

January 6, 2021

Development Services
Dave DeGrandpre, Senior Planner
435 Ryman Street
Missoula, MT 59802

RE: River Road Rezone Application Submittal
2103 River Road, Missoula, Montana 59801

Dear Dave:

Please find the attached rezone application and associated documents for the rezone of 2103 River Road. The property owner would like to rezone the site from RT10 to the RT5.4 designation. The applicable Growth Policy land use recommendation is residential medium density which aligns with the requested zoning.

Let me know if there is anything I can do to help move the project forward. Thanks, and have a great day!

Sincerely,
Territorial-Landworks, Inc.



Paul Forsting, AICP

Enclosures: Intake Form w/Attachments

C. File & Scan (with attachments)

O:\Missoula\TLI\Projects\1_ACTIVE FILES\2020 Projects\5615 - Josh Eder River Road Development\4_PLANNING\ltr.CDS.2021-01-06.Rezone Application Submittal.docx

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DEVELOPMENT SERVICES



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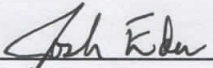
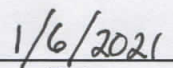
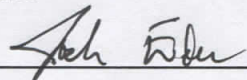
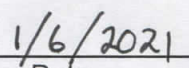
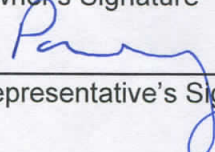
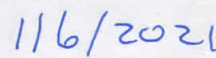
435 RYMAN • MISSOULA, MT 59802 - 4297 • (406) 552-6630 • FAX: (406) 552-6053

CITY REZONE APPLICATION

A. GENERAL INFORMATION

1. One submittal packet is required for Completeness/Sufficiency Review.
2. Once the application is deemed complete by Development Services (DS), the application fee and 27 submittal packets shall be submitted or 15 submittal packets for Planning Board and staff if an electronic submittal packet is also submitted meeting the electronic packet submittal guidelines. The packets submitted for governing body review must be exactly the same as the packet that was deemed complete.
3. Name of proposed Rezone: **River Road Rezone**
4. Name(s) of Applicant: **DLE Investments, LLC**
Mailing Address: **327 S. Easy St., Missoula, MT 59802**
Telephone Number: **Not Applicable**
Email Address: **jeder@sglong.com**
5. Name(s) of Owner of Record: **DLE Investments, LLC**
Mailing Address: **327 S. East St., Missoula MT 59802**
Telephone Number: **Not Applicable**
Email Address: **jeder@sglong.com**
6. Name and Company of Representative: **IMEG Corp, Inc. c/o Paul Forsting**
Mailing Address: **1817 South Ave West, Suite A, Missoula, MT 59801**
Telephone Number: **(406) 721-0142**
Email Address: **paul.t.forsting@imegcorp.com**
7. Does the applicant(s) whose signature(s) are included below own at least 35% of the area or number of the parcels included within the area proposed to be rezoned? (Requirement of Title 20, 85.050(A)) **Yes, the applicant owns the property proposed to be rezoned.**
8. 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): **Generally located on the southside of River Road between Curtis St. and Lafray Lane with physical addresses of 2103 and 2103 ½ River Road.**

Legal Description - complete and unabbreviated: **That part of Lot 24 of Cobban and Dinsmore's Orchard Homes, a subdivision in Missoula County, Montana, according to the plat of said Cobban and Dinsmore Orchard Homes on file and of record in the office of the County Clerk and Recorder of said Missoula County, being more particularly described as follows:**

Commencing at a point which bears West 237 feet from the Northeast corner of said Lot 24; thence West 89.33 feet; thence South 323.22 feet; thence East 89.33 feet; thence North 323.22 feet to the point of beginning.

And

A piece or parcel of land lying in Lot 24 of Cobban and Dinsmore's Orchard Homes Addition to Missoula County and more particularly described as follows:

Beginning at the NE corner of said Lot 24; thence Westerly along the North boundary of said Lot 24, a distance of 237.0 feet; thence southerly and parallel to the East boundary of said Lot 24, a distance of 246.22 feet to the point of beginning; thence southerly and parallel to the East boundary of Lot 24, a distance of 246.22 feet to the point of beginning; thence southerly and parallel to the east boundary of Lot 24, a distance of 54 feet; thence Easterly and parallel to the North boundary of Lot 24, a distance of 48 feet; thence Northerly and parallel to the East boundary of Lot 24, a distance of 54 feet; thence Westerly and parallel to the North boundary of Lot 24 a distance of 48 feet to the true point of beginning Missoula County, Montana. Recording Reference is in Book 899 at Page 1333 Micro Records.

