



## COMMUNITY PLANNING, DEVELOPMENT & INNOVATION

### Development Services Division

435 RYMAN | MISSOULA, MT 59802-4297 | 406.552.6630 | FAX 406.552.6053

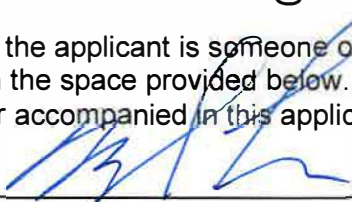
## EXHIBIT 2B – CITY MAJOR SUBDIVISION APPLICATION

### A. GENERAL INFORMATION

1. The subdivider has one year after the pre-application meeting to submit a formal subdivision application. Otherwise, a new subdivision pre-application meeting is required.
2. Submit one hard copy of the preliminary plat submittal packet and a full-sized preliminary plat along with the fee with the first Element Review submittal to CPDI, Development Services. The submittal packet shall include a Title Page with the packet labeled as First Element with a date. Hard copy submittal packets shall be bound along the left edge via plastic comb, plastic coil, or three ring binder binding device. The Element Review period starts the day after the packet is submitted to Development Services for review and the fee is paid.
3. An identical electronic version of the submittal packet shall be provided to the Case Planner via a flash drive or link to the documents via the web.
4. Both the hard copy and electronic copy shall include a Table of Contents and be identical. Pdf documents of pages in the electronic copy shall be organized per the Table of Contents mindful of file sizes.
5. As the project moves through Element and Sufficiency reviews the subdivider shall provide (1) hard copy and an electronic copy of only the pages or sections that are revised. With each submittal the Title Page shall be replaced and labeled and dated as 1st, 2nd, 3rd Element, 1st, 2nd, or 3rd Sufficiency, and finally Governing Body Review Packet once the packet has completed Sufficiency Review.
6. For each Sufficiency Review the subdivider shall include in the submittal packet the Agency comment received in all prior Sufficiency Reviews.
7. Upon completion of Agency Sufficiency Review, the application packets submitted for Governing Body review must include any agency comment received during Agency Sufficiency Review as well as any applicant responses to the agency comment, if applicable. In addition, the Governing Body Review packet must include the letter declaring the application packet Sufficient, and all Element and Agency Sufficiency Review letters from DS. Except for the addition of these materials, the packets submitted for Governing Body review must be exactly the same as the packet that was deemed Sufficient.
8. Name of proposed subdivision: **Aspire**
9. Name(s) of Subdivider: **Denova Northwest**  
Mailing Address: **PO Box 2016 Philipsburg, MT 59858**  
Telephone Number: **925-852-0551**  
Email Address: **mevans@denovahomes.com**
10. Name(s) of Owner of Record: **Meadow Creek Group**  
Mailing Address: **1500 Willow Pass Court, Concord, CA 94520**  
Telephone Number: **925-685-0110**  
Email Address: **dsanson@denovahomes.com**
11. Name and Company of Representative: **Brian Throckmorton - 406 Engineering, Inc**

Mailing Address: **1201 S. 6<sup>th</sup> Street W. #102, Missoula, MT 59801**  
Telephone Number: **(406) 317-1131**  
Email Address: **briant@406eng.com**

12. If the applicant is someone other than the property owner, the owner must also sign the application in the space provided below. Certification: I hereby certify that the foregoing information contained or accompanied in this application is true and correct to the best of my knowledge.

  
Applicant's Signature

5-5-23  
Date

SAME AS APPLICANT  
Owner's Signature

Date

  
Representative's Signature

5-08-2023  
Date

## B. SUBJECT PROPERTY INFORMATION

General location of subdivision and address (if address has been assigned): 885 Speedway Ave.; Missoula, MT 59802; 110 Sommers Street, Missoula MT 59802.

Legal Description - complete and unabbreviated: Parcel 7 and 8 of COS 5298, Parcel A of COS 6338, Tract 1, 2, 3, and 5 of COS 6629, Section 19, T13N, R18W, P.M.M., Missoula County, Montana

Township, Range, Section(s): **T13N, R18W, S19**

Subdivision, Lot(s), Block(s):

Tract(s), COS#: **Parcel 7 and 8 of COS 5298, Parcel A of COS 6338; Tract 1, 2, 3 and 5 of COS 6629**

Geocode: **04-2201-19-1-01-04-0000; 04-2200-24-1-06-20-0000; 04-2200-24-1-06-10-0000; 04-2200-24-1-06-14-0000; 04-2200-24-1-06-21-0000; 04-2200-24-1-06-17-0000; 04-2200-24-1-06-11-0000**

Number and type of lots proposed: **172 single-family lots; 10 multi-family lots**

Average Lot Size: **~4500 sq ft - single family; .49 acres - multi family**

Median Lot Size: **3050 Sq Ft**

Total acreage of subdivision: **35.28 acres**

Total net acreage of lots within the proposed subdivision: **20.80 acres**

Total acreage in streets and roads: **10.35 acres**

Total acreage in parks or common area: **4.13 acre**

Gross Density: **7.1 dwelling units/acre**

## C. TYPE OF SUBDIVISION PROJECT (Check all that apply):

- ☒ Major (6 or more lots)
- ☐ Residential
- ☐ Commercial/Industrial
- ☐ Mobile Home Park
- ☐ RV Park
- ☐ Condominium
- ☐ Subdivision PUD

#### D. ZONING AND GROWTH POLICY COMPLIANCE

1. Complete the following table (where applicable, indicate Unzoned):

	Zoning	Current Land Use
Adjacent (North)	<b>Water's Edge Special Zoning District, R Residential</b>	<b>Single Family Dueplex Houses</b>
Adjacent (South)	<b>R Residential</b>	<b>Interstate-90 Right-of-way</b>
Adjacent (East)	<b>Resource and Open Land</b>	<b>Clark Fork River</b>
Adjacent (West)	<b>R Residential</b>	<b>Single Family Detached Houses</b>

2. Is the property zoned? ☒ Yes ☐ No

a. If yes, what is the current zoning of the property? **Missoula County, R Residential**

b. If yes, provide a zoning map (if available). Location in packet **See attached zoning map in Section A**

c. If the property is split zoned, show the zoning district boundaries on the plat or a Supplemental Data Sheet with the plat as a base map. Location in packet **N/A. The subject property is not split zoned.**

d. If yes, describe how the project complies with the existing zoning district. Location in packet **The property is currently zoned R-Residential in Missoula County. This project is requesting annexation to the City of Missoula under RT5.4 Residential (two-unit/townhouse), along with consideration of a Neighborhood Character Overlay to allow for small deviations in setbacks and building types from Title 20. The rezoning with the use of the Character Overlay of this subdivision promotes flexibility, affordability and encourages a variety of housing types from single-family homes to rowhouse units. A diverse mix of housing types ensures that new development is consistent with neighborhoods in East Missoula while providing access to housing for people of all diversities and incomes. All other aspects of the proposed Zoning District will be met, and will comply with Natural Resource Protection, Parking and Access Standards, Landscaping Standards, and Density Standards as detailed in Missoula Title 20.**

3. Do you intend to zone the property, or will the property have to be re-zoned to allow for this development? ☒ Yes ☐ No

a. If yes, what is the proposed zoning for the subject property? **Upon annexation, a zoning of RT5.4 Residential (two-unit/townhouse) will be proposed with a Neighborhood Character Overlay.**

b. If a zoning change is requested concurrently with the proposed subdivision, provide a complete and signed rezoning application and a copy of the proposed zoning district regulations. Location in packet **A zoning change is being requested via a neighborhood character overlay. Attached with this subdivision application is a signed zoning change request located in Section D.**

4. Will this property be required to be annexed into the City? ☒ Yes ☐ No

a. If yes, what zoning district does the City Council intend to apply upon annexation? **RT5.4 Residential (two-unit/townhouse), with a Neighborhood Character Overlay**

b. If yes, provide a copy of the Resolution of Intent to Annex approved by City Council. Location in packet **This will run concurrent with the proposed subdivision. It is located in Section D**

5. Is the property within the Utility Services Area Boundary? ☒ Yes ☐ No

6. What is the applicable City Growth Policy and the recommended land use designation? 2035 our Missoula City Growth Policy Provide a map of the land use designation and legend from the applicable growth policy. Location in packet **See Section A for land use designation map.**
7. What is the applicable Neighborhood or Vicinity Plan that applies to this property? **N/A. No area plans exist for the proposed development.** Provide a map of the land use designation and legend from the applicable Neighborhood or Vicinity Plan. Location in packet **N/A. No area plans exist for the proposed development.**
8. Describe how the project complies with the land use designation and the goals and policies of the Growth Policy. **The land use recommendations from the growth policy states Residential Medium Density. This is for residential building types ranging in density from 3 dwelling units per acre to 11 dwelling units per acre. As one of the categories of urban residential, a goal is to blend housing types to achieve the desired density. Aspire proposes a density of approximately 7 dwellings per acre falling in the mid-range of the Growth Policy recommendations. Residential medium density also recommends the intended to fit within many already established residential neighborhoods and acknowledge the single dwelling residential building type as the primary use with the potential for accessory dwellings as well. Another goal of the Urban Residential is to discourage large areas of single type housing thus Aspire Subdivision is proposing 172 single family residences that follows the character of the existing neighborhoods in East Missoula as well as 10 lots of rowhouse style units. The rowhouse unit lots will be clustered in the southern portion of the subdivision. The rowhouse units mimic single-family dwellings with a garage and entrance at ground level, the substantial difference being shared walls and floors. The rowhouse lots align with the housing goals of the growth policy by meeting the needs of a growing and diverse population regarding age, income, physical abilities, and household size. Having a sufficient supply of housing and developing a variety of housing types, providing for diverse housing needs while protecting the strong sense of place in the community and neighborhoods through compatible residential development. This development will help meet the housing needs for a diverse level of incomes helping to support economic growth. The residential type and diversity proposed by Aspire meets the goals and recommendations of not only the ‘Our Missoula’ City Growth policy but also the 2019 Missoula Land use Element.**
9. Is a Planned Unit Development proposed? ☐ Yes ☒ No If a Planned Unit Development is proposed, provide additional submittal requirements per Section 3-120.2. Location in packet **N/A. No planned Unit Development proposed.**

#### **E. CLUSTER AND CONSERVATION DEVELOPMENT**

1. Is Cluster and Conservation Development per Section 3-180 proposed? ☐ Yes ☒ No
  - a. If yes, provide additional submittal requirements described in Section 3-180. Location in packet **N/A. No cluster or conservation development proposed.**

#### **F. PHASED SUBDIVISION**

Section 5-020.14.A.(1) & (2) and section 4-070.2 of the City Subdivision regulations apply to all phased subdivisions.

1. Is this subdivision proposed to be developed in phases? ☒ Yes ☐ No

If yes, provide the following information:

- a. Phasing information outlined in Section 4-070.2 is required to be provided at the time of the pre-application meeting and must be included in preliminary plat submittal packet at the time of Element review. Location in packet **See Section A for Phasing Plan**
- b. Provide a phasing plan diagram and legend meeting standards in Section 5-020.14.A. Location in packet **See Section A for Phasing Plan**

## G. COVENANTS AND/OR HOMEOWNER'S ASSOCIATION

1. Is common property to be deeded to a property owner's association? ☒ Yes ☐ No

If common property is to be deeded, provide draft covenants and restrictions per Section 5-020.14K. Location in packet **Please See Section E.**

2. Are there existing or proposed covenants and/or a homeowner's association? ☒ Yes ☐ No

If yes, provide existing covenants and a draft of any proposed covenants, restrictions, and/or property owner's or homeowner's association documents or other documents that outline deed restrictions that apply to the subdivision in compliance with minimum standards outlined in Section 5-020.14.K.(1) through (10). Location in packet **See Section E for proposed Draft Covenants**

If yes, the proposed draft covenants shall specify they apply to the proposed subdivision and are supplemental to the existing covenants and restrictions.

