

TAB 7

Tab 7 – City Subdivision and Zoning Applications

- Major Subdivision Application
- Zoning Application



DEVELOPMENT SERVICES

435 RYMAN • MISSOULA, MT 59802 - 4297 • (406) 552-6630 • FAX:

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. One submittal packet and full-sized preliminary plat is required for each Element Review submittal. The subdivider is encouraged to schedule a meeting with the case planner to submit the formal application packet for Element Review. If requested the meeting will be scheduled within 10 working days of the case planner and the subdivider's conversation regarding the Element meeting request. The Element Review period starts the day the packet is submitted to Development Services for review and the fee is paid.
3. Once the application packet is deemed complete for Element Review, one submittal packet and full-sized preliminary plat is required for Development Services staff review for each Sufficiency submittal, in addition to packets mailed to agencies identified in the subdivision agency review list. Alternatively, if an electronic packet is submitted meeting the electronic packet submission guidelines, the agency sufficiency packets can be provided electronically.
4. For each Sufficiency submittal via electronic packet, applicants will send agencies a hard copy cover letter and an electronic cover letter notifying them that the project has commenced 1st, 2nd, 3rd, etc. Sufficiency review. This letter should include a link to the subdivision packet on the DS website, review deadlines, contacts, and other information for the Sufficiency review as indicated by DS.
5. Upon completion of Agency Sufficiency Review, the application packets submitted for Planning Board and City Council 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, Planning Board and City Council review packets 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 Planning Board and City Council review must be exactly the same as the packet that was deemed Sufficient.
6. Packets for Planning Board review must be provided as hard copy packets, bound along the left edge via plastic comb, plastic coil, or similar style binding device. Single-corner staple fastening does not constitute binding of the left edge. Each packet shall contain full-sized preliminary plats and supplementary data sheets.
7. Packets for City Council review must be provided in an electronic format per the electronic packet submittal guidelines.
8. Name of proposed subdivision: **Meadow View Homes**
9. Name(s) of Subdivider: **Meadowview Partners, LLC (Larry Kine and Dave Swisher)**
Mailing Address: **250 NW Franklin Ave Ste 401 Bend, OR 97703**
Telephone Number: **(541) 788-8971 (Dave)**
Email Address: **dave@daveswisher.com, larrykine@gmail.com**
10. Name(s) of Owner of Record: **Same**
Mailing Address:
Telephone Number:
Email Address:
11. Name and Company of Representative: **Ron Ewart, Professional Consultants, Inc.**

Mailing Address: 3115 S. Russell Street Missoula, MT 59801
Telephone Number: (406) 728-1880
Email Address: rone@pcimontana.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.

SAME AS BELOW

Applicant's Signature

Date

Dave Swisher

Dave Swisher (Dec 5, 2023 17:12 PST)

Owner's Signature

Date

Ron Swart, PCI

12-5-23

Representative's Signature

Date

*LAST UPDATED 3-19-24
6-14-24*

B. SUBJECT PROPERTY INFORMATION

General location of subdivision and address (if address has been assigned): West of Hillview Way and north of Clearview Way- existing home located at 4824 Clearview Way

Legal Description - complete and unabbreviated: The proposed subdivision is in 3 existing parcels:

- 1) Tract 1, C.O.S. No. 4969 (27.39 ac.)
- 2) Deed Exhibit 1170, in the SW ¼ NE ¼ S.6 T. 12N., R.19W. (4.0 ac.)
- 3) Tract A, C.O.S. No. 6904 (.08 ac./3578 s.f.)

Township, Range, Section(s): **E 1/2 S. 6, T.12N.,R.19W.**

Subdivision, Lot(s), Block(s): **See Legal Description**

Tract(s), COS#: **See Legal Descriptions**

Geocode: **1) 04-2093-06-4-03-01-0000, 2) 04-2093-06-1-16-17-0000, 3) 04-2093-06-4-03-03-0000**

Number and type of lots proposed: **97 single family residential lots**

Average Lot Size: **0.175 ac. or 7660 s.f.**

Median Lot Size: **Approx. 7600 s.f.**

Total acreage of subdivision: **31.47 AC.**

Total net acreage of lots within the proposed subdivision: **17.06 ac.**

Total acreage in streets and roads: **7.70 ac.**

Total acreage in parks or common area: **6.71 ac.**

Gross Density: **3.08 d.u./ac.**

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
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Adjacent (North)	PUD Homesteads and RT10	2FR, SFR to NW, Open Space City Park and vacant directly north
Adjacent (South)	RM1-35 PUD Elk Hills	SFR, 2FR
Adjacent (East)	RM1-35	Vacant and Hillview Way
Adjacent (West)	R8	Group Living and Clearview Village 2FR Condominiums

2. Is the property zoned? **Yes**
 - a. If yes, what is the current zoning of the property? **R40**
 - b. If yes, provide a zoning map (if available). 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. Zoning Map provided- not split zoned- Tab 3
 - c. If yes, provide a copy of the zoning district standards which apply to the proposed subdivision. Zoning District standards for RT5.4 are in Tab 3
 - d. If yes, describe how the project complies with the existing zoning district. **Does not comply with the existing zoning district and therefore we are requesting a rezoning to RT5.4**
3. Do you intend to zone the property, or will the property have to be re-zoned to allow for this development? **Yes**
 - a. If yes, what is the proposed zoning for the subject property? **RT5.4**
 - 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. In packet- Tab 7
4. Will this property be required to be annexed into the City? **N/A**
 - a. If yes, what zoning district does the City Council intend to apply upon annexation?
 - b. If yes, provide a copy of the Resolution of Intent to Annex approved by City Council.
5. Is the property within the Urban Growth Area? **Yes**
6. Which comprehensive plan(s) of the Missoula City Growth Policy apply to this property? **2015 Missoula Urban Area Future Land Use Plan**
7. What is the current land use designation for this property, as indicated in the applicable comprehensive plan? **Residential Medium Density- 3 to 11 units per acre.** Provide a map of the land use designation and legend from the applicable comprehensive plan / growth policy. In packet- Tab 3
8. Describe how the project complies with the land use designation and the goals and policies of the Growth Policy. **The proposal will amount to 3.02 units per acre, at the far low end of the 3-11 per acre range.**
9. Is a Planned Unit Development proposed? **No** If a Planned Unit Development is proposed, provide additional submittal requirements per Section 3-120.2.

