



January 8, 2025

Tara Porcari
Community Planning, Development & Innovation
435 Ryman St
Missoula, Montana 59802

RE: Annexation Application
River Rd Annexation
Missoula County
IMEG # 23002321.00/91

Dear Tara:

The purpose of this letter is to formally request the annexation of 400 River Rd, Missoula MT 59801. The current zoning of the property is (NR) Neighborhood Residential, and the requested city zoning upon annexation is (B2-3) Community Business to allow for construction of a Mixed-Use Building. The property is within "Area A" of the annexation map and within the City's Urban Growth Boundary. The minimum parcel area per unit (Sq.Ft.) for B2-3 is 1,000 square feet (SF) per unit for a single du/acre with a maximum building height of 65 feet. The developer is interested in pursuing this annexation in order to redevelop the site through demolishing the existing single-family structure to construct a Mixed-Use Unit Structure on 35,333 SF lot. Both IMEG and City Staff have had preliminary conversation about this site on March 27th, 2024, and an August 6th, 2024, scoping meetings. (Notes Attached)

Summary of Roads:

If supported, the project would use XL Ave as the primary access for the site, with N California St providing secondary access. The secondary access to the property California St. is currently slated for improvements under the Urban Renewal District (District II) with improvements targeted from River Rd to S. 3rd. Street W. It is assumed that the MRA will support the construction of curb, gutter and sidewalks incrementally as projects develop.

The Wyoming Neighborhood Master Plan slates our subject property for increased development. The plan mentions a desire for improvements to the intersection of N California St between and Wyoming St and River Rd.

Summary of Non-Motorized Facilities:

The subject property is unique in that it is near multiple high traffic pedestrian facilities. This includes the California St Footbridge; The Milwaukee Trail and the River Front Trail. These trails will offer connection for residents to downtown and the university district. The Mountain Line, Missoula's community bus

service offers access to this site through route #2 with an existing bus stop on Russell St approximately 1,500 ft to the west of the subject property. As it pertains to on-site improvements for pedestrians, the site will include a place to park bicycles, trash receptacles, sidewalks along the building's front façade and parking areas.

The subject property is within 500 feet to both Downtown Lions Park and Silver Park. In 2020 The city of Missoula adopted the North Riverside Parks and Trails Plan. This plan includes improvement goals to Lions Park. This plan indicates that growth within the West Broadway corridor area of Missoula is projected for multi-family housing and an increased use and desire for additional park amenities.

Municipal Facilities:

City Engineering division and City of Missoula Sewer Service Review Committee (SSR) will review the project to be compliant with public works standards and the project develops. Upon annexation the subject property will be supported by Municipal Sewer and Water. A Fire hydrant is located 1 block south at the intersection of N California St and Idaho St.

Zoning, Growth Policy and Annexation:

The subject property has a current zoning designation of Neighborhood Residential (NR). Supporting a mix of homes and neighborhood-scale professional and commercial services in an urbanizing area of the county where public water and sewer service is available. This designation requires a minimum of 8 homes per acre, there is no maximum density provided. The applicant is proposing a zoning upon annexation to Community Business (B2-3) supporting mixed-use low intensity business, and 1 dwelling unit per every 1,000 SF of parcel area. This B2 designation is a comparable designation within the 2045 Our Missoula Land Use Plan ("LUP" herein) for the property which is classified as Urban Mixed-Use Low ("UML" herein), and as such complies with the applicable comprehensive plan for the area. Additionally, the LUP directly states that one of the primary purposes for UML is to provide buildings with small to medium-sized commercial and multi-dwelling buildings. With "Walkability" being a core value bolstered by pedestrian centric design which prioritizes green spaces and infrastructure wherever possible, the B2-3 designation is most applicable as showcased with the B2-2 and B2-3 site plan comparisons included herein. Listed below are bullet comparisons between B2-2 and B2-3 for the subject property:

- The ability to have over 50' building heights enables the property to be built "up" instead of "out" creating the potential for continuous open space along River Road. The importance of this "up" rather than "out" cannot be overstated here as one of the core tenants of the Downtown Master Plan for this area is the creation of the River Road greenway.
- A zoning designation of B2-3 will allow the landowner to shift building footprints along River Rd, to the south, roughly 40', allowing for over 5,000 SF of additional green space (from 1,560 SF in B2-2 to 7,260 SF in B2-3 or 14% of the total land area for the subject property).
- A B2-3 designation would enable approximately 7 additional dwelling units and over 3,000 SF of commercial space as well as the increase in open space.
- Overall, B2-3 supports to goals and objectives of mixed-use development envisioned in both the LUP and the Downtown Master Plan for this area. Slotting this property for B2-2 zoning would



cause a developer to either provide less dwellings to accommodate commercial or no commercial at all to accommodate equal housing counts.

As detailed in the bullets above, the B2-3 zoning district would be in better compliance with not only the LUP, but also the Downtown Master Plan and the existing development within the adjacent Sawmill District. Predominantly through the ability for an increase building height which provides flexibility for additional green space and could avoid the potential for cookie cutter row homes. Additionally, the increased allowable building height allows for options like ground floor commercial and built in parking spaces instead of having to prioritize portions of the site for parking areas.

The applicant believes the proposal supports the potential for a vibrant intercity, mixed-use, development as guided by the Our Missoula 2045 Land use Plan. The proposal would "Focus Inward" and use already established municipal services, transportation corridors and resources, non-motorized infrastructure and provide walkability for residents to local amenities. If the City Council approves the proposal and zoning upon annexation, the subject property would be zoned Community Business (B2-3). This proposed zoning upon annexation supports medium to high residential density in an area that is targeted for growth in residential and commercial services. The applicant believes this is comparable to the existing county zoning of Neighborhood Residential as it allows for Multi-dwelling units, supports mixed uses aimed to improve connectivity from civic, public or commercial establishments to surrounding neighborhoods.

The property is within Annexation Area "A" per Resolution 8363 adopted July 22, 2019, and falls within the City's Urban Growth Boundary. Further, the project is within the Urban Growth Area, the Utility Service Area, the Air Stagnation Zone and the City's Downtown Master Plan, supporting the guidelines of the annexation policy. When all concepts are considered together the applicant believes this proposed inner-city development would support the community in the vicinity without jeopardizing public health, safety, and welfare of its residents.

Included herein are all relative exhibits, review fees, and the required annexation petition signed by the property owner. If you have any questions or need additional information, please contact me via telephone at (406) 532-0270 or email at Michael.A.Maine@imegcorp.com

Sincerely,



Mike A. Maine
Planning Technician 2
Michael.A.Maine@imegcorp.com

MAM/
G:\2023\23002321.00\Design\Civil\CC07 PLANNING\ANNEXATION\20241126 Ltr Annexation.docx



Return to: City Clerk
City of Missoula
435 Ryman Street
Missoula MT 59802-4297

PETITION NO. _____
BEFORE THE CITY COUNCIL
CITY OF MISSOULA
PETITION FOR ANNEXATION TO CITY

ID#: 1660757
GeoCode#: 04-2200-21-2-12-01-0000

Dated this 23rd day of October, 2024.

COME NOW the undersigned and respectfully petitions the City Council of the City of Missoula requesting city annexation of the following real property into the City of Missoula.

The petitioner(s) requesting City of Missoula annexation of the property described herein hereby mutually agree with the City of Missoula that immediately upon annexation of the land all City of Missoula municipal services will be provided to the property described herein on substantially the same basis and in the same manner as such services are provided or made available within the rest of the municipality prior to annexation.

Petitioner(s) hereby agrees and submits the real property described herein to municipal taxation and assessments upon annexation, including but not limited to sanitary sewer utility assessments, in the same manner as other private property within the city is taxed and assessed for municipal tax, assessment and utility service purposes.

Petitioner(s) hereby states that there is no need to prepare a Municipal Annexation Service Plan for this annexation pursuant to Section 7-2-4610, MCA since the parties are in agreement as to the provision of municipal services to the property requested to be annexed.

LEGAL DESCRIPTION OF PROPERTY TO BE ANNEXED:

Cobban & Dinsmore's Orchard Homes #2, Fraction of Lot 20, North 25' of X L Ave and Vacated R/W Adjacent 35,294 SQFT less COS 4710, located in Section 21, Township 13 North, Range 19 West, Principal Meridian Montana, Missoula County, Montana.

