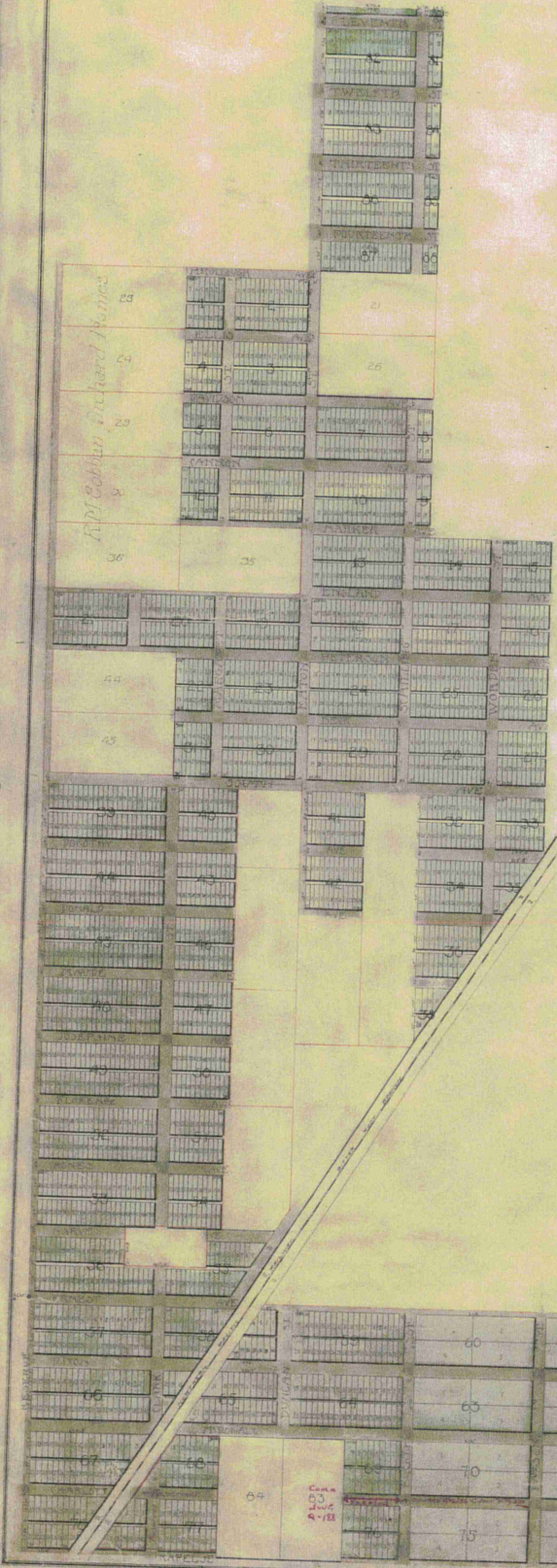
MISSOULA MONTANA

Scale - 1 inch = 300'

Newton Orr

James H. Bonner

Engineers



CERTIFICATE OF DEDICATION

Know all men by these presents that the CAR LINE LAND CO. a corporation organized and existing under the laws of the State of Montana, does hereby certify that it has caused to be surveyed, subdivided and plotted into lots, blocks, avenues, streets and alleys as shown by the plat and certificate of survey herewith annexed, the following described tract and town - All of lots 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 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SURVEYORS CERTIFICATE

State of Montana)
County of Missoula)
We, Newton Orr and James H. Bonner, do hereby certify that we are Engineers and that during the months of June and July 1909 we made a careful survey of the Car Line Addition to Missoula, Montana, and that the annexed plat is in strict conformity with such survey and that the dimensions of all lots, blocks, streets and alleys are as thereon shown said survey being made in accordance with Chap. X, Part III, Title III of the revised Montana Statutes.
Subscribed and sworn to before me this 19th day of July 1909
Notary Public for the State of Montana residing at Missoula, Montana, my commission expires 1911

This plat was examined and approved by us this 26th day of July 1909
Commissioners in and for Missoula County, State of Montana

1909
July 22nd
July 10th
1909
L. M. Appel
123 This paid