



## 406 ENGINEERING

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March 6<sup>th</sup>, 2020

City of Missoula Development Services  
Attn: Mary McCrea  
435 Ryman Street  
Missoula, MT 59802

RE: Remington Flats Major Subdivision

Dear Mary:

We are in receipt of your deficiency letter dated January 30, 2020 for the above-mentioned project. Please consider the following responses to each of your comments in the order presented in the letter. Your comments are provided in ***bold italics*** with our response in normal font.

### **Preliminary Plat**

- 1. In addition to the dimension of the rights-of-way, the preliminary plat needs to show dimensions for width of paving BOC to BOC for each road, plus sidewalk and boulevard widths.***

The Preliminary Plat has been updated to show dimensions for BOC to BOC, sidewalk and boulevard widths.

- 2. Plat needs to show numbering, in this case, probably sheet 1 of 3, since we are asking for two additional supplemental data sheets.***

The Preliminary Plat has been updated with sheet numbering.

- 3. Supplemental data sheet 2: please provide the road cross-section sheet at full size (24 X 36). As mentioned below, each cross section needs to show that there is at least one foot of easement beyond the edge of sidewalk on both side of roads to allow for access and maintenance.***

A supplemental Data Sheet 2 of 3 has been added to the submittal showing all roadway cross-sections. The cross sections and preliminary plat have been updated to show a 64-foot right-of-way providing a 1-foot buffer beyond the edge of sidewalk for maintenance on all streets other than Chuck Wagon Drive. Chuck Wagon Drive will provide 0.5-foot buffer beyond the edge of sidewalk, matching 44 Ranch, for maintenance as discussed in the Variance Section.

- 4. Supplemental data sheet 3: please provide full size sheet showing buildable areas on your lots, and access. Engineering is concerned about the ability to meet required driveway separation between townhouse lots (which is 33 feet). There is also a requirement of 30 feet distance from a crosswalk, which may render some of your lots without alley access unbuildable (specifically, lots 141, 144, and 128). An 11 X 17 version of this should be included in your neighborhood character overlay section, to demonstrate that you can meet applicable townhouse access standards, as defined in Title 20, Section 20.40.140.F.3.d. and Title 12, Section 12.22.100.L.2.***

A Supplemental Data Sheet 3 of 3 has been added to the submittal showing buildable area of lots and driveway locations. The townhouse access standards do not apply to this subdivision.

The /NC-RF Remington Flats Neighborhood Character Overlay describes there is no minimum distance between driveways, though an effort shall be made to maximize on-street parking. Supplemental data sheet 3 of 3 has a breakdown of off-street and on-street parking. This table shows there will be ample parking available for residents. Attached in Section R of the application is an email from city engineering allowing an 18-foot setback distance from the crosswalks adjacent to the "T" intersections. With the 18-foot setback, all lots in the areas in question will have room for driveways as shown on the Preliminary Plat.

- 5. Per Title 12, Section 12.12.170D which states that "the driveway approach for single dwelling units, duplex dwelling units or any other parking space(s) where the vehicles enter or leave the roadway by backing shall not be permitted within thirty feet (30') of a crosswalk in a residential zone," you will need to show no-access strips on your plat extending from your crosswalks.**

Attached in Section R of the application is an email from city engineering allowing an 18-foot setback distance from the crosswalks adjacent to the "T" intersections and a 20-foot setback distance for all other crosswalks. The Preliminary Plat has been updated to show no access strips within 18 feet of all "T" crosswalks in the subdivision and 20 feet of all other crosswalks.

- 6. Please show/label section corners. These appear to be shown at the tract's corners; they may just need to be labeled.**

The subject property is not located near any section corners. Though, we did forget to label the corner monuments in the first element. The revised Preliminary Plat now shows descriptions of corner monuments.

- 7. Remove notations that refer to right-of-ways as easements. In the City, right-of-way is dedicated, rather than an easement, as is the case in the County.**

The Preliminary Plat has been updated with call outs as "right-of-way" instead of "easement".

- 8. Add the following note on the preliminary plat regarding water rights: "NOTE: ANY WATER RIGHTS REGARDING THE EXISTING IRRIGATION DITCH ADJACENT TO OR CROSSING THE PROPERTY, AND AS SHOWN ON THE PLAT, ARE HEREBY RESERVED AND GRANTED FOR THE USE AND BENEFIT OF LAND AND LANDOWNERS WITHIN THE PLAT WHO HAVE A LEGAL RIGHT TO THE WATER. THE ABOVE RESERVATION ALSO INCLUDES ANY SURFACE WATER RIGHTS THAT MAY EXIST IN CONNECTION WITH THE PROPERTY. LOTS CONTAINED WITHIN THE PLAT THAT ARE CLASSIFIED AS IRRIGATED LAND MAY BE ASSESSED FOR IRRIGATION WATER DELIVERY EVEN THOUGH THE WATER MIGHT NOT BE DELIVERABLE TO THAT PARTICULAR LOT."**

The Preliminary Plat has been updated with the above note regarding the water rights.

