





## 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](mailto: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: **1010, 1020, and 1030 Reserve Rezone**
4. Name(s) of Applicant: **Squirrels Real Estate, LLC (attn: Ashley Carter)**  
Mailing Address: **203 S 1st St, Lufkin, TX 75901-3825**  
Telephone Number: **731-613-8719**  
Email Address: **Ashley Carter <ac@maincg.com>**
5. Name(s) of Owner of Record: **Squirrels Real Estate, LLC (name)**  
Mailing Address: **203 S 1<sup>st</sup> St, Lufkin, TX 75901-3825**  
Telephone Number: **731-613-8719**  
Email Address: **Ashley Carter <ac@maincg.com>**
6. Name and Company of Representative: **Zack Graham (Graham Engineering)**  
Mailing Address: **4350 Ravalli Street, Ste B, Bozeman, MT 59718**  
Telephone Number: **406-624-2686**  
Email Address: **zack@grahameng.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.

	07/3/25
Applicant's Signature	Date
	07/03/25
Owner's Signature	Date
_____ Representative's Signature	_____ Date

**B. SUBJECT PROPERTY INFORMATION**

General location of subject property and address (if address has been assigned): 1010, 1020 and 1030 Reserve Street

Legal Description - complete and unabbreviated: GEESEY ADDITION, S29, T13 N, R19 W, Lot 6, 7, and DAVIS ADDITION, S29, T13 N, R19 W, Lot 1

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

Geocode: **04-2200-29-2-47-60-0000, 04-2200-29-2-47-62-0000, 04-2200-29-2-47-63-0000**

**C. ZONING AND GROWTH POLICY INFORMATION**

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

	Zoning	Current Land Use
Adjacent (North)	<b>B3-2 Business Mixed-Use / DE-C Design Excellence Overlay Corridor Typology 4</b>	<b>Detached Residences</b>
Adjacent (South)	<b>B3-2 Business Mixed-Use / DE-C Design Excellence Overlay Corridor Typology 4</b>	<b>Office and Detached Residences</b>
Adjacent (East)	<b>RT5.4 Residential 5.4 (two-unit/ townhouse) and B3-2 Business Mixed-Use</b>	<b>Detached and Duplex Residences</b>
Adjacent (West)	<b>B2-2 Community Business / DE-C Design Excellence Overlay Corridor Typology 4</b>	<b>Vacant, Office, and Religious Assembly</b>

2. What is the current zoning of the property (including intensity designator)? **B3-2 Business Mixed-Use / DE-C Design Excellence Overlay Corridor Typology 4**

3. What is the requested zoning for the property (including intensity designator)? **C2-1 Community Commercial / DE-C Design Excellence Overlay Corridor Typology 4**

4. What is the applicable City Growth Policy (comprehensive plan) and land use designation for the property? **Limited Urban Mixed-Use**

5. What is the intended use for the property? **Motor Vehicle Repair - Limited**

**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 place type designation from the recently adopted "Our Missoula 2045 Land Use Plan" (Plan) of the subject property is Limited Urban Mixed-Use. Properties to the north, south, and west share the same place type designation. The properties to the east have a place type designation of Limited Urban Mixed-Use and Urban Residential High. Current relatable zoning districts include RMH, C2, and M1R. The proposed amendment to C2 zoning is a relatable district in accordance with this Plan. Refer to page 83 of the Plan.**
  - b. Whether the zoning is designed to secure safety from fire and other dangers; **The proposed amendment promotes safety by incorporating a zoning designation that will allow the appropriate use and density in an area adjacent to residential and transportation in an area with adequate water to protect against possible fire. This proposed amendment is also correctly located to encourage safety from various dangers as it provides ready access to emergency services with connectivity to Reserve Street.**
  - c. Whether the zoning is designed to promote public health, public safety, and the general welfare; **The proposed zoning amendment is in accordance with the recently adopted "Our Missoula 2045 Land Use Plan" (Plan) which helps define the character of the district which has a place type designation of the subject property is Limited Urban Mixed-Use. A major consider of the Plan was to designate uses in a manner that promotes the public health, safety and general welfare. This place type, primarily commercial in nature, offers the opportunity for neighborhood and community-serving businesses and services. By following the Plan, the proposing zoning promotes the public health, safety and general welfare by limiting the allowed uses to what is appropriate when adjacent to both residential and a primary transportation network.**