## H. PROJECT SUMMARY

Per City Subdivision regulations section 5-020.8 provide as a narrative description of the proposed project and existing site conditions. Label the narrative: "Project Summary" and include the Project Summary at the beginning of the submittal packet. Location in packet **See Section B for Project Summary**

Summarize the following information in the Project Summary:

- Owner;
- Developer;
- Representative name and company;
- Subdivision name;
- # of lots proposed;
- # of acres;
- Legal description;
- Summary of roads;
- Summary of non-motorized facilities;
- Variances requested, if any; and
- Zoning & growth policy compliance

## I. MAPS, DATA SHEETS, AND MATERIALS

As separate attachments, provide the following Maps and Data Sheets with the site clearly identified. All full-size (24" x 36") Supplemental Maps and Data Sheets shall be folded to a maximum of 9" x 12". Where appropriate, required information may be combined as long as the information is clearly presented. Use the preliminary plat as a base map where practical and feasible. Please check the box if the Supplemental Map or Data Sheet is included in the packet and state where in the packet it is located. If the item is not included in the submittal packet, please note "N/A".

- ☐ **A vicinity map** showing the subject property and the area within 1,000 feet of the subject property. Location in packet **Please see Section A**
- ☐ **A Zoning map** of the subject property and vicinity (showing the existing zoning district), extending at least 300 feet from the property boundaries. Location in packet **Please see Section A**
- ☐ **A Growth Policy/Comprehensive Plan map** of the subject property and vicinity extending at least 300 feet from the property boundaries for the applicable comprehensive plan, clearly showing the land use designation of the subject property and surrounding properties. Location in packet **Please see Section A**
- ☐ **Adjacent properties.** A map showing the relationship of the proposed subdivision to adjacent subdivisions, certificates of survey, and public or private rights of way and any other access.

Include the zoning of adjacent properties and the location of any buildings, railroads, power lines, towers, roads, and other land uses on adjacent lands. Show the names of platted subdivisions and numbers of certificates of surveys on the map. Location in packet **Please see Section A**

- ☐ **Adjacent ownership.** A map showing the ownership of adjacent lands, including lands across public and private rights of way. Location in packet **Please see Section A**
- ☐ **Certificate of survey and/or prior subdivision history** of subject property and adjacent properties. Location in packet **Please see Section A**
- ☐ **An aerial photo** of the subject property and vicinity extending at least 200 feet from the property boundaries. Location in packet **Please see Section A**
- ☐ **An existing conditions map** per Section 4-010.1B(1) including location, current land use, land cover (such as cultivated areas, paved areas), natural features (such as lakes, streams, riparian vegetation), all existing structures and improvements, and all encumbrances, such as easements. Location in packet **Please see Section A**
- ☐ **Landscaping and maintenance plans** for common areas, and boulevard plantings, as may be required. Location in packet **Please see Section A**
- ☐ **Variance requests.** If the proposed subdivision cannot comply with all subdivision standards, provide an attachment labeled "Variance Request(s)" and identify, for each standard not met, the section of the subdivision regulations for which the variance request is being sought and address the variance criteria (in Section 6-010 of the City of Missoula Subdivision Regulations) for each variance request. Location in packet **Please see Section F**
- ☐ An attachment labeled "**Neighborhood Comment and Response**," with minutes from neighborhood meetings and any comments received during the meeting(s). Location in packet **Please see Section G**

#### **J. WATER AND SANITATION**

1. Is this subdivision proposed to be served by City Water and City Sewer? ☒ Yes ☐ No
  - a. If yes, provide the municipal facilities exclusion documentation. Location in packet **The City will not provide a signed MFEC until Stage 3 approval. Discussions have already taken place with City Engineering about extending and connecting to the system. Furthermore, the City has stated there is adequate capacity for this development. For more information please see the Water and Sanitation Report in Section O .**
    - i. Nearest public water main. How far is the proposed subdivision boundary from the nearest public water main? **Approximately ~100 feet at Sommers Street and Waterside Drive**
    - ii. Nearest public sewer main. How far is the proposed subdivision boundary from the nearest public sewer main? **Sewer is onsite.**
2. If no, please provide a Water and Sanitation Report with the information for a new water supply system or new wastewater facilities required per Section 5-020.13.A through G. Location in packet  
Click or tap here to enter text.

#### **K. ENVIRONMENTAL ASSESSMENT, PRIMARY REVIEW CRITERIA REPORT, SUMMARY OF PROBABLE IMPACTS, AND SUBDIVISION REGULATION COMPLIANCE**

Montana Code Annotated (M.C.A. 76-3-603) requires the submittal of an Environmental Assessment for all major subdivision proposals and defines minimum requirements for its contents. The Environmental Assessment must address the requirements of M.C.A. 76-3-603, and clearly demonstrate that the proposed subdivision will have no adverse impacts on agriculture, agricultural water user facilities, local services, natural environment, public health and safety, wildlife and wildlife habitat, or the report must identify the adverse impacts and describe proposed avoidance and mitigation efforts that will be used to reasonably minimize potentially significant adverse impacts. Provide a narrative that addresses each Section of the

Environmental Assessment. In addition, respond to the following questions which address the primary review criteria. Where requested, provide maps and data sheets. Where appropriate, required information may be combined as long as the information is clearly presented. Where a plan is required, use the preliminary plat as a base map if practical and feasible.

Per M.C.A. 76-3-603, an Environmental Assessment must accompany the preliminary plat and must include the following information. For your reference, the bulleted list below summarizes the Environmental Assessment requirements that will be fully satisfied by completing Parts 1 through 6 of this Section.

- **Environmental description.** Provide a narrative that describes: Location in packet **See Parts 3 and 4 below for a full detailed breakdown.**
- Every body or stream of surface water that may be affected by the proposed subdivision,
- Available groundwater information,
- Topography,
- Vegetation, and
- Wildlife use within the area of the proposed subdivision.
- **Probable impacts.** A summary of the probable impacts of the proposed subdivision based on the primary review criteria described in M.C.A. 76-3-608; Location in packet **See Part 5 below for a full detailed breakdown**
- **A community impact report** containing a statement of anticipated needs of the proposed subdivision for local services, including education and school bus routes; Mountain Line bus routes, roads and maintenance; water, sewage, and solid waste facilities; and fire and police protection (per MCA 76-3-603(c)); See Section 6; Location in packet **See Part 6 below for a full detailed breakdown**
- **Coordination of roads.** A description that explains how the subdivision provides for coordination of roads within subdivided land with other roads, both existing and planned (per MCA 76-3-603(d) and MCA 76-3-501); Location in packet **See Part 6 below for a full detailed breakdown**
- **Land dedication.** A description of the dedication of land for roadways and for public utility easements (MCA 76-3-501(3)); Location in packet **Please see Part 6 of this document below. For more clarification, see the Aspire Pre-Plat located in Section A of this application.**
- **Road improvements.** A description of the proposed improvements of roads (MCA 76-3-501(4)); Location in packet **Please see Part 6 of this document below. For more clarification, see the Aspire Road Plans located in Section A of this application.**
- **Open space.** A description of how the subdivision provides adequate open space for travel, light, air, and recreation (MCA 76-3-501(5)); Location in packet **Please see Part 6 of this document below. For more clarification, see the Aspire Pre-Plat and Landscaping Plan located in Section A.**
- **Sanitation.** A description of sanitary facilities (MCA 76-3-501(7)). The applicant may cross- reference Section J, the Water and Sanitation Report, and other relevant areas of the application; Location in packet **Please see Part 6 of this document below. For more clarification, see the Water and Sanitation Report in Section O of this application.**
- **Congestion.** A description of the proposed subdivision's mitigation measures to avoid or minimize congestion (MCA 76-3-501(8)); Location in packet **Please see Section 6 of this document below and recommendations from the Traffic Study in Section L of this Application**



- **Avoidance of impacts.** A description of how the proposed subdivision will avoid unnecessary environmental degradation and danger of injury to health, safety, or welfare by reason of natural hazard, including but not limited to fire and wildland fire, or the lack of water, drainage, access, transportation, or other public services, or that would necessitate an excessive expenditure of public funds for the supply of services (MCA 76-3-501(9)). Location in packet  
**See Part 6 below for a full detailed breakdown**

1. **IMPACT ON AGRICULTURE:** Answer the questions below. In addition, provide a narrative that identifies the adverse impacts and describe proposed avoidance and mitigation efforts that will be used to reasonably minimize potentially significant adverse impacts to agriculture. Location in packet **According to the Natural Resources Conservation Service (NRCS), most of the property is located on soil classified as Alberton Very Fine Sandy Loam, 0 to 2 percent slopes, which is prime farmland if irrigated. No agricultural production has occurred on the property for 4 years. The proposed subdivision will eliminate ~20 acres of previously utilized agricultural land that exclusively grew grass hay. No meaningful production of food or livestock has occurred on the property. Agriculture remains a relevant and important component to the Missoula County economy and community; however, much of the surrounding area is already developed with urban residential properties that are less than a half-acre in size. Due the property being surrounded by an urban environment, it has become increasing difficult to bring the needed farm equipment to the site to farm efficiently, this has resulted in the lack of any agricultural production for the property and will continue to do so. The nearby residential lots in the area have successfully integrated away from agriculture operations without causing known significant impacts. The development of this particular property would not significantly change the localized agricultural patterns of the area, which occur predominately away from this location.** Agricultural land includes land used for agriculture or having a soil type defined by the Natural Resources Conservation Service as having agricultural importance, including prime farmland, prime farmland if irrigated, farmland of statewide importance, and farmland of local importance.

- a. **Agriculture production.** Is the proposed subdivision located on land currently or previously used for agricultural production? ☒ Yes ☐ No

If yes, identify the number of acres in production on a map. Location in packet **N/A The property is not currently in production. The property is not currently in production, and will remain so regardless of development**

- b. **Description in the Narrative.**

Location in packet Click or tap here to enter text.