MORE PARTICULARLY DESCRIBED AS:

Lot 20 of Cobban and Dinsmore's Orchard Homes No. 2, together with Parcel A and Parcel B lying adjacent and contiguous to said Lot 20 as vacated by County Resolutions #86-118 in Book 253 at Page 1694 Micro Records, and together with a portion of right-of-way vacated in Resolutions No. 5996 in Book 504 at Page 47 Micro Records, excepting therefrom Parcel C-1 as conveyed to the City of Missoula in Book 512 at Page 2128 Micro Records.

PROPERTY ADDRESS: 400 N California St., Missoula, MT 59801

OWNER(s)
Richard P. Zavarelli

Richard P. Zavarelli

Richard P. Zavarelli

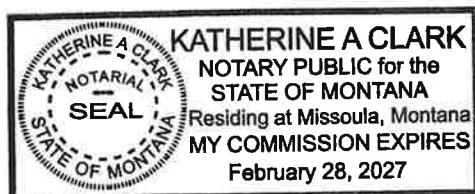
STATE OF MONTANA)
County of Missoula) ss.

On this 23rd day of October, 2024, before me the undersigned, a Notary Public for the State of Montana, personally appeared Richard P. Zavarelli known to me personally (or proved to me on the basis of satisfactory evidence) to be the person(s) whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal on the day, month, and year in this certificate first above written.

Katherine A Clark
(Printed name required)

(SEAL)



Notary Public for the State of Montana.

Residing at Missoula, MT

My Commission Expires: February 28, 2027
MM/DD/YY

OWNER(s)
Grant E. Schermer

Grant E. Schermer
Grant E. Schermer

IOWA
STATE OF ~~MONTANA~~)
County of Johnson) ss.

On this 24th day of October, 2024, before me the undersigned, a Notary Public for the State of Montana, personally appeared Grant Schermer known to me personally (or proved to me on the basis of satisfactory evidence) to be the person(s) whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal on the day, month, and year in this certificate first above written.

Katherine Anderson
(Printed name required)

(SEAL)

IOWA
Notary Public for the State of ~~MONTANA~~

Residing at Iowa City

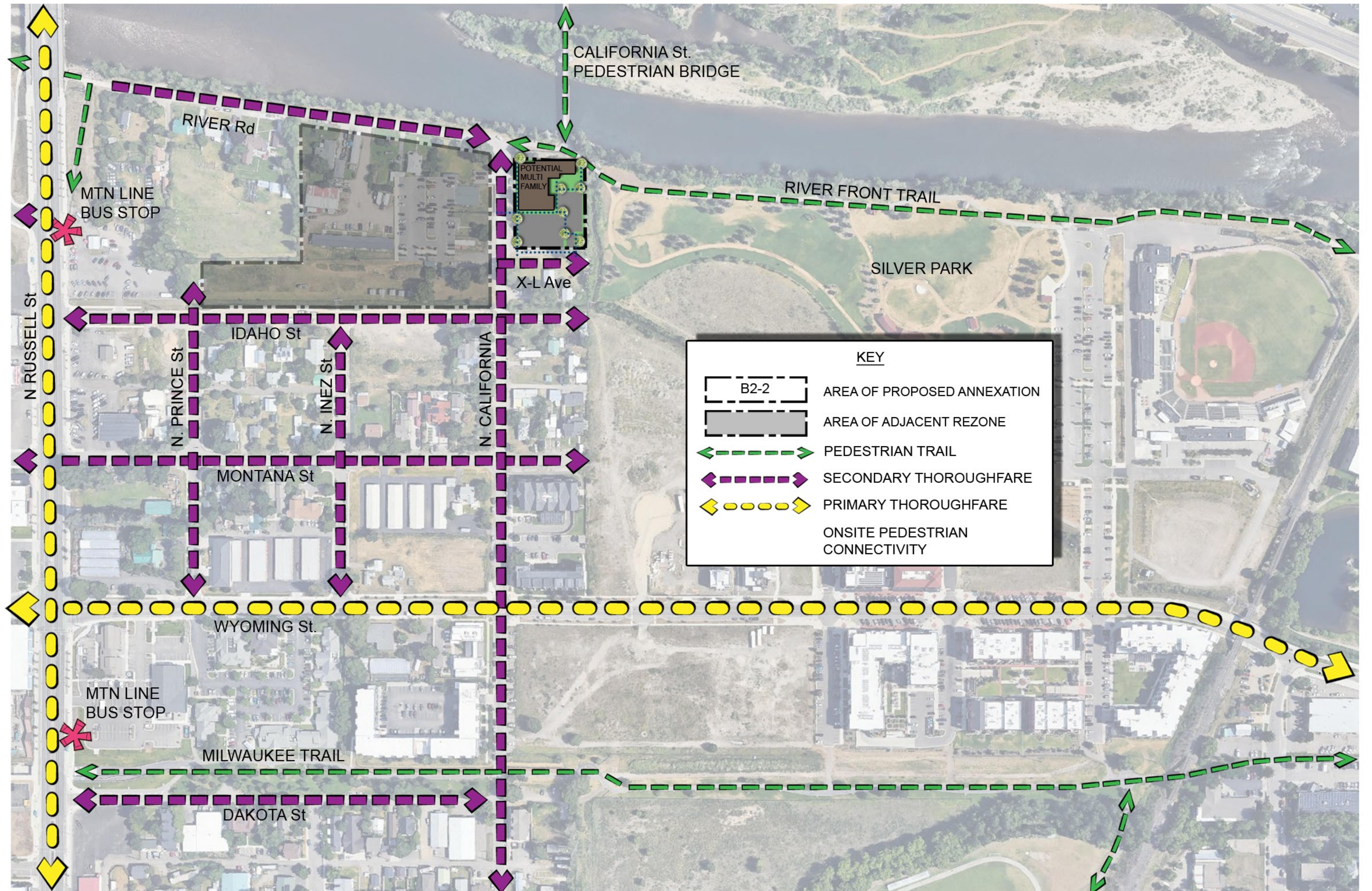
My Commission Expires: 01/18/2027
MM/DD/YY

