

Plat, Annexation and Zoning Committee Minutes

December 01, 2010

10:05am – 12:00 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, Dave Strohmaier, Pam Walzer, and Jon Wilkins.

Members Absent: Jason Wiener

Others Present: Mike Barton, John Hendrickson, Pat Little, Dale McCormick, Jim Nugent, Janet Rhodes, Tim Skufca, Alex Taft and Shelley Oly

I. Approval of Minutes

November 17, 2010 approved as presented.

II. Public Comment on Items not on the Agenda

III. Staff Announcements

IV. Consent Agenda Items

A. 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) **REMOVE FROM AGENDA**

MOTION: The Committee recommends City Council appoint Tim Skufca to the Consolidated Planning Board for a regular position for the term beginning January 1, 2011 and ending on December 31, 2013.

Interview Questionnaire

Tim Skufca

Mr. Skufca served for two years on Planning Board. His education was in architecture with a focus on urban development and land use planning at the University of Colorado.

- 1) An important land-use issue was the creation of the Urban Fringe Development Area and how this would be utilized as Missoula grew in the future.
- 2) The Planning Board was an advisory board and it was important to get as much information on the table then analyze that information and leave the legal and political aspects to the governing bodies.
- 3) Montanans have strong views on property rights and facts. OPG offers suggestions and recommendations that may be contrary so it can be controversial. The role of the Planning Board was not to compromise but present the issues as the Board saw them and submit those recommendations on to the governing bodies.
- 4) One change would be to have a set ending time for Planning Board meetings because many times it was difficult to discuss any controversial issues due to the lateness of the evening. The second change would be to have the governing bodies present (in attendance) at the meetings to prevent the rehashing of the agenda items at a secondary meeting.

- 5) The role of the Planning Board is as an advisory board and it gets frustrating at times because the Board members put in so much time and effort into each project but have no input as to whether the project was approved or denied.
- 6) Mr. Skufca would be interested in the role of the alternate if the permanent position was filled.
- 7) If infill was the direction that a neighborhood wanted to go and there was a quorum in favor of this type of land use then it should be done. The need to preserve agriculture land was first and foremost and this could be one way to do that.

The floor was open for discussion:

- ✓ Mr. Skufca has served for two years. He has done an outstanding job as an alternate and wanted to reapply as a voting member position.
- ✓ Good service on the Planning Board should be rewarded.

Councilwoman Rye made a **motion** to reappoint Tim Skufca for the regular position of the Planning Board. The vote was unanimous and will go on the Consent Agenda

B. Consider a request to create a phasing plan for Howard Raser subdivision.
([memo](#))—Regular Agenda (Janet Rhoades) (Referred to committee: 11/22/2010)
REMOVE FROM AGENDA

Motion: The Committee recommends City Council conditionally approve the proposed phasing plan as shown in Attachment D as amended for Howard Raser Subdivision subject to amendments to the subdivision conditions of approval to specify phasing, as shown in Attachment D as amended and in accordance with Article 4-070.2(A-C) of the Missoula City Subdivision Regulations.

Janet Rhoades explained that this was a request to create a phasing plan for Howard Raser Subdivision, where Howard Raser Subdivision was located, and that it was a 6-lot subdivision that the applicant wanted to break into three phases with each phase having two lots. Because this was a request to create a phasing plan, phasing plan amendment conditions could be added to reflect that fact that it was phased or to bring it into compliance with the new regulations. There was a recommendation for a new condition that was based on recommendations by the City Engineer to make a note on the plat that Yellowstone Pipeline runs through the property and that Yellowstone Pipeline could make any improvements within the easements.

Phase 1 had a proposed final plat submittal deadline of November 19, 2013. Phase 2 had a final plat submittal deadline of November 19, 2015. Phase 3 had final plat submittal deadline of November 19, 2017.

When the subdivision was originally approved there was a turn around for emergency vehicles to be completed in Phase 3. The problem with this is that there would not be an emergency turn around in Phases 1 or 2. The request was to create a temporary turn around in Phases 1 and 2. Staff recommended the emergency turn around be installed in Phase 1 and Phase 2.

Councilman Houseman made a **motion** to conditionally approve the proposed phasing plan as shown in Attachment D as amended for Howard Raser Subdivision subject to amendments to the subdivision conditions of approval to specify phasing, as shown in Attachment D as amended and in accordance with Article 4-070.2(A-C) of the Missoula City Subdivision Regulations.

Dale McCormick the representative from PCI, stated the applicant does not want to lose the entitlement. The conditions concerning Yellowstone pipeline were agreeable because those conditions were consistent with the final plat as well as the other amendments. There were email exchanges between the City Engineer, OPG and PCI to change the language in the amended Conditions of Approval because the turn around for Phase 1 would not be a temporary turn around but remain as an extension to the road to the east.

Councilman Houseman accepted this as a friendly amendment.

