
AGENDA

IMPACT FEE ADVISORY COMMITTEE

July 18th, 2013 – 4:00 pm

Jack Reidy Conference Room – 140 W. Pine, Missoula, MT 59802.

A. Members Present:

Nick Kaufman, Dick Ainsworth, Janet Donahue, Jerry Ford, Derek Goldman, John Freer, Elaine Hawk.

Staff: Kevin Slovarp, Dee Andersen, Bruce Bender.

B. Public Comment. None.

C. Minutes dated: May 30, 2013 will be provided at a later date.

D. Transportation Impact Fee contribution to the proposed new CIP expanding Old U.S. Highway 93 in conjunction with the remodel and expansion of Lithia Motors.

City Engineer, Kevin Slovarp said the City has been presented with a unique opportunity to preserve a portion of Old U.S. Highway 93 right-of-way, by exchanging some roadway improvements for receiving the right-of-way from the private property owner. Lithia Motors, located between Brooks Street and Old Highway 93, south of the Missoula Country Club has purchased some property along Old Highway 93 and will be expanding their operation and moving their building. They are going to make some right-of-way improvements to the back of their lot. There is another piece of land with improvements on it, which consist of curb, gutter and sidewalk. We have been offered that right-of-way in exchange for some roadway improvements. The improvements consist of removal of existing curb, gutter and sidewalk and installing new curb, gutter, sidewalk, driveway and asphalt. The right-of-way is necessary to maintain the Final Environmental Impact Statement (FEIS).

Mr. Slovarp reviewed the [FEIS](#) and the area of the [proposed right-of-way improvements](#).

Nick Kaufman said because his company is doing the work for Lithia, he would not vote on this item. In regards to the EIS, he asked if the golf course is considered “4F” and falls into the same category as *parkland or open space* and so the EIS directs the necessary width away from the golf course.

Mr. Bender said the EIS clearly states that.

Janet Donahue expressed concerns at being a member of the Missoula County Club, and asked the committee if she also should also abstain from voting.

Mr. Bender and Mr. Kaufman replied no, they saw no conflict.

Ms. Donahue asked if the land in question was the old Golden Corral location.

Mr. Slovarp said yes.

The committee discussed the current right-of-way and the area around the old Golden Corral.

Mr. Slovarp said he spoke with Jeff Smith of WGM and Lithia Motors is ok with granting the right-of-way and not actually having the City make the improvements until a later date, which is what Councilman Jaffe had suggested. There is existing infrastructure and is not planned to be removed immediately. The Lithia improvements will be farther to the south and when the FEIS gets built then the City will make the proposed roadway improvements.

Dick Ainsworth commented that we will ultimately need to obtain the right-of-way from adjacent property owners as well.

Bruce Bender said the likelihood of getting federal money for this is slim; the 20 year plan was not funded. The signals may get federally funded. We may have to bring in the CIP and have the project sitting out there for 5 years.

Ms. Donahue asked Mr. Bender if the committee was being asked to approve impact fee expenditures today.

Mr. Bender said Administration would prefer you take action today in case things change. He asked the committee if conceptually speaking, they agree with this?

Mr. Kaufman stated that his preference is that the committee should pass a motion to expend the funds.

Ms. Donahue suggested the committee make their recommendation approval contingent upon an agreement with Lithia.

Mr. Bender said we also need to get approval from Council.

Mr. Kaufman suggested that since it's a vacant piece of property they give value to the easement and when the construction needs to be built, the City can find funding.

Mr. Slovarp reviewed the [impact fee criteria and calculation](#) which actually puts the project at more than the standard 1/3rd impact fee contribution. He then discussed the future Average Daily Traffic (ADT) for that area. Currently, it is estimated to be 3,700. In 2025, without the implementation of the preferred alternative the estimated ADT will be \$8,520. If the improvements go in and we have a new link to Reserve Street he said the ADT on Old Highway 93 is projected to be 20,300.

Mr. Bender stated that with this increased capacity, it puts the calculation at closer 75-95% of impact fee contribution.

Derek Goldman asked what the Council decision was.

Mr. Bender said it was held in committee as Mr. Jaffe wanted to know if the City could still obtain the needed right-of-way, yet put off the improvements until the preferred alternative was constructed and complete the whole project at the same time with a potential of federal money.

Jerry Ford asked how many feet of right-of-way are being considered.

Mr. Slovarp responded that there is approximately 2,250 square feet. The cost of construction and demo and estimated value of the right-of-way is somewhere between \$50,000 - \$60,000. He said the proposed funding mechanism would be \$25,000 gas tax and 25,000 Transportation Impact Fees.

Mr. Ford asked what price the land was being valued at.

Mr. Slovarp said at \$31 per square foot.

Ms. Donahue asked where that figure came from.

Mr. Slovarp said he asked WGM to provide what they thought and their estimate was \$25-31 per square foot.

Mr. Kaufman said Lambros ERA said about \$30 per square foot.

Mr. Ford said commercial frontage on Reserve is about \$17 per square foot but it's not that too far off.

John Freer said he sees no reason not to support this. It is not money to purchase anything, but to put the improvements in. He doesn't think there is any reason we can't allocate the impact fee funds and expend at a later date.

Mr. Bender agreed. He would like to see how it would come back in the future. It puts us in a better negotiating position. He wanted to clarify that on the impact fee calculation, the expanded capacity of the improvements would put 75% of the cost of these improvements for capacity.

Ms. Donahue expressed concerns that this is the highest percentage of impact fees proposed, as we are usually at 1/3rd of the total cost of the project. And we are talking about only a small piece of this project.

Mr. Freer inquired as to what the total cost of the project is.

Mr. Slovarp said no idea at this time.

Mr. Bender said swapping right-of-way for improvements is a standard City procedure. We have used it over and over and are confronted with this on 3rd street now.

Ms. Donahue said we know the expenditure will be approved because it meets the capacity standard. Can the committee recommend that we approve the expenditure up to 1/3 of this entire cost of this project which would be more than \$25,000?

Mr. Bender said it would be in the several hundreds of thousands of dollars and that would be helpful. It would work.

The committee discussed ways of allocating the funding and keeping it within the standard 1/3 contribution.

Mr. Freer moved to recommend and approve \$25,000 of Transportation Impact Fees based on the consideration that it will be deducted from the entire contribution of Transportation Impact Fees for the Preferred Alternative 5A Miller Creek Road Project.

Mr. Ainsworth seconded the motion.

Upon a voice vote, the motion carried with Nick Kaufman abstaining.

E. Adjournment.

The meeting was adjourned at 4:40 pm

Respectfully submitted,

Dee Andersen

Supporting documents for review:

[Impact Fee Criteria-Old U.S. Hwy 93.](#)

[New CIP Form-Old U.S. Hwy 93](#)

[Referral to A&F committee amending the CIP](#) – (Includes background and City Council deadlines)

[Aerial View of Old U.S. Hwy 93](#)

[Miller Creek FEIS Preferred Alternative](#)