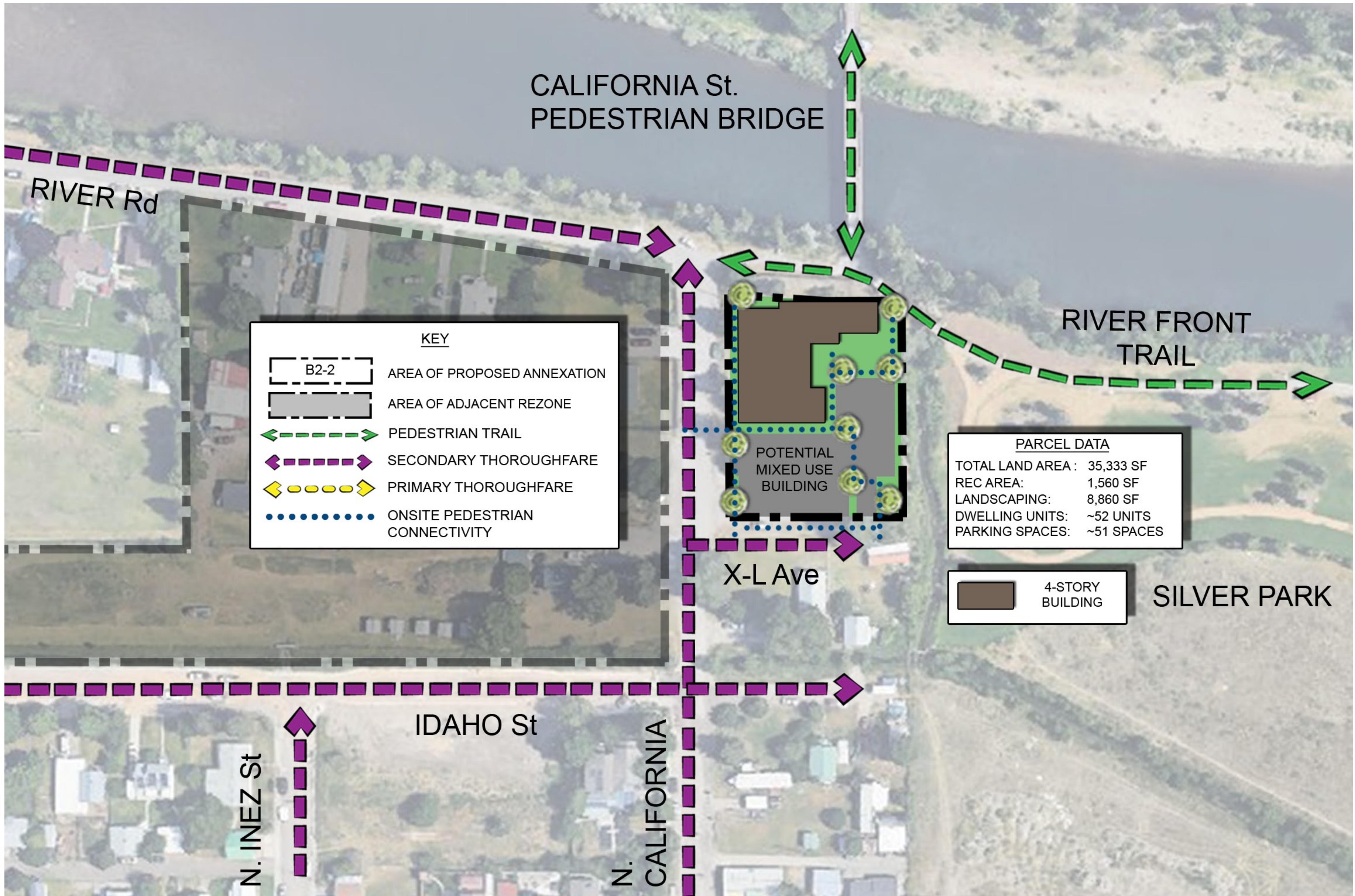


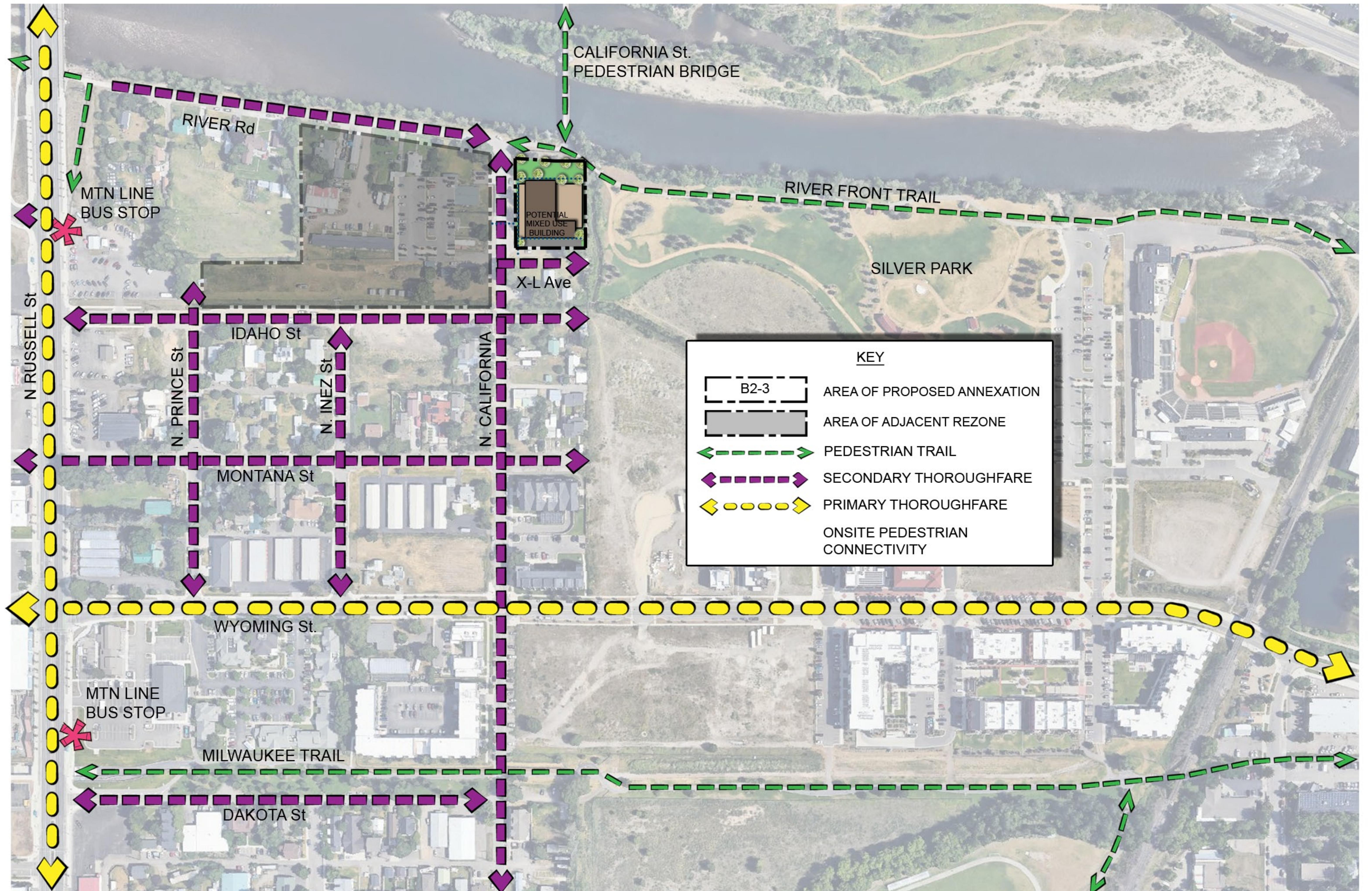
Katherine Anderson
Notary Signature

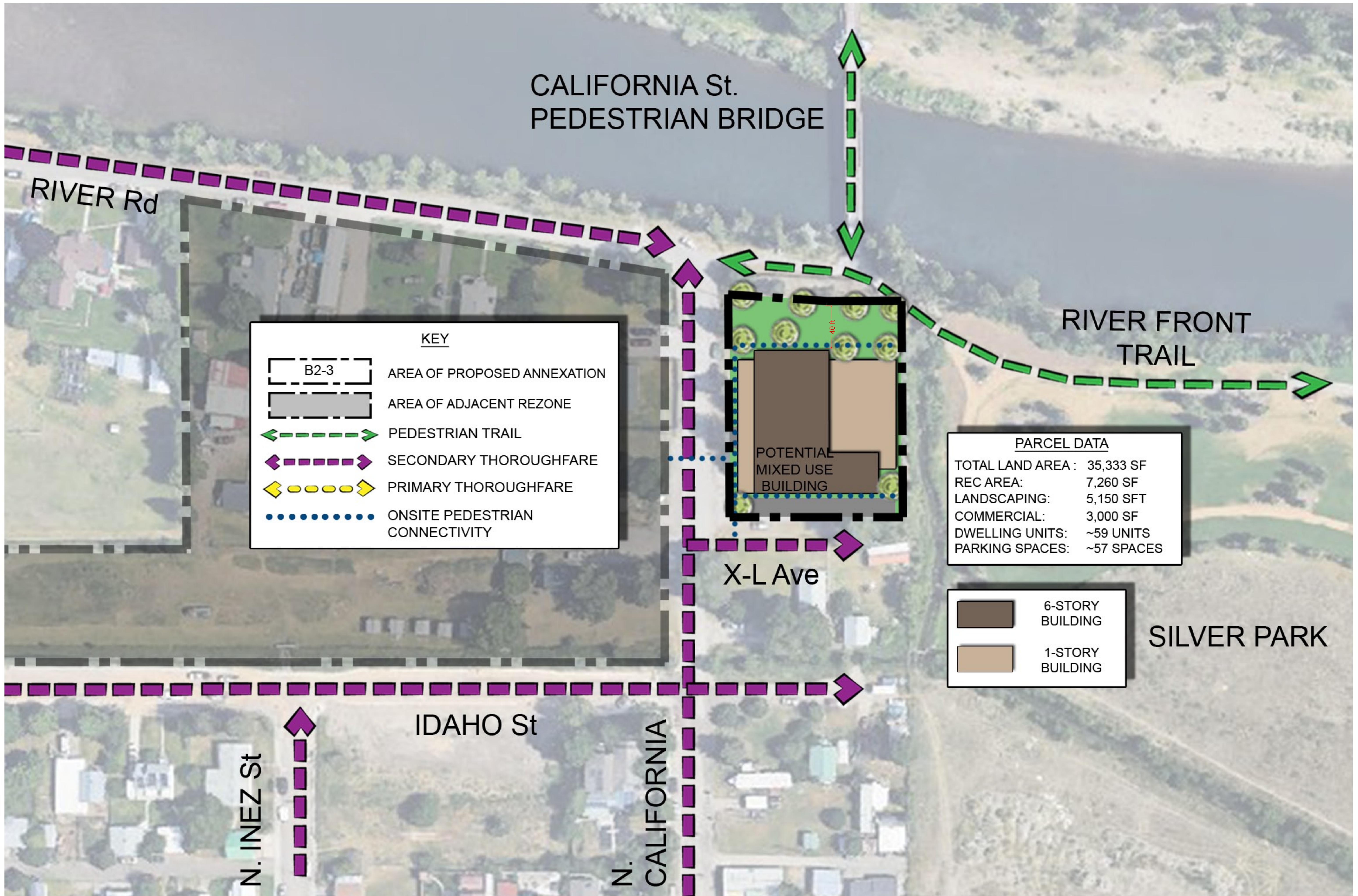
SUPPLEMENTAL PROJECT INFORMATION

Potential Development Layout