- i. Describe the productivity of the land and whether the subdivision would remove from production any agricultural or timber land. **The site had previously been used for hay production. The property has sat idle for multiple years with no agricultural use. With little to no production in recent years, primarily used as a lot for single-family residences. This development will not remove any agricultural land from production because it is currently not used for that purpose and will not be brought back into production due to its urban environment. The status will remain the same developed or undeveloped.**
- ii. Describe agricultural operations and other uses of land on the adjacent property. **The adjoining lands to the north and west are residential. The adjoining land to the south is Interstate 90 and to the east is the Clark Fork River.**
- iii. Describe what measures will be taken, if any, to control family pets. **Agricultural land production is very limited due to the urban location of this subdivision. Interaction of pets with the adjacent agricultural area will be similar to the existing developments adjacent to the property. The Covenants will place restrictions on homeowners to control pets. See Section E**



- vi. Describe any existing fence lines around the subdivision boundary, which protect agricultural lands under an ownership other than that of the subdivider, and describe any measures which will be taken to ensure that the owners of the subdivision will share with the owner of the agricultural lands in the continued maintenance of the fence. **Fence maintenance will be the responsibility of each lot owner. As no agricultural production will be occurring in the area due to the urban setting of the surrounding land. Any maintenance will be per development covenants as described in Section E**
- c. **Soil type.** Is the proposed subdivision located on land with a soil type defined by the Natural Resources Conservation Services (NRCS) as having agricultural importance (Prime, Prime if Irrigated, Statewide or Local Importance)? ☒ Yes ☐ No

If yes, which type(s)? Location in packet **Prime if irrigated**

- i. **Soils map.** If yes, identify each area on a copy of the preliminary plat and provide a Soils Map and Table from the Soil Survey, published by the U.S. Department of Agriculture, the Natural Resources Conservation Service, and the Forest Service, showing the soil type(s) found within the proposed subdivision. Location in packet **See Section H for Soil Map**
- ii. **Soils assessment.** Provide a soils assessment per Section 5-020.14M. Location in packet **See Section H for Soil Map**
- iii. **Sewer and zoning.** If the soil type is defined as Prime or Prime if Irrigated, is the subdivision proposing or required to connect to sewer, or is the property unzoned? **The Subdivision will connect to sewer.**
- iv. **Irrigation.** If the soil type is defined as Prime if Irrigated, is the property served by an existing, developed irrigation system or water right, including wells and adjacent irrigation ditches? **The Subject property has three different water rights consisting of two separate groundwater certificates and one surface water statement of claim from the Clark Fork River. The water rights have not been exercised for many years and there are no conveyance structures for the use of the water rights.**

2. **IMPACT ON AGRICULTURAL WATER USER FACILITIES:** Answer the questions below. In addition, provide a narrative that identifies the adverse impacts and describe proposed avoidance and mitigation efforts that will be used to reasonably minimize potentially significant adverse impacts to agricultural water user facilities. Location in packet **The property does not have any agricultural water conveyance structures. There is an irrigation well that holds exclusive water rights for the property owner to use but is not part of a larger shared system with other users. The Clark Fork River adjacent to the property provides immense irrigation water to downstream users but will remain unchanged as part of this subdivision. No adverse impacts have been identified to agricultural water user facilities as a result of this subdivision. See end of Section C for Water Right Abstracts.**

- a. **Location.** Is the subdivision located on land with agricultural water user facilities or adjoining an agricultural water user facility? ☒ Yes ☐ No
  - i. If yes, describe the facilities (irrigation ditch, well, etc.). Location in packet **The Clark Fork River adjacent to the property provides immense irrigation water to downstream users but will remain unchanged as part of this subdivision.**
- b. **Ditches.** Are any irrigation ditches located on or adjacent to the property? ☐ Yes ☒ No
  - i. If yes, provide the name and contact information for the responsible ditch company. [Click or tap here to enter text.](#)
  - ii. If yes, do you intend to provide access to the irrigation ditch for all lots? [Click or tap here to](#)

enter text.

1. If no, if the average lot size in the proposed subdivision will be one acre or less, provide for disclosure notifying potential buyers that lots within the subdivision are classified as irrigated land and may continue to be assessed for irrigation water delivery even though the water may not be deliverable to the lots.
- c. **Abandonment or transfer of water rights.** Does the subdivision involve the abandonment or transfer of water rights from the property being subdivided?  
☒ Yes   ☐ No
  - i. If yes, provide documentation that the water rights have either been removed from the land or that the process has been initiated to remove the water rights from the land. **As these water rights have significant value to the property should the proposed subdivision be denied, this process will take place as a Condition of Approval after the Preliminary Plat has been approved.**
  - ii. If yes, the fact the water rights have been or will be removed from the land within the subdivision shall be denoted on the preliminary plat. Location in packet **The Preliminary Plat is located in Section A of this Application.**
  - iii. If no, the subdivider shall, unless otherwise provided under separate written agreement or filed easement, show on the preliminary plat, ditch easements for the unobstructed use and maintenance of existing water delivery ditches, pipelines, and facilities in the proposed subdivision that are necessary to convey water through the subdivision to lands adjacent to or beyond the subdivision boundaries in quantities and in a manner that are consistent with historic and legal rights. A minimum width of 10 feet is required on each side of irrigation ditch canals and ditches for maintenance purposes, unless a lesser width is agreed to by the owner of the ditch right. Location in packet [Click or tap here to enter text.](#)
- d. **Removal of facilities.** Does the subdivision involve the abandonment or removal of agricultural water user facilities? **No. There are no conveyance structures that provide water for irrigation or stock watering to agricultural lands for the production of agricultural products on the property. The water rights will be severed from the property but are not considered water user facilities by definition.**
- e. **Maintenance.** Will the proposed subdivision or associated improvements alter access for maintenance of agricultural water user facilities? **No. There are no facilities to maintain and there are no other water users who have legal access to these points of diversion. See end of Section C for existing Water Right Abstracts. The subdividers names are the only ones listed on the water right.**
- f. **Water availability.** Will the proposed subdivision or associated improvements alter the movement or availability of water? **No. There are no facilities that provide movement of water. Furthermore, there are no other water users who have legal access to these points of diversion.**
- g. **Disturbance.** Will any proposed construction disturb an existing irrigation ditch or well or result in any changes to agricultural water use? **No. There are no facilities that provide movement of water.**
3. **IMPACT ON NATURAL ENVIRONMENT:** Answer the questions below. In addition, provide a narrative that identifies the adverse impacts and describe proposed avoidance and mitigation efforts that will be used to reasonably minimize potentially significant adverse impacts to the natural environment. Location in packet **This project will have very little impact to the community wide Natural Environment. All water and sewer processing will be facilitated offsite and transported to or from the project via main lines. All stormwater up to a 100-year storm event will be processes onsite and not hinder any**

surface water or neighboring properties. The project does border the Clark Fork River. In order to mitigate impacts to the river a 50' riparian buffer dedicated to the public will be placed along the length of the river. No modifications to the natural stream bank will be made. Currently the property is surrounded by mostly developed neighborhoods that are not conducive to wildlife or wildlife corridors making the property not very productive wildlife habitat. The property will turn an abandoned hay field into a city neighborhood, but the overall impacts to the area wide natural environment will be very low due to the infill location of the project.

a. **Public lands**

i. Is the subdivision proposal adjacent to public lands? ☒ Yes ☐ No

1. If yes, how will the proposed subdivision affect adjacent public land uses? **The subdivision is located adjacent to the Clark Fork River. Any property below the high-water mark is considered public land. Currently, the property is privately held and there is no direct public access to the river on the property. As part of this subdivision, Aspire will provide four (4) access points and 50' of additional frontage to this valued public land. A trail along the riverbank will also provide the public immense access to the river that was not accessible prior.**
2. If yes, describe any applicable land management policies of any public lands adjacent to or near the proposed subdivision. **As the Clark Fork River there are numerous management policies that exist. These vary from the Montana Fish Wildlife and Parks, the Montana DNRC and DEQ, Missoula County, FEMA, as well as several other government agencies. Other recommendations and best practices exist from numerous organizations such as the Clark Fork Coalition, Trout Unlimited, the Water Conservation District, and other groups large and small. With in these regulations and recommendations there are many different polices that conflict with each other or prioritize different values. In order to stay away from the pitfalls of contradictions, Aspire Subdivision will provide a 50' buffer to the river as well as not work or change any area within the floodway or stream bed.**
3. If yes, describe how access to public lands will be affected by this subdivision. **Currently there is overland access to the Clark Fork through this Subdivision. Access will be enhanced to public property by use of a proposed 50' set back dedicated to the public with a trail for pedestrian use. Multiple connection/access points will provide connectivity to the Missoula trail and allow opportunity for river access throughout the proposed subdivision.**

b. **Historical features**

- i. Are there are any known historic, paleontological, archaeological or cultural sites, structures or objects on or within a half-mile of the proposed subdivision? ☒ Yes ☐ No
  1. If yes, identify any known historical, paleontological, archaeological or cultural sites, structures and/or objects within a half-mile of the proposed subdivision, provide a site map identifying these features which may be affected by the proposed subdivision and describe any plans to protect such sites or properties. Location in packet **Please see Section K for the full Heritage Report from both MT SHPO and Western Culture. There are no recommendations to protect any historically significant features on the property, and there are no plans within the development to protect any existing features.**
  2. If yes, discuss the impact of the proposed development on any historic features, and the need for inventory, study and/or preservation with the State Historic Preservation Office (SHPO). Provide a written statement outlining any recommendations of SHPO and any plans for inventory, study and/or preservation and any mitigation planned to

overcome any adverse impacts. Location in packet **The existing features onsite have no recommendations from either MT SHPO, or the full heritage study provided by Western Cultural to be protected, historical or modern. The existing buildings onsite are planned to be removed as they are not deemed historically significant. Please see section K. for full reports.**

c. **Water rights**

- i. Have the water rights been severed from the subject property? ☐ Yes ☒ No

d. **Groundwater**

- i. Does high seasonal groundwater rise within 15 feet of the surface of the property?  
☐ Yes ☒ No
1. When evidence of high groundwater or unstable soil is present, provide a groundwater drainage mitigation plan prepared by a licensed professional engineer to mitigate the problem. The plan shall include, but not be limited to, measures to prevent the migration of groundwater through water, sewer and drainage trenches. Location in packet **N/A.**
- ii. What are the maximum and minimum depths to the water table, and on what dates were those depths determined? **Well data indicates that the static water level is approximately 25'-30' below existing grade. See the Geotechnical Report in Section M for more detail**
- iii. What is the depth of aquifers and aquifer recharge areas from the surface of the property? **As stated above, the aquifer is approximately 25'-30' below existing grade. For additional information, please see the Geotechnical Report in Section M and the preliminary grading and drainage report in Section N.**
- iv. Describe the steps necessary to avoid depletion or degradation of groundwater recharge areas. **Depletion or degradation of the groundwater recharge area is not anticipated with the proposed development as the subdivision will be connected to the City of Missoula Water System.**

e. **Surface water**

- i. **Delineated floodplain.** Is any portion of the property within a FEMA-designated 100- year or Shaded Zone X floodplain? ☒ Yes ☐ No
1. If any portion of the property is within a FEMA-designated 100-year or Shaded Zone X floodplain, provide a map with a legend showing the designated areas, and/or areas removed by FEMA through a Letter of Map Amendment. Location in packet **See Section A for FEMA floodplain map.**
- ii. **Non-delineated floodplain.** Are any proposed building sites within 20 vertical feet and 1,000 horizontal feet of a stream draining an area of 15 square miles or more and in the same drainage basin, in an area where no official floodway delineation or floodway study of the stream has been made (in accordance with 3-010.2A)? ☐ Yes ☒ No
1. If any proposed building sites are within 20 vertical feet and 1,000 horizontal feet of a stream draining an area of 15 square miles or more and in the same drainage basin, in an area where no official floodway delineation or floodway study of the stream has been made (in accordance with Section 3-010.2A), submit a Flood Hazard Evaluation Report. Location in packet **N/A. The property is located in a Delineated FEMA Floodplain. All flood prone areas have been identified and can be found in Section A**
- iii. **Mapping.** Locate on a plat overlay or sketch map all surface water and the delineated floodways that may affect or be affected by the proposed subdivision including natural water systems (streams, lakes, rivers, or marshes), artificial water systems (canals, ditches, aqueducts, reservoirs, irrigation or drainage systems), and

land subject to flooding. Location in packet **The FEMA delineated 100-year floodplain boundary has been placed on the Preliminary Plat. See Section A of this submittal for more detail.**