Township, Range, Section(s): **Township 13 North, Range 19 West, Section 20**

Subdivision, Lot(s), Block(s): **Cobban and Dinsmore Orchard Homes Addition , Lot 24**

Tract(s), COS#: **Not Applicable**

Bearings & Distances Descriptions (if boundaries of proposed rezone are not exactly the same as the boundaries of the property legally described above): **Not applicable, the legal description provided above is the same as the boundary of the property proposed to be rezoned.**

Geocode: **04-2200-20-2-21-05-0000**

C. ZONING AND GROWTH POLICY INFORMATION

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

	Zoning	Current Land Use
Adjacent (North)	RT10	Residential
Adjacent (South)	RT10	Residential
Adjacent (East)	RT10	Residential
Adjacent (West)	RT10	Residential

2. What is the current zoning of the property (including intensity designator)? **The property is currently zoned with RT10 designation.**

3. What is the requested zoning for the property (including intensity designator)? **The applicant is requesting to rezone the property with RT5.4 designation.**

4. What is the applicable comprehensive plan and land use designation for the property? **The applicable comprehensive plan is the 'Our Missoula' City Growth Policy. This area is shown on the Missoula urban area future land use designation map amended February 13, 2017 as Residential Medium Density (RMD).**

5. What is the intended use for the property? **The intended use for the property is medium density residential.**

D. RESPONSES TO REVIEW CRITERIA REQUIRED BY STATE LAW & THE CITY OF MISSOULA TITLE 20 ZONING ORDINANCE

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

1. Whether the zoning is made in accordance with a growth policy;
The proposed RT5.4 zoning is made in accordance with the 'Our Missoula' City Growth Policy for this area. The policy notes to identify appropriate areas in the community to develop medium density housing to make housing affordable and accessible. In accordance with this, the proposed rezone is located in an area that has already been identified within the Missoula urban area future land use designation map amended February 13, 2017 as an area for medium density residential uses. This proposed zoning would incorporate medium density residential development and fits well within the existing growth policy. The growth policy also supports protecting open space with infill projects and compactly-developed community. The growth policy further notes to guide development to focus inward. The rezone of this property in the core of Missoula will provide an inward location and compactly-developed community in accordance with the growth policy.

The property is in a well-established existing residential neighborhood. The residents in this area benefit from a very attractive mature tree cover. The rezoning of this site will promote development which will bring road, sidewalk, boulevard, and landscaping improvements to complement the existing built environment.

In accordance with the growth policy for this area, the property is close to existing adjacent and surrounding infrastructure that has already been constructed. Existing water and sewer trunk lines are available for use of this site. In addition, there are existing Mountain Line stops located on Russell St., which is less than 0.75 miles from the property. This adjacent infrastructure is in accordance with the growth policy for the area as the multiple transportation options will be a benefit to future residents and will reduce automobile dependence.

2a. Whether the zoning is designed to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements

The zoning is designed to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements. There are main transportation corridors near this property that facilitate efficient and adequate travel opportunities for future residents. This property is adjacent to River Road. Public transit opportunities for this area have already been designed and are offered by Mountain Line.

The zoning is designed to facilitate the adequate provision of water and sewer as public water and sewer mains already exist for this property. The zoning is designed to facilitate the adequate provision of school as properties in this area are in the Hawthorne Elementary, C.S. Porter Middle School, and Big Sky High School district. These schools provide adequate facilities for school-aged children. The zoning is designed to facilitate the adequate provision of

parks as there are multiple parks located in the area. To facilitate the adequate provision of other public requirements, the property is also near commercial services that will serve this property. The close proximity to these commercial services will be a benefit to the development. No adverse impacts are anticipated as a result of the proposed rezone and all other public requirements will be improved by developing this area.

2b. Whether the zoning considers the effect on motorized and non-motorized transportation systems; The proposed zoning for this property considers the effect on both motorized and non-motorized transportation systems. There is an existing sidewalk adjacent to the east of the site. Many of the adjacent streets surrounding this property have sidewalks that provide adequate pedestrian facilities for transportation. These sidewalks will be utilized for non-motorized transportation to and from the property. While designated bicycle paths are not located immediately adjacent this property, there are bike lanes and pedestrian facilities within the surrounding area to provide non-motorized transportation to and from the property.

