

From: John Hancock
To: [Matt Hammerstein](#)
Cc: [Flynn Ranch HOA](#); [Emily Gluckin](#); [Dave DeGrandpre](#); [Kody Swartz](#); [Bob Church](#); [Monica Hunt](#); [Susan Flanagan](#); [Patricia Davies](#); [Carolyn Huddleston](#); [Mirtha Becerra](#); [Jordan Hess](#); [John Engen](#); [Jolyn Ortega](#); [Mark Z.](#)
Subject: Re: A Different Perspective - Mcnett Flats
Date: Tuesday, January 26, 2021 8:30:20 AM

Matt,

I reviewed this email numerous times and find myself drawn to several issues. Back on June 20, 2020, written materials given to the Captain John Mullan Leadership Council said "the zoning permits up to 860 units." However, you backed off the total adding "this number is not anticipated at this time." It is chilling to think that you could conceivably go from an estimated 650 apartments to the higher total if the "anticipation" should change in the future.

Your email mentions "the site plan for each **lot** can contain any of the land uses permitted by the B2-2 zoning; **they will depend on market conditions at the time each of the seven site plans is developed.** Your team refuses to affirm or deny this is a three story apartment complex and have not spelled out market conditions that may work to alter individual lot use.

A traffic study mentions anticipated use to be about 3,600 new vehicle trips if maximum density is achieved. There is no mention of lowering the total vehicular count by reducing apartments, mixing the remaining land with homes, or building a commercial structure that is a better fit. This total conflicts with an estimated total of 4,300 vehicles per day posted by Kevin Slovarp, City Engineer For Public Surface Transportation, City of Missoula. That estimate comes from the Engage Missoula website dealing with a nearby roundabout.

Clearly after months of fine tuning the subdivision application information your team earned a place at the zoning and review table. However, the elusiveness of the developer not stating more fully what this subdivision is and how it blends well with surrounding housing is both highly disappointing and regrettable.

It is difficult to comprehend not revealing a market plan for the lots given the length of time you have to study potential economic, tax, governance and important market sentiment. Are you really planning to stand before city leadership saying you don't know what will appear on each of the seven lots?

Tipperary Trail

I have been unsuccessful getting Missoula Parks and Recreation to call me regarding the current posting on the Engage Missoula website relative to who is responsible for Tipperary Trail maintenance and the plowing of snow on it.

Mr. DeGrandpre's posted (Engage Missoula) research indicates Missoula Parks and Recreation works with a homeowner association (HOA) to handle these issues. There is a brief mention of an HOA in the subdivision application. However, given the secretive nature of the overall subdivision plans, the establishment of a functioning HOA is unclear.

These are issues that need discussion **before** zoning and council hearings begin. I hope in the remaining hours before these hearings you might provide more thorough insight into how each of the seven lots will be used.

Sincerely,

John Hancock
2520 Granary Rd.
406-721-2789

On Thursday, January 21, 2021, 09:18:44 AM MST, Matt Hammerstein <matt@woitheng.com> wrote:

John,

After reading through these messages, I wanted to clarify the project timeline for you again, as I can see where the comment in the traffic impact study is confusing to you. We also understand the importance of the timeline given the tremendous transportation improvements that are happening concurrently to this project along George Elmer Drive, England Boulevard, and Flynn Lane with the BUILD Grant, but are not yet complete.

The completion date in Bob Abelin's traffic impact study still refers to the public right-of-way improvements associated with the subdivision. The subdivision will create seven Lots zoned B2-2. After approval of the subdivision and annexation, our client can hire an architect to develop a site plan for each lot. The site plan for each lot can contain any of the land uses permitted by the B2-2 zoning; they will depend on market conditions at the time each of the seven site plans is developed.

These site plans must individually go through a plan review process with Development Services for zoning and engineering compliance. This includes things like ensuring parking counts meet the requirements of the proposed land use, ensuring any proposed building locations meet setback requirements, reviewing the design of surface improvements, utilities, and storm drainage.

This will take time as it is an iterative process of design, review, and securing a building permit for any of the seven lots. This process is repeated for each lot. This all takes time before construction could even begin on any lot – it simply is not realistic for full development and occupancy of all seven lots to occur in 2022. The prioritized BUILD Grant projects, including the roundabout at Mullan Drive and George Elmer Drive, and the extension of George Elmer Drive and England Boulevard to Flynn Lane are planned for completion well before the majority of development of the seven Mcnett Flats lots could likely occur.

We will work to develop a conceptual timeline to address this concern at the upcoming public hearings; given our understanding of the timeline confusion and its relation to the completion of the BUILD Grant transportation improvements. Feel free to ask any additional questions at the upcoming hearings.

Thank you,

Matt Hammerstein

Land Development Engineer



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From: Dave DeGrandpre <DeGrandpreD@ci.missoula.mt.us>

Sent: Tuesday, January 19, 2021 12:33 PM

To: 'John Hancock' <jhmslmt@yahoo.com>

Cc: Flynn Ranch HOA <flynnranchhoa@gmail.com>; Matt Hammerstein <matt@woitheng.com>; Emily Gluckin <GluckinE@ci.missoula.mt.us>

Subject: RE: Confirmation of your call and email revision

Hi John,

Thanks for the message. I want to let you know that I suggested the retention pond might be a possibility for snow storage, not that it necessarily should happen or even can, given land ownership and maintenance issues. I was merely suggesting that if you believe snow storage is a major concern, that area might provide retention for the few times per year it might be needed. No one is suggesting Flynn Ranch homeowners absorb any additional costs for snow storage.

