

Plat, Annexation and Zoning Committee Minutes

February 1, 2012

11:05– 12:00

Missoula City Council Chambers, 140 W. Pine Street

Members Present: Bob Jaffe, Ed Childers, Dick Haines, Adam Hertz, Marilyn Marler, Mike O'Herron, Alex Taft, Jason Wiener, Jon Wilkins, Cynthia Wolken

Members Absent: Caitlin Copple, Dave Strohmaier

Others Present: Jim Nugent, Tim Worley, Mike Barton, Richard Schaefer, Jeff Howe, Steve Schultz, David Manookian, Steve Mauer, Deni Forestek

I. **Approval of Minutes for [January 25, 2012](#)** – approved as presented.

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

III. **Staff Announcements**

IV. **Consent Agenda Items**

V. **Regular Agenda Items**

1. Consider a request to adopt an ordinance to rezone property legally described as Flynn Ranch Lot 1 from RM1-45 (residential multi-dwelling) to RM1-45 (residential multi-dwelling) with the Lot 1 Flynn Ranch PUD Overlay. ([memo](#))—Regular Agenda (Tim Worley) (Referred to committee: 01/23/12) **REMOVE FROM AGENDA**

The staff report, [presented](#) by Tim Worley, outlined the proposal. Highlights included the following points:

- The PUD Overlay is proposed for Lot 1, which is a lot within the Flynn Ranch subdivision
- The proposal consisted of 41 single dwelling units, detached bungalows, within building envelopes.
- The parcel is currently zoned RM1-45, they would like a PUD zoning overlay
- Building envelopes are proposed to show where building can occur
- Maximum building height is 30 feet for dwellings (35 feet with an 8 in 12 roof pitch)
- The maximum height limit will be 22-feet for accessory structures
- A 20-foot garage face setback is proposed
- Public Works has concern with the homes being built near the drainage basin, a condition of approval requires construction adjacent to the basin to be approved by City Engineering; a safety fence might be an element to be reviewed as well.
- OPG Staff sent a [memo](#) to City Council prior to the meeting addressing staff concerns
- The final development plan shall be submitted within two years of approval of the zoning request.

The proposal was presented to the Planning Board on January 17, 2012, and they recommended some changes, which included:

- Phasing plans submitted sequentially
- The Common Area should be completed at Phase 2, except for a 20-foot staging area along the southern edge.
- Infrastructure completed before building begins
- Five-foot wide ADA-compliant sidewalks to replace the proposed 4-foot ones

- Added parking spaces should be created
- A 5-foot wide walkway from Freedom Loop to mailboxes on Cattle Drive
- Extra street scenes should be included in the final development plan
- The Planning Board asked that the sentence in the proposed Ordinance which stated that the Chapter 20.05, Table 20.05-3 Minimum Parcel Size shall not apply be struck.

Questions and comments from the Committee included:

1. What is the collector street for this proposal? George Elmer Drive
2. What is Engineering's default approach for sidewalks—5-feet or 4-feet. Residential road standards are up to the City Engineer's discretion. A 5-foot wide sidewalk is preferred.
3. Did the Parks Department agree with the compromise regarding the 20-foot staging area on the southern edge of the common area? Yes.
4. Will there be a Homeowners Association? Yes.
5. Was the common area a public park dedication? No, Parks Department felt that the park in the 44 Ranch Subdivision served the neighborhood. This would not be open to the public
6. What were the options for the developer regarding the future of these homes? Mr. Worley explained the developer could go through subdivision review or subdivision exemption under the new townhome legislation.

Chair Jaffe asked the developer or his representative to speak regarding the proposal. Richard Schaeffer [presented the proposal](#) and explained the problems they had with the Planning Board recommendations, which included:

- The 4-foot wide sidewalks were planned to allow as much open and green space as possible. They felt that the sidewalks work well with the scale of the development.
- They have increased the parking spaces from four parallel spaces to 10 perpendicular spaces.
- The 5-foot wide walkway to access the mailboxes on Cattle Drive would eliminate a building envelope. They felt that there was adequate circulation.
- The minimum parcel size would not work for their project.

Committee discussion regarding the project included:

- Mr. Wilkins wondered why there were no turn-around options for fire apparatus. Mr. Schaeffer explained that the court is only 80 feet long. Mr. Worley previously described how functional turnarounds are planned with each phase.
- Chair Jaffe felt that in order to take advantage of the new townhome rule, the parcel would have to comply with zoning and with the minimum parcel size rule in effect, this would interfere with any plans the developer might have. Mr. Schaeffer deferred to their attorneys regarding this; however, he did not know if they would be taking advantage of this townhome exemption rule. Mr. Worley pointed out that it is not known how small a saleable lot would need to be in the future.

V. **Items to be Removed from the Agenda**

The Committee reviewed the items on the Held in Committee List. They felt that they could remove the following from the agenda:

1. 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)

2. 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: 01/10/2011)

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. Ongoing discussion of City planning issues with members of the Planning Board.—Regular Agenda (Bob Jaffe) (Referred to committee: 3/20/06)
3. Amendment Article 7. Error Corrections and Adjustments to the subdivision regulations to allow for restrictions or conditions placed on a plat by the governing body to be amended or removed by a future council. ([memo](#))—Regular Agenda (Jon Wilkins) (Referred to committee: 11/07/11)

VII. Adjournment

The meeting adjourned at 12:02 p.m.

Respectfully submitted,

Deni Forestek

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.