Revised

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

CITY REZONE APPLICATION

A. GENERAL INFORMATION

1. One submittal packet is required for Completeness/Sufficiency Review.

2. Once the application is deemed complete by Development Services (DS), the application fee and 27 submittal packets shall be submitted or 15 submittal packets for Planning Board and staff if an electronic submittal packet is also submitted meeting the electronic packet submittal guidelines. The packets submitted for governing body review must be exactly the same as the packet that was deemed complete.

3. Name of proposed Rezone: **2920 Expo Parkway Rezone to RM1-45**

4. Name(s) of Applicant: **KJA Development LLC**
   Mailing Address: **PO Box 1951 Missoula MT 59806**
   Telephone Number: **(406) 721-2458**
   Email Address: **ken_aultco@hotmail.com**

5. Name(s) of Owner of Record: **Western Development, LLP**
   Mailing Address: **P.O. Box 1479, Missoula, MT 59806**
   Telephone Number: **(406) 239-4834, (406) 544-2002**
   Email Address: **jparks@janparks.com , skolljens@aol.com**

6. Name and Company of Representative: **Mike Morgan-Hoffmann Morgan Associates**
   Mailing Address: **265 W Front St Missoula, MT 59802**
   Telephone Number: **406-552-9171**
   Email Address: **mike@hm-assoc.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.

Applicant's Signature — Date 2/7/2020

Owner's Signature — Date 2/7/2020

Representative's Signature — Date 2/7/2020

B. SUBJECT PROPERTY INFORMATION

General location of subject property and address (if address has been assigned): North Parcel: 2920 Expo Parkway. South parcel: No address

Legal Description - complete and unabbreviated: North Parcel: Government Lot 4 and Portion B of COS 4831 in Section 5, Townhip 13 North, Range 19 West. Geocode is 04-2200-05-2-01-08-0000. South Parcel: Amended Tract A of COS 3750 and Portion C of COS 4831 and Portion A of Commerce Center, Phase II, Amended in Section 5, Township 13 North, Range 19 West. Geocode is 04-2200-05-2-01-07-0000.

Township, Range, Section(s): **North Parcel: Section. 5, Townhip 13 North, Range 19 West. South Parcel: Section 5, Township 13 North, Range 19 West**

Subdivision, Lot(s), Block(s): **North Parcel: Government Lot 4. South Parcel: Portion A of Commerce Center, Phase II**

Tract(s), COS#: **North Parcel: Portion B of COS 4831. South Parcel: Amended Tract A of COS 3750 and Portion C of COS 4831**

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

Geocode: **04-2200-05-2-01-08-0000**

C. ZONING AND GROWTH POLICY INFORMATION

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

	Zoning	Current Land Use
Adjacent (North)	**Prospect PUD**	**Open Space and Single Dwelling Residential**
Adjacent (South)	**C1-4 Neighborhood Commercial**	**Hotels, Restaurants, and Vacant**
Adjacent (East)	**Rocky Mountain ~~Eld~~ Elk Foundation Special District / RM1-35 Residential (multi-dwelling) / B2-2 Community Business**	**Warehouse, Cultural Facility, and Residential**
Adjacent (West)	**unzoned**	**Vacant**

2. What is the current zoning of the property (including intensity designator)? **C1-4 Neighborhood Commercial, B2-2 Community Business, RM1-35 Residential (multi-dwelling), R5.4 Residential**

3. What is the requested zoning for the property (including intensity designator)? **RM1-45 Residential (multi-dwelling)**

4. What is the applicable comprehensive plan and land use designation for the property? **The applicable regional plan is the Our Missoula Growth Policy 2035 which recommends a land use designation of Regional and Commercial Services along the southern portion and Residential High Density >24 dwelling units per acre for the balance of the property.**

5. What is the intended use for the property? **Multi-Family Residential**

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 is made in accordance with a growth policy;

By requesting a zoning change to RM1-45 Residential, the zoning would align with the Residential High land use designation and equate to the same density as allowed in the C1-4 and C2-4 zoning districts recommended for lands with the Regional Commercial and Services land use designation.