E. CLUSTER AND CONSERVATION DEVELOPMENT

1. Is Cluster and Conservation Development per Section 3-180 proposed? **No**
 - a. If yes, provide additional submittal requirements described in Section 3-180.

F. PHASING

1. Is this subdivision proposed to be developed in phases? **Yes**
If yes, provide a phasing plan per Section 4-070.2 & 4-070.3 (and optional Phasing Plan Narrative) which indicates the following:
 - a. each phase of the subdivision numbered in the order in which they are proposed to be filed;
 - b. which lots and which improvements will occur in each phase;

- c. a legend that lists each phase and specific final plat filing deadline for each phase, including the month, day and year that each phase will be submitted for final plat review; and,
- d. the amount of parkland dedication required for each phase and the amount provided for each phase.
- e. If the Phasing Plan is in color, also number each phase directly on the platted areas.

See Phasing Plan, Tab 1, and narrative in Summary. The month, day and year of the filing deadlines will be dates beyond the exact date of preliminary plat approval. Phase 1 will be filed within 3 years of preliminary plat approval; Phase 2 would be filed within 5 years of preliminary plat approval, Phase 3 within 7 years, Phase 4 within 9 years, and Phase 5 will be filed within 11 years of the exact date of preliminary plat approval.

G. COVENANTS AND/OR HOMEOWNER'S ASSOCIATION

1. As a separate attachment, provide proposed draft covenants and restrictions to be included in deeds and contracts for sale.
2. Is common property to be deeded to a property owner's association? **Yes**
If common property is to be deeded, provide draft covenants and restrictions per Section 5-020.14K. **In packet- Tab 5**
2. Are there existing or proposed covenants and/or a homeowner's association? **Yes**
If yes, provide existing 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 packet- Tab 5**
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

As a separate attachment labeled "*Project Summary*" and included at the beginning of the submittal packet, provide a narrative description of the proposed project and existing site conditions.

Summarize the following information:

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

In packet- Tab 2

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. **Tab 3**
- ☒ **A Zoning map** of the subject property and vicinity (showing the existing zoning district), extending at least 300 feet from the property boundaries. **Tab 3**
- ☒ **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. **Tab 3**

- ☒ **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. **Tab 3**
- ☒ **Adjacent ownership.** A map showing the ownership of adjacent lands, including lands across public and private rights of way. **Tab 6**
- ☒ **Certificate of survey and/or prior subdivision history** of subject property and adjacent properties. **Tab 3**
- ☒ **An aerial photo** of the subject property and vicinity extending at least 200 feet from the property boundaries. **Tab 3**
- ☒ **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. **Tab 3**
- ☒ **Landscaping and maintenance plans** for common areas, and boulevard plantings, as may be required. **Tab 5 (Covenants and Appendix A), Plan Sheet 16 Tab 1- Street Tree Plan)**
- ☒ **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. **Tab 2**
- ☒ An attachment labeled "**Neighborhood Comment and Response**," with minutes from neighborhood meetings and any comments received during the meeting(s). **Tab 6**

J. WATER AND SANITATION REPORT

The State of Montana [MCA 76-3-622] requires subdividers to provide the following water and sanitation information for any new subdivision that will include a new water supply system or new wastewater facilities. In compliance with this law, attach a separate document entitled "Water & Sanitation Report" which contains the following:

- ☒ 1. **Map.** A vicinity map or plan that shows:
 - a. The location, within 100 feet outside of the exterior property line of the subdivision and on the proposed lots, of flood plains; surface water features; springs; irrigation ditches;
 - b. Existing, previously approved, and, for parcels fewer than 20 acres, proposed water wells and wastewater treatment systems; for parcels less than 20 acres, mixing zones;
 - c. The representative drain-field site used for the soil profile description; and
 - d. The location, within 500 feet outside of the exterior property line of the subdivision, of public water and sewer facilities.
- ☒ 2. **Description.** A description of the proposed subdivision's water supply systems, storm water systems, solid waste disposal systems, and wastewater treatment systems, including the following:
 - a. Whether the water supply and wastewater treatment systems are individual, shared, multiple user, or public as those systems are defined in rules published by the Montana Department of Environmental Quality (DEQ).
 - b. If the water supply and wastewater treatment systems are shared, multiple user, or public, a statement of whether the systems will be public utilities as defined in 69-3-101, MCA and subject to the jurisdiction of the public service commission or exempt from public service commission jurisdiction and, if exempt, an explanation for the exemption.
 - c. If the water supply is provided by a multiple user water supply system, per Section 3-070, submit the system design prepared by a professional engineer to comply with design and construction requirements for public water supply systems specified by rules adopted pursuant to MCA Title 75, Chapter 6.