- iv. **Description.** Describe all surface water that may affect or be affected by the proposed subdivision including name, approximate size, present use, and time of year that water is present. Describe the proximity of proposed construction (such as buildings, sewer systems, and roads) to surface waters. Location in packet **The Clark Fork River is located east of the proposed development and flows year-round. The river varies in width with an average of roughly 200'. Flow in the river changes with the seasons but averages around 3500 cfs most of the year. A riverside trail is being proposed as part of this development. All improvements will be located outside of the FEMA designated floodplain. During construction, a Storm Water Pollution Prevention Plan (SWPPP) will be implemented to protect the Clark Fork River from run-off due to construction activity. See Section A Road and Grading Plans that include Preliminary SWPPP sheets. A recent channel migration study for the Clark Fork River has been published. Recognizing that there is a potential risk to the project from this, a more detailed discussion is attached to the end of this application.**
- v. **Wetlands.** If wetlands are present, the subdivider shall provide wetlands investigation completed by a qualified consultant using the U.S. Army Corps of Engineers' Wetlands Delineation Manual Technical Report Y-87-1 (1987 Manual). If the investigation indicates the presence of wetlands, a wetlands delineation shall be shown on the final plat. If any construction or changes are proposed which require a 404 Permit, the subdivider shall provide evidence of such permit to the planning department. Location in packet **According to the National Wetlands Inventory there are no wetlands located outside of the FEMA designated floodplain along the Clark Fork. Existing scrub along the riverbank located within the floodplain will remain in its natural state . See Wetland Exhibit in Section A of the Packet.**
- vi. **Water quality.** Please indicate which if any of the following water quality permits have been applied for and describe the reasons why these permits are required:
  - 1. 310 Permit (Local Conservation District) **The Missoula Conservation District Administrative Rules of 310 Law have been recommended by the conservation district with the current proposed plan. Should the current plan be approved a 310 permit will be applied for prior after final approved design, but before any construction shall take place. See Section Q for Riparian Resource Plan and Agency comments for Conservation Districts recommendations.**
  - 2. SPA 124 Permit (Department of Fish, Wildlife, and Parks) **An SPA 124 permit applies to any agency or division of state, county, or city government proposing a project that may affect the beds or banks of any stream in Montana. As stated above the project will not affect the bed or banks of the river. All work will be out of any Flood Plain area.**
  - 3. Floodplain Permit (City Floodplain Administrator) **Floodplain Permits are for new construction within the delineated 100-year floodplain. The floodplain along the subject property has been officially delineated as shown in Section A of this application. No new construction will take place in the floodplain.**
  - 4. Section 404 Permit, Section 10 Permit (U.S. Army Corps of Engineers) **404 Permits are required when activities that will result in the discharge or placement of dredged or fill material into water of the U.S. No Dredging or filling within the water channel, floodplain, or riparian area is proposed for this subdivision.**
  - 5. 318 Authorization (Department of Environmental Quality) [Click or tap here to enter text.](#)
  - 6. Navigable Rivers Land Use License or Easement (Department of Natural

Resources and Conservation) **Navigable Rivers Land Use License or Easement permit are required when any entity is proposing a project on lands below the low water mark of navigable waters. No construction is being proposed below the low water mark.**

f. **Vegetation and Riparian Resource Areas**

- i. **Plant types.** Describe the vegetative types by plant community, relative age, and condition. Location in packet **The development consists of mostly grasses and small areas of alfalfa. Small patches of noxious weeds exist on the outskirts of the project, mostly adjacent to the MDT ROW and the riverbank. The grasses and alfalfa appear to be in good condition with a healthy root system. See Section Q Riparian Resource Plan of this application for more information on plant types.**
- ii. **Measures to preserve existing vegetation.** Describe any measures that will be taken to preserve trees and other natural vegetation as much as possible (such as locating roads, lot boundaries, and planning of construction to avoid damaging tree cover). Location in packet **An inventory of existing vegetation was taken prior to the layout of the Aspire Subdivision. The existing riparian area along the banks of the Clark Fork River will be preserved within the open space. The open space will be treated for noxious weeds allowing the existing native vegetation to become the dominant vegetation. During the layout of the site, existing vegetation was preserved to the highest extent practicable. A few examples of this are the placement of the park and riverside trail allowing the large existing pine trees with miscellaneous smaller trees and shrubs to remain.**
- iii. **Critical plant communities.** Describe measures that will be taken to protect critical plant communities (such as keeping structural development away from these areas, and setting aside areas for open space). Location in packet **No known critical plant communities exist onsite.**
- iv. **Weeds.** Identify areas containing noxious weed growth. Describe proposed means of weed control, especially means to prevent weed growth on areas disturbed by construction. Location in packet **See Section J of this application for weed management plan**
- v. **Wetlands and riparian resource areas.** Are there any wetland and/or riparian resource areas on the property per Section 2-020.102? ☒ Yes ☐ No
  1. If Riparian Resource Areas are within or adjacent to the proposed subdivision, provide a Riparian Management Plan per the submittal requirements in Sections 3-130.3 and 5-020.14L. Show areas of riparian resource and proposed buffers on a supplemental data sheet. Location in packet **See Section Q of this application for the Riparian Resource Plan.**
- vi. **Map.** Provide a map showing the distribution of the vegetation types (such as existing trees, vegetation clusters, marsh, grassland, shrub, coniferous forest, deciduous forest, mixed forest) and critical plant communities such as stream bank or shoreline vegetation, vegetation on steep or unstable slopes, vegetation on soils highly susceptible to wind or water erosion. Location in packet **See Section Q of this application for the Riparian Resource Plan map showing applicable vegetation.**

g. **Geology / Hydrology / Soils / Slopes**

- i. **Description.** Describe the geologic, soil, or topographic conditions and any measures that will be taken to address potential problems encountered in the construction of roadways, basements, water supply trenches, sewer supply trenches, septic tank and drainfield installation, and/or underground electrical and telephone lines. Location in packet **Development and construction in East Missoula has been ongoing for over 100 years with no documented problems associated**

with roadway construction, utility construction, or home construction. The observed field conditions combined with the information offered in the NRCS Report and the Geotechnical Report indicates that the geologic and soil conditions for this subdivision should present no problems during construction of roadways and underground utility lines. The project does not include septic tank and drain field installation. Please see NRCS Report in Section H as well as the Geotechnical Report in Section M.

- ii. **Cut and fill.** Describe the location and amount of any cut or fill three (3) or more feet in depth and plans to prevent erosion and promote revegetation of those cuts and fills. Location in packet **Minimal areas within the subdivision will require 3' - 4' of fill as shown in the Grading, Drainage and Road Construction Plans attached in Section A. A Storm Water Pollution Prevention Plan (SWPPP) approved through Montana DEQ and the City of Missoula will be implemented prior to construction to prevent erosion. Revegetation of the cut/fill area will be in accordance with the Weed Management and Revegetation Plan in Section J.**
- iii. **U.S.G.S. topographic map.** Provide a detailed current U.S. Geological Survey topographic map with an outline of the subdivision clearly indicated. Location in packet **See Section A for USGS exhibit**
- iv. **Limitations map.** Provide a Geologic / Topographic Limitations Map which locates any unusual geologic, soil, or topographic condition on the property which may limit the capability for building or excavation using ordinary and reasonable construction techniques. Conditions include but are not limited to: shallow depths to bedrock, depth to aquifers and aquifer recharge areas (source: Montana Bureau of Mines and Geology Groundwater Information Center - GWIC), basin closures (Source: Department of Natural Resources, Missoula Regional Office), a high groundwater table, unstable or expansive soils, and slopes in excess of 25%. Location in packet **An existing slope category map is attached in Section A of this submittal. Areas of 25% or greater are highlighted in red. Most of the site is relatively flat, with a few bench areas, and an old railroad bed along the western boundary. These areas will be mass graded to reduce most slopes within building envelopes below 10%. A proposed mass graded slope map is located in Section A - Road Plans (21 of 22). There are no areas of 15% or greater that will have residential buildings after mass grading. There are no other Geologic or Topographic concerns associated with this development. See Section M Geotechnical Engineering Report for further detail.**
- v. **Geotechnical report.** If the proposed subdivision includes land areas with the potential for land sliding, slope instability, or high ground water, provide a report by a qualified soil or geotechnical engineer indicating the locations, character, and extent of all areas subject to land sliding, slope instability, and high ground water, and prominently designate these areas on the preliminary plat and other records of conveyance. Location in packet **See Section M Geotechnical Engineering Report for further detail.**
- vi. **Steep Slopes/Slope category map.** Does the subject property have slopes of 25% or greater? ☒ Yes ☐ No
  1. If yes, designate these areas as "No-Build Zone/Steep Slope" on the plat. Location in packet **See Plat Map in Section A.**
- vii. **Hillside density adjustment calculation worksheet.** If the subdivision has sites proposed for development located on slopes over fifteen (15) percent, submit a hillside report per the requirements in Section 5-020.14E and a density adjustment calculation worksheet per the requirements in Section 3-140.4. A hillside density adjustment calculation worksheet is available at the Development Services Office. Location in packet **All residential buildings will be on slopes less than 15%. Any slope**



greater than 15% will have a no residential building zone placed on the plat map.

4. **IMPACTS ON WILDLIFE AND WILDLIFE HABITAT:** Answer the questions below. In addition, provide a narrative that identifies the adverse impacts and describe proposed avoidance and mitigation efforts that will be used to reasonably minimize potentially significant adverse impacts to wildlife and wildlife habitat. Location in packet **The Missoula Valley contains a broad range of wildlife species that are common to western Montana. Many of these species have diverse habitats that include urban and rural subdivision areas in the valley. Although various animals undoubtedly use the area as part of their habitat at certain times of the year, there are no species of special concern that are known to use the area as part of their habitat. This property does not contain any important wildlife areas for big game winter range, nesting areas, habitat for wildlife or endangered species, or significant wetlands that would support large amounts of wildlife. A ~50' buffer from the edge of the Clark Fork River east of the subdivision is being proposed as part of the subdivision to help mitigate impacts and preserve water quality for wildlife.**
- a. **Species types.** Per Montana Fish, Wildlife, and Parks maps and data, which species of fish and wildlife use the area to be affected by the subdivision? **Animals that maybe common to the area and to this site are: Whitetail deer, black bears, ground squirrels, chipmunks, fox, coyote, skunk, raccoon, bald eagle, osprey, Kessler hawk, retail hawk, ruffle leg hawk, meadowlark, barn sparrow, starling, redwing black bird, robin, crow, mourning dove, mallard, canadian goose, merganser, a variety of teal, chickadee, painted turtle, plus many more. For a full list of species from the Montana Natural Heritage Program that may commonly inhabit the area. See Section I, and the wildlife exhibit located in Section A.**
- b. **Wildlife mitigation.**
- i. Describe any proposed measures to protect, enhance, or minimize degradation of wildlife habitat (such as keeping buildings and roads back from shorelines, setting aside marshland as open space, using a cluster development to limit development on sensitive areas). Location in packet **Development is planned for this site that was historically used as agricultural land and grassland. Care has been taken to preserve large trees on the property with designated common area. There has been no observation of significant use of land by wildlife on the property, except for small ground mammals. A 50' buffer from the Clark Fork River is proposed to protect aquatic habitat within the river as well as any riparian habitat that may exist along the river.**
- ii. Describe any proposed measures to minimize or mitigate conflicts between residents and wildlife (such as covenants that require garbage and pet food to be kept indoors). Location in packet **See Section E for covenants showing proposed measures to minimize conflicts between wildlife and residents.**
- c. **Map.** Provide a map identifying any known critical or key wildlife areas such as big game winter ranges, grizzly bear linkage corridors, waterfowl nesting areas, habitat for rare or endangered species, and wetlands and riparian resource areas per Montana Fish, Wildlife, and Park's maps and data and other appropriate resources. Location in packet **Attached in Section A of this application is a wildlife exhibit listing documented observations and potentially present animals of the area. This data is from the Montana Heritage Program who collaborates with many government agencies like the U.S Fish and Wildlife Services and Montana Fish, Wildlife and Parks to compile this data. Partners for this data collection range from state and federal agencies, local and tribal governments, to citizen organizations, private businesses, and individuals. Furthermore, attached with this application is a Riparian Resource Plan showing riparian areas in Section Q and a wetland exhibit showing wetlands in Section A.**