2a. Whether the zoning is designed to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements

2b. Whether the zoning considers the effect on motorized and non-motorized transportation systems;

2.a A new traffic impact study has been completed to ensure the adequate provision of transportation for this project. Water and sewer will be provided by the City of Missoula. Existing mains are adjacent to the site and preliminary conversations with the City of Missoula Engineering Department have indicated that there is capacity to serve the site and accommodate the proposed project. The proposed project will include an extension of sewer and water with the water being looped to tie into the existing mains in two separate locations.

The parcel is located within the Hellgate Elementary School District. The school is located approximately 3.4 miles away and results in a 10 minute drive to the growing school campus. Hellgate Elementary has recently gone through remodels and additions in planning for the increase in population throughout its district. The nearest City of Missoula park to the development is Pleasant View Park is approximately 2.3 miles away and results in an 8 minute drive. The development plans on providing activity areas for its residents including a gym/basketball court, community center and open space throughout the development

2.b. The proposed development is currently vacant and the development will include the development of parking lots and sidewalks that have connectivity to the adjacent roadways and sidewalks resulting in an expansion of both motorized and non-motorized transportation. Additionally, the development has completed a traffic impact study to ensure the effects on motorized and non-motorized systems are adequately addressed.

3. Whether the zoning considers the promotion of compatible urban growth;

The proposed zoning RM1-45 is one of the zoning districts that the Growth Policy recommends for lands with a Residential High > 24 dwelling units per acre land use designation. The rezoning will bring the property into complaince with the Growth Policy. The proposed development will be compact and located on the flat part of the site.

4a. Whether the zoning is designed to promote public health, public safety, and the general welfare;

4b. Whether the zoning is designed to secure safety from fire and other dangers;

4c. Whether the zoning considers the reasonable provision of adequate light and air;

4d. Whether the zoning conserves the value of buildings and encourages the most appropriate use of land throughout the jurisdictional area;

Public infrastructure and roadways are in place and service the capacity of the growth policy driven RM1-45 zoning to properly satisfy public health, safety, and welfare. A majority of the parcel is hillside open space and will remain undeveloped per intent of Hillside Protection regulations. Light and air provisions: rated excellent, far exceeding typical comparable RM1-45 zoned properties. The value of adjacent buildings and land uses are preserved. North development is over 60' higher in elevation, causing no view or light impacts. East adjacent properties benefit from large buffering guaranteed by utility easements and landscape buffering, as well as large building separation distance. West is open hillside grassland and will remain such.

5. Whether the zoning considers the character of the district and its peculiar suitability for particular

uses;

The site was previously a large gravel pit with significant earth removal. The developable area is a flat pad remaining from historic excavation. Development offers vast improvement to the district, and property value improvements. Surrounding adjacent land uses are mixed with commercial and freeway to the South, commercial and multi-family to the East which is near level with the applicant's property. Single family residential to the North is well buffered in distance, over 200' laterally, and over 60' higher in elevation. Multi family following RM1-45 zoning is the perfect use for this location. Solar access and view corridors for adjacent land uses are not impacted.