- ☒ 3. **Lot layout.** A drawing of the conceptual lot layout at a scale no smaller than 1 inch equal to 200 feet that shows all information required for a lot layout document in rules adopted by the Montana Department of Environmental Quality pursuant to 76-4-104, MCA.
- ☒ 4. **Suitability.** Evidence of suitability for new on-site wastewater treatment systems that, at a minimum, include:
 - a. A soil profile description from a representative drain-field site identified on the vicinity map that complies with standards published by the Montana Department of Environmental Quality;
 - b. Demonstration that the soil profile contains a minimum of 4 feet of vertical separation distance between the bottom of the permeable surface of the proposed wastewater treatment system and a limiting layer; and
 - c. In cases in which the soil profile or other information indicates that ground water is within 7 feet of the natural ground surface, evidence that the ground water will not exceed the minimum vertical separation distance of 4 feet.
- ☒ 5. **Water quantity.** For new water supply systems, unless cisterns are proposed, evidence of adequate water availability:
 - a. obtained from well logs or testing of onsite or nearby wells;
 - b. obtained from information contained in published hydro-geological reports; or
 - c. as otherwise specified by rules adopted by the Montana Department of Environmental Quality pursuant to 76-4-104, MCA.
- ☒ 6. **Water quality.** Evidence of sufficient water quality in accordance with rules adopted by the Montana Department of Environmental Quality pursuant to 76-4-104, MCA.
- ☒ 7. **Impacts to groundwater quality.** Preliminary analysis of potential impacts to ground water quality from new wastewater treatment systems, using as guidance rules adopted by the board of environmental review pursuant to 75-5-301, MCA and 75-5-303, MCA related to standard mixing zones for ground water, source specific mixing zones, and non-significant changes in water quality. The preliminary analysis may be based on currently available information and must consider the effects of overlapping mixing zones from proposed and existing wastewater treatment systems within and directly adjacent to the subdivision. Instead of performing the preliminary analysis, the sub-divider may perform a complete non-degradation analysis in the same manner as is required for an application that is reviewed under Title 76, Chapter 4.

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. All maps and data sheets shall be folded to 8½" x 11". 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:
 - 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;
- **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;
- **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);
- **Land dedication.** A description of the dedication of land for roadways and for public utility easements (MCA 76-3-501(3));
- **Road improvements.** A description of the proposed improvements of roads (MCA 76-3-501(4));
- **Open space.** A description of how the subdivision provides adequate open space for travel, light, air, and recreation (MCA 76-3-501(5));
- **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;
- **Congestion.** A description of the proposed subdivision's mitigation measures to avoid or minimize congestion (MCA 76-3-501(8)); and
- **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)).

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. 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. **See Summary**

- a. **Agriculture production.** Is the proposed subdivision located on land currently or previously used for agricultural production? **Yes**
If yes, identify the number of acres in production on a map. Approx. 20 acres was used for livestock and farm animal grazing in the past.
- b. **Description.**
 - i. Describe the productivity of the land and whether the subdivision would remove from production any agricultural or timber land. **The property could be used as fairly productive ag land**
 - ii. Describe agricultural operations and other uses of land on the adjacent property. **None**

- iii. Describe what measures will be taken, if any, to control family pets. **Proposed covenants and city ordinance prohibits allowing dogs off leash or to roam.**
- 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. **Not applicable, as there are not adjacent agricultural lands under other ownership.**

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)? **No**

If yes, which type(s)?

- 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. See Soils Report Tab 11
- ii. **Soils assessment.** Provide a soils assessment per Section 5-020.14M. See Geotech Report- Tab 9
- 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?
N/A
- 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? **N/A**

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.

See Summary. No impacts foreseen.

- a. **Location.** Is the subdivision located on land with agricultural water user facilities or adjoining an agricultural water user facility? **No**
 - i. If yes, describe the facilities (irrigation ditch, well, etc.).
- b. **Ditches.** Are any irrigation ditches located on or adjacent to the property? **No**
 - i. If yes, provide the name and contact information for the responsible ditch company.
 - ii. If yes, do you intend to provide access to the irrigation ditch for all lots?
 - 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? **N/A**
 - 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.
 - 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.
 - 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.

- d. **Removal of facilities.** Does the subdivision involve the abandonment or removal of agricultural water user facilities? **N/A**
- e. **Maintenance.** Will the proposed subdivision or associated improvements alter access for maintenance of agricultural water user facilities? **N/A**
- f. **Water availability.** Will the proposed subdivision or associated improvements alter the movement or availability of water? **N/A**
- g. **Disturbance.** Will any proposed construction disturb an existing irrigation ditch or well or result in any changes to agricultural water use? **N/A**

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.

Summary

a. Public lands

- i. Is the subdivision proposal adjacent to public lands? **No**
 - 1. If yes, how will the proposed subdivision affect adjacent public land uses?
 - 2. If yes, describe any applicable land management policies of any public lands adjacent to or near the proposed subdivision.
 - 3. If yes, describe how access to public lands will be affected by this 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? **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.
 - 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.

c. Water rights

- i. Have the water rights been severed from the subject property? **No**

d. Groundwater

- i. Does high seasonal groundwater rise within 15 feet of the surface of the property?
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.
 - ii. What are the maximum and minimum depths to the water table, and on what dates were those depths determined?
 - iii. What is the depth of aquifers and aquifer recharge areas from the surface of the property?
 - iv. Describe the steps necessary to avoid depletion or degradation of groundwater recharge areas. **Use of City water and sewer will not deplete or degrade groundwater recharge areas.**
- e. **Surface water**
- i. **Delineated floodplain.** Is any portion of the property within a FEMA-designated 100-year or Shaded Zone X floodplain? **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.
 - 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)? **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.
 - 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. No surface waters on or near the property.
 - 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. **No surface waters on or near the property.**
 - 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. **N/A**
 - 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: **N/A**
 1. 310 Permit (Local Conservation District)
 2. SPA 124 Permit (Department of Fish, Wildlife, and Parks)