### **Subdivision Application**

- 1. We need a signed copy to process the application. Can you return this in the 2nd Element package with signatures from Bryan and/or Lance as owners, and you as representative?**

Attached with the 2<sup>nd</sup> Element is a signed copy of the application.

- 2. Page 2: your net acreage as listed here is very slightly different from what is shown on the plat. Make these consistent.**

The Preliminary Plat has been updated to reflect the correct acreage.

- 3. Page 3: When you reference your zoning overlay, here is what to call it: /NC-RF Remington Flats Neighborhood Character Overlay. Can you do a find & replace to make sure this is referenced consistently wherever it comes up throughout the application packet?**

All references pertaining to the zoning overlay are now called "/NC-RF Remington Flats Neighborhood Character Overlay" in the Subdivision Application.

- 4. Page 3, #6: the title is cut off. Full title is 2035 Our Missoula City Growth Policy.**

Page 3 has been updated to say "2035 Our Missoula City Growth Policy"

- 5. Page 8: Here you say that there are no covenants, but elsewhere you say there will be, and you have a draft of them. Change this to indicate there are covenants, and reference section where they are located.**

The subdivision application has been updated to specify there are covenants and references the covenants location in Section E of the packet.

- 6. Page 9: If there is a ditch as you mention on Page 8, the answer to all these questions would not be no.**

The answers to the questions 2.d through 2.f on page 9 remain "no". The irrigation ditch does not run through or touch the property. Therefore; no agricultural water facilities will be removed, no ongoing maintenance will need to be done and the new subdivision will not alter the movement or availability of the water. The answer to question 2.g has been changed to yes. Phase 2 construction will install a culvert for Chuckwagon Road. This construction may cause a slight disturbance for a short period of time. However, construction of the culvert will most likely be completed prior to water being released into the ditch in early spring.

- 7. Page 10: Here you say water rights are not being severed. Elsewhere you say they are. This needs to be consistent.**

This question asks, "Have the water rights been severed from the property?". Our answer remains "no". The water rights will be severed, but that process has not been finalized at the time of this resubmittal.

- 8. Roads table: Include column about off-site improvements to Chuck Wagon.**

The road table has been updated to include the offsite improvements for Chuck Wagon.

### **Project Summary**

- 1. Add more detail in the section about roads. You should tell how many are part of the subdivision, their functional classification (they're all Urban Local streets, except Chuck Wagon, which is a collector).**

The Project Summary has been updated with more specific information detailing the proposed roads.

- 2. Add also to the Roads section information on your off-site buildout of Chuck Wagon Drive: when you will install this, dimensions, alternative connection in the event that George Elmer is installed by the time you begin phase 1, etc.**

The Project Summary has been updated detailing the buildout of Chuck Wagon offsite, including an alternative connection to George Elmer.

- 3. In the section on Variances, you need to add reference to the standard from which you are varying. For the one on block length, it is this: Section 3-030.2.A(2) which limits block lengths to maximum of 480 linear feet. For the one on road width, it is this: Section 3-020, Table .2A, Standards for Geometric Design of Roads and Streets for width of right-of-way.**

The variance section of Project Summary has been updated to include each specific standard to be altered for this subdivision.

- 4. You will also need to add that you have more than 2 variances. See Variance section below.**

The Project Summary has been updated to discuss all variances associated with the subdivision.

## Phasing Plan

1. **Phasing plan deadlines have to be actual dates rather than just the year. You can choose what that date is, but it needs to be MO/DAY/YEAR for each phase.**

The phasing plan has been updated to show actual dates.

## Streets and Alleys

1. **You need to show the bike lane on Chuck Wagon wherever this road section appears in the packet, including on the preliminary plat.**

All exhibits, including the Preliminary Plat, depicting the Chuck Wagon road section have been updated to show the proposed bike lane.

2. **Please add the offsite portion of Chuck Wagon to which you will make improvements as one of your road cross sections.**

All exhibits, including the Preliminary Plat, depicting the portion of Chuck Wagon road offsite section have been updated to show the proposed bike lane.

3. **In your previous packets, you had alleys on the middle of the interior blocks. We would strongly recommend not taking these out. If they are removed, as requested above, you will need to provide an exhibit showing where driveway cuts will be for all of the lots without alley access, demonstrating that you can meet the required separation distance between driveways of 33 feet and 30 foot distance from back of crosswalk.**

Market conditions have shown in recent years alley access homes are undesirable to potential homeowners. Removing the alleys allows the potential home buyers with more space for a backyard and adds substantially more green space to the subdivision. Driveways and parking locations have been shown on sheet 3 of the Preliminary Plat meeting City regulations.