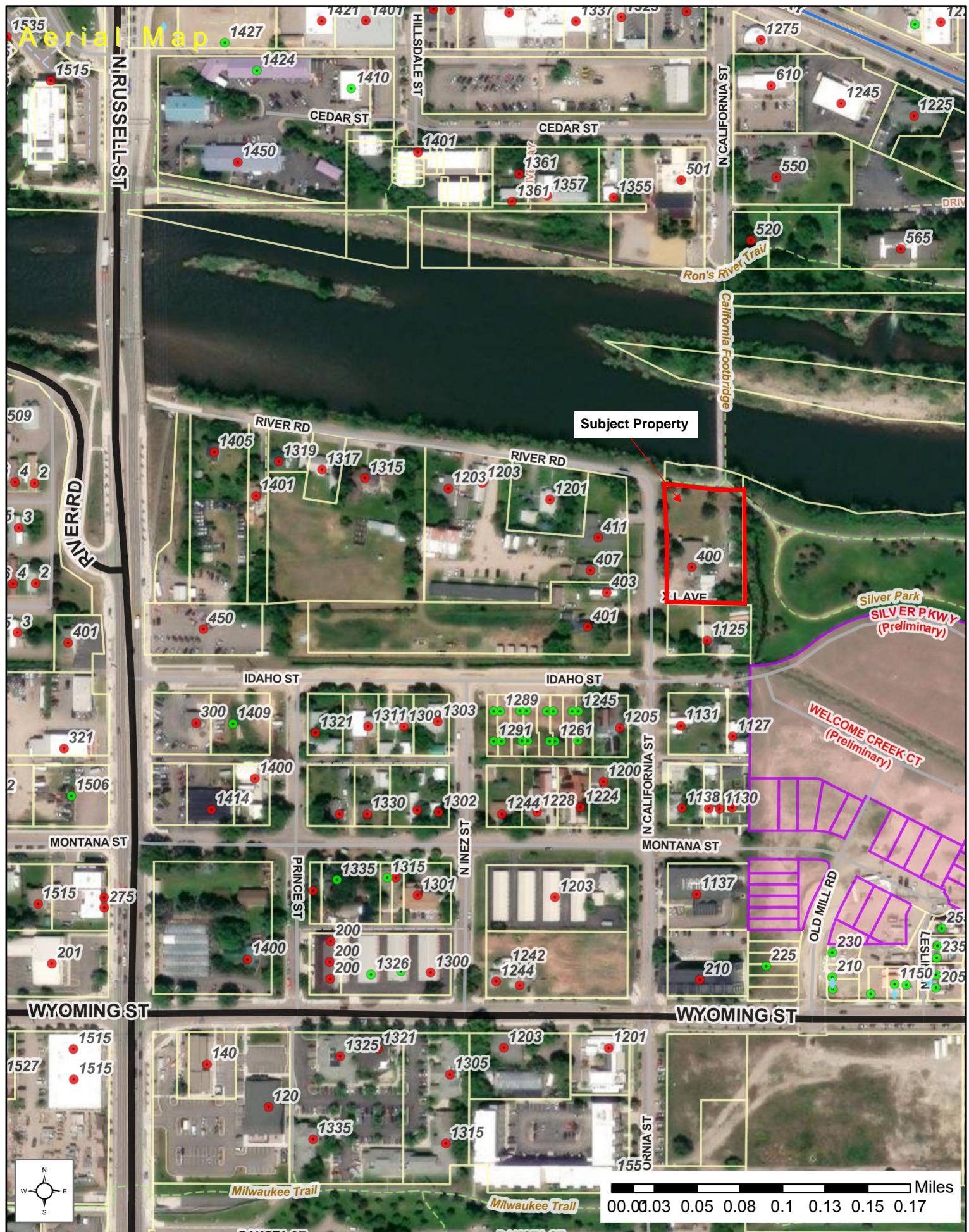




SUPPLEMENTAL PROJECT INFORMATION

Vicinity Map
Aerial Photo

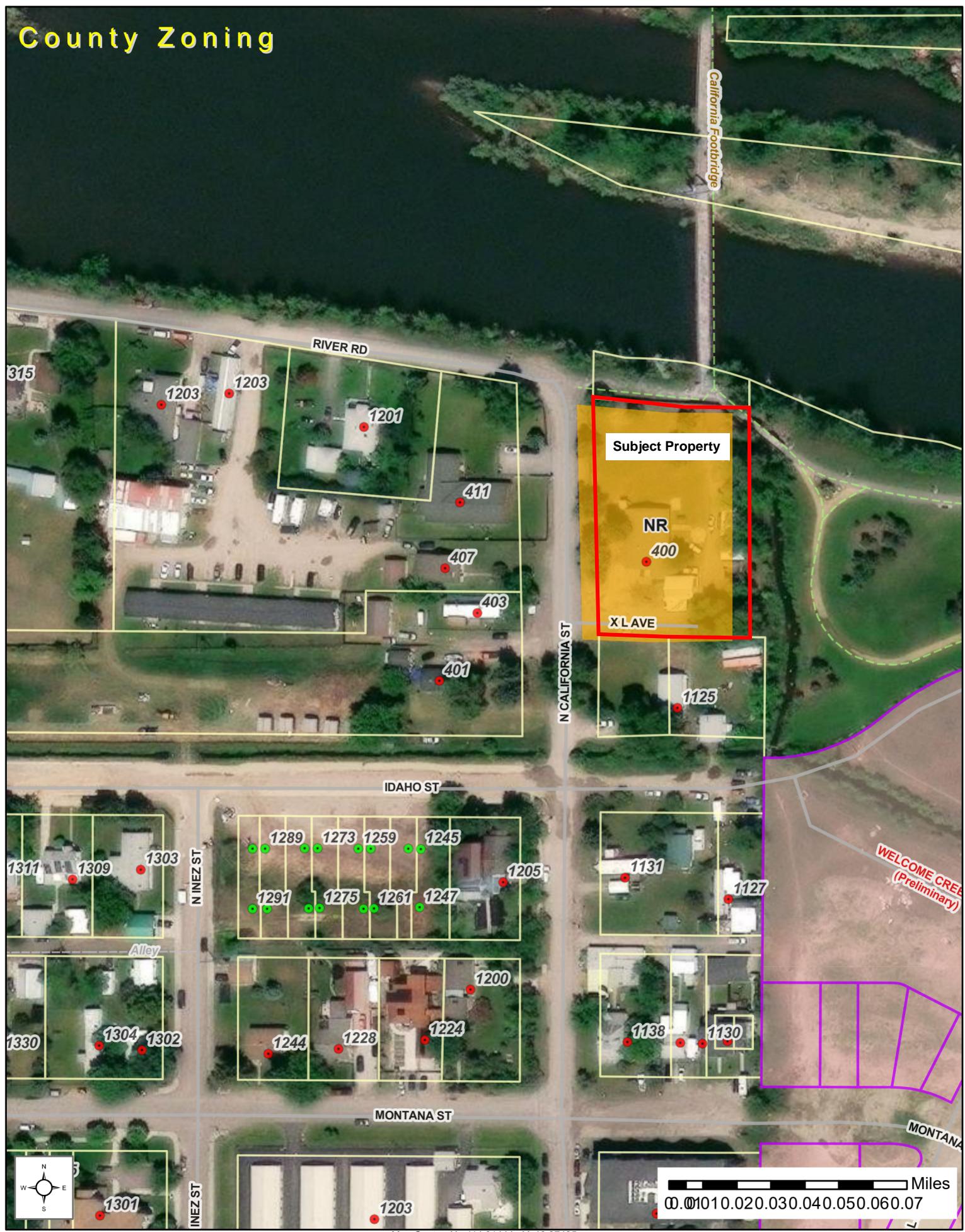
Current & Proposed Zoning Exhibits
Property Ownership & Plat Map