The property is also located in the core of Missoula, which places it in close proximity to major streets and intersections that provide efficient access to motorized transportation systems.

3. Whether the zoning considers the promotion of compatible urban growth; The proposed rezone request will continue the promotion of compatible urban growth and will provide a compactly-developed community. The subject property is located directly adjacent to multiple residential properties and is near Missoula's major commercial corridors. The proposed rezone of the property is compatible with this character of the area. The rezone would encourage development in order to expand the existing residential area. This rezone will provide an example for neighboring property owners who also want to explore their options for redeveloping their own properties.

The land use designation for this area allows for medium density development and this zoning falls within this category. The close proximity of the existing commercial services makes this property an ideal location for development. Future residents will be able to take advantage of being near multiple commercial conveniences as well as being close to several of Missoula's parks. The proximity to major roadways, yet also being located adjacent to a residential street will provide a convenient motorized transportation option for future residents. The proposed rezone of this property will also provide new residential construction to conserve the value of buildings in this area.

4a. Whether the zoning is designed to promote public health, public safety, and the general welfare; The proposed rezone is designed to promote public health, safety and the general welfare on the property to be rezoned. The property is located in an urban area at the center of Missoula which provides many commercial services and conveniences that promote the general welfare of members of this community. The property is also located near emergency services that provide quick emergency response times as well as quick access and transportation to the hospitals in Missoula. This convenient access promotes public health and public safety for future members of the community.

4b. Whether the zoning is designed to secure safety from fire and other dangers; The proposed rezone is designed to secure safety from fire and other dangers. The existing Missoula water mains in the area will be connected to and utilized for future development on this property. The City of Missoula Police Department and the City of Missoula Fire Department serve the area. The property is also located within an urban area of Missoula so quick response time for emergency personnel to arrive at the property will also secure safety from fire and other dangers. Future development on the property will be designed in a way to secure safety from fire and other dangers.

4c. Whether the zoning considers the reasonable provision of adequate light and air;

The proposed zoning considers the reasonable provision of adequate light and air. The rezone is proposed in the core of Missoula to protect open spaces further outside of town. The required building setbacks for the proposed zoning will be similar to the existing setbacks for the homes in the area. These setbacks provide adequate light and air for this area.

4d. Whether the zoning conserves the value of buildings and encourages the most appropriate use of land throughout the jurisdictional area;

The proposed zoning conserves the value of buildings and encourages the most appropriate use of land throughout the jurisdictional area. The rezone of this area will encourage development and will promote community growth while utilizing the multiple existing services already provided in the area. The surrounding streets and sidewalk network will be utilized and the proposed use will continue to provide residential construction to conserve the value of buildings in this area. This residential construction will fit in with the existing residential use in the area, accommodating the most appropriate use of the land. The close proximity of the existing adjacent commercial services to this proposed rezone also encourages residential use as the most appropriate use of this land. This rezone will provide an example for neighboring properties who also want to explore their options for redeveloping their own properties.

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

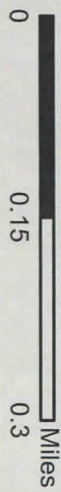
Yes, the proposed zoning is suitable for residential uses and the rezone is in accordance with the character of the district. As discussed in detail in this application, there are multiple existing residential properties surrounding this property. The proposed residential use of the property is not peculiar. The project is in close proximity to similar uses and the character is consistent with the district.

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".