- d. Whether the zoning is designed to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; **Transportation - The proposed amendment is located on a property that is situated adjacent to Reserve Street with access to Reserve from 8<sup>th</sup> and 9<sup>th</sup> Streets north and south of the property. Any future development could require a Traffic Impact Study and coordination/review with the Montana Department of Transportation. Water - A 6" water main is located in 9<sup>th</sup> street and an 8" water main is located on the west side of Reserve. It is expected that any future development requiring fire sprinklers will be required to connect these two mains with a 12" main bored under Reserve street. additionally it is expected that an additional fire hydrant will need to be installed to serve the property. These improvements would be the responsibility of the developer. Sewer - An existing sewer main is available adjacent to the property in Reserve and available for use. Schools - The proposed zoning allows for commercial and residential uses. If the property is used for a commercial use, the impact to schools would be negligible but would support the schools through property taxes. If a residential use is pursued the allowable zoning is RMH. RMH allows for 1 unit per 1,000 SF so up to 50 units could be built on this property assuming all setbacks, parking, landscaping, and building requirements are met. Parks - As a proposed commercial use, any future development is not expected to impact the impact to Parks but would support them through ongoing property taxes.**
- e. Whether the zoning considers the reasonable provision of adequate light and air; **The proposed C2-1 zoning limits the maximum building height to 40 feet. However, Table 20.10-2 Parcel and Building Standards (B and C Districts) [3] requires that for parcels abutting R districts that have a maximum allowed building height of 35 feet or less, the maximum building height at the point of the required minimum setback line is 35 feet. Height may be increased above 35 feet by up to one foot (vertical) for each 6 inches of building setback or upper floor step-back. Therefore, the 35' height restriction only applies at and near the setback.**
- f. Whether the zoning considers the effect on motorized and nonmotorized transportation systems; **The proposed C2 zoning will require related connectivity for vehicular, bicycle, and pedestrian traffic as required by the associated development ordinance. The proposed zoning complies with the Land Use Plan.**
- g. Whether the zoning considers the promotion of compatible urban growth; **The proposed zoning amendment is in accordance with the recently adopted "Our Missoula 2045 Land Use Plan" (Plan) which helps define the character of the district which has a place type designation of the subject property is Limited Urban Mixed-Use. As previously indicated the proposed**



**amendment to C2 is a relatable zoning district to the adopted place type designation which is compatable with the cities urban growth plan.**

- h. Whether the zoning considers the character of the district and its peculiar suitability for particular uses; **The proposed zoning amendment is in accordance with the recently adopted "Our Missoula 2045 Land Use Plan" (Plan) which helps define the character of the district which has a place type designation of the subject property is Limited Urban Mixed-Use. As previously indicated the proposed amendment to C2 is a relatable zoning district to the adopted place type designation which is in accordance with the character and uses of the area. See page 83 of the Plan.**
  - i. Whether the zoning conserves the value of buildings and encourages the most appropriate use of land throughout the jurisdictional area. **This proposed amendment preserves the value of the property and surrounding property by aligning with the recently adopted "Our Missoula 2045 Land Use Plan" (Plan). Because of the alignment with the Plan, this preserves and encourages adjacent redevelopment in accordance with the Plan which conserves value and encourages additional appropriate redevelopment of the land throughout the area.**
2. Whether the proposed zoning amendment corrects an error or inconsistency in the zoning ordinance or meets the challenge of a changing condition; **This does not correct an error in the zoning ordinance, but it should be noted that the current zoning is not in alignment with the recently adopted "Our Missoula 2045 Land Use Plan" (Plan). The proposed amendment bring the property zoning into alignment with that Plan as described previously.**
3. Whether the proposed zoning amendment is in the best interests of the city as a whole. **If the recently adopted "Our Missoula 2045 Land Use Plan" (Plan) has been deemed in the best interest of the City as a whole, then this amendment is also in the best interest of the City as the amendment follows the direction of this Plan.**