3. Floodplain Permit (City Floodplain Administrator)
4. Section 404 Permit, Section 10 Permit (U.S. Army Corps of Engineers)
5. 318 Authorization (Department of Environmental Quality)
6. Navigable Rivers Land Use License or Easement (Department of Natural Resources and Conservation)

f. Vegetation and Riparian Resource Areas

- i. **Plant types.** Describe the vegetative types by plant community, relative age, and condition. **Pasture grasses and a few scattered Ponderosa pine trees**
- 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). **Vegetation will be removed for most of the entire site for construction preparation. Grass will be planted on all exposed surfaces and many trees (over 600) and shrubs will be planted in the right locations throughout the site.**
- 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). **No known critical plant communities**
- 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. **No specific areas of weed growth. See weed control and revegetation plan of disturbed sites.**
- v. **Wetlands and riparian resource areas.** Are there any wetland and/or riparian resource areas on the property per Section 2-020.102? **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.
- 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. See Existing Conditions Aerial Map, which shows the property is covered in grasses with a small number of scattered evergreen trees.

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. **See Geotechnical Report- Tab 8**
- 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.

There may be cut and fill over 3 feet in the steeper portions to the east. Slopes will be graded properly and revegetated to prevent erosion.

- 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. Tab 3
 - 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%. Per the geotech report there are no such limitations. Slopes are steepest, and up to 25%, in the eastern portion near Hillview Way. The Report recommends a geotechnical investigation of sites prior to construction to determine whether additional construction techniques are needed due to the underlying soils type or possible perched groundwater.
 - v. **Geotechnical report.** If the proposed subdivision includes land areas with the potential for landsliding, 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 landsliding, slope instability, and high ground water, and prominently designate these areas on the preliminary plat and other records of conveyance. The geotech report in Tab 9 was commissioned to study the soils and groundwater characteristics of the property.
 - vi. **Steep Slopes/Slope category map.** Does the subject property have slopes of 25% or greater? **Yes**
 - 1. If yes, designate these areas as "No-Build Zone/Steep Slope" on the plat.
 - 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. See Existing Grade Map (Plan Sheet 5) with slope categories. The amount of slopes over 25% is negligible; these are a couple locations are where soil was artificially piled up, and where entering the subdivisions from either end. These are not in lotted areas but where the road needs to be graded out. The RT5.4 zoning could allow up to 254 homes per the calculation of average 5400-square foot lots. The proposal of 95 lots is less than half that, and is reasonable for this property if just doing single family or two-family homes
- 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. **See Summary**
- 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? **White tailed deer, smaller mammals, and birds. Bear and mountain lion may possibly wander here.**

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). **About 23% of the property will be left open in six common areas, to include the Tonkin Trail and other strips around and through the development, which will also serve as corridors for wildlife to move through.**
- 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). **The covenants will contain measures to help homeowners in mitigating potential conflicts with wildlife.**

- 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. No such areas on subject property.

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. **See Summary**

- a. Air Stagnation Zone.** Is the property within the Air Stagnation Zone? **Yes**

- b. Airport Influence Area.** Is the property within the Airport Influence Area? **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).

- 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.

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

N/A

- 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. **N/A**

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. **Summary**

- a. **Transportation facilities – motorized and non-motorized.** Describe the proposed subdivision's mitigation measures to avoid or minimize congestion (MCA 76-3-501(8)); **34-foot wide roads with 5-foot wide boulevard sidewalks (88% of total), 6-foot curbside sidewalks (12% of total), two connections in and out of the subdivision, and off-site pedestrian improvements and bus stop improvements as explained in the packet.**
- 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. **None**
- 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. **Sidewalks and greenways throughout the subdivision, lessening the grade of the Tonkin Trail and extending the green space/ public access area from 12 feet to 30 feet plus, providing three greenway connections from the Tonkin Trail to Elk Hills Drive, and a maintenance drive/ public walkway from Princess Lane to the northeast corner of the property to connect with a trail to be constructed down to Wapikiya Park. All common areas are designated as public pedestrian, utility and maintenance easements.**
- 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. **Not on bus route- subdivision is in walking boundaries of schools per MCPS.**
- iv. **Roads.** Complete the following table to describe current conditions and, if applicable, any proposed improvements to roads serving the subdivision. If necessary, provide information about additional roads on a separate sheet.

<i>Road name</i>	Clearview Way	Elk Hills Drive	Princess Lane	Serenade Drive
Onsite or offsite	Off	On	On	On
Right-of-way type (public/private) If public, state the jurisdiction.	Public - City	Public - City	Public - City	Public - City
Right-of-way width	60'- wident to 70'	60'	60'	60'
Surface type (gravel, chip-seal, asphalt)	Asphalt	Asphalt	Asphalt	Asphalt
Surface width and, if applicable, shoulder width	44'	34'	34'	33'
Maximum grade	10%	10%	10%	10%
Road length	1800'	2400'	600'	600'
Maintenance responsibility (City, private)	City	City	City	City
Road maintenance agreement (if private) (yes, no, or N/A)	N/A	N/A	N/A	N/A
Curbs/gutters	C&G	C&G	C&G	C&G
Drainage swales				

Sidewalk, trail, and boulevard widths	5' Curbside	5' SW, 7' Blvd	5' SW, 7' Blvd	5' SE, 7' Blvd
Bike Lanes	N/A	N/A	N/A	N/A
Estimated time for completion	Existing	2-11 yrs	2-11 yrs	2-11 yrs
Road Classification (collector, arterial, etc.)	Low Density Urban Local	Low Density Urban Local	Low Density Urban Local	Low Density Urban Local

