

Plat, Annexation and Zoning Committee Minutes

November 10, 2010

11:05 am – 12:00 pm noon

Missoula City Council Chambers, 140 W. Pine Street

Members Present: Bob Jaffe (Chair), Ed Childers, Dick Haines, Lyn Hellegaard, Roy Houseman, Marilyn Marler, Renee Mitchell, Stacy Rye, Pam Walzer, Jason Wiener, and Jon Wilkins.

Members Absent: Dave Strohmaier

Others Present: Susan Ash, Gary Bakke, Andrea Davis, Carla Krause, John Newman, Jim Nugent, and Shelley Oly...

I. Approval of Minutes

[November 03, 2010](#) approved as presented.

II. Public Comment on Items not on the Agenda

III. Staff Announcements

IV. Consent Agenda Items

- A. [Petition 9503](#)—City of Missoula; Wastewater Treatment Plant; A tract of land recorded in Book 233 Micro Page 20000, Tracts 2, 3, & 4 of Certificate of Survey No. 5427, Lot 2 of Dinsmore's Orchard Homes No. 4 and Book 737 Micro Page 887 and a portion of Tower Street; Petition for Annexation ([memo](#))—Regular Agenda (Carla Krause) (Referred to committee: 11/08/10) **(REMOVE FROM AGENDA)**

MOTION: The Committee recommends City Council adopt a Resolution of Intention to annex certain parcels and tracts of land consisting of portions of City open space and Wastewater Facility property located in the western half of the City; incorporate the area into the City of Missoula boundary and zone the property OP-1 Open Space and schedule a public hearing for December 13, 2010.

Staff gave a [power point presentation](#) showing what properties were being considered for annexation. The parcels up for annexation belong to the City of Missoula:

- The City Tower Street open space area.
- A section of land adding to the Waste Water Treatment Facility for the future extension of the poplar tree project that has not been annexed into the city limits

The method of annexation would be Contiguous Government Lands and if the annexation proceeded:

- ✓ The city's open space would join the River Road Neighborhood Council District in Ward 6. The zoning designation would be OP1 (Open Space).
- ✓ The waste water treatment facility would join the Captain John Mullan Neighborhood Council District in Ward 2. The zoning designation would be OP3 (Public lands and institutional districts in the City).
- ✓ Both recommendations are made in accordance with MMC20.85.050 (L)(2C).
- ✓ Staff was in favor of the annexation and pointed out there was still some parcels not yet annexed into the City. One parcel acquired was on Mt. Jumbo, the Schilling parcel in the North hills and a piece of land for the England Boulevard right-of-way.
- ✓ Staff was in favor of the annexation.

Councilman Childers made the **motion** to adopt the Resolution of Intention to annex the parcels of open space and waste water property, incorporate it into the City and zone it as OP1 and OP3 and set a public hearing for December 13, 2010.

The motion was unanimous and would go on the Consent Agenda.

V. Regular Agenda Items

The order of the items was changed.

- A. Discuss Russell & 3rd land use and zoning visioning and update. ([memo](#))—Regular Agenda (Bob Jaffe) (Referred to committee: 10/25/10) (**HELD IN COMMITTEE**)

John Newman gave an overview of the land use and zoning districts, including newly developed zoning districts along Russell and 3rd Street corridor and adjacent areas and what was prohibited and not prohibited in those zoning districts. He also described the Southside Riverfront Neighborhood Character Overlay.

- The overlay extends from 2nd Street up to the river along Russell Street.
- Any use that was in existence when the overlay was created in March 2000 could be reestablished on the parcel.
- Prohibited uses consist of drive-through restaurants, gas stations, car repair shops, pawn shops, equipment sales or residential storage use.
- There is a rear parking requirement. If parking is available in the back of a building fronting a street then it is required.
- There are also building articulation and glazing requirements for portions of buildings fronting streets.

Staff pointed out that there were two different City Special District #2 zones. City Special District #2 has its own zoning designation.

Mr. Newman pointed out the different land use plans, area boundaries and interested parties for the 3rd Street and Russell corridor:

- There are six different neighborhood councils that border this area as well.
- The Emma Dickinson Neighborhood Council has been renamed to the River Road Neighborhood Council.
- The Urban Renewal District #2 runs down Russell and through the Champion Mill Site.
- The interested parties include Missoula Redevelopment Agency, Housing Authority, Neighborhood Councils, Missoula Downtown Association, landowners along the corridors, Montana DOT and various consultants for the road project.

Staff spoke about some of the area projects in the 3rd Street and Russell corridor:

- The Ferrin Group residential projects have preliminary plans in place for a multi family residence on the old Intermountain site.
- The intent is for mixed residential with commercial along Russell Street.
- There are a number for parcels that are vacant and/or for sale.

The floor was open for questions:

- If a new gas station in a CG zoning district that was outside of the overlay were built; would that project have to go through a conditional use process?
- How does this project align with the growth policy?
- There are Council representatives from at least 3 wards. It would be in their interest to discuss what they want to see in that area, what zoning does not apply and how it could be changed.
- The kind of development that happens there would have an effect on the performance of the public investment, in as far as what would work for the corridor such as capacity, aesthetics and tying in the land use with the public investment in transportation.
- There are infrastructure access problems such as long blocks that are perpendicular with no grid streets parallel to Russell Street.
- The overlay seemed to address some of these concerns and would be a good starting point.

- There should be a public process that engages the community with the conclusion being a vision for what people wanted to see happen in the corridor.

Staff suggested possibly borrowing language from the pedestrian overlay and melding the two overlays.

The Interim Planning Director explained that this project would not be presented to the public via a public meeting until this has been discussed more thoroughly in additional meetings and with the administration.

Public comment

Andrea Davis has a vested interest along Russell Street and is in favor of the project. Ms. Davis wanted to ensure that no-one was left out of the loop during the planning process.

Chair Jaffe directed staff to work on a proposal for what type of process would be appropriate for the next meeting.

VI. Items to be Removed from the Agenda

VII. 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. Review cost of planning documents available for public purchase. ([memo](#))—Regular Agenda (Dave Strohmaier) (Referred to committee: 09/27/2010)
5. Ongoing discussion of City planning issues with members of the Planning Board.—Regular Agenda (Bob Jaffe) (Referred to committee: 3/20/06)
6. Consider a resolution of intention to annex City and UM properties located in the southeastern quadrant of the City and schedule a public hearing in accordance with Montana Code Annotated Part 44 government lands method of annexation. ([memo](#))—Regular Agenda (Carla Krause) (Referred to committee: 10/25/10)
7. [Petition 9502](#)—Kelly G. Brown; Missoula industrial Park - Lot 13 of Block 3; Geocode Number 232528405020000; Petition for Annexation (Referred to committee: 11/08/10)
8. Appoint two members to the Missoula Consolidated Planning Board for the terms beginning January 1, 2011 and ending on December 31, 2013. ([memo](#))—Regular Agenda (Kelly Elam) (Referred to committee: 11/08/10)
9. Appoint two members to the Design Review Board for the term commencing January 1, 2011 and ending December 31, 2013. ([memo](#))—Regular Agenda (Marty Rehbein) (Referred to committee: 11/08/10)

VIII. Adjournment

The meeting adjourned at 12:00 noon

Respectfully Submitted,

Shelley Oly

Recording Secretary

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.