

3115 Russell Street • PO Box 1750 • Missoula, Montana 59806  
406-728-1880 • fax 406-728-0276

October 30, 2020

Tim Worley, Senior Planner  
Community and Planning Services  
200 West Broadway  
Missoula, MT 59802

RE: O'Keefe Ranch Special Zoning District Application

Dear Tim,

We appreciate your and Bailey's time in reviewing our previous zoning application and for expressing some need for clarification. We had earlier compared the proposed zoning criteria with the C-R1 District and while that can still be done, it does not need to part of this application. The space and bulk requirements proposed in this special district are meant to provide a good degree of flexibility for the various planned home styles and footprints. To shorten the name of the district we took out the words "Estates" and "Rural", if that is permissible.

The overall density in the subdivision is about 2.5 dwellings per acre and the average lot size is about 11,000 square feet. Within the special zoning district, the minimum lot size is proposed at 6400 square feet, which is 1000 square feet larger than the minimum required in the CR-1. Some of the lot shapes in the subdivision require flexibility in the setbacks to allow for the various house footprints which the developer plans to build. Therefore, we are proposing setbacks that allow for this needed flexibility.

To illustrate the proposed setbacks and to provide for certainty as houses are designed for each lot along with their building permits, we have developed a setbacks diagram for each lot. In many cases the house will be back from the side and rear yard setbacks. This diagram is not necessarily intended to be part of the zoning application, but rather a relevant tool to create understanding and predictability for this subdivision. It should be noted that all houses will front to, and access to, the 20-foot front yard setback.

Essentially the space and bulk requirements of this proposed zoning district are reasonable for this area, which has water and sewer service, easily accessible transportation systems, and nearby job centers and community services. The proposed space and bulk requirements meet building and fire codes.

Thank you, and please call with any questions.

Sincerely,



Ron Ewart

F:\2019\8889-19 Viking Builders, LLC\Planning\O'Keefe Ranch Proposed Zoning Letter

Enclosures:

O'Keefe Ranch Special Zoning District standards

County Rezone Application, with Maps and Aerials

Approved Preliminary Plat, with proposed amendments

Setbacks Diagram

## **O'KEEFE RANCH SPECIAL ZONING DISTRICT**

### **A. Intent**

This district provides for single-family residential development in an area served by adequate public services.

### **B. Space and Bulk Requirements**

Maximum Residential Density	2.5 dwelling units per acre
Minimum Lot Area	6400 square feet
Minimum Lot Width	50 feet
Minimum Required Setback	Front 20 feet
	Side 5 feet
	Rear 10 feet
Maximum Building Height	35 feet

See Section 3.06 for Accessory Structure Setbacks

### **C. General Standards**

See Supplementary Regulations – Chapter 3

### **D. Permitted Uses**

1. Single Family Dwelling
2. Day Care Home
3. Accessory Buildings and Uses

### **E. Conditional Uses**

1. Home Occupation
2. Community Residential Facility Serving eight (8) or fewer persons



## COUNTY REZONE APPLICATION

### A. GENERAL INFORMATION

1. One submittal packet is required for Completeness/Sufficiency Review.
2. Once the application is deemed complete by CAPS, 18 submittal packets and the application fee shall be submitted. The packets submitted for governing body review must be exactly the same as the packet that was deemed complete.
3. Name of proposed Rezone: O'Keefe Ranch ~~Estate Rural~~ Special Zoning District
4. Name(s) of Applicant: Scott Krajack of Viking Builders, LLC  
Mailing Address: 19425 East Broadway Avenue, Spokane Valley, WA 99016  
Telephone Number: (208) 659-4833  
Email Address: scott@vikinghomes.com
5. Name(s) of Owner of Record: OO Land Holding, LLC  
Mailing Address: Same as above  
Telephone Number: Same as above  
Email Address: Same as above
6. Name and Company of Representative: Dale McCormick of Professional Consultants Inc.  
Mailing Address: P.O Box 1750, Missoula MT 59806  
Telephone Number: (406)728-1880  
Email Address: dalem@pcimontana.com
7. 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.

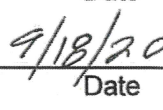
  
Applicant's Signature

  
Date

Owner's Signature

Date

  
Representative's Signature

  
Date



**B. SUBJECT PROPERTY INFORMATION**

General location of subject property and address (if address has been assigned): 10013 Waldo Road, South of Waldo Road and east of Hwy. 93 near the Wye.

Legal Description - complete and unabbreviated: Parcel 2, COS #5603, less 0.65 acres of MDT ROW and Parcel 3, COS #5603

Township, Range, Section(s): Township 14N, Range 20W, Section 21

Subdivision, Lot(s), Block(s):

Tract(s), COS#: COS #5603

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

Geocode: 04-2325-21-2-03-02-0000, 04-2325-21-2-03-03-0000

**C. ZONING AND GROWTH POLICY INFORMATION**

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

	Zoning	Current Land Use
Adjacent (North)	Unzoned	Rural Residential
Adjacent (South)	Unzoned	Interstate 90
Adjacent (East)	Unzoned	Rural Residential, RV Park
Adjacent (West)	Unzoned	Vacant Land

2. What is the current zoning of the property? Unzoned

3. What is the requested zoning for the property? O'Keefe Ranch Estates Rural Special Zoning District

4. What is the applicable comprehensive plan and land use designation for the property?

The 2016 Missoula Area Land Use Element recommends a Land Use Designation of Neighborhood Residential for the property.