1. **Year-round access.** If year-round vehicular access to all lots and common facilities within the subdivision is not provided, explain why. **Provided**
2. **Arterial access.** If access to any individual lot is directly from an arterial street or road, explain why access was not provided by means of a road with a lesser classification. **N/A**
3. **Private road access.**
 - A. Does access to the property cross any private properties not owned by the subdivider or property owner? **No**
 - i. 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.
 - B. Are private roads proposed? **No**
If private roads are proposed, include a private road maintenance plan in a development agreement or draft covenants.
 - C. Are short courts proposed? **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.
 - D. Are Homezone/Woonerf streets proposed? **No**
If Homezone/Woonerfs are proposed, provide a plan meeting the standards of Section 3-020.7
 - E. Are Cul-de-sac/Circle/Loop streets proposed? **Yes**
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. The standards will be met- see also variance request
4. **Traffic impact narrative:**
 - A. What is the expected increase in the number of automobile trips per day that the proposed subdivision will generate? For traffic estimates, please reference the most recent edition of *Trip Generation: An ITE Informational Report*. **See Traffic Study by HDR, Tab 10.**
 - B. 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. **See Traffic Study**
 - C. What are the planned improvements to existing public and private access roads to mitigate the impacts anticipated from this subdivision? **See Traffic Study**

5. **Street and road plans**, including at a minimum, the following information:
 - A. Using the subdivision plat as a base map show the following:
 - i. Street names
 - ii. Right-of-way widths
 - iii. Surface widths
 - iv. Street grades
 - v. Type and location of sidewalks and curbs/gutters
 - vi. Minimum site distances and curb radii at corners
 - vii. Locations and characteristics of bridges and culverts
 - viii. Location of street lights
 - ix. 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
 - x. Number and location of on-street parking spaces, if applicable
 - xi. Bike lanes – existing or proposed.
See street plans & profiles
 - B. **Typical cross sections** including pavement and base thickness for each type of proposed road or road improvement proposed within the subdivision and adjacent to the subdivision which serves the subdivision. See typical road section with plans & profiles sheets- all interior streets will be the same
 - C. **Road profiles and cross sections** for all proposed streets and roads which have grades exceeding seven (7) % or cuts/fills exceeding three (3) feet. See plans & profile sheets
6. **Grading and drainage plans**, including at a minimum the following information:
 - A. Provide a report that addresses the following:
 - i. 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. Grading & Drainage Report
 - ii. Conveyance, treatment, and disposal of storm water for both on-site and off-site facilities. Grading & Drainage Report
 - B. Using the subdivision plat as a base map, show the following:
 - i. proposed grades of all streets;
 - ii. proposed drainage facilities for all lots, blocks, and other areas (show accurate dimensions, courses and elevations);
 - iii. graded slopes;
 - iv. existing and proposed contours; and
 - v. 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. See Grading & Drainage Report
 - C. Provide a storm water pollution prevention plan (SWPP) for all lots, blocks, and other areas (show accurate dimensions, courses and elevations). See Grading & Drainage Report
 - D. Submit a Slope Category Map showing grades between 5-10%, 10.01%-20%, 20.01%-25%, and over 25%.
7. **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. Tab 10

8. **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). **The subdivision will extend two public roads into the property, interior streets will circulate internally, and a future connection to the east is provided off the end of Princess Lane.**
 9. **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. **All on-site roads will have a 60-foot public right-of-way with 5 feet (plus, if fronting common area) of additional utility and sidewalk maintenance easement on either side.**
- b. **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. **See Summary**
- i. **Service providers.** List the following service providers and, if applicable, how the service will be provided:
 - Electricity: **Northwestern Energy**
 - Telephone: **Blackfoot Telephone and others**
 - Natural Gas: **Northwestern Energy**
 - Cable TV: **Spectrum, Dish, others**
 - Solid Waste Collection and Disposal: **Republic Services and Grizzly Disposal**
 - ii. **Over-head utilities.** If any utilities are proposed to be over-head, explain why. **All utilities will be placed underground**
 - iii. **Street lighting.** Is street lighting proposed? **Yes**
If yes, who will install and maintain proposed street lighting? **Installed by developer and maintained by HOA**
 - iv. **Utilities Plan,** including at a minimum the following information:
 1. Existing and proposed utilities located on and adjacent to the tract, including:
 - 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. See Grading & Drainage Plan and Sewer & Water/ Utilities Plan for 1. Gas, electric and phone lines will likely be placed within the 5' utility easement to either side of the 60-foot street easements.

- c. **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. **Water to be supplied by City of Missoula public/ municipal system**
- i. **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). **Extend public water system**
 1. Water supply via wells require well isolation zones. Provide easements for well isolation zones encroaching onto adjoining private property.
 - ii. **Nearest public water main.** How far is the proposed subdivision boundary from the nearest public water main? **Adjacent to property at the end of Elk Hills Court and in Clearview Way**
 - iii. **Description of use.** Describe how water will be provided for household use. **Water mains in the street, individual service lines to each home.**
 - iv. **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. Are there any anticipated effects on existing water systems or wells within the area? **24250 gal/ day figuring 250 gal/ day per home**
 - v. **State standards.** Indicate whether the plans for water supply meet the standards of MDEQ for quality, quantity and construction criteria. **Yes**
 - vi. **Existing public system.** If the subdivider proposes to connect to an existing water system:
 1. Identify and describe that system. **City of Missoula Water**
 2. Provide written evidence that permission to connect to that system has been obtained. **Property is within the City, pre-application notes and further correspondence**
 3. State the approximate distance to that system. **Adjacent**
 4. State the cost of extending or improving the existing water system to service the proposed development **Adjacent, so approx. \$100,000**
 5. Show that the existing water system is adequate to serve the proposed subdivision. **Per pre-ap notes, "Water capacity for this area is adequate to serve the proposed subdivision. Proposed connection to existing mains in Elk Hills Courth and Clearview Way is supported." Pressure reducing valves will be needed.**
 - vii. **New public system.** If a separate public water system is to be installed, describe:
 1. Who is to install that system and when it will be completed. **N/A**
 2. Who will administer and maintain the system at the beginning of subdivision development and when subdivision is completed.
 3. Provision of evidence that the water supply is adequate in quantity, quality, and dependability (75-6-102 MCA).
 - viii. **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. **N/A**