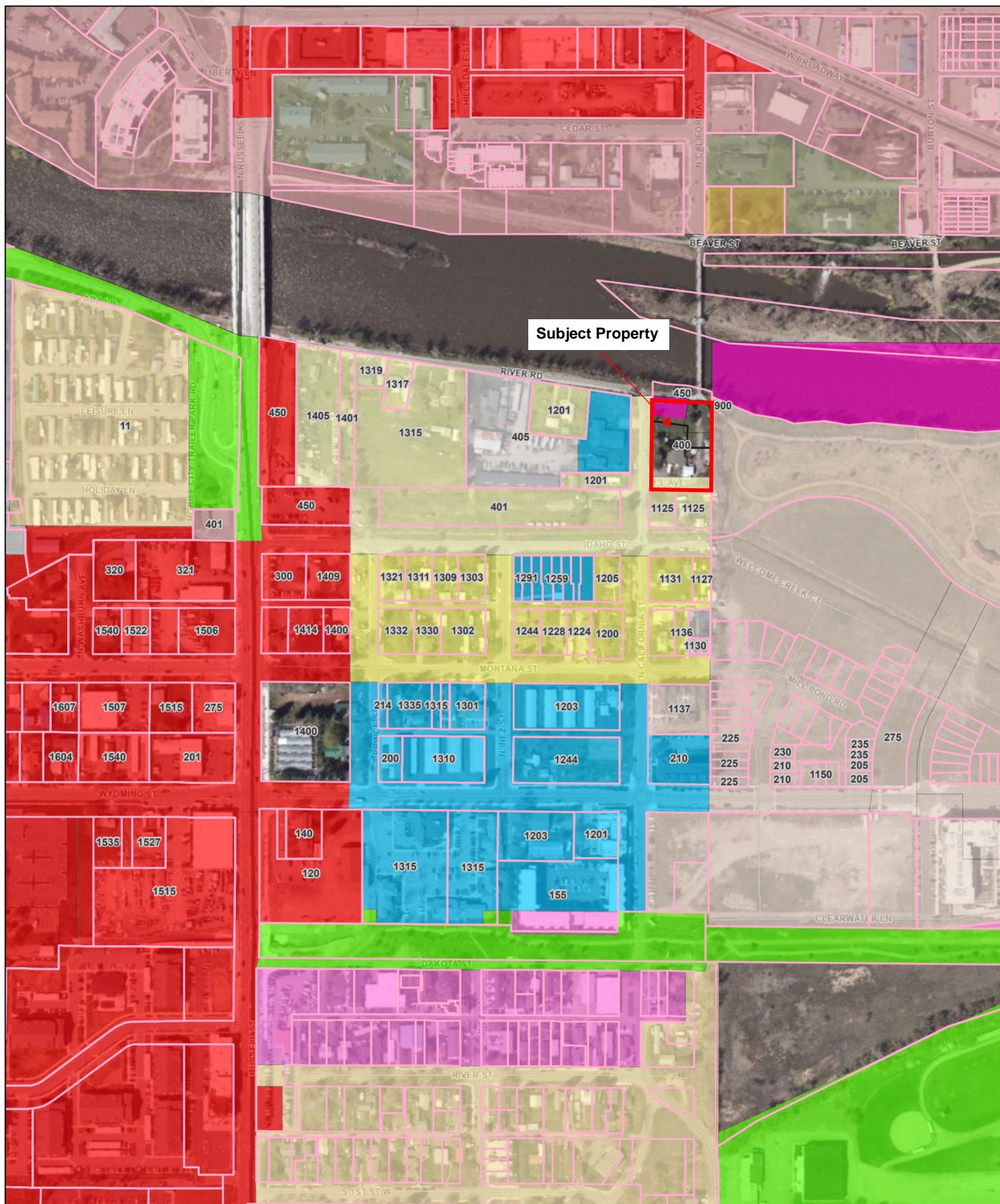
Date:
0/10/2024

The material displayed on this page is informational and should be used for reference only. No reliance should be placed thereon without verification by the user. Missoula County does not warrant that the information is either complete or accurate. No representation, warranties or covenants of any kind are made by Missoula County. Before acting on the information contained on this page the user should consult original documents.

County Zoning

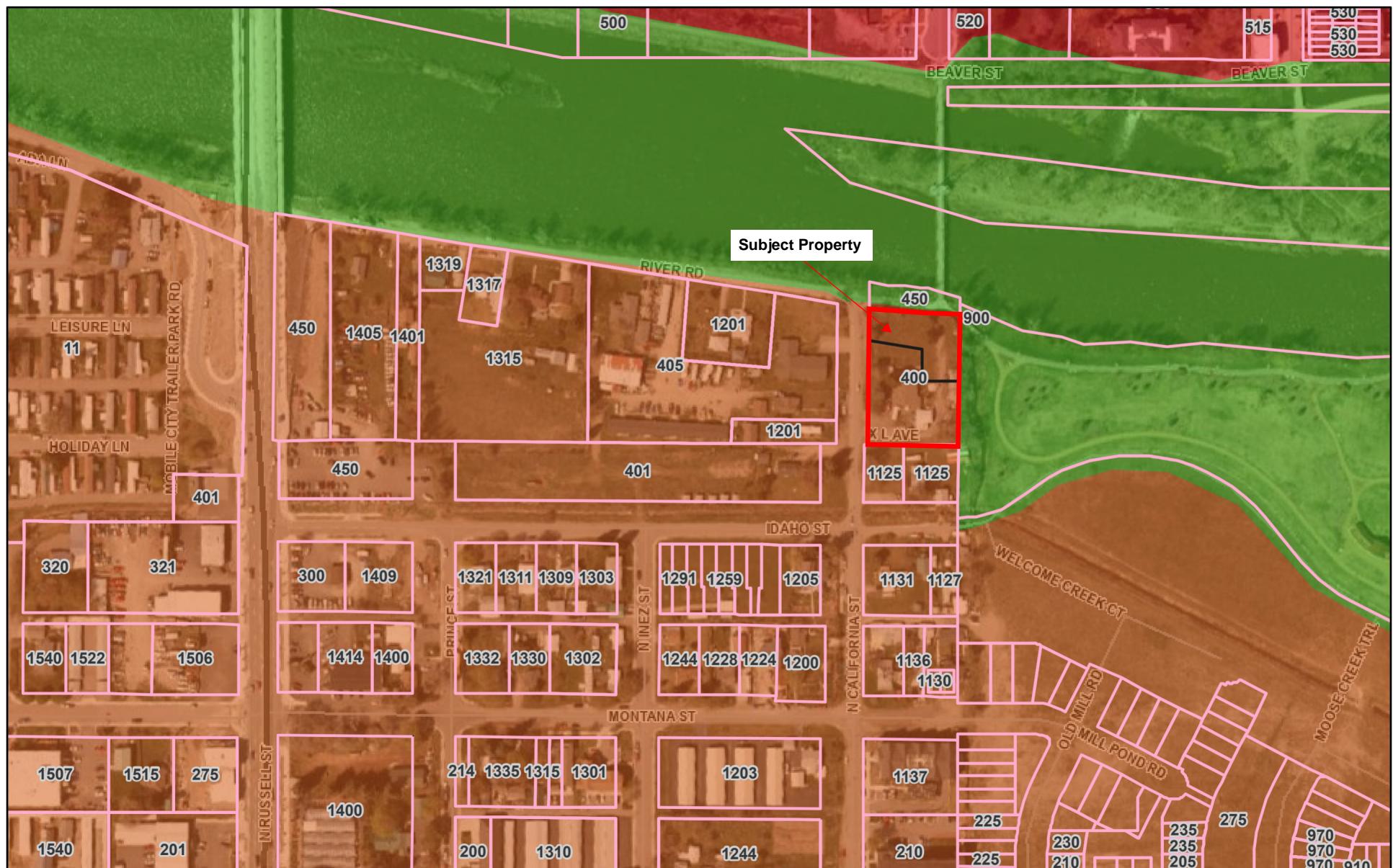


City of Missoula: City Zoning



Bureau of Land Management, Esri, HERE, Garmin,
INCREMENT P, NGA, USGS

City of Missoula: Land Use Map



· 01/07/2024, 8:16 AM

Parcels Land Use

 City Limits  Urban Mixed-Use Low

Urban Mixed-Use High

Parks and Conservation Lands

1:4,514

0 0.03 0.05 0.08 0.16 km

Bureau of Land Management, Esri, HERE, Garmin, INCREMENT P, NGA, USGS

Subdivision No.