4. **On your road cross-section, plat and anywhere else roads appear, you need to show that you are providing a one-foot easement on the inside back edge of the sidewalk to allow access and maintenance.**

Road sections have been updated to show a 64-foot right-of-way providing a 1-foot buffer behind the back of sidewalk for access and maintenance.

5. **You may also encounter opposition to removal of alleys from Engineering and/or City Council, as you are effectively eliminating on-street parking throughout most of the subdivision without alleys.**

As stated above in comment 3, removing the alley will benefit any future homeowner. Sufficient on-street and off-street parking has been provided as part of this subdivision.

6. **As previously mentioned, all roads and alleys must be shown as dedicated right-of-way rather than easement. For Chuck Wagon adjacent to your parcel, this is 40 feet of ROW.**

All roads and alleys have been shown as dedicated right-of-way.

## VariANCES

1. **You will need additional variances. For block length, there should be two. One set of circumstances applies to the blocks south of Remington, which back up to already built-out lots in 44 Ranch or an alley. In this case, you are matching the block length of an established subdivision built when regulations mandated different standards. Since the lots are built out there is no possibility of providing mitigation via a pedestrian easement.**

The variance section of the application has been updated with two variances regarding block length. One describes matching the existing layout of 44 Ranch, and the other describing the block north of Winchester with a pedestrian easement.

- 2. On the blocks north of Winchester, it is possible for you to provide pedestrian mitigation, and you will need to do so. Since the parcel to the north is vacant, when it is built, they can be required to match the pedestrian connections you provide. You need to show on your plat and describe in your variance where you will provide a 5 foot wide concrete sidewalk within a 20 foot wide public access easement in a common area, leading from the crosswalk to the northern boundary of the tract. You need two of these: one on crossing either Lot 141 or Lot 143/4 going north-south, and the other in either Lot 128 or Lot 130, again going north-south. Without this mitigation where it is possible, your variance is not likely to be approved.***

The variance section of the application has been updated with a variance describing the pedestrian mitigation proposed. As discussed in a prior meeting, we are proposing a 5-foot sidewalk located in a 10-foot sidewalk easement between Lots 127 and 128 running north south rather than a 20-foot public access easement in a common area. The block discussed above north of Winchester Drive and east of Tenderfoot Way will not require a variance. The block meets the City of Missoula Subdivision Regulations for block length with a distance of 476'.

- 3. Similarly, you will need to group your right-of-way width variances according to whether the roads are connecting to existing streets and matching their right-of-way (Tenderfoot and Riata) versus those which do not connect to existing right-of-way, and are setting the variant ROW width as the standard. Again, you are looking at two variances rather than one for these.***

The variance section of the application has been updated with two variance requests regarding right-of-way widths. Variance #3 describes all Low Density Urban Local Streets within Remington Flats (Remington Drive, Winchester Drive, Browning Road, Tenderfoot Way, Ruger Road and Riata Road). The Variance is not being requested to match the 60-foot right-of-way of 44 Ranch. The variance is being proposed as the 64-foot right-of-way will accommodate the proposed street section, which is wider and safer than required by subdivision regulations. In the case for Variance #4 (Chuck Wagon Drive) we are proposing a variance to match the existing right-of-way of 80 feet rather than the required 90 feet. Again, the proposed street section of Chuck Wagon Drive meets all requirements of the Urban Collector with parking as stated in the Missoula City Subdivision Regulations.

### **Other Issues**

- 1. When you resubmit, you will need to break up the single .pdf into separate files for various sections of the application. For an idea how many, and what they should be called, look at the Subdivisions posted on the Development Services web site (<http://www.ci.missoula.mt.us/1638/Private-Development-Projects>). There are typically 8 to 10 Sections, at the least: Cover Sheet, Table of Contents, Preliminary Plat, Project Summary, Subdivision Application, Variances, Neighborhood Character Overlay, Covenants, Neighborhood Meeting Information, Correspondence, Traffic Impact Study, Grading and Drainage Report, Water and Sanitation Report, Geotechnical Report, Correspondence, etc. Attached with this letter is a thumb drive that has the sections broken out in their own PDF files.**

If you have any questions or need anything further for your review, please let me know.

Sincerely,  
**406 Engineering, Inc.**



Sean Amundson

Enclosures: (1) USB Zip Drive Containing Subdivision Application and Supporting Materials  
(1) Subdivision Application Signature Page

C. Client (w/ enclosures)

*[https://406engineeringinc.sharepoint.com/Shared Documents/406 Work/1\\_Projects/2018 Projects/007-132012 - Beauchamp Const/4\\_PLANNING/Subdivison App/1.Element Deficiency 1/ltr.2020-02-03.Development Services.baker.docx](https://406engineeringinc.sharepoint.com/Shared Documents/406 Work/1_Projects/2018 Projects/007-132012 - Beauchamp Const/4_PLANNING/Subdivison App/1.Element Deficiency 1/ltr.2020-02-03.Development Services.baker.docx)  
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