- d. **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. **See summary-use of City sewer minimizes potential adverse impacts**
- Identify and describe the type of sewage disposal system planned for the subdivision.
City of Missoula sewer
 - How far is the proposed development boundary from the nearest public sewage system main? **Adjacent, at the end of Elk Hills Court and in Clearview Way**
 - Is the property currently wholly within a Wastewater Facility Service Area and eligible to access public sanitary sewer disposal facilities? **Yes**
 - If yes, provide the approval letter from the City Sewer Service Review Committee certifying the property for connection to and usage of the public sanitary sewer system. **N/A- property is in the city**
 - If any portion of the property is outside the Wastewater Facility Service Area, provide a copy of the City Council-approved Resolution expanding the Wastewater Facility Service Area to serve the property. **No**
- e. **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. **See Summary. The schools need more children to increase state funding.**
- Identify the name of the schools and school districts (elementary and secondary) that will serve the proposed subdivision. **Russell Elementary K-5/ split with Chief Charlo K-5, Meadow Hill MS 6-8, Sentinel HS 9-12**
 - Estimate the number of school-aged children this subdivision is likely to add to the district. **194 children if there is an average of 2 children per household**
- f. **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. **See Summary**
- Complete the table below:

	Name of service provider	Distance between service provider and proposed subdivision
Fire protection	City of Missoula Fire Department	Approx 1 mi- 39th St & Hillview Way
Police protection	City of Missoula Police Department	Approx. 4 mi to HQ plus units on patrol
Ambulance	Community Medical and Missoula Emergency Services	Approx. 2 miles

- How will water supply for fire protection be provided? **Fire hydrants**
- Is the property, or any portion of the property, located within a Wildland Residential Interface? **No**
 - 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.

2. 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?
- iv. If the proposed subdivision is not within a fire district, provide an application for annexing into the appropriate fire district.

g. 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. **See Summary**

- i. Describe the total number of dwellings anticipated by type (such as single dwelling, multiple dwelling, or mobile home). **97 SFR or 2FR, but no more than 97 dwellings**
- ii. Estimate the market cost of the dwellings and rents for rental units in this subdivision. Around median cost in Missoula
- iii. What is the approximate average number of bedrooms per dwelling unit anticipated for the subdivision? **Probably 3-4**
- iv. Is the subdivision planned as a second home? **No**
- v. What is the expected date of full development and occupancy for this subdivision? **Between 2026 and 2035**

i. Open space and parkland dedication: 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 open space and park land. **See Common Area Dedications Per Phase - Narrative, Calculations and Diagram in Tab 3**

- i. **Open spaces:** Describe how the subdivision provides adequate open spaces for travel, light, air, and recreation (per MCA 76-3-501(5)). **About 23% of the land will be open space and each home will have front, rear, and side yards aside from any 2FR townhomes that may be built, in which case they would have only one side yard. Streets will be 34' wide with sidewalks on both sides, plus several trails.**
- ii. **Park land:** Complete the table below to calculate the park dedication requirement for the subdivision:

	Lots 0-0.5 acres	Lots 0.51 – 1.0 acres	Lots 1.01 – 3.0 acres	Lots 3.01 - 5.0 acres	Lots >5.0 acres	All Other Lots	Total
No. of dwellings/ acre proposed or allowed by zoning	1 or 2	1	1	1	1		
Total acreage in lot category	17.06					x	
Park dedication requirement	x 0.11	x 0.075	x 0.05	x 0.025	x 0	x 0.02	

Park dedication requirement	=1.9 ac.	=	=	=	0	=	<u>1.9</u>
Total parkland proposed							<u>6.71 ac. total in CA, 3.29 ac. meeting parkland criteria</u>

1. How will the parkland requirement be satisfied (such as public parkland dedication, common area deeded to a property owner's association, previous parkland dedication, cash in-lieu, or waiver of dedication)? **Common Areas deeded to an HOA, also they are all dedicated as Public Pedestrian, Utility and Maintenance Easements.**
2. If common area is proposed, provide a description of the proposed park and recreation facilities, maintenance and development schedule. Describe how park and recreation facilities will be installed and maintained. Common areas must be installed, inspected, and approved prior to being turned over to the Homeowners' Association. **See covenants and HOA docs**
3. If cash-in-lieu is proposed, describe the circumstances that make the parkland dedication undesirable. At the time the final plat is filed, an appraisal of the fair market value of the un-subdivided, unimproved amount of land that would have been otherwise dedicated to parkland will be required to be provided by the subdivider. **N/A**
4. If the parkland requirement will be satisfied through a previous dedication, describe the original dedication and demonstrate how the previous dedication meets the requirements for this proposal. **N/A**
5. If this is a manufactured home community or recreational vehicle park, have plans been made to develop a recreation area? **N/A**
 - a. If yes, provide a proposed preliminary plan with as much applicable information as is required to be shown on a preliminary plat.

L. PRELIMINARY PLAT REQUIREMENTS: Preliminary plat submittals must conform to the requirements of the Subdivision Regulations Section 5-010. The following list is provided in order to assist applicants in preparing preliminary plats; however, it is not intended to be an all-encompassing or exclusive list.