67

THIS PLAT IS HEREBY APPROVED, THIS 21 DAY OF July A.D. 1902.

John Brown

August Hollenstein

Peter Scheffz

COUNTY COMMISSIONERS
OF MISSOULA COUNTY,
MONTANA

COBBAN & DINSMORE'S ORCHARD HOMES.

ADDITION No. 2.

150 FT. TO 1 IN.

STATE OF MONTANA }
COUNTY OF MISSOULA } 55

O.C. FINNELDING, BEING FIRST DULY SWORN, DEPOSES AND SAYS:— THAT HE IS THE ENGINEER UNDER WHOM'S SUPERVISION THE SURVEY AND PLAN HERON WERE MADE IN MIDLOTHIAN COUNTY, IDAHO, THAT THE ANNEXED PLAN IS A CORRECT REPRESENTATION AND DIAGRAM, AND THAT SAID ADDITION IS LOCATED IN THE NORTHERN PORTION OF THE STATE, AND IS LOCATED ON THE NORTHERN LOTS, AND THE POSTS FOR REFERENCE POINTS ARE CORRECTLY REPRESENTATIVE OF SAID PARK.

SUBSCRIBED AND SWEORN TO BEFORE ME THIS DAY OF JUNE, IN THE YEAR OF OUR LORD, ONE THOUSAND NINE HUNDRED AND TWO.

DAY OF JUNE, IN THE YEAR OF OUR L

112 115-1

STATE OF MONTANA }
COUNTY OF MISSOULA } S.

R. M. Cotton Realty Company
By R. M. Cotton President

SUBSCRIBED AND SWEARN TO BEFORE ME THIS 24 DAY OF JUNE, IN THE YEAR OF OUR LORD
ONE THOUSAND NINE HUNDRED AND TWO.

H. A. Stephens
IN AND FOR THE COUNTY OF MISSOULA, MONTANA.

STATE OF MONTANA }
COUNTY OF MISSOULA }
SS:

H. T. Wilkinson
CLERK AND RECORDER
OF MISSOURI COUNTY, MONTANA.
By N. A. Stephens
Deputy Recorder.

Subject Property

67 B-19-20-2

C-6a

8
Book

This plot is hereby approved, this 21 day of July A.D. 1902.

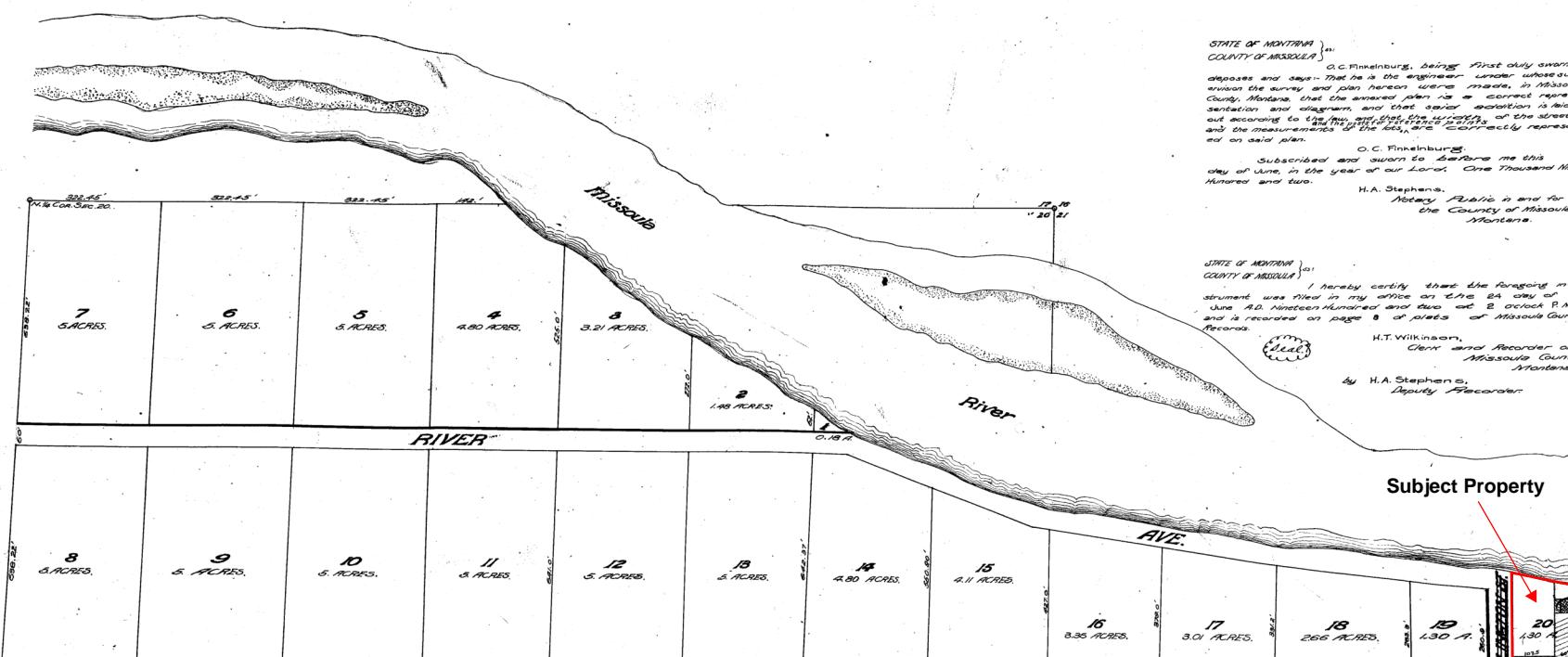
Cooley
seal.

John Bonner
August Hollenstein
Peter Scheffer
County Commissioners of
Missoula County,
Montana.

COBBAN & DINSMORE'S ORCHARD HOMES.

ADDITION No. 2.