5. **IMPACTS ON PUBLIC HEALTH & SAFETY:** Answer the questions below. In addition, provide a narrative that identifies the adverse impacts and describe proposed avoidance and mitigation efforts that will be used to reasonably minimize potentially significant adverse impacts to public health and safety. Location in packet **No relevant concerns have been identified other than aging houses and outbuildings. The homes and outbuildings are planned for demolition. The proposed subdivision will improve public health and safety by providing ample and safe transportation routes for nonmotorized and motorized travel in the area.**
- a. **Air Stagnation Zone.** Is the property within the Air Stagnation Zone? ☒ Yes    ☐ No
  - b. **Airport Influence Area.** Is the property within the Airport Influence Area? ☐ Yes    ☒ No
    - i. If the property is within the Airport Influence Area, provide a map showing the boundaries of the Airport Influence Area with the site identified and other sub-areas (such as Runway Protection Zone (RPZ), Extended Approach and Departure Areas (EADA), and the 65 dnL noise contour). Location in packet **Project located outside of Airport Influence Area.**
  - c. **Avoidance and mitigation of hazards.** Describe avoidance or mitigation measures that are proposed to address identified hazard(s) and provide a map locating the hazards. Location in packet **No hazards have been identified.**  
Examples of health and safety hazards are:
    - i. areas containing high pressure gas lines or high voltage lines;
    - ii. land on or adjacent to Superfund or hazardous waste sites;
    - iii. land on or adjacent to abandoned landfills, mines, well, waste sites or sewage treatment plants; and
    - iv. areas identified as a high seismic hazard
  - d. **Nuisances.** If the proposed subdivision contains on-site or nearby off-site land uses that create a nuisance (such as noise, dust, smoke, or unpleasant odors), identify such nuisances and describe avoidance or mitigation measures that are being proposed to address them. Location in packet **Interstate 90 is located adjacent to the southern end of the Aspire Subdivision and may generate noise during heavy traffic periods. The proximity to the interstate also has the potential for periodic dust. The development is proposing a tree buffer along the MDT ROW as mitigation to deflect and deaden noise and reduce dust. The developers also plan to use building techniques to help reduce noise while inside the residence for homes nearer I-90. These would include things such as noise-damping windows and sound insulation. See attached Landscaping Plan in Section A. Other light pollution and residential noise is inherent to the increased population of a residential subdivision. The proposal should reduce dust and agricultural nuisances. No other nuisances for this development have been identified.**
6. **COMMUNITY IMPACT REPORT & IMPACT ON LOCAL SERVICES:** Answer the questions below. In addition, provide a narrative that identifies the adverse impacts and describe proposed avoidance and mitigation efforts that will be used to reasonably minimize potentially significant adverse impacts to local services. Location in packet **The impact from this project will be felt in a variety of ways. Additional traffic, especially on Sommers Street, will require an upgrade and will provide a higher number of trips per day onto MT Hwy 200. This upgrade will provide a full street cross-section along with pedestrian facilities to safely convey pedestrians from the proposed subdivision to MT HWY 200 for the entire community. Currently these facilities do not exist, and all pedestrian traffic must share the same small cross-section as vehicle traffic. Other areas seen as benefits to the community will be the dedication of parkland along the Clark Fork River allowing for a connection and trail from Deer Creek Road all the way to I-90 along the west bank of the**

**Clark Fork.** The addition of 1.73 acres of parkland to Canyon View Park should benefit the new community as well as the existing one. Another large impact may be the addition of enough school aged children to open the Mount Jumbo School back up. This would allow all students currently in East Missoula being bussed to Rattlesnake Elementary to return to a school in their own neighborhood. Water and sewer facilities have capacity for the development except for a small modification to the water system that the Developer recognizes and will do what they can to help. All subdivisions add additional traffic and population to an area, but with the dedication of the entire length of the Clark Fork, the additional ~1.5 acres of community park above the regulation required amount, the full upgrade to Sommers Street, and the capacity to open the Mount Jumbo school back up this project has the opportunity to provide many benefits for the surrounding community.

- a. **Transportation facilities – motorized and non-motorized.** Describe the proposed subdivision's mitigation measures to avoid or minimize congestion (MCA 76-3-501(8)); Location in packet **See Section L Traffic Impact Study for mitigation measures to avoid or minimize congestion for motorized and non-motorized transportation facilities.**
  - i. **Bridges and culverts.** Describe characteristics such as location, name, type, width, design load, and vertical clearance, of any existing or proposed bridges or culverts within the subdivision or on roads providing access to the subdivision. Location in packet **There are no existing or proposed bridges or culverts along the subdivision access roads or within the subdivision. The closest bridge is the Interstate 90 bridge located near the south western edge of the site.**
  - ii. **Non-motorized transportation facilities.** Describe existing and proposed non-motorized transportation facilities that will serve the proposed subdivision, including sidewalks and bike lanes/stripping. Location in packet **The proposed subdivision will include an 8-foot-wide gravel shared-use path along the river to provide routes for bicyclists and pedestrians. The shared-use path will connect into the existing Waters Edge trail, allowing connectivity to the Missoula Trail System. Each street within the proposed subdivision will include sidewalks for pedestrian use. Sidewalks will be constructed in accordance with the Americans with Disabilities Act (ADA) requirements for handicap accessibility. Please refer to the preliminary construction plans for a visual representation of the location of the shared-use paths and sidewalks. The upgrades to Sommers Street will include new sidewalks providing non-motorized transportation facilities to MT Hwy 200.**
  - iii. **Bus Routes.** Provide a map showing the locations of any bus stops and turnarounds for school buses and public transit, or provide a narrative description of bus routes in lieu of a map. If the project is located on an existing school bus route, show the route and the nearest bus stop relative to the proposed subdivision. If a bus stop is proposed within the subdivision, indicate the type and location on a Supplemental Data Sheet. Location in packet **Please see Bus Route Map in Section A displaying current school bus stops and Mountain Line routes.**
- b. **Street and Roads Plans.** Per City Subdivision regulations section 5-020.10 provide the following information:
  - i. Using the subdivision plat as a base map show the following: Location in packet **See the Preliminary Road Plans located in Section A of this application showing all the below requested information.**
    - 1) Street names, road classification, public or private maintenance
    - 2) Right-of-way widths
    - 3) Surface widths (boc to boc), curb/gutter, with parking lane or no parking lane
    - 4) Street grades

- 5) Sidewalk widths, landscaped boulevard widths,
  - 6) Minimum site distances and curb radii at corners
  - 7) Locations and characteristics of bridges and culverts
  - 8) Location of street lights
  - 9) Number and location of on-street parking spaces, if applicable
  - 10) For cul-de-sac streets, provide the widths of turn-around radii, minimum right-of-way widths at turn-arounds, minimum surface widths at turn-arounds and total length
  - 11) Number and location of on-street parking locations, if applicable
  - 12) Location of existing and proposed bike lanes
- ii. **Typical cross sections** including pavement and base thickness, and all road improvements for each on-site road within the subdivision and proposed half-street improvements for roads adjacent to the subdivision which serve the subdivision. Location in packet **See the Preliminary Road Plans located in Section A of this application.**
- iv. **Road profiles and cross sections** for all proposed streets and roads which have grades exceeding seven (7) % or cuts/fills exceeding three (3) feet. Location in packet **No grades will exceed 7% on any subdivision road within Aspire. See the Preliminary Road Plans located in Section A of this application for cuts/fills exceeding three feet.**
- v. **Right-of-way Easements.** Describe the dedication of land for roadways and for public utility easements or the provision for right-of-way easements per MCA 76-3- 501(3) and Subdivision Regulations Section 1-030.3C. Location in packet **All roadways and pedestrian facilities will be dedicated to the public, for public use to have and to hold forever. See the Preliminary Plat for Right-of-Way locations.**
- vi. **Cul-de-sac/Circle/Loop Streets.** Are Cul-de-sac/Circle/Loop streets proposed? ☐ Yes ☒ No  
 If Cul-de-sac/Circle/Loop streets are proposed, provide a plan meeting the standards of Section 3-020.5B and a variance request addressing the criteria in Section 6-010. Location in packet [Click or tap here to enter text.](#)
- vii. **Homezone/Woonerf.** Are Homezone/Woonerf streets proposed? ☐ Yes ☒ No  
 If Homezone/Woonerfs are proposed, provide a plan meeting the standards of Section 3-020.7 Location in packet **There are no Homezone/Woonerf streets proposed for the Aspire Subdivision.**
- viii. **Private road access.**
- 1) Does access to the property cross any private properties not owned by the subdivider or property owner? ☐ Yes ☒ No
    - a) If access to the subdivision is across private property not owned by the subdivider, provide a list labeled "Legal Access" containing the names and owners of those properties. Include documentation of perpetual legal access (including but not limited to easements, agreements, and access permits or other forms of access permission) or describe how perpetual legal access will be obtained prior to the filing of the final plat. The documentation must be sufficient to demonstrate perpetual legal access. The information must be provided for any access routes required. Location in packet **N/A.**
  - 2) Are private roads proposed? ☐ Yes ☒ No  
 If private roads are proposed, include a private road maintenance plan in a development agreement or draft covenants. Location in packet **N/A.**
  - 3) Are short courts proposed? ☐ Yes ☒ No  
 If short courts are proposed, provide a plan meeting the standards of Section 3-

020.6B and a variance request addressing the criteria in Section 6-010. Location in packet **N/A.**

c. **Traffic impact narrative:**

- i. What is the expected increase in the number of automobile trips per day that the proposed subdivision will generate? **See Section L for Traffic Impact Study** For traffic estimates, please reference the most recent edition of *Trip Generation: An ITE Informational Report*.

- 1) **Traffic study.** Submit a Traffic Study if the proposed subdivision generates 200 or more average weekday daily trips and the City Engineer requires submittal of a Traffic Study. The Traffic Study must address the current capacities of adjacent roads and nearby intersections and provide an analysis of level of service (LOS) changes that will occur as a result of the development of the proposed subdivision. Identify the adverse impacts and describe proposed avoidance and mitigation efforts that will be used to reasonably minimize potentially significant adverse impacts to transportation facilities. If the City Engineer determines that a Traffic Study is not required, submit written documentation indicating so. Location in packet **See Section L for Traffic Impact Study**

- ii. Identify all existing transportation corridors, (including bicycle and pedestrian routes) within a quarter-mile radius of the project and provide a summary describing how this project is likely to impact those transportation corridors. Location in packet **See Section L for Traffic impact Study.**

- 1) Coordination of roads. Describe how the subdivision provides for coordination of roads within subdivided land with other roads, both existing and planned (per MCA 76-3-603(d) & MCA 76-3-501 and Subdivision Regulations Section 1-030.3B). Location in packet **Aspire is located on an irregularly shaped parcel that is pinned by the Clark Fork River to the east and interstate 90 to the south providing very little opportunity for connectivity for roads. Aspire is one of the last remaining properties that is undeveloped in the immediate area and a road grid for east Missoula has been established for years with only one legal access into the property. With very little opportunity to provide connectivity and only one entrance into the site, the developer and 406 Engineering spent enormous time and effort into removing the 1' no access strip that was mistakenly added to the Waterside Drive R.O.W to the Water's Edge Final Plat. This effort has given Aspire two access points from current public R.O.Ws. Coordination of internal roads and offsite roads has been established to the fullest extent possible for this property.**

- iii. What are the planned improvements to existing public and private access roads to mitigate the impacts anticipated from this subdivision? Location in packet **The subdivision is proposing to reconstruct Sommers Street from the intersection of Highway 200 to the property, to mitigate anticipated impacts addressed in the Traffic Impact Report. Improvements include a ten-foot drive lane, eight-foot parking lane, and a five-foot sidewalk on both sides of the road centerline. See Section A, Offsite Improvements Plan for more detail. There are no improvements proposed for Waterside Drive as limited impacts were identified.**

d. **Grading and drainage plans**, including at a minimum the following information:

- i. Provide a report that addresses the following: Location in packet **See Section N for Grading and Drainage Report**
  - 1) A description of the proposed storm drainage and calculations for a 10-year frequency 1-hour storm and a 100-year frequency 1-hour storm on site and a method to mitigate adverse impacts for a 100-year frequency 1-hour storm.