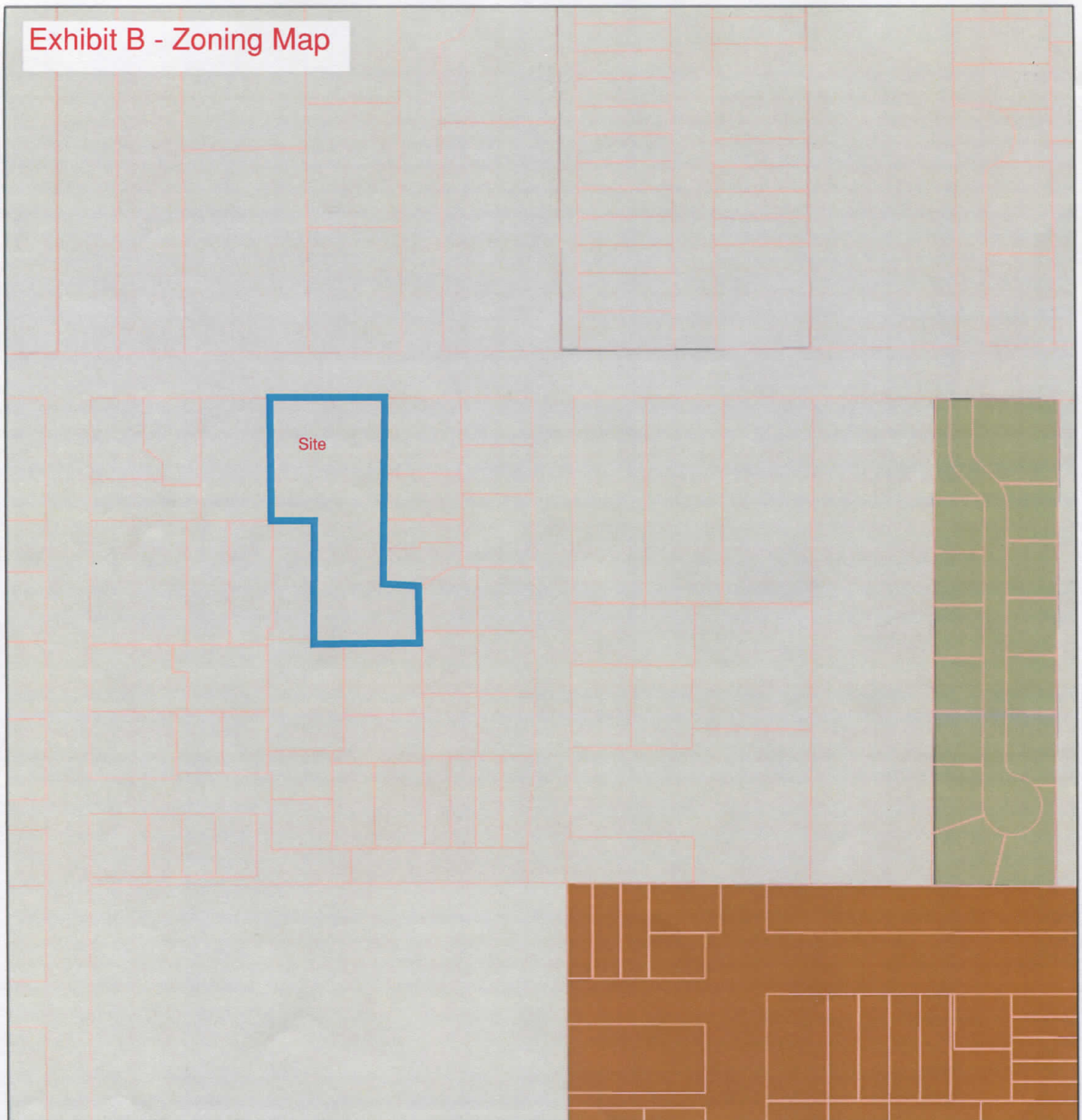
- ☒ **A vicinity map** showing the subject property and the area within 300 feet of the subject property. **A vicinity map is attached.**
- ☒ **A Zoning map** of the subject property and vicinity (showing the existing zoning district), extending at least 300 feet from the property boundaries. **A zoning map is attached.**
- ☒ **An aerial photo** of the subject property and vicinity extending at least 300 feet from the property boundaries. **An aerial photo is attached.**
- ☒ **A Growth Policy/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. **A growth policy / comprehensive plan map is attached.**
- ☒ **The current plat** of the subject property. **A copy of the Plat for this subdivision has been attached.**

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Zoning

Exhibit B - Zoning Map



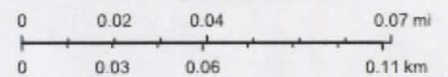
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- Parcels
- Zoning - City Limits

Zoning - City Zoning

- RM2.7
- RT10

1:2,257



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

Web AppBuilder for ArcGIS & City of Missoula

Exhibit C - Aerial

RIVER RD

SAULTER LN

LAFRAY LN

MAGSTADT CT

DRIVEWAY



Date: 3/2/2020

0 0.02 0.04 Miles

Map Center: X: -114.02979 - Y: 46.87545

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Growth Policy

Exhibit D - Growth Policy

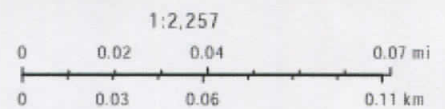


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- Parcels
- Zoning - City Limits

Land_Use - Land Uses

- Residential Medium High Density - 12 to 23 units per acre
- Residential Medium Density - 3 to 11 units per acre