#### **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.

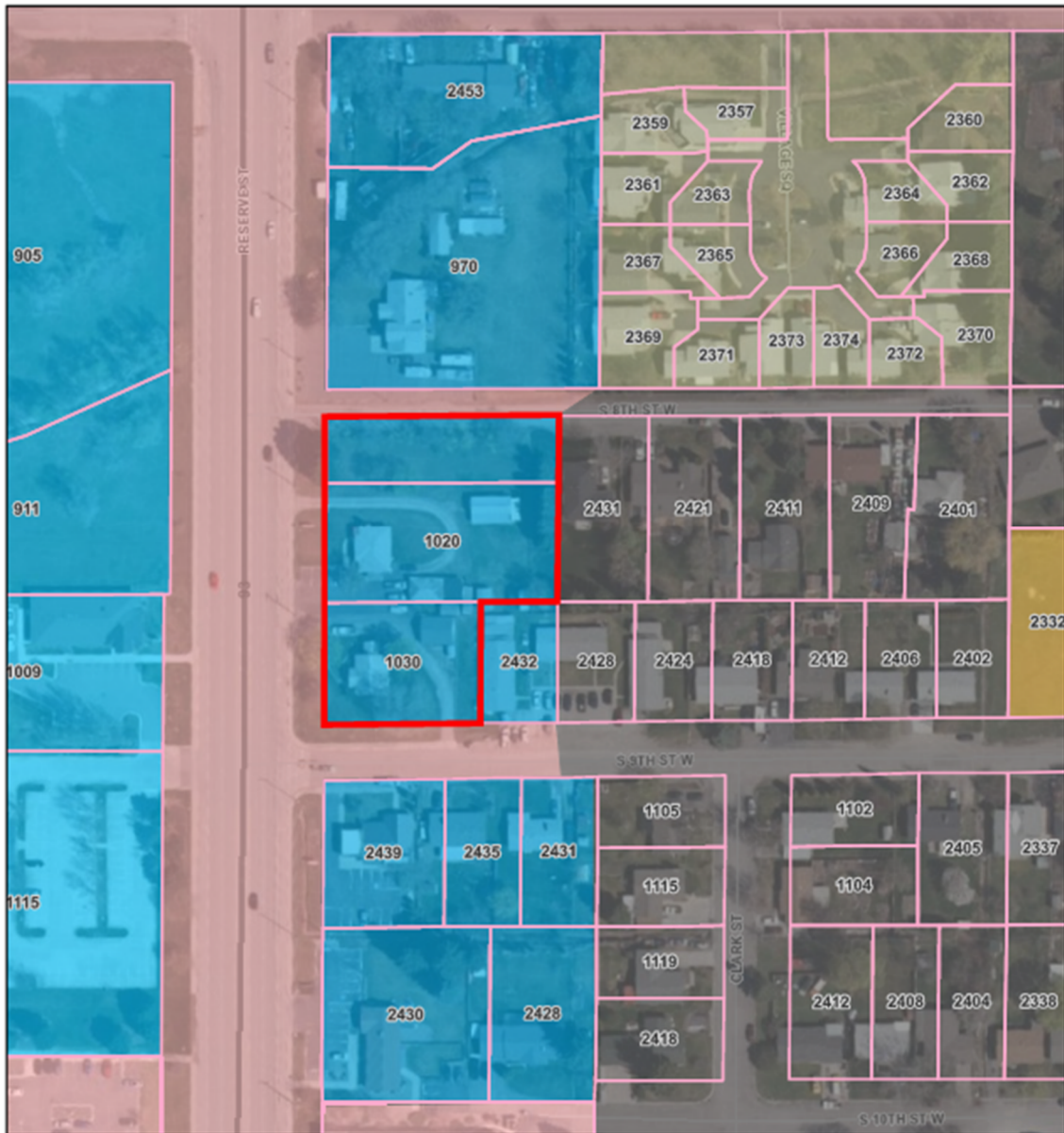
- ☒ **A Zoning map** of the subject property and vicinity (showing the existing zoning district), extending at least 300 feet from the property boundaries.
- ☒ **An aerial photo** of the subject property and vicinity extending at least 300 feet from the property boundaries.
- ☒ **A Growth Policy/Comprehensive 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.