- 2) Conveyance, treatment, and disposal of storm water for both on-site and off-site facilities.
- ii. Using the subdivision plat as a base map, show the following: Location in packet **See Section N for Grading and Drainage Report and Section A for Preliminary Grading, Drainage, Road Plans**
  - 1) proposed grades of all streets;
  - 2) proposed drainage facilities for all lots, blocks, and other areas (show accurate dimensions, courses and elevations);
  - 3) graded slopes;
  - 4) existing and proposed contours; and
  - 5) design for suitable drainage facilities for any surface run-off. If detention or retention areas are proposed, provide cross sections of the facilities and inlet and outlet location and elevations.
- iii. Provide a storm water pollution prevention plan (SWPP) for all lots, blocks, and other areas (show accurate dimensions, courses and elevations). Location in packet **See Section A for Preliminary Grading, Drainage, Road Plans which includes a SWPPP plan sheet.**
- iv. Submit a Slope Category Map showing grades between 5-10%, 10.01%-20%, 20.01%-25%, and over 25%. Location in packet **See Section A for a Slope Category Map.**
- e. **Utilities and Services:** Answer the questions below. In addition, provide a narrative that identifies the adverse impacts and describe proposed avoidance and mitigation efforts that will be used to reasonably minimize potentially significant adverse impacts to utilities. Location in packet **All utilities and services required already exist and provide service to the surrounding area. Connection to Aspire Subdivision will have little impact on these utilities and services.**
  - i. **Service providers.** List the following service providers and, if applicable, how the service will be provided:
    - 1) Electricity: **Northwestern Energy**
    - 2) Telephone: **Spectrum**
    - 3) Natural Gas: **Northwestern Energy**
    - 4) Cable TV/Internet Provider: **Spectrum**
    - 5) Solid Waste Collection and Disposal: **Republic Services**
  - ii. **Over-head utilities.** If any utilities are proposed to be over-head, explain why. **No overhead lines proposed.**
  - iii. **Street lighting.** Is street lighting proposed? ☐ Yes ☒ No  
If yes, who will install and maintain proposed street lighting? **No street lights proposed.**
  - iv. **Utilities Plan,** including at a minimum the following information: Location in packet **See Section A for overall Utility Plan**
    - 1) Existing and proposed utilities located on and adjacent to the tract, including: Location in packet **See Section A for overall Utility Plan**
      - a) The approximate location, size and depth of sanitary and storm sewers, or the location of septic tanks, subsurface treatment systems, replacement areas, detention/retention basins, and irrigation and storm drainage ditches.
      - b) Approximate location, size and depth of water mains, water lines, wells, and fire hydrants if within 500 feet.

- 2) Approximate location of gas lines, electric, cable TV, and telephone lines and street lights. Location in packet **See Section A for overall Utility Plan**
- v. **Water supply:** Answer the questions below. In addition, provide a narrative that identifies the adverse impacts and describe proposed avoidance and mitigation efforts that will be used to reasonably minimize potentially significant adverse impacts to water supply. Location in packet **During the pre-application meeting Missoula Water indicated that the project would be supported and will be served by the City of Missoula water system. The system is monitored and tested frequently per state law. No adverse impacts are expected for the water supply of this subdivision, except that during the pre-application meeting Missoula Water let the development team know that there is insufficient capacity for the Canyon River Subdivision should full development of Aspire occur. An upsizing of a main in the Sommers Street area should solve the problem. Missoula Water would like to incorporate a pro rata cost sharing for these upgrades as a Condition of Approval. Missoula Water also requested that any water rights associated with the property be transferred to the City. The development has no issues with transferring all water rights unless the City requires an HOA to maintain common space, then the water rights will need to be transferred to the HOA for use in the common spaces. For all associate Water Rights see the end of Section C. See Water and Sanitation Report in Section O.**
- 1) **Water system.** Identify and describe the type of water supply planned for household use (such as, an existing public or multi-family system, new public or multi-family system or individual system). Location in packet **Existing Public Water Supply - Missoula Water**
- a) Water supply via wells require well isolation zones. Provide easements for well isolation zones encroaching onto adjoining private property. Location in packet **No domestic wells proposed.**
- 2) **Nearest public water main.** How far is the proposed subdivision boundary from the nearest public water main? **There are two water mains in the immediate vicinity of the Aspire Subdivision. An existing 8" DIP watermain is located about 15' from the northern property line in Waterside Drive. The other existing watermain, an 8" PVC, is located in Sommers Street at the southern end of the property approximately 200' from the subdivision.**
- 3) **Description of use.** Describe how water will be provided for household use. **Water main extensions within the proposed subdivison. Services will be provided for each lot.**
- 4) **Capacity.** Indicate the number of gallons per day of water the proposed subdivision will require and whether the water supply is sufficient to meet the needs of the anticipated, final population of the subdivision. **The project will demand 65,000 GPD on an average day.** Are there any anticipated effects on existing water systems or wells within the area? **As discussed above, meetings have been held with Missoula Water staff and they indicated that there is adequate quality and quantity of water with ongoing upgrades associated with the entire East Missoula area. There are no anticipated adverse effects due to this subdivision.**
- 5) **State standards.** Indicate whether the plans for water supply meet the standards of MDEQ for quality, quantity and construction criteria. **As discussed above, meetings have been held with Missoula water staff and indicated that there is adequate quality and quantity of water. The proposed development will connect to Missoula Water. Missoula Water and the Montana Department of Environmental Quality (MDEQ) standards**



will be met for main extensions into the property. See the Utility Plans Included in Section A and Water and Sanitation Report in Section O the of this submittal for more detail.

- 6) **Existing public system.** If the subdivider proposes to connect to an existing water system:
  - a) Identify and describe that system. Location in packet **Missoula Water Company PWSID# 0000294**
  - b) Provide written evidence that permission to connect to that system has been obtained. Location in packet **As discussed above, meetings have been held with Missoula Water staff and they indicated that there is adequate quality and quantity of water in the system. Permission to connect to the system will be determined during the Stage 2 review.**
  - c) State the approximate distance to that system. Location in packet **An existing 8" DIP watermain is located about 15' from the northern property line in Waterside Drive.** [Click or tap here to enter text.](#)
  - d) State the cost of extending or improving the existing water system to service the proposed development Location in packet **Cost for watermain extensions into the subdivision are estimated to be \$1.2 million.**
  - e) Show that the existing water system is adequate to serve the proposed subdivision. Location in packet **As discussed above, meetings have been held with Missoula Water staff and they indicated that there is adequate quality and quantity of water in the system. Permission to connect to the system will be determined during the Stage 2 review.**
- 7) **New public system.** If a separate public water system is to be installed, describe:
  - a) Who is to install that system and when it will be completed. Location in packet **N/A.**
  - b) Who will administer and maintain the system at the beginning of subdivision development and when subdivision is completed. Location in packet **N/A.**
  - c) Provision of evidence that the water supply is adequate in quantity, quality, and dependability (75-6-102 MCA). Location in packet **N/A.**
- 8) **Individual system.** If individual water systems are to be provided, describe the adequacy of supply of the ground water for individual wells or cisterns and how this was determined. Location in packet **N/A.**
- vi. **Sewage disposal:** Answer the questions below. In addition, provide a narrative that identifies the adverse impacts and describe proposed avoidance and mitigation efforts that will be used to reasonably minimize potentially significant adverse impacts. Location in packet **The subdivision is within the Missoula Wastewater Facilities Service Area and all lots are proposed to connect to the public sewer facilities. The lots will connect via sewer service lines and gravity mains to an existing sewer lift station located at the north end of the property. Due to connection to the City of Missoula Sewer system that has adequate capacity, no adverse impacts are foreseen, and no mitigation is proposed.**
  - 1) Identify and describe the type of sewage disposal system planned for the subdivision. Location in packet **Gravity main extensions from the City of Missoula sanitary sewer system. Services will be provided to each lot. The system will gravity flow to an existing lift station near the property. See Section O, Water and Sanitation Report, for more detail.**
  - 2) How far is the proposed development boundary from the nearest public sewage system main? **City of Missoula sanitary sewer system is located on the property.**

- 3) Is the property currently wholly within a Utility Service Area Boundary and eligible to access public sanitary sewer disposal facilities? ☒ Yes ☐ No
- a) If yes, provide the Municipal Facilities exemption documentation that the property is eligible for connection to and usage of the public sanitary sewer system. Location in packet **Permission to connect to the system will be determined during the Stage 2 review.**
- b) If any portion of the property is outside the Utility Services Area Boundary, provide a copy of the City Council-approved Resolution expanding the Utility Services Area Boundary to serve the property. Location in packet **N/A.**
- vii. **Schools:** Answer the questions below. In addition, provide a narrative that identifies the adverse impacts and describe proposed avoidance and mitigation efforts that will be used to reasonably minimize potentially significant adverse impacts to schools. Location in packet **The proposed subdivision is located in the Hellgate High School, Washington Middle School, and the Rattlesnake Elementary School Districts. To determine if the proposed subdivision would adversely impact any of the schools in the area a request was sent to Russ Lodge, the interim Superintendent of Missoula County Public Schools. His response was "MCPS will be fine with the subdivision and additional students added to our District. The subdivision will be developed over a period of time and the District will be able to plan. I do not have a concern about our District's abilities to handle the subdivision and additional students." See provided email. Mitigation is provided by phasing the subdivision thus allowing time for the school districts to prepare for the future students. There is also potential that the added students to the area would allow for the Mount Jumbo Elementary School, located near the Subdivision, to reopen.**
- 1) Identify the name of the schools and school districts (elementary and secondary) that will serve the proposed subdivision. **Elementary – Rattlesnake. Middle School – Washington. High School – Hellgate. Should enough students come from this development there is the potential to open the Mount Jumbo School back up. It was decommissioned due to lack of students in the area.**
- 2) Estimate the number of school-aged children this subdivision is likely to add to the district. **Based on a multiplier range of 0.2 for Multifamily - 0.5 For Single Family. The subdivision may have anywhere from 50 to 126 school aged children at full subdivision build out. With a prediction of around 100 new students. (Source NAHB special study Feb 2017).**
- viii. **Emergency Services:** Answer the questions below. In addition, provide a narrative that identifies the adverse impacts and describe proposed avoidance and mitigation efforts that will be used to reasonably minimize potentially significant adverse impacts to emergency services. Location in packet **All though additional emergency services will be needed for this neighborhood, as an infill project, this subdivision has the ability to add needed funding through much higher tax revenue, but not stretch the district boundaries or coverage area for Emergency Services. Hopefully this becomes a benefit for all emergency services.**
- 1) Complete the table below:

	Name of service provider	Distance between service provider and proposed subdivision
Fire protection	<b>Missoula Fire Department</b>	<b>3.2 miles</b>
Police protection	<b>City of Missoula Police Department</b>	<b>4.3 Miles</b>