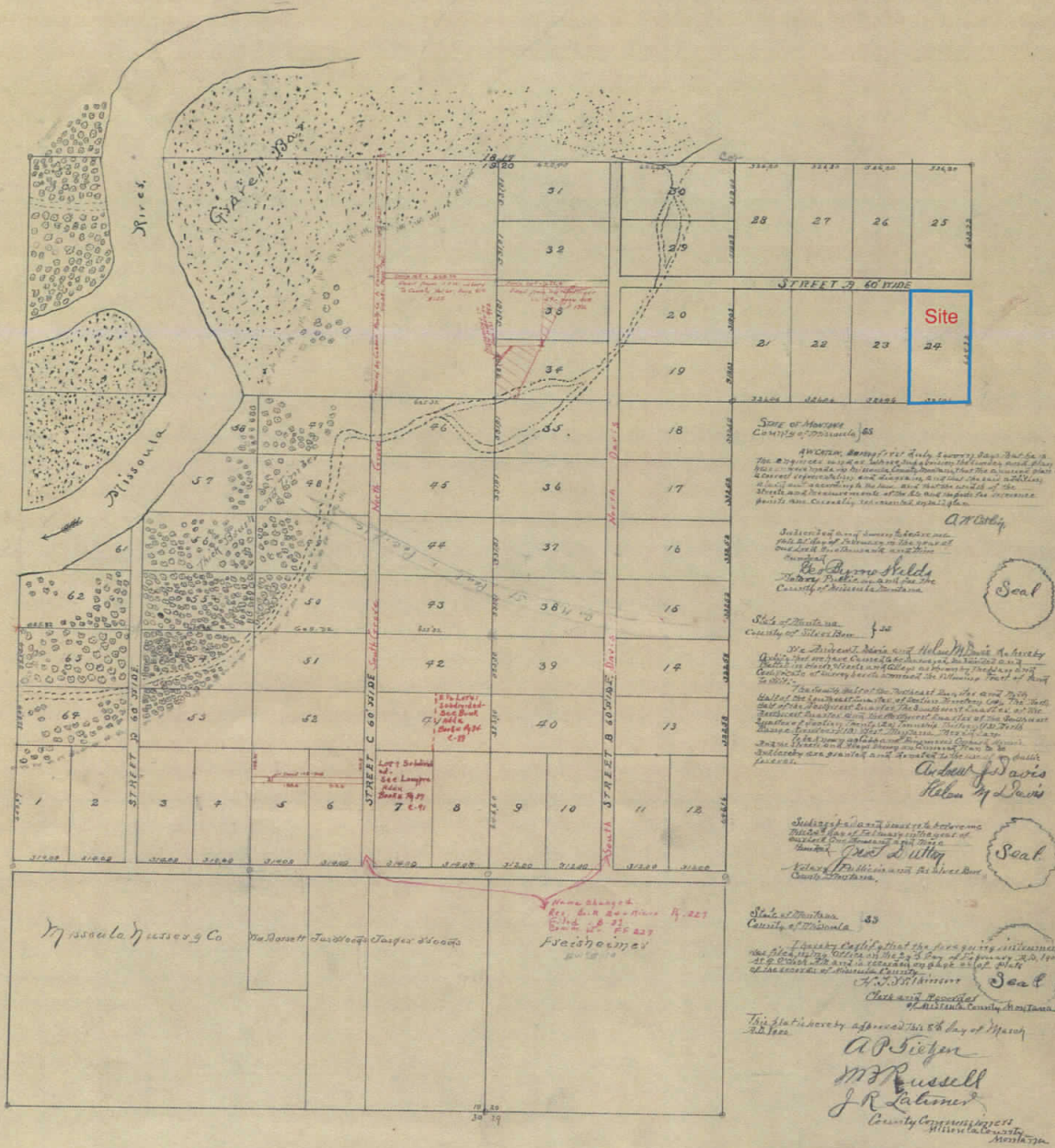
Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, MRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

Web AppBuilder for ArcGIS & City of Missoula

COBBAN & DINSMORE'S ORCHARD HOMES.

IN 5 ACRE TRACTS.

AT MISSOULA, MONTANA.
SCALE 300 FT. = 1 IN.



65-7

AT MISSOULA, MONTANA.
SCALE 300 FT. = 1 IN.



COUNTY COMMISSIONERS
OF MISSOULA COUNTY,
MONTANA