

## Planning Board Summary

### Rezone 601 W Broadway from Special District SD/Riverfront Triangle, Sub-district D to CBD-4 Central Business District / DE-D Outer Core Design Excellence Downtown Overlay

#### **Planning Board Recommendation:**

On Tuesday, September 1, 2020, with 9 members present, the Missoula Consolidated Planning Board voted 8 ayes and 1 nay to recommend approval of the adoption of an ordinance to rezone 601 W Broadway from Special District SD/Riverfront Triangle, Sub-district D to CBD-4 Central Business District / DE-D Outer Core Design Excellence Downtown Overlay.

#### **Planning Board's Recommended Motion:**

Planning Board revised the motion to strike the word "concrete" from the description of the Riverfront Trail in order to allow City Parks and Recreation time to review options for a trail surface that may be more environmentally sensitive while providing a long lasting surface that requires less maintenance, and can withstand snow plowing while not being cost prohibitive. Planning Board's revised motion states:

**APPROVE** the adoption of an ordinance to Rezone property located at 601 W Broadway and legally described as Lots A, B, 1, 2, 3, 4, 5, and the east half of Lot 6 in Block 51 and Lots 48 and 49 in Block 56 of W.J. McCormick's Addition in Section 21, Township 13 North, Range 19 West from Special District SD/Riverfront Triangle, Sub-district D to CBD-4 Central Business District / DE-D Outer Core Design Excellence Downtown Overlay, subject to the applicant and the City executing a Development Agreement and public non-motorized access easement filed with the County Clerk and Recorder prior to the effective date of the ordinance which is 120 days from City Council approval. The Development Agreement and easement documents shall be reviewed by City Parks, Missoula Redevelopment Agency and Development Services and approved by City Council. The Development Agreement shall include construction of the Riverfront Trail along the north shore of the Clark Fork River from east to west, connecting to W Broadway on the west end and to the River Front Trail on property adjacent to the east without interruption or detour; the developer's responsibility for the cost of a minimum 10-foot wide trail with 1 foot shoulders on either side of the path; the City of Missoula's responsibility for the cost of upsizing the trail to a 14-foot wide **concrete** trail; the City of Missoula's responsibility for repair, maintenance and replacement of the trail once constructed; and a 20-foot wide public non-motorized access easement filed with the Development Agreement. Design of the Riverfront Trail and any variation from the standards, including easement width, surface width of the trail, lighting, provision for trash receptacles and benches, shall be specific to the site and approved by City Parks and Recreation.

#### **Planning Board's Recommended Conditions of Approval:**

None, conditioning of a standard Title 20 zoning district is not permitted by state law. MCA 76-2-302(2) requires that a class of zoning standards, such as the CBD-4 (Central Business District) zoning district standards, be uniform in all locations where the standards apply.

#### **Planning Board Discussion:**

Planning Board agreed with the staff recommendation and voted to recommend approval of the rezone. No public comment was submitted prior to the Planning Board public hearing and no member of the public testified at the public hearing for this rezone. Planning Board discussion was focused on the following,

- Concern regarding the 125 foot maximum height in CBD-4 on the riverside of this site;
- Desire for consideration of alternative materials besides asphalt and concrete for the riverfront trail surface;
- Concern regarding the cost to the City on upgrading the material and size of the riverfront trail;

- Concern regarding the approach to bank stabilization and local flood projections along the riverfront side of the property;
- Concern regarding the triangular shapes and depth of the lobby/office spaces fronting West Broadway at the ground floor and whether that would result in pedestrian activation along the W Broadway frontage of the property

See the Planning Board Minutes for further Planning Board discussion.