150 FT. TO SW



Restrictions on Lot 15
Bk. C Pg. 446

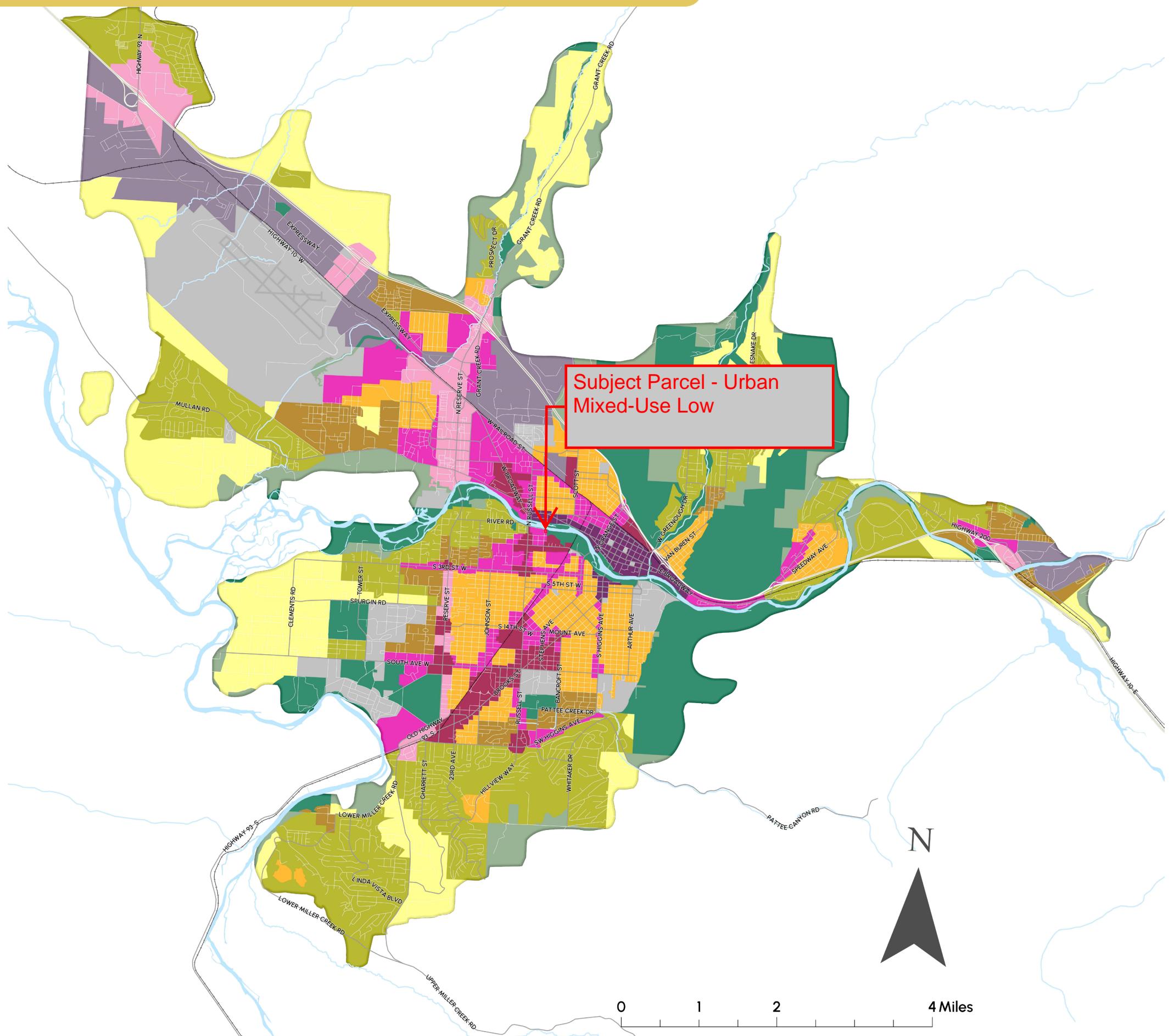
STATE OF MONTANA
County of Missoula RECEIVED CERTIFICATE

CALIFORNIA
Recorded At 19, Nov. 1977
1/4" d. 4-40
from Jr. FF - 69

→ Vacated 85-97
City Resolution #5996
Book 504 Page 47
Vacation file # 760

→ Vacation
Resolution No 86-118
Book 253 Page 1694
Jan 12 1982

Figure 30. Place Types Map



The intent of this map is to convey the community's vision for growth and change, and to guide implementation of necessary changes to the City's zoning map, zoning districts, subdivision requirements, and other land use regulations.

The Place Types designated in this map are approximate and must be read in conjunction with the Place Type descriptions and policy statements found within the Land Use Plan. Any policy decisions based on the designations should consider site-specific conditions.

The Land Use Plan (LUP) and Place Type map are not intended to interfere with, abrogate or annul any covenant, deed restriction or other agreement between private parties.

RETURN RECORDED DOCUMENT TO:

First Interstate Bank
P.O. Box 4667
Missoula, Montana 59806

STM-59912
ID # 1640757

201206914 B: 892 P: 791 Pages: 3
04/16/2012 04:31:48 PM Notice Of Purchasers Interests
Vickie M Zeier, Missoula County Clerk & Recorder



NOTICE OF BUYER'S INTEREST

NOTICE IS HEREBY GIVEN that on the 10 day of April, 2012, a Contract for Deed, of which this is an abstract, was executed by and between **GRANT E. SCHERMER**, whose mailing address is 10455 O'Brien Creek Road, Missoula, Montana 59804 ("Seller"), and **RICHARD P. ZAVARELLI**, whose mailing address is 411 North California, Missoula, Montana 59801 ("Buyer") providing for the sale of real property located in Missoula County, Montana, more particularly described as follows:

Lot 20 of Cobban and Dinsmore's Orchard Homes No. 2, a platted subdivision in Missoula County, Montana, according to the official recorded plat thereof.

TOGETHER WITH Parcel A and Parcel B lying adjacent and contiguous to said Lot 20 as vacated by County Resolutions #86-118 in Book 253 at Page 1694 Micro Records.

TOGETHER WITH ^{portion} of right-of-way vacated in Resolutions No. 5996 in Book 504 at Page 47 Micro Records.

EXCEPTING THEREFROM Parcel C-1 as conveyed to the City of Missoula in Book 512 at Page 2128 Micro Records.

TOGETHER WITH all buildings, thereon; and all rights-of-ways, tenements, hereditaments, privileges and appurtenances thereto; all water, water rights and ditch rights, appurtenant to or used on the Property not otherwise reserved by Seller's predecessors in interest, which water rights are subject to adjudication, re-adjudication, and/or determination in accordance with Montana law; and all mineral, gas, oil and other hydrocarbon rights not reserved or conveyed by Seller's predecessors in title.

SUBJECT TO:

- 1) Reservations and exceptions in patents from the United States or the State of Montana;
- 2) Existing easements and rights-of-way apparent or of record;
- 3) All other building, use and zoning restrictions;
- 4) All outstanding interests and reservations pertaining to all mineral, gas, oil and other hydrocarbon rights reserved by Seller's predecessors in title, if any; and
- 5) Taxes and assessments for 2012 and subsequent years.

The original Contract for Deed and Seller's Warranty Deed are escrowed at Stewart Title Company at 320 West Broadway Street, Suite A, Missoula, Montana 59802. The Contract for Deed requires payment in full by Buyer at which time the Escrow Agent is instructed to deliver the Contract for Deed and Warranty Deed to Buyer.

Buyer will provide a complete copy of the Contract for Deed, without cost, upon request of any person.

6th IN WITNESS WHEREOF, the undersigned have executed this instrument this 6th day of April, 2012.

SELLER:

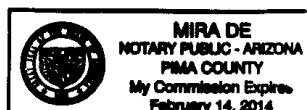
Grant E Schermer
Grant E. Schermer

BUYER:

Richard P. Zavarelli
Richard P. Zavarelli

STATE OF AZ
County of Pima

This instrument was acknowledged before me on the 6th day of April, 2012, by
GRANT E. SCHERMER.



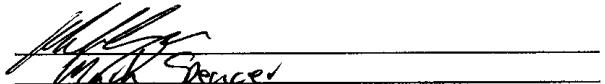
Mira De
MIRA DE
Typed, stamped or printed name of notary
NOTARY PUBLIC FOR THE STATE OF AZ
Residing at Tucson
My Commission Expires 2/14/2014

STATE OF MONTANA)
:ss.
County of Missoula)

This instrument was acknowledged before me on the 10 day of April, 2012, by
RICHARD P. ZAVARELLI.

