

Land Use Planning Board (City Council)

My name is Kenneth Wolf and I am one of the principals of FAE Ft. Missoula Hospital.

I would respectfully ask that this Board eliminate the NEW Fort Missoula Historic Resource Overlay contained in Article 4.6. Or at the very least, remove buildings and grounds of private property owners who choose not to be part of the NEW Overlay.

The Fort Missoula Historic Resource Overlay is NEW. It is not a carry-over. Title 22 is replacing Title 20 and the previous Ft. Missoula Neighborhood Overlay.

There are approximately 130 acres in Ft. Missoula. All are government owned, except approximately 25 acres owned by four (4) private property owners. All of the government land and structures, are completely exempt from Title 22, including all city zoning requirements and all historic preservation requirements in Article 4.6.

An example of the government exemption, is the recent demolition of the 30,000 sq. ft. US Forest Service Gymnasium. A contributing historic resource demolished with no historic preservation permits.

This all means that the NEW Fort Missoula Historic Resource Overlay is only regulating four (4) private property owners with regard to uses, preservation of existing structures, and development of new structures.

When Elizabeth Johnson refers to the many private property owners opposed to residential at Ft. Missoula.....there's ONE!

One of the private property owners, is the Missoula Country Club, who has a strip of vacant land and to my understanding, they have no plans for future development.

One of the private property owners, is the Northern Rockies Heritage Center. We all know that they want no progressive changes at Ft. Missoula. No commercial or residential, and in fact, they would prefer no additional development.

The third private property owner is Aware-a non profit, who have no plans to modify the existing structure, and no vacant land for development, but still do not want to be in the Overlay, regulated with limited uses.

And then there is my company, FAE Ft. Missoula. With a 20,000 sq. ft. structure that it wanted to repurpose and 4.5 acres of land that could be developed.

So in essence, the Fort Missoula Resource Overlay is being created to target and regulate one (1) private property owner. FAE Ft. Missoula, and only allow uses that currently have no economic benefit.

In establishing this NEW Overlay, the planning department never reached out to us or our neighbor AWARE. We only found out about it when the draft UDC was made available to the public.

At a Consolidated Planning Board hearing, Elizabeth Johnson, Historic Preservation Officer tried to justify their failing to involve private property owners in the process by stating:

“The Fort Missoula Historic Resource Overlay that is being included in the UDC is just carrying forward the Fort Missoula Neighborhood Character Overlay that’s been in place for the Fort Missoula Historic District since 1993. This isn’t a new Overlay, it’s just carrying it forward. All property owners that have commented regarding this Overlay...they purchased the property with this Overlay in place.”

Following up with Elizabeth Johnson’s statement, Laval Means, Planning Department Director tried to justify their failing to involve private property owners in the process by stating:

“This is Laval Means and I just wanted to add that also when overlays are placed like the one for the Fort Missoula at the beginning, there is notice that that’s being done with awareness and it gets vetted by the city council when it is placed. So Elizabeth pointed out, property owners either you know, they know when they bought into the property that there is that piece of extra regulation, the overlay that is in place.”

This is not true. The new overlay is not just carrying forward the Ft. Missoula Neighborhood Overlay, and private property owners in Fort Missoula were excluded from any involvement in drafting or reviewing this new Ft. Missoula Historic Overlay. The only Overlay effecting an entire district. A district where the overwhelming majority of land and building are government owned and exempt from any Title 22 regulations, both zoning uses and historic preservation regulations or permits.

Title 20 is being repealed.....this a new overlay.

There was no notice or awareness with the new overlay that is now being vetted by city council.

I ASK THAT THE NEW FT. MISSOULA HISTORIC OVERLAY BE REMOVED OR ONLY INCLUDE PRIVATE PROPERTY OWNERS WHO CHOOSE TO BE INCLUDED.

On another note, I request that this Board and City Council seek clarity from the Historic Preservation Officer on what contributing buildings within an Historic District are subject to Section 4.6.04 Historic Preservation Permit-Demolition/Relocation.

On December 10, 2025, there was a hearing in front of the Missoula Board of Adjustments, where at, FAE Ft. Missoula Hospital was appealing a zoning opinion relative to Title 20.85.085 J... demolition of an *individually listed building* on the National Register of Historic Places. The key issue was whether the Old Post Hospital is *individually listed* on the National Register of Historic Places.

Historic Preservation Officer, Elizabeth Johnson began to testify “to provide clarification.”

At 1:51:48 Elizabeth Johnson told the Board, that *all contributing buildings within an Historic District listed on the National Register of Historic Places are for all intensive purposes classified as individually listed buildings.*

If Elizabeth’s statement is correct, and for all intensive purposes in applying the provisions of 20.85.085 J, that the OPH was individually listed, then all contributing buildings in Historic Districts are considered individually listed for purposes of Missoula’s new UCD, and in particular Section 4.6.02 Definitions 28. Historic Resources and Section 4.6.04 Historic Preservation Permit-Demolition/Relocation.....thus there are approximately 1200 contributing structures within Missoula’s several historic districts that would be classified as Historic Resources and subject to Historic Preservation Permit New Construction/ Exterior Alteration requirements and as Individually listed properties subject to Historic Preservation Permit -Demolition/Relocation requirements.

So which is it.

Are there 1200 contributing buildings that are actually individually listed buildings or just one, the Old Post Hospital?

I don’t think that the Old Post Hospital, alone, can be considered *individually listed*.

I WOULD ASK THIS BOARD TO HELP SEEK CLARITY ON THIS ISSUE.

Kenneth Wolf on behalf of FAE Ft. Missoula Hospital, LLC