5. What is the intended use for the property? The O'Keefe Ranch Estates residential subdivision.

**D. RESPONSES TO REVIEW CRITERIA REQUIRED BY STATE LAW & THE MISSOULA COUNTY ZONING RESOLUTION**

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

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

1b. Whether the use sought would enhance and promote the development of the immediate neighborhood as outlined in the comprehensive plan;

1c. Whether the use conforms generally to the objectives of the adopted comprehensive plan and to the purpose of this Resolution;

1d. Whether the zoning is compatible with the zoning ordinances of nearby municipalities;

1a.

The zoning is made in accordance with a growth policy. The 2016 Missoula County Land Use Element (MCLUE) designates this property as Neighborhood Residential. This land use designation is predominately residential with secondary uses of small scale commercial at limited locations. Single-

family, two-family, and multi-family buildings are the primary building types. Buildings are proposed to be sited with a minimum distance from streets and lot lines. Residential density is eight units per acre or greater, requiring connection to public sewer and water.

The O'Keefe Ranch Estates subdivision was approved as a residential subdivision with a density of 2.5 units per acre assuming all lots were single-family residential. Because the subdivision was approved on unzoned land, there was no requirement for solely single-family residential. The proposed O'Keefe Ranch Estates Rural Special Zoning District would allow a density of up to 8 dwelling units per acre which is in accordance with the MCLUE Neighborhood Residential Land Use Designation.

1b.

The use sought will enhance and promote the development of the immediate neighborhood as outlined in the Comprehensive Plan. The O'Keefe Ranch Estates subdivision was approved as a residential subdivision with a density of 2.5 units per acre assuming all lots were single-family residential. Because the subdivision was approved on unzoned land, there was no requirement for solely single-family residential. The proposed O'Keefe Ranch Estates Rural Special Zoning District would allow a density of up to 8 dwelling units per acre which is in accordance with the MCLUE Neighborhood Residential Land Use Designation. It will enhance and promote the development of the immediate neighborhood, including the Mahlum Meadow subdivision to the east and the preliminarily platted Gallatin Estates subdivision to the west, both of which are less than 8 dwelling units per acre.

1c.

The use conforms generally to the objectives of the adopted comprehensive plan and to the purpose of this Resolution; The O'Keefe Ranch Estates subdivision was approved as a residential subdivision with a density of 2.5 units per acre assuming all lots were single-family residential. Because the subdivision was approved on unzoned land, there was no requirement for solely single-family residential. The proposed O'Keefe Ranch Estates Rural Special Zoning District would allow a density of up to 8 dwelling units per acre which is in accordance with the MCLUE Neighborhood Residential Land Use Designation.

1d.

The zoning is compatible with the zoning ordinances of nearby municipalities because the proposed O'Keefe Ranch Estates Rural Special zoning district is derived from the C-R1 Zoning District of the Missoula County Zoning Regulations.

2a. Whether the zoning is designed to secure safety from fire and other dangers

2b. Whether the zoning is designed to promote public health, public safety and the general welfare

2c. Whether the zoning provides adequate light and air;

2d. Whether the use will not adversely affect nearby properties or their occupants;

2a.

The approved subdivision plat for O'Keefe Ranch Estates provides for emergency vehicle access in a manner that will secure safety from fire and other dangers. The O'Keefe Ranch Estates Rural Special Zoning District complements that subdivision plat and layout so that emergency vehicles will be able to respond and provide protection to residents of the subdivision.

2b.

The proposed zoning will promote public health, safety and the general welfare by allowing a semi-rural environment within this neighborhood, while promoting efficiency in the pattern of development.

2c.

The proposed zoning will provide for more than adequate light and air. The relatively low density will establish a semi-rural openness to the area to assure more than adequate light and air.

2d.

The use (residential) will not adversely affect any nearby properties, as they are also residential or else vacant grassland.

3a. Whether the zoning considers the promotion of compatible urban growth in the vicinity of cities and towns that at a minimum must include the areas around municipalities;

3b. Whether the zoning is designed to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements;

3c. Whether the zoning considers the effect on motorized and non-motorized transportation systems;

3d. Whether the zoning considers the availability of public utilities and services;

3a.

The zoning promotes compatible growth in alignment with the MCLU Neighborhood Residential designation. While this area is some distance from the Missoula Urban Area, it promotes a pattern of development that is in harmony with the level of growth that is called for in the MCLU.

3b.

The provision of public improvements was carefully considered in the initial review of O'Keefe Ranch Estates. This proposed zoning will complement the subdivision design and therefore facilitate adequate provision of transportation, water, sewerage, schools, parks, and other public requirements. The subdivision will connect with City sewer, public water, a County public roadway a short distance from a State Highway, and it includes a public park as well as common areas.

3c.