I also did not suggest a standard plow truck should push snow onto and over the curb; of course a new approach would have to be found if the retention pond were to be used. Matt Hammerstein suggested a possible approach. In snowier areas like West Yellowstone and Anchorage, AK, I have seen front end loaders used to move snow.

Based on my 30 years of living in Montana, major snow storms at this elevation are fairly

few and far between, usually a handful of times per year. I don't see this issue one that requires an unusual remedy.

I spoke with Brian Hensel from the Public Works Department this morning regarding your concerns. Brian told me plows will continue to enter the area from Mullan, plow the major routes like George Elmer Drive first, then move onto the local streets in the most efficient pattern they can devise and as necessary to support busses. Like much of Missoula, snow will be plowed onto the sides of streets and boulevards.

Brian also told me the Parks and Recreation Department plows trails and pathways, not his department, so there is not a question of prioritizing streets vs. trails.

Regarding future use of the subdivision lots if Mcnett Flats is approved, I appreciate the concern with uncertain future land uses and potential impacts. Please understand that under the City's adopted growth policy (comprehensive plan), the area north of Flynn Ranch is planned for mixed-use development, including the possibility of higher density residential and supporting community commercial businesses. I can't say for sure that is what will be developed there, but it is the governing plan for the area.

I will pass on your comments to the Planning Board and City Council.

Dave DeGrandpre, AICP | Planning Supervisor

Community Planning, Development & Innovation

Development Services Division

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Promoting equitable growth and a resilient, sustainable community.

From: John Hancock <jhmslmt@yahoo.com>
Sent: Tuesday, January 19, 2021 11:05 AM
To: Dave DeGrandpre <DeGrandpreD@ci.missoula.mt.us>
Cc: Flynn Ranch HOA <flynnranchhoa@gmail.com>
Subject: Confirmation of your call and email revision

Hi Dave,

First, I sincerely hope your health scare is just that, a scare, rather than a full blow reality.

Second, I am confirming your telephone message regarding reaching out to Brian about the Flynn Ranch snow issues.

Third, Matt Hammerstein of the Mcnett team reached out with guarded optimism about your discussion with me about plowing snow into the retention pond. Here is recent dialog between us on the issue. Mr. Hammerstein's remarks appear in italics for emphasis.

John Hancock:

As a follow up to the retention pond...One city official has suggested snow be plowed into it. I don't think plow blades running over a curb and crossing a sidewalk is a particularly good idea. The question is given what you know about runoff, is this a bad idea to put snow in a retention pond limited in accessibility with a mix of rain and snow runoff even with all the approvals you mentioned above? I am not clear who our HOA would contact to obtain info about the feasibility of putting a considerable amount of snow over the course of a more normal winter than what we are currently experiencing.

Matt Hammerstein:

From an engineering perspective, I don't think there's an issue with snow in the pond, provided none of the inlets or outlets were blocked by a snow pile. I agree that a curb laydown and driveway across the sidewalk would be needed to make it happen.

I'd suggest working with the city to find if there was any type of maintenance agreement for the detention pond when it was constructed; that should give a starting point for the HOA to determine feasibility and finding the correct person with the authority to make a decision on requirements for this.

I have not responded to his reply.

Dave, here is what you need to be aware of. The retention pond is accessed from both Pius Way and George Elmer Drive. Neither was built to accommodate either a private contractor or a city plow to jump a curve and cross a sidewalk to put either private road or city street snow into the pond.

Matt's comment about avoiding inlets and outlets can lead to legal disputes if they become blocked by **whoever** plows the snow into those areas and runoff damages Mcnett.

I reached out to the Flynn Board of Directors including its past president to see if anyone knew of an existing maintenance agreement, Matt's starting point for the HOA appearing in his reply.

The board is unaware of such an agreement and we simply do not know City of Missoula policy and legalities of putting snow into a retention pond.

It should be noted that Mr. Hammerstein thinks "a curb laydown and driveway across the sidewalk would be needed to make this happen."

Missing from all of this is who is going to design, build and pay for this as it is not part of the Mullan Build Project and it is unclear whether it can be put into either the annexation or subdivision process.

It is entirely likely that Pius Way will gain substantial traffic due to the opening of Old Ranch Rd with Mcnett traffic right onto Pius to reach George Elmer or continue south on Old Ranch Rd.

May I respectfully remind you, that developer representatives refuse to affirm or deny this is a planned 650 - 660 unit apartment complex. Here is the wording of the traffic study presented within the materials about vehicular traffic.

"Upon completion in **2022**, the development may contain up to 660 living units if the maximum density permitted by the proposed zoning were realized, and could produce up to a maximum of 3,600 new daily vehicle trips in this area." Source: Albelin Traffic Services (October 2020). Note, the expectation date of the impact is shown as **2022**.

Apartments do not fit the character of the neighborhood of surrounding subdivision homes. Flynn Ranch is asked to accept potential responsibility of paying additional amounts to safely access the retention pond with a potential need to special assess homeowners to build a driveway like structure that largely appears to be benefit our "new neighbor."

Finally, please use this email address jhmslmt@yahoo.com or johnhacockmullan@gmail.com Either should work.

I look forward to further dialog on this important issue.

Sincerely,

John Hancock

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