Ambulance	St. Patrick Hospital	4.3 Miles
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- 2) How will water supply for fire protection be provided? **Fire Hydrants will be spaced in accordance with International Fire Code and the Missoula Fire Marshal. Approval for exact hydrant locations will be reviewed in the Stage 3 City Checklist.**
  - 3) Is the property, or any portion of the property, located within a Wildland Residential Interface? ☐ Yes ☒ No
    - a) If yes, include the standards in Exhibit 6 of the Subdivision Regulations in a development agreement between the governing body and the developer or in the covenants, except in those cases when the need to protect areas of riparian resources or habitat for species of special concern outweigh the danger of wildfire. Location in packet **N/A.**
    - b) If yes, does the subdivision design include more than one access route providing ingress and egress from within the subdivision that meets the standards contained in Section 3-020.4L for providing emergency travel? Location in packet **N/A.**
  - 4) If the proposed subdivision is not within a fire district, provide an application for annexing into the appropriate fire district. Location in packet **The project is located within the East Missoula Fire District.**
- ix. **Housing:** Answer the questions below. In addition, provide a narrative that identifies the adverse impacts and describe proposed avoidance and mitigation efforts that will be used to reasonably minimize potentially significant adverse impacts to housing. Location in packet **The Our Missoula City Growth Policy designates this area as Residential Medium allowing 3 to 11 dwelling units per acre. The proposed density for the project is approximately 7 dwelling units per acre. The proposed subdivision fits the area almost exactly as outline and desired by Our Missoula City Growth Policy as well as the Missoula County Land Element Policy. The increase of buildable lots will benefit a community experiencing an extreme shortage at all levels of housing. This development should cause no potentially significant adverse impacts to housing.**
- 1) Describe the total number of dwellings anticipated by type (such as single dwelling, multiple dwelling, or mobile home). **Aspire is proposing 172 Single family lots with 1 residence on each lot, and 10 multi-family lots with an estimated 5 to 10 units per lot. A total of approximately 80 units spread between the 10 lots is proposed.**
  - 2) Estimate the market cost of the dwellings and rents for rental units in this subdivision. **Housing is estimated around \$325,000 - \$850,000 per unit depending on type. Rental units are expected to be between \$1200 - \$2600 per month.**
  - 3) What is the approximate average number of bedrooms per dwelling unit anticipated for the subdivision? **There will be 3 bedrooms on average**
  - 4) Is the subdivision planned as a second home? **No.**
  - 5) What is the expected date of full development and occupancy for this subdivision? **2035**
- x. **Parkland, Common Area & Open Space:** Provide a narrative that identifies the adverse impacts and describe proposed avoidance and mitigation efforts that will be used to reasonably minimize potentially significant adverse impacts to open space and park land. Location in packet **Currently, as private land the public benefit of the property is very low. Should the Subdivision be approved the public would gain over 4 acres of new land (1.45 acres above the minimum required) that includes access to the Clark Fork River along the full length of the property boundary. A riverside trail with four**

access points will parallel the river and will connect into the Missoula Trail System. Additional park land of over 1.7 acres will connect to the already established Canyon View Park. Mitigation has been provided by protecting over 4 acres of dedicated land for use of the public, the Weed Management and Revegetation Plan and the Riparian Management Plan which protect natural, mature vegetation already existing within the proposed parkland and common areas. These areas will result in adequate open spaces for travel, light, air, and recreation. Thus, mitigating any potentially significant adverse impacts to open space and parkland. See Section A Landscape plan and preliminary plat for more details. Per City Subdivision regulations Section 5-020.14.H, J and P and Section 3-080 provide the following information regarding parkland, common area, open space and boulevards: Location in packet See the Preliminary Plat located in Section A for parkland dedication acreage.

- 1) **Parkland Dedication Requirement:** Provide parkland dedication calculations per Section 3-080.3 and 4. The total parkland dedication requirement for the subdivision is the compilation of all the parkland required in each category below: Location in packet See the Preliminary Plat located in Section A for total parkland dedication acreage.
  - a) For lots where the zoning allows only one or two dwelling units per lot, the calculation is:
    - i) Total acreage of all lots up to 0.50 acre X 0.11 = parkland dedication in acres.
    - ii) Total acreage of all lots from 0.51 acre to 1.00 acre X 0.075 = parkland dedication in acres.
    - ii) Total acreage of all lots from 1.01 acre to 3.00 acres X 0.05 = parkland dedication in acres.
    - iv) Total acreage of all lots from 3.01 acres to 5.00 acres X 0.025 = parkland dedication in acres.
  - b) For lots of any size where the zoning allows 3 or more dwelling units and the density for the zoning is up to 10 dwelling units per acre the calculation is: 0.02 acres X max. density in units/acre X acreage of lots = parkland dedication in acres.
  - c) For lots of any size where the zoning allows 3 or more dwelling units and the density for the zoning is greater than 10 dwelling units per acre the calculation is: 0.02 acres X 10 dwelling units/acre X acreage of lots = parkland dedication in acres.
  - d) Total parkland dedication for the subdivision is the compilation of all the parkland required in each category. Location in packet See Section A Phasing Plan for each phase.
- 2) **Land Dedication or Cash-in-lieu.** Will the subdivision include a land dedication to meet the parkland dedication requirement? ☒ Yes ☐ No
  - a) If no, request cash-in-lieu per Section 3-070.7. Cash-in-lieu must be approved by City Parks and Recreation and meet the standards in the Master Parks Plan. Location in packet N/A.
  - b) If yes, does the land meet the Subdivision Design Standards in Section 3-070.8 and 9 of the City Subdivision Regulations? ☒ Yes ☐ No
  - c) If yes, does the land meet the minimum required parkland acreage per Section 3-070.3 and 4? ☒ Yes ☐ No
    - i) If no, request a combination of land dedication and cash-in-lieu per Section 3-070.6 and 7. Cash-in-lieu must be approved by City Parks and Recreation and meet the standards in the Master Parks Plan. Location in packet N/A.

- ii) If yes, will the land be improved and dedicated to the City of Missoula as a Public Park to be maintained by the City? ☒ Yes   ☐ No   Or will the land be improved, owned and maintained by the Lot Owners / Home Owner's Association as Common Area?  
☐ Yes   ☒ No
- iii) If common area, submit a maintenance plan for the common area. Location in packet  
**See attached Landscape Plan in Section A as provided for City Park dedication.**
- iv) If this is a manufactured home community or recreational vehicle park, have plans been made to develop a recreation area? ☐ Yes   ☒ No
  - 1) If yes, provide a proposed preliminary plan with as much applicable information as is required to be shown on a preliminary plat. Location in packet **N/A.**

**L. PRELIMINARY PLAT REQUIREMENTS:** Preliminary plat submittals must conform to the requirements of the Subdivision Regulations Section 5-010.1 through .4. Location in packet **See Section A for Preliminary Plat**

**From:** [Brian Throckmorton](#)  
**To:** [Sean Amundson](#)  
**Subject:** FW: Subdivision in East Missoula  
**Date:** Wednesday, April 12, 2023 11:16:05 AM  
**Attachments:** [image001.png](#)

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**Brian Throckmorton, P.E.**

406 Engineering Inc.  
(406) 579-9041 (c)  
(406) 317-1131 (o)

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**From:** Russ Lodge <rlodge@mcpsmt.org>  
**Sent:** Wednesday, April 12, 2023 11:14 AM  
**To:** Brian Throckmorton <briant@406eng.com>  
**Subject:** Re: Subdivision in East Missoula

Hi Brian,

My apologies for my delay in responding to your request. MCPS will be fine with the subdivision and additional students added to our District. The subdivision will be developed over a period of time and the District will be able to plan. I do not have a concern about our District's abilities to handle the subdivision and additional students.

Thanks,

Russ Lodge,  
Superintendent

On Thu, Apr 6, 2023 at 10:47 AM Brian Throckmorton <[briant@406eng.com](mailto:briant@406eng.com)> wrote:

Hi Russ, it has been a couple of years since we talked about the future subdivision in East Missoula and the impact of it to the school system. As part of the subdivision package that we are putting together we need to get confirmation from MCPS that the school system can handle the additional students to the district. I have attached our layout which includes 172 smaller single-family homes and around 80 multi-family units. These units are more of a townhome style with a mix of two and three bedrooms and all units have a garage. Our estimate of additional students the district around 100 at full build out. Looking at our phasing plan this most likely wouldn't occur until around 2032.

Also, we are needing a place to set up a neighborhood meeting to give the community an update on the project, and I was wondering if it would be possible to use the gym space at the Mount Jumbo School. We were hoping to have them meeting around the end of April.

Thank you and please feel free to reach out if you have any questions!

**Brian Throckmorton, P.E.**

406 Engineering Inc.

(406) 579-9041 (c)

(406) 317-1131 (o)

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**From:** Brian Throckmorton

**Sent:** Thursday, March 25, 2021 11:58 AM

**To:** [rlodge@mcpsmt.org](mailto:rlodge@mcpsmt.org)

**Subject:** Subdivision in East Missoula

Hi Russ,

Thank you for the phone call and your time today. I have attached a map of all the parcels we are including in the proposed development we are looking at in the East Missoula.

Again, with full build out of the Subdivision we would probably be looking at adding 75 to 100 school age kids to the area. This could possibly be slightly higher due to the midpoint price range of the homes that would hopefully attract more middle-aged families.

Confirmation on the possibility of opening up the Mount Jumbo School again would be a help in discussions with the community.

Thanks again for your time today!

**Brian Throckmorton, P.E.**

***Vice-President***



(406) 579-9041 (c)

(406) 317-1131 (o)

1201 S. 6<sup>th</sup> St. W. #102

Missoula, MT 59801

[406engineeringinc.com](http://406engineeringinc.com)



**Sean Amundson**

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**From:** Shane Stack <sstack@missoulacounty.us>  
**Sent:** Wednesday, January 17, 2024 3:42 PM  
**To:** Sean Amundson  
**Subject:** Accepted: Sommers Street Discussion

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## Sean Amundson

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**From:** Shane Stack <sstack@missoulacounty.us>  
**Sent:** Wednesday, January 17, 2024 2:47 PM  
**To:** Sean Amundson  
**Cc:** Brian Throckmorton; Brent O'Connor; Erik Dickson  
**Subject:** RE: Denova East Missoula Subdivision - Sommers Street Updates

That should work. I'll wait for the invitation, and we'll talk to you Monday.

Shane Stack

Missoula County Public Works

sstack@missoulacounty.us

(0) 406 258-4818

(c) 406 830-0103

---

**From:** Sean Amundson <seana@406eng.com>  
**Sent:** Wednesday, January 17, 2024 2:38 PM  
**To:** Shane Stack <sstack@missoulacounty.us>  
**Cc:** Brian Throckmorton <briant@406eng.com>; Brent O'Connor <boconnor@missoulacounty.us>; Erik Dickson <edickson@missoulacounty.us>  
**Subject:** RE: Denova East Missoula Subdivision - Sommers Street Updates

Thanks, Shane.

Does 10 am Monday work for everyone? If so, I will send out a meeting request.

---

**From:** Shane Stack <[sstack@missoulacounty.us](mailto:sstack@missoulacounty.us)>  
**Sent:** Wednesday, January 17, 2024 2:24 PM  
**To:** Sean Amundson <[seana@406eng.com](mailto:seana@406eng.com)>  
**Cc:** Brian Throckmorton <[briant@406eng.com](mailto:briant@406eng.com)>; Brent O'Connor <[boconnor@missoulacounty.us](mailto:boconnor@missoulacounty.us)>; Erik Dickson <[edickson@missoulacounty.us](mailto:edickson@missoulacounty.us)>  
**Subject:** RE: Denova East Missoula Subdivision - Sommers Street Updates

Hi Sean,  
My Monday and Tuesday are shown below. Would any of the open times work for you?