The zoning will consider the effect on motorized and non-motorized transportation by complementing the O'Keefe Ranch Estates Subdivision traffic design. By developing neighborhoods that allow for bike/pedestrian connections to County pathways, as well as motor vehicle connections, the subdivision and zoning will have a positive effect on these systems.

3d.

The zoning allows for placement of homes on lots in a manner that permits utility easements and road rights of way to make public utilities and services available.

4a. Whether the zoning considers the character of the district and its peculiar suitability for particular uses;

4b. Whether the zoning considers the location, character and natural features of the property and surrounding properties;

4c. Whether the zoning considers vegetation, topography, and natural drainage;

4d. Whether the use meets overall density, yard, height, and other requirements of the zone in which it is located;

4a.

The residential character of the district is being created by the subdivision layout and the proposed zoning. It is therefore uniquely suitable to the district that is being created.

4b.

The residential character of the district is being created by the subdivision layout, which necessarily responds to the location, character and natural features of the property and surrounding properties. The subdivision layout is complemented by this proposed zoning. It is therefore uniquely suitable to the district that is being created.

4c.

The subdivision application considered vegetation, topography and natural drainage in its design. The zoning, as a complement to the subdivision, will enable these characteristics of the site to be protected or incorporated in the design.

4d.

The overall density, yard, height and other requirements of the zone are specifically intended to provide for the the proposed residential use within the zone.

5a. Whether the zoning conserves the value of buildings and encourages the most appropriate use of land throughout the jurisdictional area;

5b. Whether the zoning considers non-economic situations which prevent the utilization of the property for the full range of uses allowed in that zone;

5c. Whether the zoning considers site plan design amenities intended to promote the appearance of the proposed use and mitigate adverse neighborhood impacts, including but not limited to: landscaping, fencing, screening, access, parking, pedestrian circulation, signs and lighting;

5a.

There are no existing buildings to conserve the value of, and the zoning encourages the proposed residential development that was anticipated in the original subdivision submittal.

5b.

There are no non-economic situations that would conflict with the proposed residential use within the district.

5c.

The design amenities of the site plan are incorporated into the landscaping, fencing, screening, access, parking, pedestrian circulation, signs and lighting within the district.

6a. Whether the zoning considers expressed public opinion on the above consideration;

6b. Whether the zoning considers recommendations of the Zoning Officer.

*Public opinion and recommendations of the zoning officer are requested and evaluated during the staff and governing body review portions of the rezone process.*

#### **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".

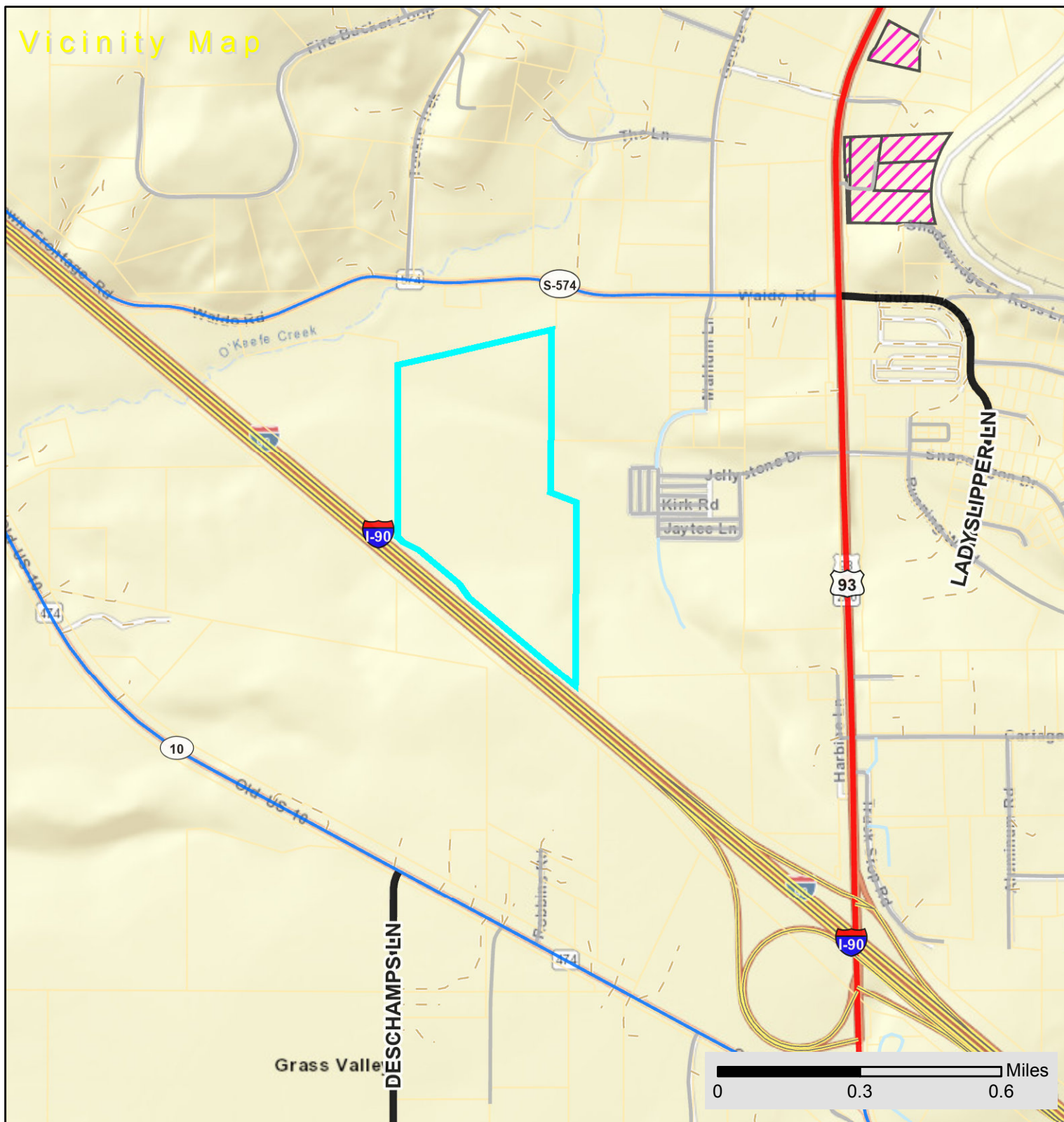
☐ **A vicinity map** showing the subject property and the area within 300 feet of the subject property.