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. **see attached**

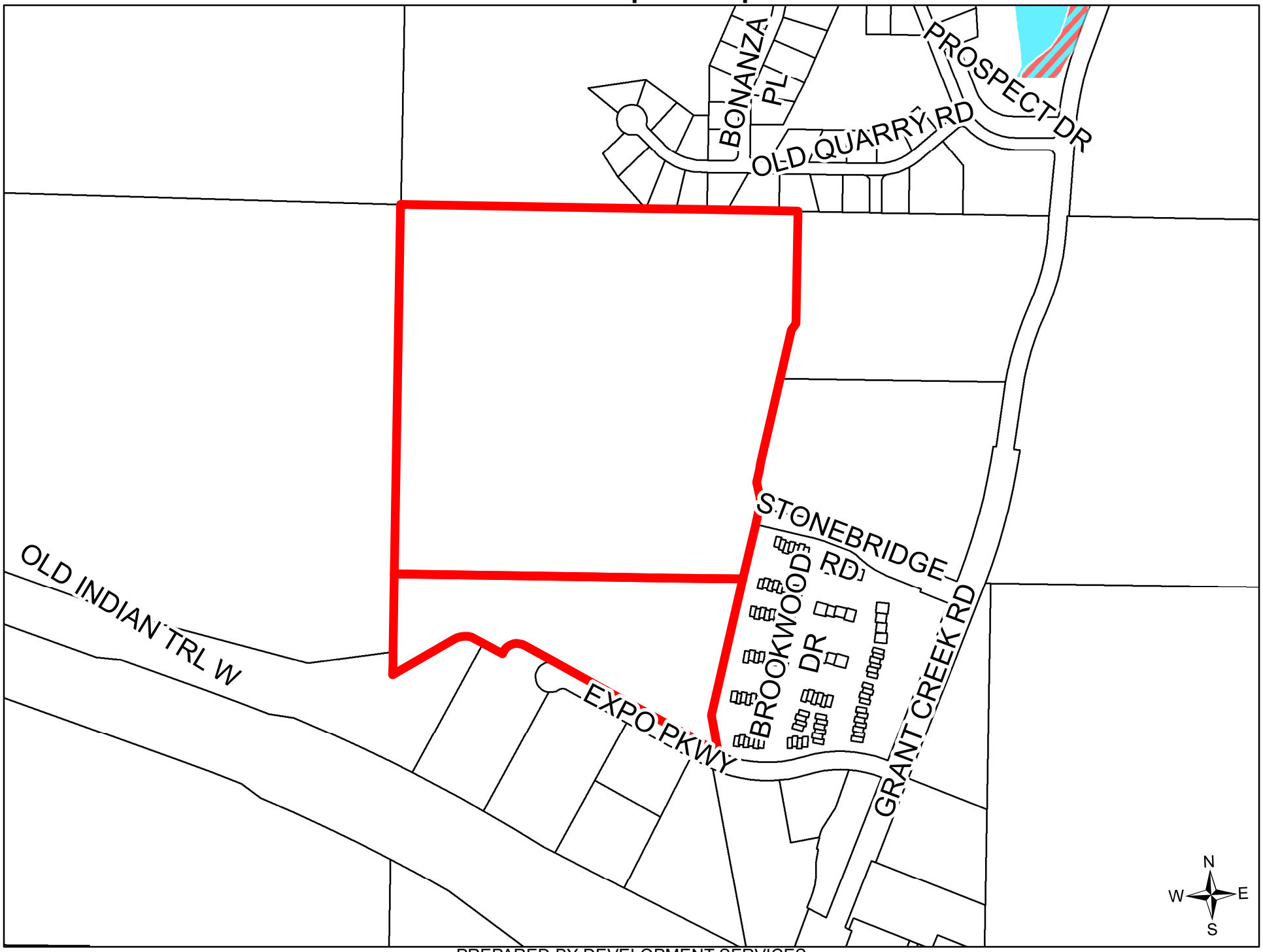
☒ **A Zoning map** of the subject property and vicinity (showing the existing zoning district), extending at least 300 feet from the property boundaries. **see attached**

☒ **An aerial photo** of the subject property and vicinity extending at least 300 feet from the property boundaries. **see attached**