## Vicinity Map

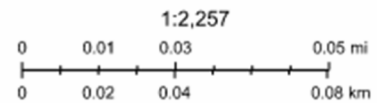
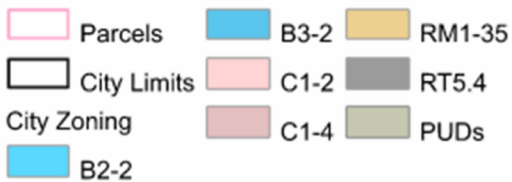


## Zoning Map

### 1010-1030 S Reserve St



10/29/2024, 11:05:58 AM



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

City of Missoula  
Community Planning, Development & Innovation



## Aerial Photo



## Growth Policy/Comprehensive Plan Map

### 1010-1030 S Reserve St Land Use

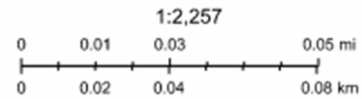


10/29/2024, 11:27:17 AM

- Parcels
- City Limits

#### Land Use

- Community Mixed Use
- Residential High Density - Greater than 24 units per acre



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

City of Missoula  
Community Planning, Development & Innovation

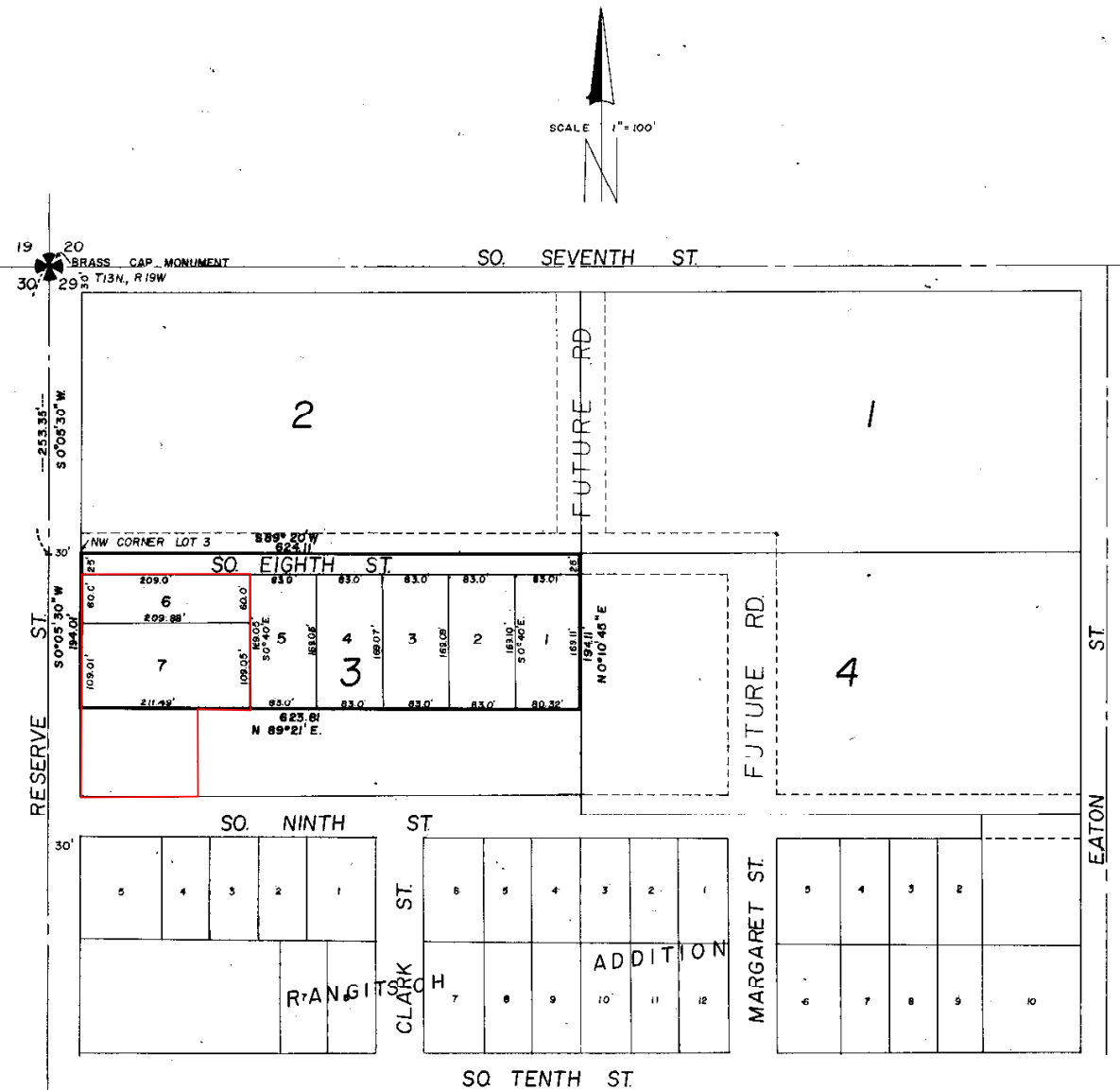


## **Current Plat**

Two plats are attached, with the subject property highlighted. The proposed property consists of three existing lots.



## GEESEY ADDITION

A SUPPLEMENT OF A PORTION OF LOT 3 OF  
R. M. COBBAN ORCHARD HOMES, MISSOULA, MONTANA

LOT	STREET	HOUSE NO.
1	SO. EIGHTH ST.	2401
2	"	2409
3	"	2411
4	"	2421
5	"	2431
6	"	2451
6	RESERVE ST.	1010
7	"	1020

## LEGEND

- SECTION CORNER (found)
- 1/16 CORNER (found)
- IRON PINS SET AT ALL LOT CORNERS

## DEDICATION

No. George A. Geesey and Phyllis Leon Geesey do hereby certify that we have caused to be surveyed, subdivided, and platted into lots, blocks, pedestrian and vehicular thoroughfares as shown on the accompanying plat and certificate of the survey hereunto annexed the following described tract of land, to-wit:

A tract of land located in Lot 3 of R. M. Cobban Orchard Homes, an official subdivision of Missoula County, Montana, and more particularly described as follows:

Beginning at the northwest corner of said Lot 3 of R. M. Cobban Orchard Homes, which corner is S. 0°05' 30" W., 253.35 ft. and N. 89°20' 11" E., 30.0 ft. from the northwest corner of Section 29, T. 13 N., R. 19 W., Principal Meridian Montana; thence S. 0°05' 30" W., 170.0 ft.; thence N. 89°21' 11" E., 673.81 ft. to the east boundary of said Lot 3; thence N. 0°20' 45" E., 170.11 ft. to the north-east corner of said Lot 3; thence S. 89°20' 11" E., 670.11 ft. to the point of beginning. Contains 2.3 acres, more or less.