☐ **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 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.



**Geocode:** 04-2325-21-2-03-03-0000

**Owner:**  
OO LAND HOLDING LLC

**Tax ID:** 2440451

**Physical Address:**  
No Physical Address



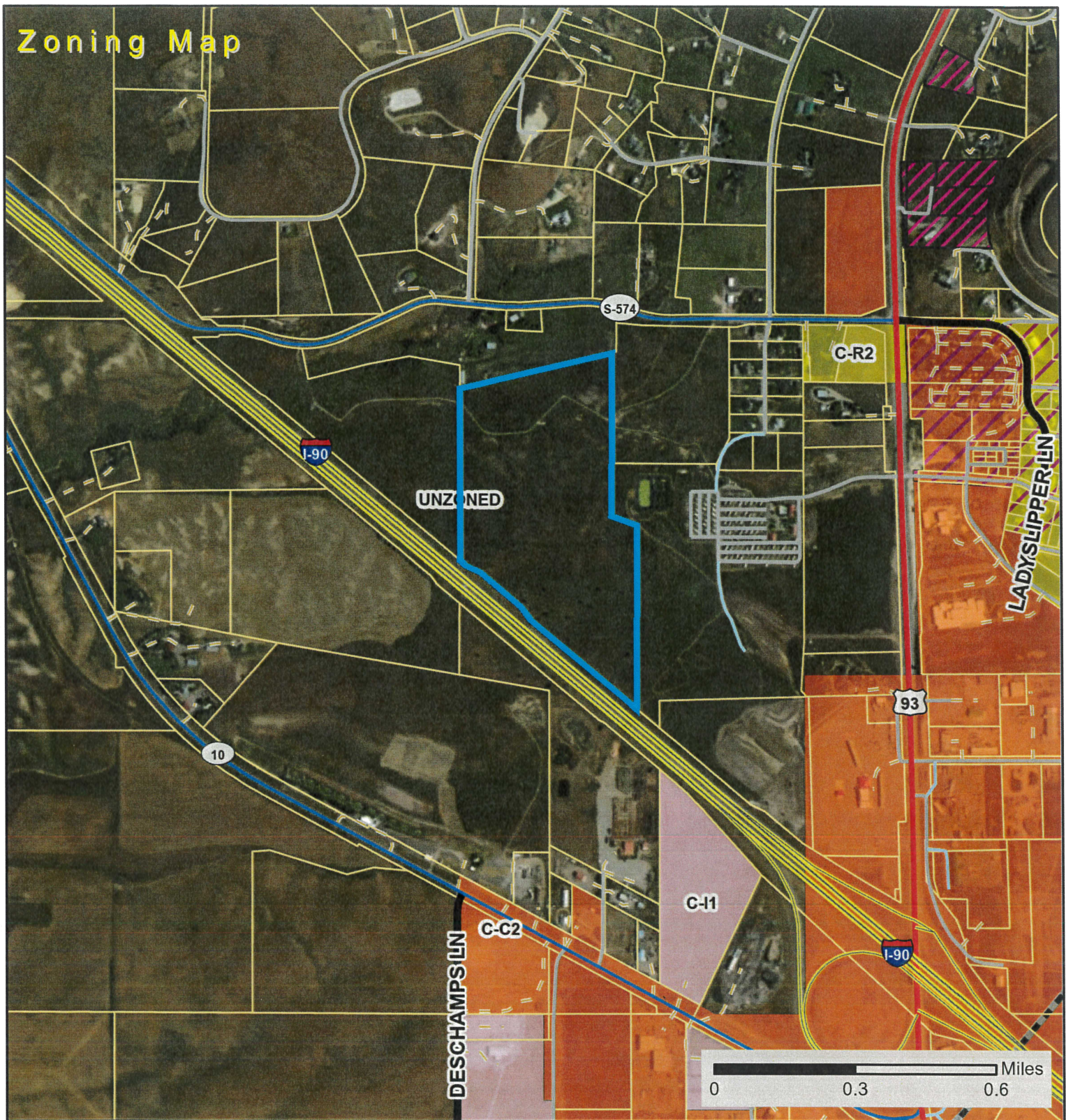
**Legal Description:**  
S21, T14 N, R20 W, C.O.S. 5603, PARCEL 3

Date: 9/18/2020

Map Center: X: -114.14104 - Y: 46.95930

The material displayed on this page is informational and should be used for reference only. No reliance should be placed thereon without verification by the user. Missoula County does not warrant that the information is either complete or accurate. No representation, warranties or covenants of any kind are made by Missoula County. Before acting on the information contained on this page the user should consult original documents.





