

Plat, Annexation and Zoning Committee Minutes

January 6, 2010

11:35 am – 12:00 pm

Missoula City Council Chambers, 140 W. Pine Street

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

Members Absent: Dick Haines

Others Present: Justin Edgell, Nancy Harte, Roger Millar, John Newman, Mr. Wishcamper and Shelley Oly

I. Approval of Minutes

December 9, 2009 approved as presented.

II. Public Comment on Items not on the Agenda

Justin Edgell spoke in reference to the new Zoning Ordinance, Title 20. He stated that Title 20 does not allow garages to protrude beyond the front entrance of the house which severely limits the design of the home to rectangular shoebox style houses with no character. He added this portion of Title 20 makes it more difficult to build single level homes. Mr. Edgell estimated that at least 80 % of homes in Missoula have garages closer to the street and the homeowners seem very content with this style of design. He pointed out that this portion of Title 20 limited certain designs of home construction. Ms. Edgell indicated that this portion of Title 20 would affect his business because many of his clients are having a difficult time finding alternate house plans and many of his projects have been put on hold. He felt that this portion of Title 20 was not discussed thoroughly enough before voting on it. Chair Jaffe replied that this topic would be discussed at greater length at some point in the future.

III. Staff Announcements

IV. Consent Agenda Items

V. Regular Agenda Items

A. Rezoning request of property located at 1311 E. Broadway commonly known as Missoula Athletic Club site and legally described as Lot 2B of Gateway Gardens No. 1 Lots 1B and 2B Subdivision from OP-3 (Public Lands and Institutional) to C1-3 (Neighborhood Commercial, Intensity Designator-3) ([memo](#)).—Regular Agenda (John Newman) (Referred to committee: 12/21/09) **(REMOVE FROM AGENDA)**

John Newman presented the request to rezone [1311 E. Broadway](#). He stated this was a-pre public hearing informational item.

- The proposal was to rezone from OP-3 Open Lands and Institutional to C1-3 which was neighborhood commercial with an intensity designator of three.
- The property is ½ mile east of the Eastgate Shopping Center, on the north side of the Clark Fork River adjacent to Highway 10.
- This property contains some riparian vegetation which corresponds with some floodplain, and steep slope, non buildable area.
- The developer proposed to build affordable housing on this site.
- The proposal to go to C1-3 is inline with the Comprehensive Plan.
- The applicant and OPG staff determined the maximum building height of 65-feet corresponds to 3 intensity designator.
- Staff recommended C1-3 zoning over the entire property instead of splitting up the zoning. Splitting the zoning meant that 1/8th of the property would be zoned for Parks and Open Space and 7/8's of the property would be zoned as c1-3.

- The C1-3 zoning will include designation of a riparian area and a riparian management plan will be forwarded at the time of the building permit.
- Planning Board recommended approval of this proposal.

Councilman Wilkins asked who requested the zoning change. Mr. Newman replied the Rocky Mountain Development Group. Councilman Wilkins questioned whether this rezone process which cost \$4000.00 could be designated for other avenues to make the “affordable” housing more affordable. Roger Millar replied that City Council could have initiated the rezoning. However because Rocky Mountain Development Group, a private company, had requested the rezone of the parcel, the zoning fee needed to be paid. Mr. Millar also stated that the Council could waive the fee, but the cost of the rezoning would then come out of the general fund.

There was no public comment.

Chair Jaffe stated this item would be discussed further at the Council meeting on January 11, 2010.

VI. Items to be Removed from the Agenda

VII. Held in Committee or Ongoing in Committee

1. Update the Rattlesnake Valley Comprehensive Plan Amendment ([memo](#)).—Regular Agenda (Dave Strohmaier) (Referred to committee: 04/02/07)
2. 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)
3. Ongoing discussion of City planning issues with members of the Planning Board.—Regular Agenda (Bob Jaffe) (Referred to committee: 3/20/06)
4. Discussion of OPG's [task list](#) and workload ([Urban Initiatives work plan](#)).—Regular Agenda (Mike Barton) (Referred to committee: 06/12/06)
5. An [ordinance](#) amending Missoula Municipal Code Title 20, the Missoula City Zoning ordinance and establishing Chapter 20.30. ([PAZ](#)) (Returned from Council floor: 11/23/09)
6. Review Title 20 sign ordinance to address prior commitments to business community ([memo](#)).—Regular Agenda (Lyn Hellegaard) (Referred to committee: 12/21/09)

VIII. Adjournment

The meeting adjourned at 11:55 am.

Respectfully Submitted,

Shelley Oly
Administrative 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.