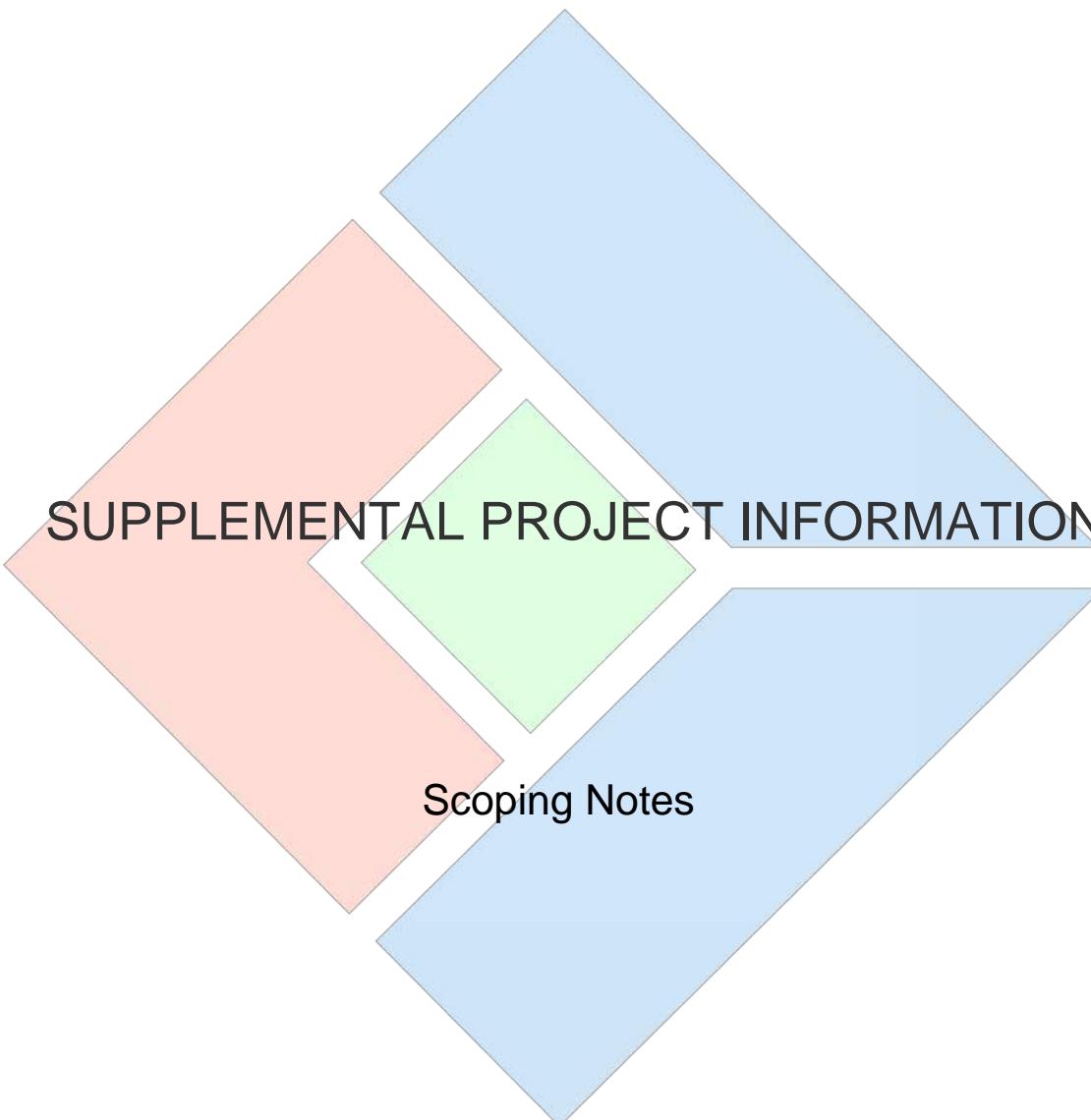


MARK SPENCER
NOTARY PUBLIC-MONTANA
Residing at Missoula, Montana
My Comm. Expires Aug. 15, 2015



Typed, stamped or printed name of notary
NOTARY PUBLIC FOR THE STATE OF MONTANA

Residing at _____
My Commission Expires _____

A graphic consisting of four overlapping diamond shapes. The largest diamond is light blue, with a smaller light blue diamond nested within its lower-right portion. A light green diamond is positioned in the center, overlapping both. A light red diamond is on the left, overlapping the light blue diamond. The text "SUPPLEMENTAL PROJECT INFORMATION" is centered in the light blue area, and "Scoping Notes" is centered in the lower-right portion of the light blue diamond.

SUPPLEMENTAL PROJECT INFORMATION

Scoping Notes



MISSOULA

COMMUNITY PLANNING, DEVELOPMENT & INNOVATION

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

Annexation and Zoning Scoping Meeting

Date: March 27, 2024

Owner Name: Zavarelli Enterprises LLC

Applicant / Representative Name and Email Address: Mike A. Maine,
michael.a.mainet@imegcorp.com

Staff: Tara Porcari and Cassie Tripard

Subject Property Statistics and Zoning:

Proposal: Request to annex/rezone 400 California Street (B2-3 zoning) and rezone 1203 & 1203 ½ River Rd, 401, 403, 407, and 411 California St to B2-3 zoning. The property at 400 California St is within Area A of the Annexation Map and within the City's Urban Growth Boundary.

Addresses: 400, 401, 403, 407 & 411 California Street and 1203 & 1203 ½ River Rd

Geocodes: 04-2200-21-2-11-03-0000, 04-2200-21-2-11-02-0000 & 04-2200-21-2-12-01-0000

Existing Zoning/Land Use Designation:

Property #1 (400 California St): Partial M2-4/Community Mixed-Use

Property #2 (1203 & 1203 ½ River Rd and 407 & 411 California St): RT10 and B2-2 w/Southside Riverfront NC Overlay/Community Mixed Use

Property #3 (401 & 403 California St): R80/Community Mixed Use

Notes:

- While not a comparable zoning district (C1, C2, M1R) for Community Mixed Use Land Use Designation in the Growth Policy, the rezone request seems to comply with Growth Policy since it meets other criteria (and less intensive uses than C districts – fits better with existing neighborhood and floodplain, while forwarding a “focus inward” approach and providing housing close to jobs and services)
 - City would not require a targeted growth policy amendment for B2 zoning
- The submittal does not show compliance with Wyoming Area recommendations in the Downtown Master Plan (included with Growth Policy). In order to show compliance, the City would need to see certain considerations related to open space/park space/riparian areas on the north side of development and additional connectivity (possibly in the form of an easement, etc. for Inez), and the applicant would need to independently demonstrate how goals of the plan are being met or forwarded.
 - Update: applicant plans to acquire additional lot and send different plan set including a possible ROW vacation of River Rd – once the City receives the redesign, they will bring it back to the Design Review Team (DRT) for another round of comments/notes before reaching back out to the applicant for a second scoping meeting. As of 4/11/24, the City has not received any other plans.
- Annexation would be supported with Engineering conditions (water main extension up California, etc.) Note that there is no water in River Rd and only in Idaho and parcel to annex does not currently have water.
- Floodplain depths are passable for emergency services. Note that allowable height is measured from 2' above base flood elevation in the floodplain.



MISSOULA

COMMUNITY PLANNING, DEVELOPMENT & INNOVATION

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

Annexation and Zoning Scoping Meeting

Date: August 6, 2024

Owner Name: Zavarelli Enterprises LLC

Applicant / Representative Name and Email Address: Joe Dehnert,
joseph.m.dehnert@imegcorp.com

Staff: Tara Porcari and Cassie Tripard

Subject Property Statistics and Zoning:

Proposal: Request to rezone 1203 & 1203 ½ River Rd, 401, 403, 407, and 411 California St to B2-2 zoning.

Addresses: 401, 403, 407 & 411 California Street & 1201, 1203 & 1203 ½ River Rd

Geocodes: 04-2200-21-2-11-02-0000, 04-2200-21-2-11-03-0000 & 04-2200-21-2-11-04-0000

Existing Zoning/Land Use Designation:

Property #1 (401 & 403 California St): R80/Community Mixed Use

Property #2 (1203 & 1203 ½ River Rd and 407 & 411 California St): RT10 and B2-2 w/Southside Riverfront NC Overlay/Community Mixed Use

Property #3 (1201 River Rd): R80/Community Mixed Use

Notes:

- While not a comparable zoning district (C1, C2, M1R) for Community Mixed Use Land Use Designation in the Growth Policy, the rezone request seems to comply with Growth Policy since it meets other criteria (and less intensive uses than C districts – fits better with existing neighborhood and floodplain, while forwarding a “focus inward” approach and providing housing close to jobs and services)
 - City would not require a targeted growth policy amendment for B2 zoning
 - B2-2 would be supported by staff
 - B2-3 could be if design showed greater compliance with the Downtown Master Plan
- Although the request would be supported, the existing site plan submittal does not necessarily show compliance with Wyoming Area recommendations in the Downtown Master Plan (included with Growth Policy). It would be ideal to see more emphasis placed on the following components, and the applicant is encouraged to independently demonstrate to the greatest extent possible how goals of the plan are being met or forwarded in the application packet.
 - Greater dedicated north/south connectivity
 - Ideas discussed at scoping: public access easements north/south to possibly extend Inez/Prince in the future, pedestrian access easements, etc.
 - Increased green space on the north side of the property
 - Staff may also be open to increased height with B2-3 if there was an emphasis placed on trying to enlarge the area closest to the river
- Also note regarding the DT Master Plan that MRA may require certain levels of compliance if you are seeking funding – please contact them early to discuss possible options and requirements
- Floodplain depths are passable for emergency services. Note that allowable height is measured from 2' above base flood elevation in the floodplain. Make sure to include floodplain considerations in the application.