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OO LAND HOLDING LLC

**Tax ID:** 2440451

**Physical Address:**

No Physical Address



**Legal Description:**

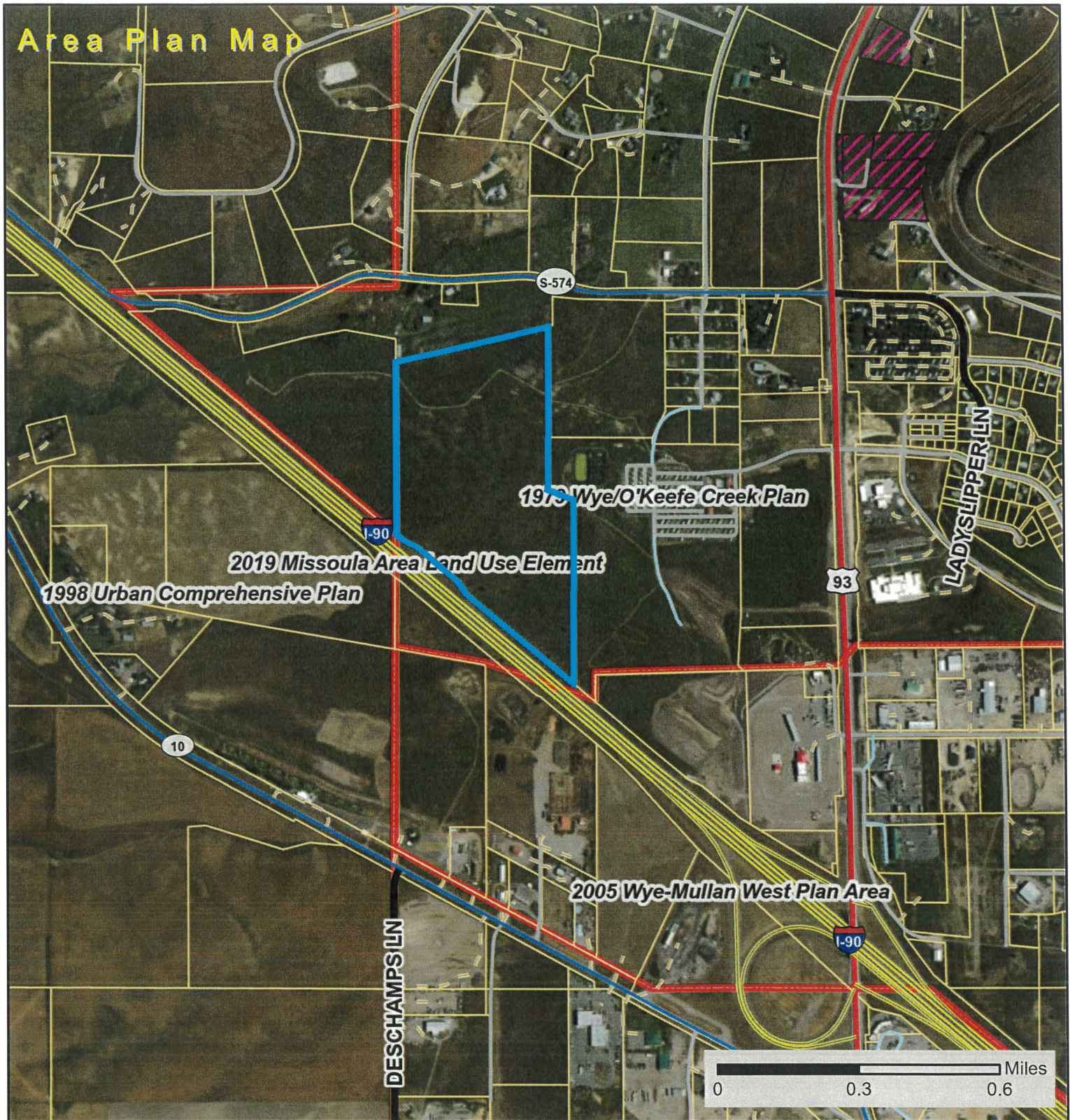
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Date: 9/18/2020

