



Missoula City Board of Adjustment Minutes

August 26, 2020, 6:00 PM

Virtual Meeting: Live Stream and On Demand: <http://www.ci.missoula.mt.us/webcasts>

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Live call in phone numbers: 1 (253) 215-8782 1 (888) 475-4499 (landlines only) Meeting ID: 960 049 3694

Voting members present: Sandy Mitchell (vice-chair), Patrick Bridegam, Hans Hoffman (chair), Katelyn Hepburn (Alternate 1), Don Briggs (Alternate 2)

Regular member(s) absent: Lance Koch, John Newman (vice chair), James Sage

1. Call to Order

Hans Hoffman called the meeting to order at 6:05 p.m.

2. Roll Call

Staff called the roll.

3. Approval of Minutes from June 24, 2020

The minutes were approved as submitted.

4. Public Comment

There was no public comment.

5. Staff Announcements

Cassie Tripard, Development Services, introduced herself.

6. Public Hearings

6.1 Public forum for City Parks and Recreation regarding the construction of new bathroom enclosures within the front setback at Rose Park and Westside Park.

Cassie Tripard, planner with Development Services, presented on the proposed bathroom enclosures at two park locations in Missoula: Rose Park and Westside Park. She reviewed the zoning of the parcels surrounding the parks, and where the placements of the enclosures will be. The structures will partially enclose a portalet, or portapotty.

The proposed enclosures are in line with Crime Prevention through Environmental Design principles. Placing the bathrooms in a highly visible location allows the public to

passively monitor the location to prevent vandalism and other criminal behavior. In addition, by placing the portalets in the setback, it allows for easier maintenance.

When an agency intends to use or development land contrary to the zoning regulations, the Board of Adjustment shall hold the public hearing as a public forum and shall have no power to deny or condition the proposed use, but shall act only to allow a public forum for comment on the proposed use.

Citizen Maria Chesnut lives in the area of Rose Park, across the street from the proposed bathroom location. She was opposed to the portalet and it intruding into the setback. She was concerned about the cleanliness of the bathroom, as well as crime. She suggested that events intending to use Rose Park rent a portalet, as needed.

Nathan McLeod from the Parks and Recreation department responded to Ms. Chesnut's concerns. He stated that research has shown that barriers to people using parks include off-leash dogs and lack of bathrooms. Further, he explained that elderly veterans come to see the memorial and the park, and that this is a part of a full ADA project to provide accessibility to the rose garden and the Vietnam memorial.

Citizen Steven Pulito, a homeowner directly across from the proposed portalet solution in Westside Park, opposed the construction. He provided written comments as well (attached). Mr. Pulito voiced his concerns. He asked that Parks and Rec consider a more permanent solution.

Mr. McLeod responded by explaining that the temporary solution of portalet provides a number of benefits including the ability to remove them if there is a problem with inappropriate behavior or vandalism, for example. These benefits are partially behind the reason why Parks and Rec have gone with portalet enclosures in a lot of Missoula parks.

Mr. Pulito voiced additional concerns over public response to this item, and the ability of the neighborhood of Westside Park to respond. Mr. McLeod reviewed the process for such an item, and that this is the last step in that process. He further explained that Parks and Rec tried to use the Master Plan to gauge the neighborhood's desires for proposed amenities. He stated that the opening will be facing the park and that the enclosures of more ascetically pleasing than a portalet alone.

A board member asked if the portalets will be locked. The Parks department stated that the answer to this question could depend on how the portalets are being used (or abused).

Not applicable. State law indicates the Board of Adjustment has no power to deny the proposal but shall act only to allow a public forum for comment.

7. Other Business

There was no other business.

8. Adjournment

Hans Hoffman adjourned the meeting at 6:44 p.m.