Further that the above parcel is to be known as GEESEY ADDITION and the lands included in all streets, avenues, public squares, and pedestrian thoroughfares are dedicated, donated and granted to the use of the public forever.

In witness whereof, we have hereunto set our hand and seal this 3RD day of FEBRUARY, 1964.

George A. Geesey seal  
Phyllis Leon Geesey seal

## ACKNOWLEDGMENT

STATE OF MONTANA  
COUNTY OF MISSOULA

On this 3RD day of FEBRUARY, 1964, before me, JOHN F. PETERSON JR., a notary public for the State of Montana, residing at Missoula, Montana, personally appeared known to be the persons 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 notarial seal the day and year first above written.

John F. Peterson Jr.  
Notary Public for the State of Montana  
Residing at Missoula, Montana  
My commission expires JULY 19, 1965.

## SURVEYOR'S CERTIFICATE

STATE OF MONTANA  
COUNTY OF MISSOULA

I, the undersigned, Paul L. Vick, Land Surveyor, Registration No. 15378, do hereby certify that I surveyed the land shown on the accompanying plat in Lot 3 of R. M. Cobban Orchard Homes, Missoula County, Montana, and to be known as GEESEY ADDITION, and further that this survey was made in the months of June through August, 1963, according to provisions of Chapter 6, Title 11, of the Revised Codes of the State of Montana, 1947.

Paul L. Vick  
Paul L. Vick

STATE OF MONTANA  
COUNTY OF MISSOULA

Subscribed and sworn to before me this 6TH day of September, 1963.

Harold J. Peterson  
Notary Public for the State of Montana  
Residing at Missoula, Montana  
My commission expires October 4, 1963.

## EXAMINED AND APPROVED

Date 4-27-64

Paul L. Vick  
County Surveyor, Missoula County, Montana

Certificate of ownership for this parcel of land examined and approved.

Date April 27, 1964

Harold J. Peterson  
County Attorney, Missoula County, Montana

Approved this 29th day of April, 1964, and it having been made to appear that GEESEY ADDITION being the platted area herein contained and it also appearing to the Board of County Commissioners of Missoula County, Montana, that it is in the public interest that no park or playground be dedicated within the said tract, therefore it is hereby ordered that the order be incorporated into the proceedings of this board and a copy thereof be endorsed and certified on the said addition on this date.

Date 4/29/64

Wm. Lucier  
Chairman  
Ed. Hollenburger  
H. W. Stentenberg  
County Commissioners in and for Missoula County, Montana

220831

## ATTEST

Date 4/29/64

Martin S. Bennet  
Clerk and Recorder, Missoula County, Montana

I received and filed this instrument as recorded on the 29th day of April, 1964, at 2:15 o'clock P.M. and it is recorded in vol. 7 of Plat 15378 Records of the County of Missoula, State of Montana, on page 25.  
Witness my hand:  
MARTIN S. BENNET, County Recorder  
By David R. Baker Deputy  
Per 1.50 Paid  
Returned to: \_\_\_\_\_  
Address: \_\_\_\_\_