Map Center: X: -114.14306 - Y: 46.95983

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No Physical Address



**Legal Description:**

S21, T14 N, R20 W, C.O.S. 5603, PARCEL 3

Date: 9/18/2020

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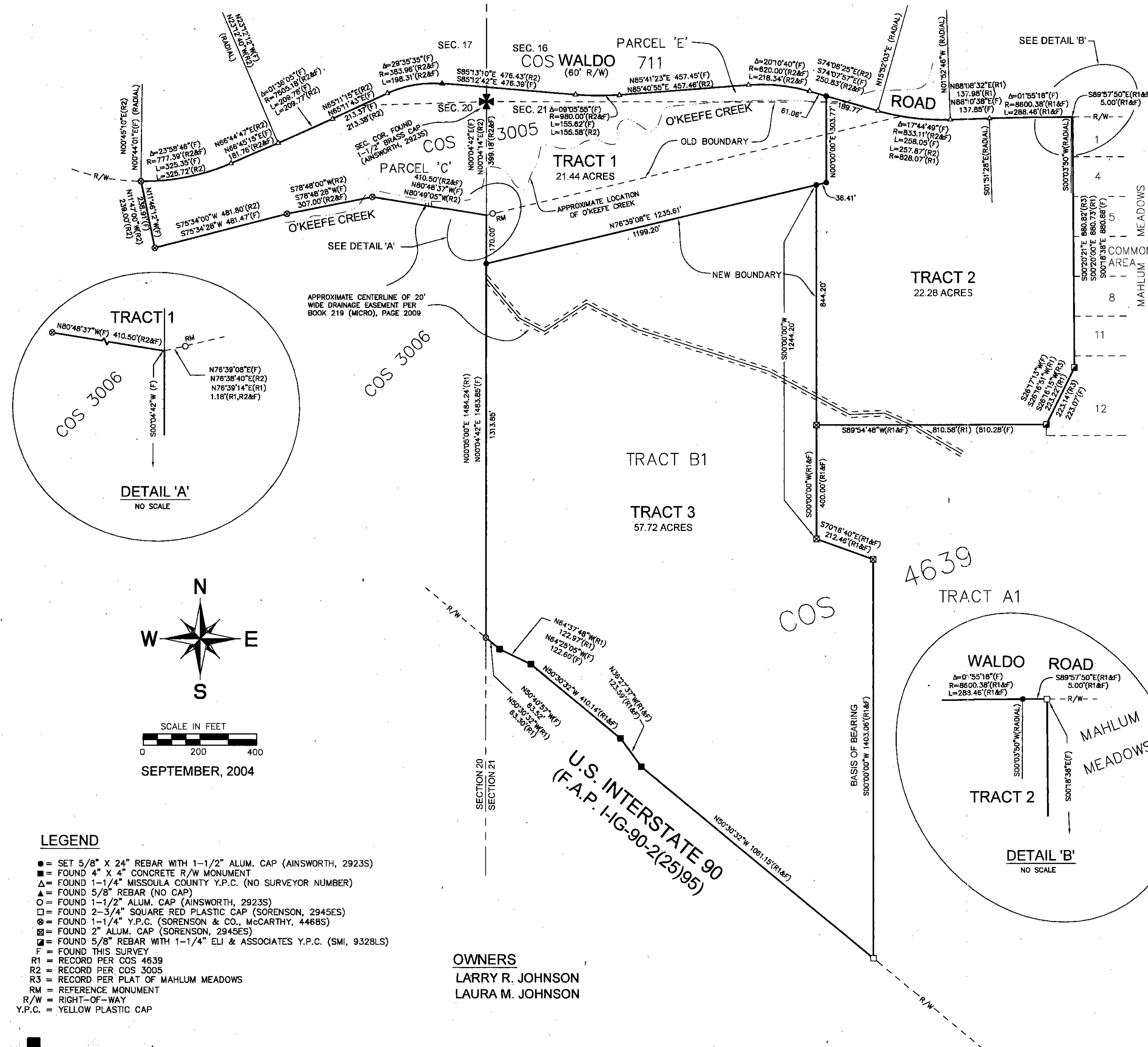
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5603

# CERTIFICATE OF SURVEY

TO DEPICT THE RELOCATION OF COMMON BOUNDARIES IN THE  
SW1/4 OF SEC. 16, SE1/4 OF SEC. 17, NE1/4 OF SEC. 20 AND THE  
THE NW1/4 AND SW1/4 OF SEC. 21, T.14N., R.20W., P.M.M.,  
MISSOULA COUNTY, MONTANA



## LEGAL DESCRIPTION

Parcels 'C' and 'E', Certificate of Survey No. 3005 and Tract 'B1', Certificate of Survey No. 4639, records of Missoula County, located in the Northwest one-quarter (NW1/4) of the Southwest one-quarter (SW1/4) of Section 21, the Southwest one-quarter (SW1/4) of Section 16, the Northeast one-quarter (NE1/4) of Section 20, and the Southeast one-quarter (SE1/4) of Section 17, Township 14 North, Range 20 West, Principal Meridian, Montana, Missoula County, Montana.

Containing 101.44 acres more or less, being subject to all easements and rights-of-way as shown, apparent, existing or of record, and all according to the attached Certificate of Survey.

## LEGAL DESCRIPTIONS

**05603**  
TRACT 1, Certificate of Survey No. 3005, located in the Northwest one-quarter (NW1/4) of Section 21, the Southwest one-quarter (SW1/4) of Section 16, the Northeast one-quarter (NE1/4) of Section 20, and the Southeast one-quarter (SE1/4) of Section 17, Township 14 North, Range 20 West, Principal Meridian, Montana, Missoula County, Montana.