☒ **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. **see attached**

☒ **The current plat** of the subject property. **see attached**

2920 Expo Parkway Rezone to RM1-45
Floodplain Map



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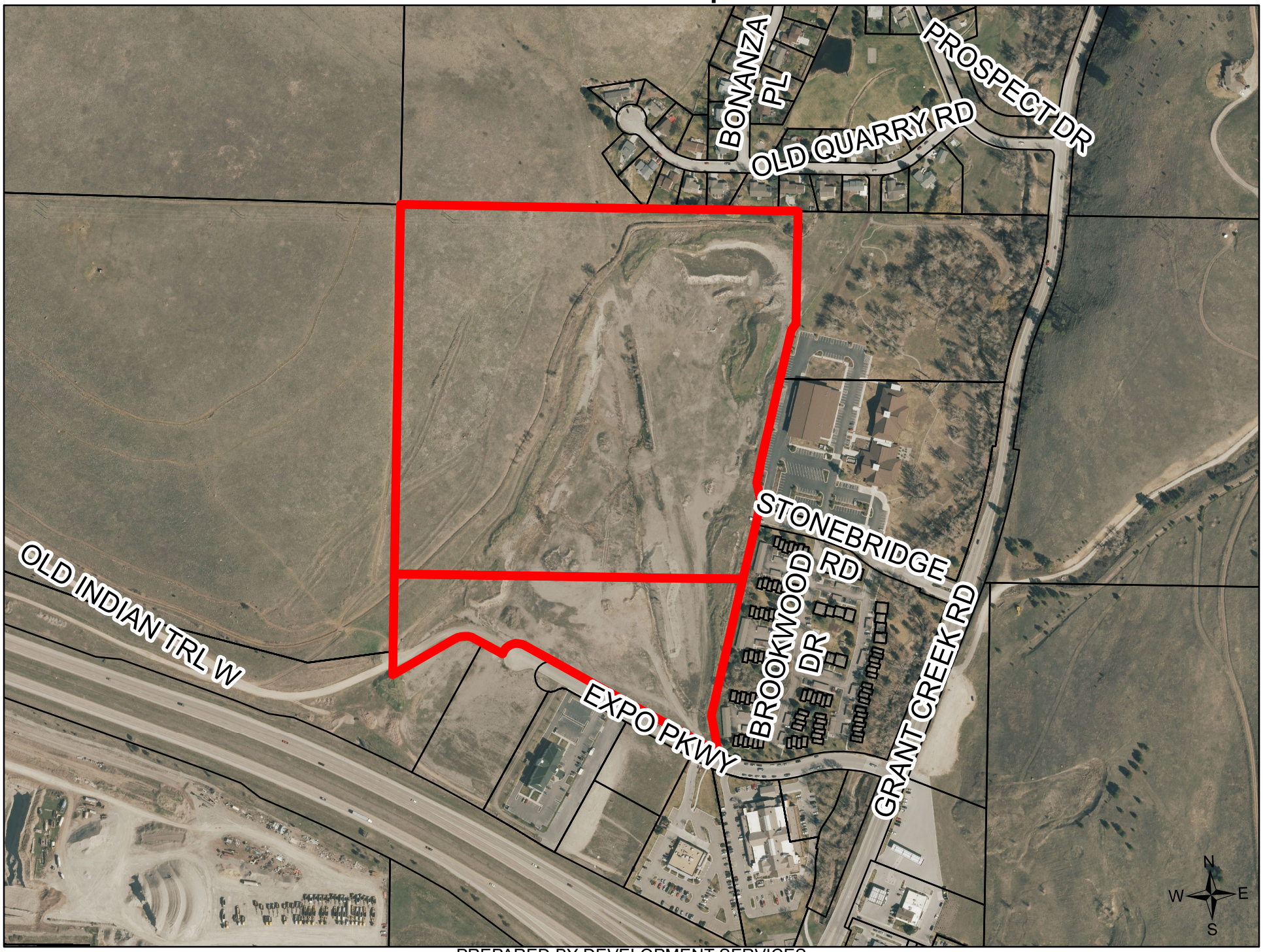
2920 Expo Parkway Rezone to RM1-45
Aerial Map



