

# Plat, Annexation and Zoning Committee Minutes

April 28, 2010

11:30 a.m. - Noon

City Council Chambers, 140 W Pine

**Members Present:** Bob Jaffe, Roy Houseman, Dick Haines, Ed Childers, John Wilkins, Lynn Hellegaard, Renee Mitchel, Marilyn Marler, Pam Waltzer, Stacy Rye

**Members Absent:** Jason Weiner, Dave Strohmeier

**Others Present:** Tim Worley, Janet Rhoades, Jim Nugent, Mark Landkammer, Ron Ewart, Mary McCrea, and Bobbi Day.

## I. Approval of Minutes for

[April 7, 2010](#) approved as presented

## II. Public Comment on Items not on the Agenda

## III. Staff Announcements

## IV. Consent Agenda Items

- A. Consider a request for a phasing plan amendment for Flynn Ranch Subdivision ([memo](#)).—Regular Agenda (Janet Rhoades) (Referred to committee: 04/26/2010)  
**REMOVE FROM AGENDA**

**MOTION:** The Committee recommends that City Council approve the proposed phasing plan amendment for Flynn Ranch Subdivision as shown in [Attachment D](#), in accordance with Article 4-7(2) of the Missoula City Subdivision Regulations.

Janet Rhoades reported that this was an action item to extend the phasing plan by one year for each phase. Each phase filing deadline would be changed as noted below:

	<i>Existing Final Plat Deadline</i>	<i>Proposed Final Plat Deadline</i>
Phase 1	May 19, 2010	May 31, 2011
Phase 2	May 19, 2012	May 31, 2013
Phase 3	May 19, 2014	May 31, 2015

No changes were requested for the design of the subdivision.

Councilman Childers made a motion to approve the extension request as proposed. Chair Jaffe noted some building activity on the property and asked about moving forward with building permits. Ms. Rhoades explained that there were four permits submitted to OPG. If the permits met zoning, they could approve the permits and move forward putting in some buildings without final plat approval.

The vote was taken on the motion and passed unanimously. This item will go on the Consent Agenda.

- B. Consider a request to adjust the filed plat for Grove Street Addition Minor Subdivision ([memo](#)).—Regular Agenda (Tim Worley) (Referred to committee: 04/26/2010) **REMOVE FROM AGENDA**

**MOTION:** The Committee recommends that City Council approve the proposed adjustment to the Grove Street Addition plat subject to the amended conditions of approval as shown in [Attachment J](#).

[\(Presentation\)](#) Tim Worley explained that this was a plat adjustment for the Grove Street Addition located at the corner of Gleason and Grove Street. The original proposal had the Lot 2 access off Grove Street and the other lots had access with a shared access drive.

- This proposed adjustment would change the Lot 2 access from Grove Street to the shared access drive and move the Lot 4 access to Gleason rather than the shared access drive.
- There would be no change to the configuration of any of the lots.
- This change would require three things: 1) the legal access needs to be changed through Grants of Easement; 2) new easement exhibit documents are needed; and 3) a new maintenance agreement is required.
- New conditions recommended by staff include No. 10 (that the Grants of Easement, new easement exhibit and new maintenance agreement documents be recorded) and No. 11 that the access point off of Lot 2 be abandoned.
- The apron will need to be removed prior to building permit approval as part of Condition No. 11.
- Staff recommended approval of the proposed adjustment.

The Committee brought up the following questions for discussion:

1. There were three connections on Gleason; why did the developer want to take away the one on Grove Street? There was a grade drop so the owner wanted to put the garage in the back of the lot accessing off of Gleason Street.
2. What was the future connection potential of Gleason Street? Currently there were no more than about ten homes accessing Gleason. It was a dead-end street and did not have enough width for expanded public access.
3. With this change, who would be responsible for maintenance on the access drive? Lots 1, 2 and 3; a new maintenance agreement would exclude Lot 4 and include Lot 2.
4. Were all owners in agreement to the change? There was no objection from the owners and all were in agreement with the changes.
5. There might be another issue to consider – there was a fire hydrant located adjacent to Lot 4 so the owner does not want to be subject to the subdivision condition requiring fire sprinklers since the hydrant is located so close.

The Committee discussed whether it would be better to delay this process if it looked like the developer would be coming in for a request to change the condition and take care of both of these requests at the same time. Staff indicated that the developer has not made an application to OPG so it has not been through agency review. The requested adjustment was not time sensitive so it could be delayed. It was up to Council to make the decision to delay this item and wait for the request for the condition change. Mr. Ewart indicated that his clients would take care of the hydrant issue on their own. Staff added that the hydrant request would be a condition amendment that the applicant did not get charged for; they were only charged for a plat amendment. A building permit request would be held up either way because of the requirement for sprinklers being shown on the building permit at submittal. The Committee agreed to proceed with this request at this time and deal with the hydrant request separately.

Councilman Wilkins made a motion to approve the request as recommended by staff. The motion passed unanimously. This item will go on the Consent Agenda.

## V. Regular Agenda Items

## VI. Items to be Removed from the Agenda

### VI. Held in Committee or Ongoing in Committee

1. Annexation. (see separate list at City Clerk's Office for pending annexations) (Ongoing in Committee)
2. Update the Rattlesnake Valley Comprehensive Plan Amendment ([memo](#)).—Regular Agenda (Dave Strohmaier) (Referred to committee: 04/02/07)
3. Request to rezone the property legally described as Lot 3 of Scott Street Lots Subdivision, located in Section 16, T13N, R19W, P.M.M. form D (Industrial) to I-1 (Light Industrial), based on the finding of fact and conclusions of law. (PAZ [05/21/08](#)) (Returned from Council floor: 6/2/08)
4. Discussion of OPG's [task list](#) and workload ([Urban Initiatives work plan](#)).—Regular Agenda (Mike Barton) (Referred to committee: 06/12/06)
5. Ongoing discussion of City planning issues with members of the Planning Board.—Regular Agenda (Bob Jaffe) (Referred to committee: 3/20/06)
6. Discuss the implications of the Sonata Park court case ([memo](#)).—Regular Agenda (Bob Jaffe) (Referred to committee: 03/08/10)

## VII. Adjournment

The meeting adjourned at 12:05 p.m.

Respectfully Submitted,

**Bobbi Day**

Support Services Administrator  
Office of Planning and Grants

***The recording of these minutes is available in the City Clerk's Office (for up to three months after approval of minutes). These minutes are summary and not verbatim.***