Containing 21.44 acres more or less, being subject to all easements and rights-of-way as shown, apparent, existing or of record, and all according to the attached Certificate of Survey.

**05603**  
TRACT 2, Certificate of Survey No. 4639, located in the Northwest one-quarter (NW1/4) of Section 21 and the Southwest one-quarter (SW1/4) of Section 16, Township 14 North, Range 20 West, Principal Meridian, Montana, Missoula County, Montana.

Containing 22.28 acres more or less, being subject to all easements and rights-of-way as shown, apparent, existing or of record, and all according to the attached Certificate of Survey.

**05603**  
TRACT 3, Certificate of Survey No. 4639, located in the Northwest one-quarter (NW1/4) of the Southwest one-quarter (SW1/4) of Section 21, Township 14 North, Range 20 West, Principal Meridian, Montana, Missoula County, Montana.

Containing 57.72 acres more or less, being subject to all easements and rights-of-way as shown, apparent, existing or of record, and all according to the attached Certificate of Survey.

## OWNER'S CERTIFICATION

We hereby certify that the purpose of this survey is to show the relocation of common boundaries, therefore this division of land is exempt from review as a subdivision pursuant to Section 76-3-207 (1) (a), M.C.A., to wit: "divisions made outside of platted subdivisions for the purpose of relocating common boundary lines between adjoining properties".

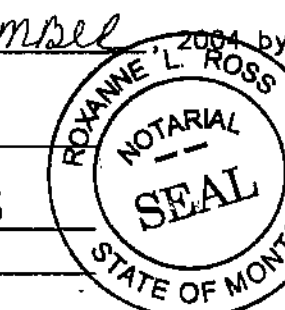
Larry R. Johnson  
Larry R. Johnson  
Laura M. Johnson  
Laura M. Johnson

STATE OF MONTANA } SS

COUNTY OF MISSOULA }

This instrument was acknowledged before me on 11th September 2004 by Larry R. and Laura M. Johnson.

ss Roxanne L. Ross  
Notary Public for the State of Montana  
Printed Name of Notary: Roxanne L. Ross  
Residing at: Missoula  
My Commission expires: February 18, 2006



## SURVEYOR'S CERTIFICATION

I hereby certify that the attached plat represents a survey performed under my supervision, and substantially completed on the date shown hereon.

ss Richard A. Ainsworth  
Professional Land Surveyor  
Montana Registration No. 2923S

## FINAL APPROVAL OF THIS CERTIFICATE

### OF SURVEY GRANTED BY:

Charles A. Wright 9-16-04  
MISSOULA COUNTY DEPARTMENT OF PUBLIC WORKS DATE  
Sharon Spager 9/14/04  
MISSOULA CITY - COUNTY HEALTH DEPARTMENT DATE

## PURPOSE OF SURVEY

The purpose of this survey is to show the relocation of common boundaries, therefore this division of land is exempt from review as a subdivision pursuant to Section 76-3-207 (1) (a), M.C.A., to wit: "divisions made outside of platted subdivisions for the purpose of relocating common boundary lines between adjoining properties".

NOTE:  
This Certificate of Survey was not reviewed for adequate access, installation of utilities, compliance with zoning, comprehensive plan or availability of public services; nor does this approval obligate Missoula County to provide road maintenance, dust abatement or other services.

1/4	SEC.	T.	R.
<input checked="" type="checkbox"/>	16	14N	20W
<input checked="" type="checkbox"/>	17	14N	20W
<input checked="" type="checkbox"/>	20	14N	20W
<input checked="" type="checkbox"/>	21	14N	20W