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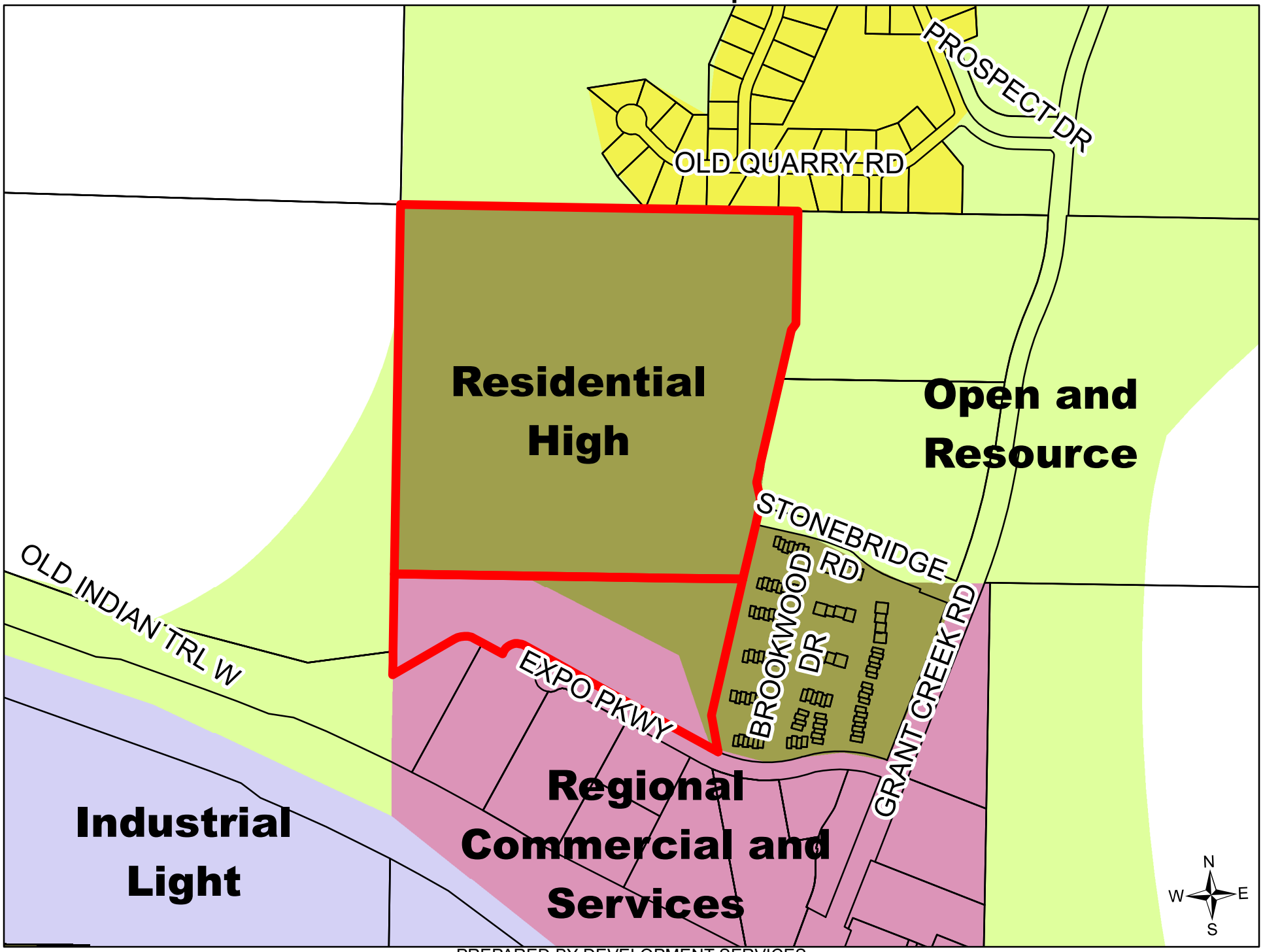
2920 Expo Parkway Rezone to RM1-45
Land Use Map