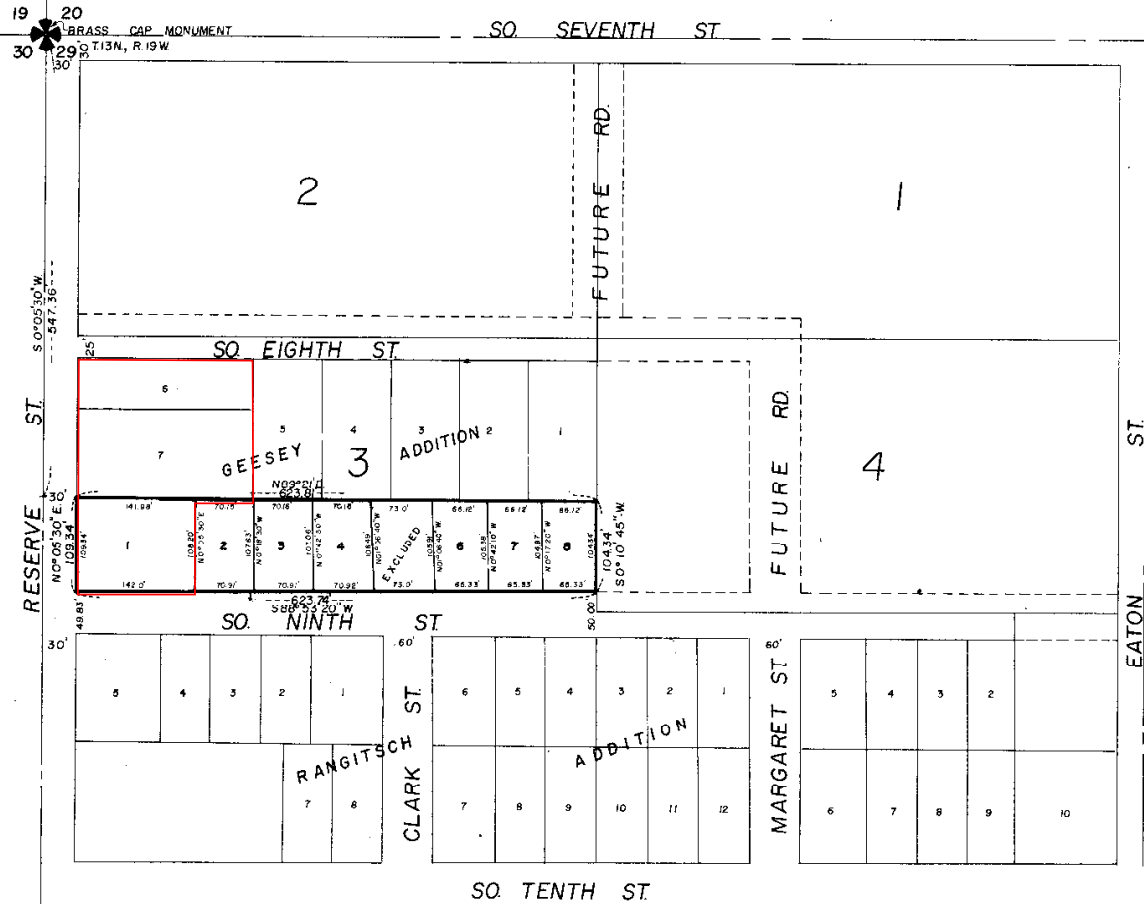
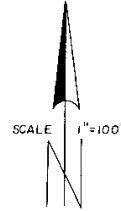
Book 7 Res. Cov. BK W-Misc. Page 284  
Page 25  
File 0-26

PAUL L. VICK & ASSOCIATES - SURVEYORS - MISSOULA, MONTANA



# DAVIS ADDITION

A SUPPLEMENT OF A PORTION OF LOT 3 OF  
R. M. COBBAN ORCHARD HOMES, MISSOULA, MONTANA



HOUSE NUMBERS		
LOT	STREET	HOUSE NO.
1	RESERVE ST.	1030
1	SO. NINTH ST.	2438
2	"	2432
3	"	2428
4	"	2424
5	EXCLUDED	2419
6	SO. NINTH ST.	2412
7	"	2406
8	"	2402

## LEGEND

- SECTION CORNER (found)
- 1/16 CORNER (found)
- IRON PINS SET AT ALL LOT CORNERS

DEDICATION

John A. Davis and Violet C. Davis, his wife, do hereby certify that we have caused to be surveyed, subdivided, and platted into lots, blocks, pedestrian and vehicular thoroughfares as shown on the accompanying plat and certificate of the survey hereto annexed the following described tract of land, to-wit:

A tract of land located in Lot 3 of R. M. Cobban Orchard Homes, an official subdivision of Missoula County, Montana, and more particularly described as follows:

Beginning on the west boundary of said Lot 3 of R. M. Cobban Orchard Homes, which point is S. 00° 05' 30" W., 547.36 ft., and N. 89° 21' E., 394.00 ft. from the northwest corner of Section 29, T. 13 N., R. 19 W., Principal Meridian Montana; thence N. 89° 21' E., 523.81 ft. to the east boundary of said Lot 3; thence S. 00° 05' 30" W., 104.34 ft.; thence S. 85° 51' 20" E., 603.74 ft. to the west boundary of said Lot 3; thence N. 00° 05' 30" W., 104.34 ft. to the point of beginning.

EXCEPTING therefrom the following described tract located in Lot 3 of R. M. Cobban Orchard Homes:

Beginning at a point which is N. 00° 05' 30" W., 104.34 ft., and S. 89° 21' E., 194.00 ft. from the southeast corner of said Lot 3; thence N. 01° 06' 40" E., 104.01 ft.; thence S. 89° 21' E., 73.0 ft.; thence S. 01° 06' 40" E., 104.34 ft.; thence N. 89° 21' E., 73.0 ft. to the point of beginning.

Total area of DAVIS ADDITION is 1.3 acres more or less.

Further that the above parcel is to be known as DAVIS ADDITION and the lands included in all streets, avenues, public squares, and pedestrian thoroughfares are dedicated, donated and granted to the use of the public forever.

In witness whereof, we have hereunto set our hand and seal this 10th day of July, 1964.

Seal  
John A. Davis  
Seal  
Violet C. Davis

ACKNOWLEDGMENT

STATE OF MONTANA  
COUNTY OF MISSOULA

On this 10th day of July, 1964, before me, John P. Patterson, a notary public for the State of Montana, residing at Missoula, Montana, personally appeared John A. Davis, and Violet C. Davis, his wife, known to be the persons 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 notarial seal the day and year first above written.

John P. Patterson  
Notary Public for the State of Montana  
Residing at Missoula, Montana  
My Commission expires July 10, 1965.

SURVEYOR'S CERTIFICATE

STATE OF MONTANA  
COUNTY OF MISSOULA

I, the undersigned, Paul L. Vick, Land Surveyor, Registration No. 15376, do hereby certify that I surveyed the land shown on the accompanying plat in Lot 3 of R. M. Cobban Orchard Homes, Missoula County, Montana, and to be known as DAVIS ADDITION, and further that this survey was made in the months of April and May, 1964, according to the provisions of Chapter 6, Title 11, of the Revised Codes of the State of Montana, 1947.

Subscribed and sworn before me this 10th day of July, 1964.

Paul L. Vick  
Paul L. Vick  
Notary Public for the State of Montana  
Residing at Missoula, Montana  
My commission expires July 10, 1965.

EXAMINED AND APPROVED

Date July 24, 1964  
County Surveyor, Missoula County, Montana

Certificate of compliance for this parcel of land examined and approved.  
Date July 28, 1964  
County Attorney, Missoula County, Montana

Approved this 6th day of August, 1964, and it having been made to appear that DAVIS ADDITION being the platted area within the plat and is so appearing to the Board of County Commissioners of Missoula County, Montana, that it is in the public interest that a park or play ground be designated within the said tract, therefore it is hereby ordered that the order be incorporated into the proceedings of this board and a copy thereof be endorsed and certified on the said addition on this date.

Date Aug. 6, 1964  
County Commissioners in and for Missoula County, Montana

224896

I received and filed this instrument for record on the 10th day of Aug. 1964 at 2:30 a.m. at the County Clerk's Office of Missoula County, State of Montana.

Witness my hand:  
Vernon R. Cross, County Recorder  
By Myrtle J. Ward, Deputy  
For Paul L. Vick

Bk. 7 Pg. 36  
10-37

PAUL L. VICK  
ASSOCIATES  
Surveyors  
Missoula, Montana