1. **Preparation:** The plat must be prepared by a professional land surveyor licensed to practice in the State of Montana.
2. **Format:** The size of the plat must be 24" x 36" with a 1½" margin on the binding side and should be folded to a maximum of 9" x 12". Each sheet shall show the number of that sheet and the total number of sheets included.
3. **Identifying Information:** The following identifying information must be clearly indicated on the plat.

<input type="checkbox"/> Subdivision or development name	<input type="checkbox"/> Names of owner(s) of record and sub-divider(s)
<input type="checkbox"/> Legal description	<input type="checkbox"/> Date plat was drawn
<input type="checkbox"/> North arrow	
<input type="checkbox"/> Scale used on the plat	

4. **Survey Information:** The following survey information shall be shown on the preliminary plat or shall be contained in a written statement or supplementary drawing accompanying the preliminary plat:
- ☐ Exterior boundaries of the platted tracts;
 - ☐ Approximate location of all section or legal subdivision corners pertinent to the subdivision boundaries. Township, range, principal meridian, section and quarter section(s) if portion of a section, or other general legal description;
 - ☐ Approximate dimensions and area of each lot. Lots and blocks shall be designated by number and area.
 - ☐ All streets, alleys, avenues, roads, and highways and the proposed width of each, with existing and proposed street names;
 - ☐ The area, locations, boundaries, and dimensions of all parks, common areas, and other areas dedicated for public use;
 - ☐ The total gross area of the subdivision and the total net area, exclusive of public areas and rights-of-way;
 - ☐ Ground elevations of the tract: elevations and benchmarks. Contour intervals shall be vertical intervals of two (2) feet where the average slope of the subdivision is less than ten (10) percent and at intervals of five (5) feet where the average slope of the subdivision is ten (10) percent or greater;
 - ☐ Approximate location and identification of all existing and proposed private and public easements and rights-of-way, including descriptions of their widths and purposes;
 - ☐ Existing and/or proposed irrigation ditch easements;
 - ☐ Easements for any feature or improvement that encroaches onto adjoining private property;
 - ☐ Proposed locations of intersections, other access points and access control lines for any subdivision requiring access to major highways or thoroughfares, including those under state jurisdiction;
 - ☐ Identified hazard areas shall be prominently shown on the subdivision plat and in other records of conveyance;
 - ☐ Any proposed "No-Build Zones" and "No-Build/No-Alteration Zones";
 - ☐ The area of the subdivision within the FEMA-designated floodway and/or flood-fringe, if applicable.



MISSOULA

COMMUNITY PLANNING, DEVELOPMENT AND INNOVATION

435 RYMAN • MISSOULA, MT 59802 - 4297 • (406) 552-6630 • FAX: (406) 552-6053

CITY REZONE APPLICATION

A. GENERAL INFORMATION

1. Submit the completed application with all attachments by email to the City Zoning Desk at ZoningDesk@ci.missoula.mt.us
2. Once the application is deemed complete by CPDI, Development Services and the applicant has paid the rezoning fee the rezone proposal will be scheduled for public hearings at Planning Board and City Council.
3. Name of proposed Rezone: **Meadow View Homes - RT5.4**
4. Name(s) of Applicant: **Meadowview Partners, LLC (Larry Kine and Dave Swisher)**
Mailing Address: **250 NW Franklin Ave Ste 401 Bend, OR 97703**
Telephone Number: **(541) 788-8971 (Dave)**
Email Address: **dave@daveswisher.com**
5. Name(s) of Owner of Record: **Same**
Mailing Address:
Telephone Number:
Email Address:
6. Name and Company of Representative: **Ron Ewart, Professional Consultants, Inc.**
Mailing Address: **3115 S. Russell Street Missoula, MT 59801**
Telephone Number: **(406) 728-1880**
Email Address: **rone@pcimontana.com**
7. Does the applicant(s) whose signature(s) are included below own at least 35% of the area or number of the parcels included within the area proposed to be rezoned? (Requirement of Title 20, 85.050(A)) Yes
8. 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.

SAME AS BELOW

Applicant's Signature

Date

Dave Swisher

Dave Swisher (Dec 5, 2023 17:12 PST)

Owner's Signature

Date

Ron Ewart 12-5-23

LAST UPDATED 3-19-24/6-14-24

Representative's Signature

Date

B. SUBJECT PROPERTY INFORMATION

General location of subject property and address (if address has been assigned): West of Hillview Way and north of Clearview Way- existing home located at 4824 Clearview Way

Legal Description - complete and unabbreviated: The subdivision area is in 3 existing parcels:

- 1) Tract 1, C.O.S. No. 4969 (27.39 ac.)
- 2) Deed Exhibit 1170, in the SW ¼ NE ¼ S.6 t. 12N., R.19W. (4.0 ac.)
- 3) Tract A, C.O.S. No. 6904 (.08 ac./3578 s.f.)

Bearings & Distances Descriptions (if boundaries of proposed rezone are not exactly the same as the boundaries of the property legally described above):

Geocode: 1) 04-2093-06-4-03-01-0000, 2) 04-2093-06-1-16-17-0000, 3) 04-2093-06-4-03-03-0000

C. ZONING AND GROWTH POLICY INFORMATION

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

	Zoning	Current Land Use
Adjacent (North)	PUD Homesteads and RT10	2FR, SFR to NW, Open Space City Park and vacant directly north
Adjacent (South)	RM1-35 PUD Elk Hills	SFR, 2FR
Adjacent (East)	RM1-35	Vacant and Hillview Way
Adjacent (West)	R8	Group Living and Clearview Village 2FR Condominiums

2. What is the current zoning of the property (including intensity designator)? **R40**

3. What is the requested zoning for the property (including intensity designator)? **RT5.4**

4. What is the applicable City Growth Policy (comprehensive plan) and land use designation for the property? **Residential Medium Density 3 to 11 units per acre**

5. What is the intended use for the property? **SFR and 2FR (with common boundary down common wall)**

D. RESPONSES TO REVIEW CRITERIA REQUIRED BY STATE LAW & THE CITY OF MISSOULA TITLE 20 ZONING ORDINANCE

Review Criteria. Provide a response to the following review criteria for rezone requests.