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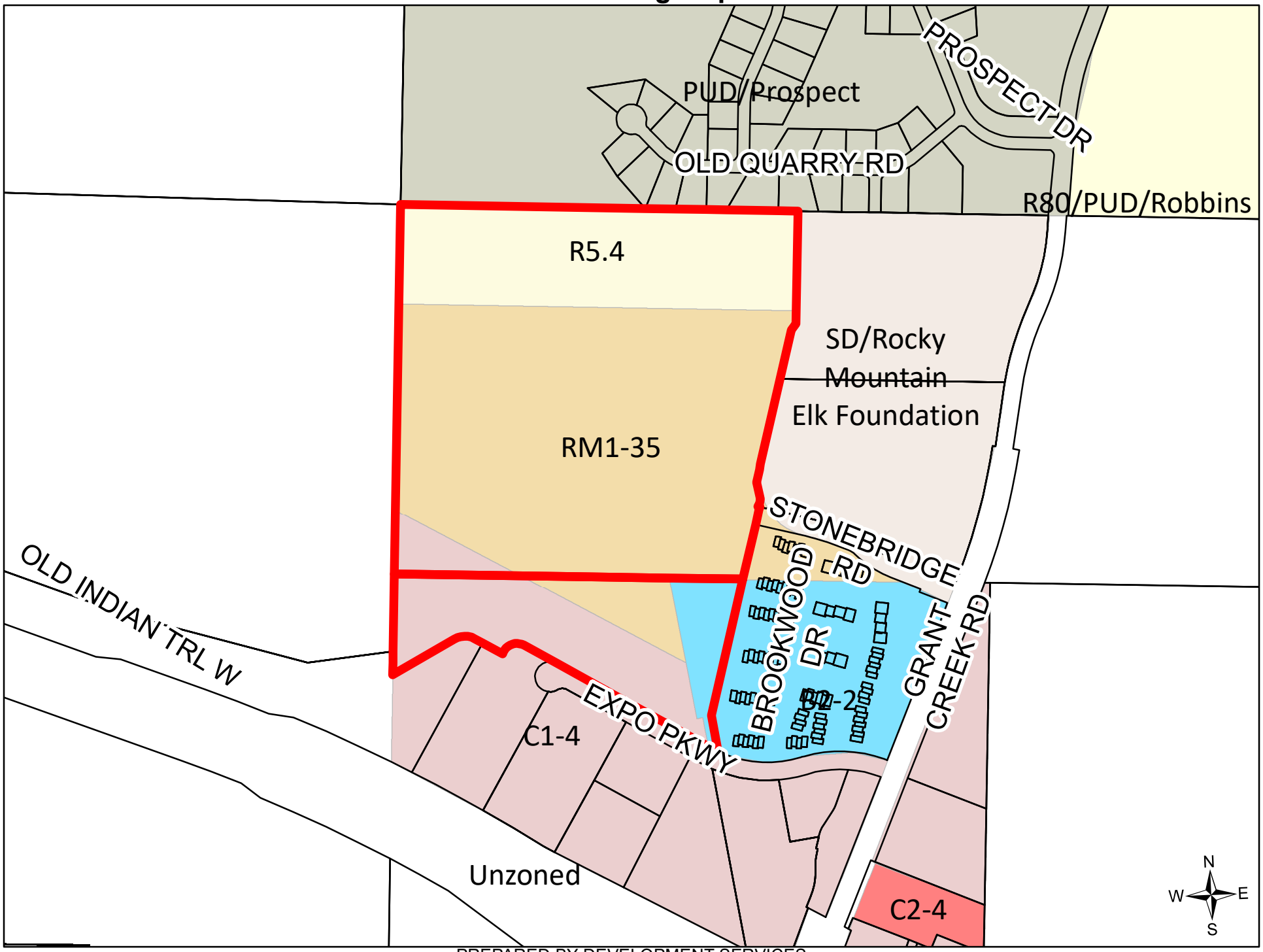
2920 Expo Parkway Rezone to RM1-45
Zoning Map



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