The vote was unanimous and would go on Consent Agenda

V. Regular Agenda Items

A. 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) REMOVE FROM AGENDA

MOTION: The Committee recommends City Council appoint Pat Little to the Consolidated Planning Board for an alternate position for the term beginning January 1, 2011 and ending on December 31, 2013.

[Interview Questionnaire](#)

Pat Little

Mr. Little has a broad range of experience and understanding in various technical fields; his background was in engineering. Planning Board has a responsibility to listen to what the public has to say and pay attention to public input.

- 1) As Missoula grows larger the need to maintain the character of Missoula becomes more paramount.
- 2) The Planning Board has regulations it needs to follow but the Board could also discuss different scenarios and options to see if the public's concerns about a development could be achieved in a different way.
- 3) There were broad spectrums of public opinions; with one end of the spectrum being the people that follow the rules and the opposite end of the spectrum with people who buck the system. The key would be to make sure the issues were expressed that demonstrated the best method for everyone.
- 4) Mr. Little knew about the Planning Board through the meeting minutes. The Planning Board's difficulty stems from the fact that the Board was only an advisory board. The members put in a lot of time and research and made recommendations to the City Council on issues that may or may not be followed.
- 5) It would be helpful for representatives of the governing bodies to sit on the Planning Board for a period of time to understand the time investment to discuss each issue.
- 6) Mr. Little would consider being an alternate member because the contribution to the discussion would still be invaluable even though the alternate member had no voting privileges.
- 7) Mr. Little was retired and would have time for the meetings, subcommittees, research and review of the informational packets.
- 8) Infill was an overall right way for cities to be developed.

Alex Taft

Mr. Taft is retired and an active member in the community and sat on many community boards. He has a masters in planning in the area of transportation and linking transportation and land use together.

- 1) It was important to take the tools and plans that have been created or revised and implement them as Missoula continues to grow.
- 2) In this scenario it would be important to look at the context of the situation. The Planning Board would need to state what the regulations say and then follow those regulations.
- 3) During the time when the housing market bubble began to burst land use issues were more controversial but now that economic pressure has disappeared. Because of those trying times many of the land use documents were revised and updated. The regulations are clearer and more user friendly.
- 4) It would be better to change the length of the meeting hours because late night meetings are not as productive. The process of the Board advising City Council has worked well
- 5) The Planning Board is a citizen body and the role of that board is a policy role and not a political one. The process of the Planning Board advising the governing bodies works well and should not be changed.
- 6) Mr. Taft would be interested in serving as an alternate but would like to participate more as a full board member.
- 7) He does have the time for all the work that was required as far as reading the materials and doing the research.
- 8) Zoning has not protected anyone from more density in neighborhoods. The best way to address this would be to share the concerns of the single family neighborhoods with the governing body.

The following points were brought up regarding both applicants:

- ✓ Mr. Little was extremely knowledgeable and articulate.
- ✓ Mr. Taft has lived in Missoula for a long while and served on various community boards.
- ✓ Neither applicant was in support of protecting the single family neighborhoods from infill. Single family neighborhoods make up the character of this town.
- ✓ There was a need to protect existing neighborhoods whether they were multi family or single family homes.
- ✓ The Planning Board was an advisory board and will stay an advisory board.

Councilwoman Mitchell made a **motion** to appoint Mr. Little to the alternate position of the Planning Board. Councilman Strohmaier made a **substitute motion** to appoint Mr. Taft to the alternate position of the Planning Board. Since there was a motion for each applicant; a voice vote was used to decide which motion would be voted on for the alternate position. There were 4 votes in favor of Mr. Little (Houseman, Jaffe, Marler, Rye). There were 3 votes in favor of Mr. Taft (Strohmaier, Walzer, Childers). Four members voted neither (Wilkins, Hellegaard, Haines, Mitchell).

The motion to appoint Pat Little for the alternate position on the Planning Board passed with 7 votes of 'aye' and 4 votes opposed (Councilman Wilkins, Councilman Haines, Councilwoman Hellegaard, and Councilwoman Mitchell). This item will be under Committee Reports.

B. An informational item regarding the reappointment of Heidi Kendall to the Missoula Consolidated Planning Board for a three-year term commencing January 1, 2011 and ending December 31, 2014. ([memo](#))—Regular Agenda (Mayor Engen)
(Referred to committee: 11/15/2010) **REMOVE FROM AGENDA**

The Committee acknowledged the reappointment of Heidi Kendall to the Planning Board for a three-year term.

VI. Items to be Removed from the Agenda

1. Review cost of planning documents available for public purchase. ([memo](#))—Regular Agenda (Dave Strohmaier) (Referred to committee: 09/27/2010)

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. 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)
6. Discuss Russell & 3rd land use and zoning visioning and update. ([memo](#))—Regular Agenda (Bob Jaffe) (Referred to committee: 10/25/10)
7. Consider a request to rezone property at 620 Addison and 826 Kern. ([memo](#))—Regular Agenda (Tim Worley) (Referred to committee: 11/22/10)

VIII. Adjournment

The meeting adjourned at 11:45 am

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.