1. Whether the zoning amendment is consistent with MCA § 76-2-304:
 - a. Whether the zoning is made in accordance with a growth policy; **The 2015 Missoula Urban Area Future Land Use Designation recommends the property as "Residential Medium Density, 3 to 11 units per acre.**
 - b. Whether the zoning is designed to secure safety from fire and other dangers; **The RT5.4 zoning is a medium density zone which could allow up to 8 residential units per acre. The subdivision approval concurrent with the zoning would create new homes built to today's building code standards and adequately wide (34-foot face to face of curb) streets with fire hydrants spaced appropriately.**
 - c. Whether the zoning is designed to promote public health, public safety, and the general welfare; **The RT5.4 zoning in conjunction with the subdivision approval promotes the public health, safety, and welfare because the property is located in an urban area where schools, community and emergency services, and urban-type infrastructure readily exist or can be easily extended into the property to serve the new residents and guests.**
 - d. Whether the zoning is designed to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; **The proposed location of the RT5.4 zoning allows for connections to two adjacent urban streets and connection of City water at two adjacent locations to create a loop system. The new City sewer main will flow downhill without the need for lift stations. Elementary, middle and high schools are nearby. There are parks in the south hills area and in this general neighborhood for the residents to enjoy, and this subdivision will create a centralized Common Area park and several trails that will be available to the public.**

- e. Whether the zoning considers the reasonable provision of adequate light and air; **The zoning and subdivision proposal will provide that homes will have front, rear and side yards, meeting the RT5.4 zoning. Almost a quarter of the property will be in permanent open space.**
- f. Whether the zoning considers the effect on motorized and nonmotorized transportation systems; **The zoning will allow development of a subdivision that will connect with the curbside sidewalks on Elk Hills Court and Clearview Way. Within the subdivision will be walkways on both sides and several new trails. The proposal will not only preserve the Tonkin Trail but will widen the public pedestrian easement from the existing 12 feet to over 30 feet. All greeway/ common areas will be public as well.**
- g. Whether the zoning considers the promotion of compatible urban growth; **The zoning and subdivision approval will allow for development that is compatible with the neighborhood. The proposed density of 3.02 homes per acre is similar to, or less than the density of the existing surrounding developments. The proposed density (3.08 homes per acre) is at the far low end of the 3 to 11 homes per acre designation as recommended by the applicable growth policy.**
- h. Whether the zoning considers the character of the district and its peculiar suitability for particular uses; **The zoning and subdivision proposals seek to compliment and meet the general expectations of area neighbors. The surrounding area consists of single family and multi-family homes. Existing nearby attached housing developments include The Village at Elk Hills (multi-family condos i.e. 8-plexes), Elk Hills Phase 1 condos on Clearview Way, Elk Hills Court and Clearview Way (2FR), the Clearview Village Condominiums next door to the west (2FR), the former Hillside Health Care Assisted Living Facility (now Mountain Home of Montana), and The Homesteads PUD (mostly 2FR).**
- i. Whether the zoning conserves the value of buildings and encourages the most appropriate use of land throughout the jurisdictional area. **The zoning and subdivision proposals provide for all the homes to be SFR or 2FR. This is the most appropriate use of the land because the proposal is similar to the housing patterns and types of the surrounding neighborhoods. The neighborhood character is respected.**

2. Whether the proposed zoning amendment corrects an error or inconsistency in the zoning ordinance or meets the challenge of a changing condition; **This property is part of what once was a 300-acre ranch, and divisions of it were sold off over time for housing development. It happens that the subject property is a remnant of the former ranch. Everything else in the area was zoned to allow residential density at around 3-11 units per acre, and was developed as such. The challenge is that this is the only undeveloped property, aside from the 25-acre vacant property (with some potential development) to the north, in this area west of Hillview Way. It is the only property in this area zoned R40, aside from city-owned open space. This is because it is a leftover remnant that was not earlier proposed for rezoning and development as were all the other parcels in the neighborhood.**
3. Whether the proposed zoning amendment is in the best interests of the city as a whole. **The proposed zoning amendment will be in the best interests of the city as a whole. Missoula is in the midst of a housing shortage; this property is developable at the proposed density and is within an urban setting where community services and infrastructure exist. With the high costs of land, holding costs, various governmental fees, engineering, construction and labor costs, there needs to be a level of density allowed whereby a private developer can feasibly make some degree of profit for such a high level of investment and risk.**

E. ATTACHMENTS

As separate attachments (8.5" x 11" or 11" x 17"), provide the following materials with the site clearly identified. Where appropriate, required information may be combined, as long as the information is clearly presented. Please check the box if the material is included in the packet. If the material is not included in the submittal packet, please note "N/A".

- ☒ **A vicinity map** showing the subject property and the area within 300 feet of the subject property.
- ☒ **A Zoning map** of the subject property and vicinity (showing the existing zoning district), extending at least 300 feet from the property boundaries.
- ☒ **An aerial photo** of the subject property and vicinity extending at least 300 feet from the property boundaries.
- ☒ **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.
- ☒ **The current plat** of the subject property.