

Plat, Annexation and Zoning Committee Minutes

May 4, 2011

10:05 a.m.

Missoula City Council Chambers, 140 W Pine Street

Members Present: Bob Jaffe, Ed Childers, Dick Haines, Lyn Hellegaard, Marilyn Marler, Renee Mitchell, Pam Walzer, Cynthia Wolken, and Jason Wiener

Members Absent: Stacy Rye, Dave Strohmaier, Jon Wilkins

Others Present: Bobbi Day, Jim Nugent, Doug Harby, Jessica Miller, Jackie Corday, Gilbert Larson, Lloyd Twite and Scott Twite

I. **Approval of Minutes** – [April 20, 2011](#) were approved as presented.

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

III. **Staff Announcements**

IV. **Consent Agenda Items**

V. **Regular Agenda Items**

- A. Confirm the appointment of Andy Mefford to the City Board of Adjustment for a term commencing immediately and ending June 30, 2012. ([memo](#))—Regular Agenda (Mayor Engen) (Referred to committee: 04/25/11) **REMOVE FROM AGENDA**

MOTION: The Committee recommends that City Council confirm the appointment of Andy Mefford to the City Board of Adjustment for a term commencing immediately and ending June 30, 2012.

The Mayor was not available but emailed Chair Jaffe that Mr. Mefford was a small business owner and was interested in becoming active in the community. The Mayor felt Mr. Mefford was knowledgeable on the Board's responsibilities and would make fair decisions. The other applicant did not show for the interview nor returned follow-up phone calls from the Mayor's office.

Councilman Childers made the motion to approve the confirmation of Andy Mefford to the City Board of Adjustment. Councilwoman Hellegaard suggested the Committee reconsider this appointment because Mr. Mefford could make decisions on possible PCI projects which would be a conflict of interest. She asked for clarification on whether he would fill Joe Easton's seat or be appointed as alternate (with one of the alternates moving up to Joe Easton's seat). Mr. Nugent explained that if there was a conflict of interest, Mr. Mefford would step down on that particular item and an alternate would vote in his place. Seating of members was a policy that was up to the Mayor.

The vote on the motion passed with 4 votes of 'aye' and 3 votes 'no' (Lyn Hellegaard, Dick Haines and Renee Mitchell). A request was made to have the seating of Andy Mefford clarified for Monday's vote.

- B.** Resolution to annex and incorporate within the boundaries a certain parcel of land described as Linda Vista 12th Supplement, and zone the property Miller Creek View addition planned unit development with the underlying zoning of R-215 residential in the city all located in Section 13, Township 12 North, Range 20 West, P.M.M. ([memo](#))—Regular Agenda (Jessica Miller) (Referred to committee: 04/11/11) **HELD IN COMMITTEE**

[\(Draft Annexation and Development Agreement\)](#)

Jessica Miller, with the Public Works Department, noted that the Committee had heard about this item at its April 13, 2011 meeting and that the public hearing was scheduled for May 9, 2011. ([Presentation](#))

- This subdivision went through the County review process and was conditioned on County Subdivision Regulations.
- The Development Agreement included subdivision standards that met city requirements and compliance with the Missoula Municipal Code.
- Specific items noted by the City Engineer included:
 - Boulevard sidewalks (7 foot boulevard with 5 foot wide sidewalks).
 - Street width of 32 feet back of curb to back of curb.
 - Fire hydrant locations approved by City Fire Department.
 - ADA sidewalk ramps and facilities.
 - City asphalt section.
 - City 'L' type curb.
 - Cluster mailbox.
 - Barricades at the ends of paved streets to prevent off pavement access.
 - Appropriate drainage facilities.
 - Appropriate signing and striping for the subdivision.
 - Standard connections to Mountain Water and city sewer.
- Pedestrian crossings on Jack Drive will have the appropriate striping, lighting and bulb-outs as requested by the city engineer. Bulb-outs needed to be further out than a parked car so pedestrians could be easily seen (typically 6 feet) and would not interfere with any bike lanes.
- Street lighting will be provided at the intersection of Jeff Drive and Miller Creek Road.
- The proposed language in section G.1.c. regarding the location of the five-acre park was revised from the draft that was provided to the Committee. Language was still being worked on and will be provided prior to the May 9th public hearing. The parkland will connect to the dedicated park of Linda Vista 13 once it came in.
- The developer representative requested that the condition for street lighting (G.1.a) be removed.
- The Parks Department did not intend to take possession of the small park area so there may be some more language changes before the public hearing.

Committee discussion and questions:

1. Bulb-outs were provided for crossing the street.
2. It was the Council's desire to have public access to parkland and not to have it surrounded by private residences. Once all the phases were complete this park would meeting the standards set out in the subdivision regulations (parkland must be adjacent to public streets and have public access). This park will be big enough to have public playing fields.
3. The Development Agreement required the installation of street lights a condition of annexation. Engineering did have the authority to require the installation of street lights where they felt they were necessary but preferred to have developer pay for that installation.

Gilbert Larson, PCI, explained the reason they requested to remove the requirement for street lights was on behalf of the homeowner's association. They wanted less lighting to keep the night skies dark. He noted that there was a larger project that would determine where lighting was needed on Miller Creek Road and asked that this be part of that project rather than installing them at one intersection.

Staff will work on language that can be approved Monday along with some alternatives.

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. Ongoing discussion of City planning issues with members of the Planning Board.—Regular Agenda (Bob Jaffe) (Referred to committee: 3/20/06)
5. Resolution repealing resolution No. 7404 and declaring the annexation of Lots 53 and 54 Dinsmore's Orchard Homes No. 5 null and void. ([memo](#))—Regular Agenda (Jessica Miller) (Referred to committee: 01/10/11)

VIII. Adjournment

The meeting adjourned at 10:30 a.m.

Respectfully Submitted,

Bobbi Day

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.