

## Plat, Annexation and Zoning Committee Minutes

February 29, 2012

11:18 to 11:38 a.m.

Missoula City Council Chambers, 140 W. Pine Street

**Members Present:** Bob Jaffe, Ed Childers, Caitlin Copple, Dick Haines, Adam Hertz, Alex Taft, Jason Wiener, Jon Wilkins, Cynthia Wolken

**Members Absent:** Marilyn Marler, Mike O'Herron

**Others Present:** Mike Barton, David V. Gray, Laval Means, Ryan Montgomery, Jim Nugent, Lewis YellowRobe, Michael Tree, Aaron Wilson, Tim Worley, Deni Forestek

I. **Approval of minutes for [February 22, 2012](#)** as presented.

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

III. **Staff Announcements**

IV. **Consent Agenda Items**

1. Amendments to Article 4 of the City of Missoula Subdivision Regulations in Response to 2011 State Legislative Changes. ([memo](#))—Regular Agenda (Lewis YellowRobe)  
(Referred to committee: 02/27/12) **REMOVE FROM AGENDA**

**MOTION:** The Committee recommends that City Council adopt a [Resolution of Intent](#) and set a public hearing for March 26, 2012 to consider amending the City of Missoula Subdivision Regulations Article 4, Sections 4-040 – Review Procedure for Condominiums and 4-070 – Preliminary and Final Plats, as amended by Planning Board, as shown in [Attachment B](#).

Lewis YellowRobe presented this item the Committee. He will return to the Committee on March 22, 2012 to give more detail. Highlights of the [presentation](#) included:

- This request is to bring Article 4 of the City Subdivision Regulations into compliance with state legislative changes that have taken place regarding condominiums and preliminary and final plat extensions.
- Changes to 4-040 will insert “townhouse proposals” into the condominium review procedures in accordance with HB460
- Changes to Preliminary and Final Plat extensions will bring 4-070 into compliance with HB 522
- The Missoula Consolidated Planning Board made changes to the plat extension process to add criteria for first and second extensions

Jason Wiener made the motion to adopt the resolution and set a public hearing for March 26, 2012. The motion passed unanimously.

V. **Regular Agenda Items**

2. Approve or deny a conditional use request at 129 West Front Street Microdistillery (Microbrewery). ([memo](#))—Regular Agenda (Aaron Wilson) (Referred to committee: 02/27/12) **REMOVE FROM AGENDA**

Aaron Wilson brought this Conditional Use request. This is a pre-public hearing informational item in preparation for the City Council Public Hearing on March 5, 2012. The [presentation](#) highlights included:

- This is request for a microdistillery on 129 West Front Street (former site of Pipestone Mountaineering).

- The building is two stories, with access in the front off of Front Street and in the back off of Caras Drive.
- The use agrees with the Comprehensive Plan
- The zoning of CBD-4 allows a microbrewery, which is closest to a microdistillery use.
- The plan will allow them to utilize the entire building, with a tasting room and retail on the first floor and brewing in the basement.
- The use is consistent with the area and meets all criteria.
- Staff supports approval.

Questions and comments from the Committee:

- What happens to the Conditional Use approved for the applicant's last request at 139 E. Main Street? It stays with that location and if a building permit or zoning compliance permit is not applied for within two years, it expires.

Ryan Montgomery of Montgomery Distillery thanked the Committee for their attention. He felt this location would work out best for them. Questions for Mr. Montgomery included:

- Why did the old location not work out for them? Mr. Montgomery felt that the obstacles in that location were insurmountable, although it was a great location.

#### **V. 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. 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 11:38 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.*