SAC EX 739 Pg 1678



SHEET 1 OF 1  
CERTIFICATE OF SURVEY NO. 05603  
MISSOULA COUNTY, MONTANA

PREPARED AT THE REQUEST OF: LARRY JOHNSON  
PCI PROJECT: 7214-04 Z87-21

SEE ALSO 24" x 36"  
DWG PROVIDED

## O'KEEFE RANCH ESTATES

A SUBDIVISION LOCATED IN SECTIONS 16 & 21, T.14N., R.20W., P.M.M.,  
MISSOULA COUNTY, MONTANA

**LAND USE SUMMARY**

LAND USE	ACRES
LOTTED AREA	49.2
COMMON AREA	3.9
PARK AREA	10.2
ROAD AREA	16.1
TOTAL AREA	79.4

**RESIDENTIAL LOTS = 197**

**DATE: OCT. 23, 2020**

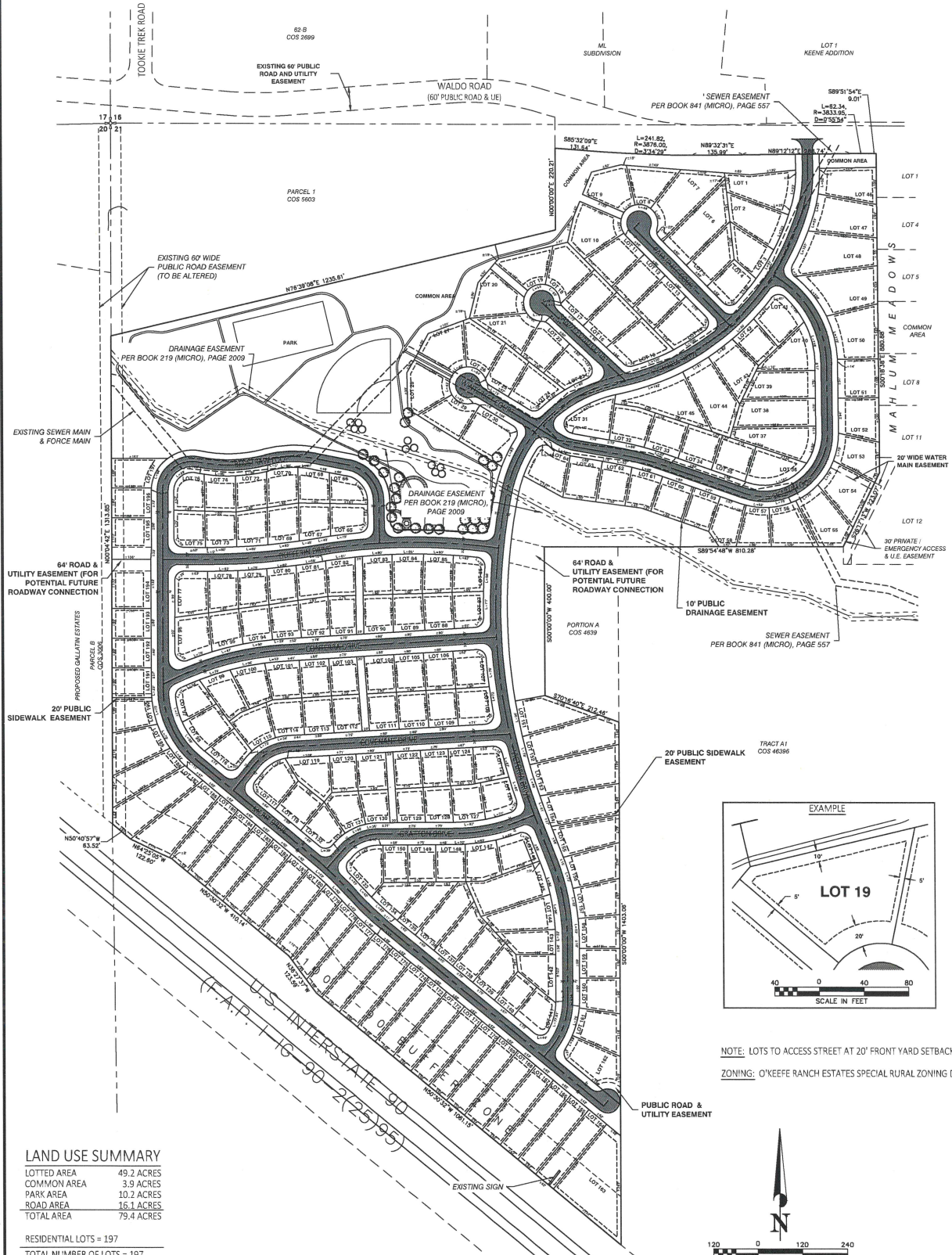
20W SHEET 1 OF 2  
AMENDED O'KEEFE RANCH ESTATES  
MISSOULA COUNTY, MONTANA



# SETBACK DIAGRAM O'KEEFE RANCH ESTATES

A SUBDIVISION LOCATED IN SECTIONS 16 & 21, T.14N., R.20W., P.M.M.,  
MISSOULA COUNTY, MONTANA

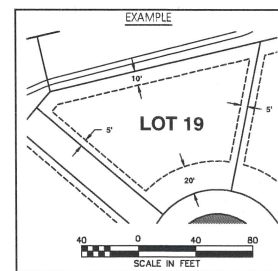
SEE ALSO 24'x36"  
DWG PROVIDED



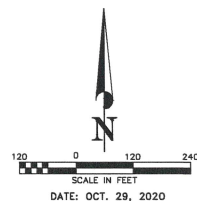
**LAND USE SUMMARY**

LOTTED AREA	49.2 ACRES
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PARK AREA	10.2 ACRES
ROAD AREA	16.1 ACRES
TOTAL AREA	79.4 ACRES

RESIDENTIAL LOTS = 197  
TOTAL NUMBER OF LOTS = 197



NOTE: LOTS TO ACCESS STREET AT 20' FRONT YARD SETBACK  
ZONING: O'KEEFE RANCH ESTATES SPECIAL RURAL ZONING DISTRICT



OWNER/DEVELOPER: OO LAND HOLDING LLC

1/4	SEC.	T.	R.
16	21	14N	20W

SHEET 1 OF 1  
AMENDED O'KEEFE RANCH ESTATES  
MISSOULA COUNTY, MONTANA

**Professional Consultants Inc.**  
315 RUSSELL ST., PO BOX 1750  
MISSOULA, MONTANA 59801  
PHONE 406-735-1880  
FAX 406-725-4275

PREPARED AT THE REQUEST OF: VIKING BUILDERS, LLC  
PCI PROJECT: 8889-19