We'll want to include Erik and Brent in the discussion.

	21	22	23	24
5 AM				
6 AM		Get Emma ↻ 🔒	LMC Breakroom Shane Stack	Robin
7 AM		Weekly Work ↻		Bu Mi
8 AM		BCC-Public Worl Microsoft Teams bcc		AR Mi Shi
9 AM				Me PW
10 AM				BC Mi bcc
11 AM				Ma Mi Sat
12 PM				
1 PM			Impact Fees B ↻	Mi Mi Jac
2 PM		USRC Meeting Microsoft Teams Tara Porcari 🔒		
3 PM			Chief Officers Microsoft Teams Anne Hughes ↻	
4 PM		JS-Shane Stack Microsoft Teams bcc		
5 PM				

Thanks,

Shane Stack

Missoula County Public Works

[sstack@missoulacounty.us](mailto:sstack@missoulacounty.us)

(0) 406 258-4818

(c) 406 830-0103

**From:** Sean Amundson <[seana@406eng.com](mailto:seana@406eng.com)>

**Sent:** Wednesday, January 17, 2024 2:16 PM

**To:** Shane Stack <[sstack@missoulacounty.us](mailto:sstack@missoulacounty.us)>

**Cc:** Brian Throckmorton <[briant@406eng.com](mailto:briant@406eng.com)>

**Subject:** Denova East Missoula Subdivision - Sommers Street Updates

Hello Shane,

Brian and I are working through the preliminary designs for the update to Sommers Street. There are a few questions we would like go to over with you or your staff.

Is there a time next week we could have a quick Teams meeting? Let me know.

Thanks!

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STATE OF MONTANA  
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION  
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76M 43178-00 GROUND WATER CERTIFICATE  
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: MEADOW CREEK GROUP LLC  
1500 WILLOW PASS COURT  
CONCORD, CA 94520-1009

Priority Date: MARCH 15, 1982 at 02:15 P.M.

Enforceable Priority Date: MARCH 15, 1982 at 02:15 P.M.

Purpose (use): DOMESTIC  
LAWN AND GARDEN  
STOCK

Maximum Flow Rate: 20.00 GPM

Maximum Volume: 2.14 AC-FT

Maximum Acres: 0.50

Source Name: GROUNDWATER

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENE	24	13N	19W	MISSOULA

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: WELL

Well Depth: 72.00 FEET

Static Water Level: 50.00 FEET

Casing Diameter: 6.00 INCHES

Purpose (Use): DOMESTIC

Households: 1

Volume: 1.00 AC-FT

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SENE	24	13N	19W	MISSOULA

Purpose (Use): LAWN AND GARDEN

Volume: 1.00 AC-FT

Period of Use: APRIL 15 to OCTOBER 15

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	0.50		SENE	24	13N	19W	MISSOULA

Total: 0.50

Purpose (Use): STOCK

Volume: 0.14 AC-FT

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SENE	24	13N	19W	MISSOULA

Geocodes/Valid: 04-2200-24-1-06-10-0000 - Y

Remarks:

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 225499 RECEIVED 09/14/2021.

STATE OF MONTANA  
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION  
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76M 8499-00 GROUND WATER CERTIFICATE  
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: MEADOW CREEK GROUP LLC  
1500 WILLOW PASS COURT  
CONCORD, CA 94520-1009

Priority Date: JUNE 2, 1976 at 11:31 A.M.

Enforceable Priority Date: JUNE 2, 1976 at 11:31 A.M.

Purpose (use): DOMESTIC  
IRRIGATION

Maximum Flow Rate: 60.00 GPM

Maximum Volume: 21.00 AC-FT

Maximum Acres: 10.00

Source Name: GROUNDWATER

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENE	24	13N	19W	MISSOULA

Period of Diversion: MAY 1 TO OCTOBER 1

Diversion Means: WELL

Well Depth: 50.00 FEET

Static Water Level: 29.00 FEET

Casing Diameter: 8.00 INCHES

Pump Size: 7.50 HP

Purpose (Use): DOMESTIC

Households: 0

Volume: 21.00 AC-FT

Period of Use: MAY 1 to OCTOBER 1

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SENE	24	13N	19W	MISSOULA

Purpose (Use): IRRIGATION

Volume: 21.00 AC-FT

Period of Use: MAY 1 to OCTOBER 1

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	10.00		SENE	24	13N	19W	MISSOULA

Total: 10.00

Geocodes/Valid: 04-2200-24-1-06-10-0000 - Y 04-2200-24-1-06-20-0000 - Y

Remarks:

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 225499 RECEIVED 09/14/2021.

STATE OF MONTANA  
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION  
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76M 99386-00 STATEMENT OF CLAIM  
Version: 1 -- ORIGINAL RIGHT  
Version Status: ACTIVE

Owners: RCS LLC  
418 LAURA LOUISE LN  
BOZEMAN, MT 59718-9244

Priority Date: DECEMBER 31, 1939  
Enforceable Priority Date: DECEMBER 31, 1939

Type of Historical Right: USE

Purpose (use): IRRIGATION  
Irrigation Type: SPRINKLER

Maximum Flow Rate: 120.00 GPM

Maximum Volume: 25.00 AC-FT  
Climatic Area: 3 - MODERATE

Maximum Acres: 10.00

Source Name: CLARK FORK RIVER  
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWNW	19	13N	18W	MISSOULA

Period of Diversion: APRIL 15 TO OCTOBER 19

Diversion Means: PUMP

Period of Use: APRIL 15 to OCTOBER 19

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	10.00		W2W2NW	19	13N	18W	MISSOULA

Total: 10.00

Geocodes/Valid: 04-2201-19-1-01-04-0000 - Y

Remarks:

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

OWNERSHIP UPDATE RECEIVED

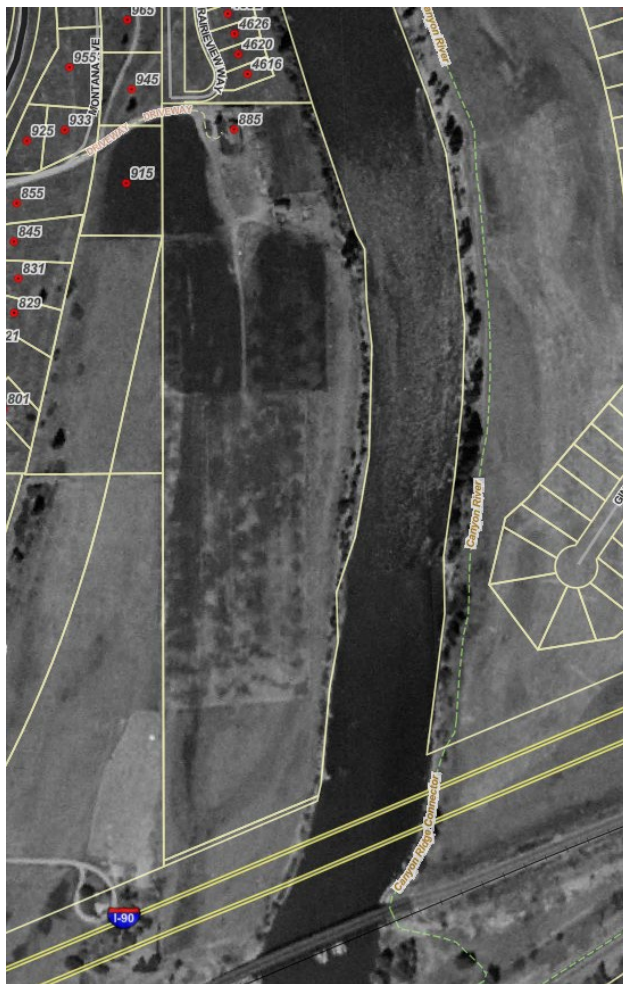
OWNERSHIP UPDATE TYPE DOR # 148987 RECEIVED 07/22/2016.

OWNERSHIP UPDATE TYPE DOR # 241076 RECEIVED 07/27/2022.

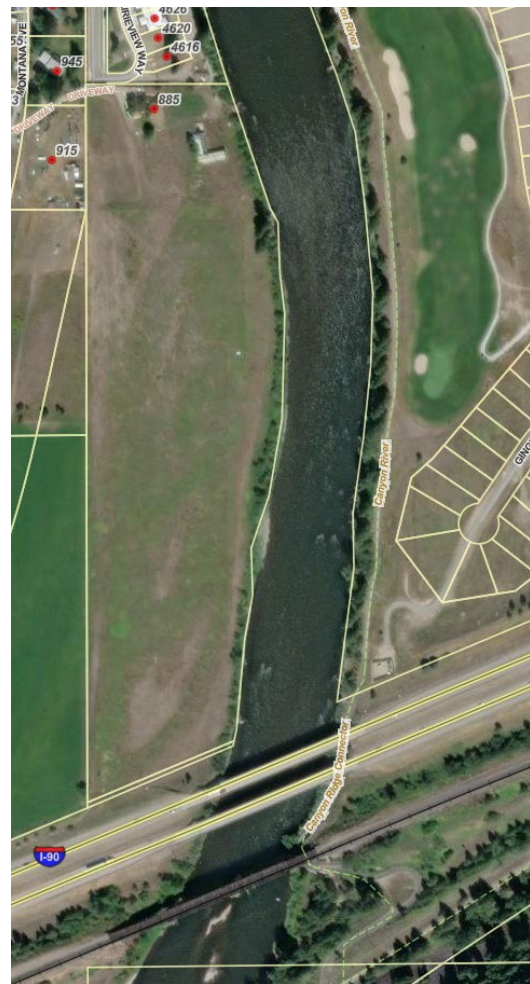


## Additional Information regarding the Missoula County Channel Migration Study

A recent study funded by the Missoula City-County Health department looked at the migration of the Clark Fork and Bitterroot Rivers through Missoula County. This study looked at large reach sections of each river (10 for the Clark Fork and 2 for the Bitterroot) to help determine a 75<sup>th</sup> percentile bank erosion extend for each section. Only areas with at least 30' of bank erosion since 1955 were put into the calculation. Aspire Subdivision sits within Reach 05 which starts at the Blackfoot river and runs to the Missoula wastewater plant. Measurable erosion (over 30') has occurred at (4) locations throughout this 9.9-mile stretch. From these measurements a 303' Erosion Hazard Area (EHA) buffer was applied to this reach. Due to the broad overlay for such a long stretch of river the report encourages individual site investigations. This development and property are one of those examples of individual site investigation versus a broad reach application for potential erosion hazard. Below are two photos showing no river movement since 1955 for this area:



*Aerial from 1955*



*Aerial from 2022*

As seen in the photos, little to no bank erosion has occurred in the past 68 years through this individual stretch of river. This is highly likely due to a few areas pointed out within the CMZ study.

- First would be the position of this relatively straight stretch of river between two close bridges. Deer Creek Road and I-90 and the railroad bridge. These bridges confine the river to a locked position, not allowing for lateral movement as it passes under them.
- Also, a relatively stable bank with active vegetation and a mature (non-floodplain) terrace material is present on both sides of the river in this section. This allows for a much slower erosion rate if any at all.

These site-specific conditions show that even though there is an EHA for the 9.9-mile reach of 303 feet, the bank erosion hazard at this location is very minimal to none. As an extra sense of caution the project is establishing a 50' buffer from the river to any property boundary and then another 10' set back to any buildings to provide a minimum of 60' of set back should any unpredicted erosion occur. Also, the project is proposing no work along the erosion line of the river as to not disturb the currently working natural armament of the bank.