

# RIVERFRONT TRIANGLE URBAN RENEWAL PLAN



Adopted July 21, 2008

# CITY OF MISSOULA

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## Table of Contents

<b>Introduction .....</b>	<b>2</b>
Map of District.....	6
Statement of Purpose .....	7
<b>Chapter 1 – Historical Use and Planning .....</b>	<b>8</b>
History of the Area .....	8
Physical Description of Riverfront Triangle Urban Renewal District.....	9
Plans and Zoning .....	10
<b>Chapter 2 – Finding of Blight .....</b>	<b>16</b>
Establishing Blight.....	16
<b>Chapter 3 – Redevelopment of the District.....</b>	<b>28</b>
Redevelopment Goals and Objectives.....	30
Residential Redevelopment .....	31
Commercial Redevelopment.....	32
Infrastructure Redevelopment.....	34
Transportation.....	34
Parking.....	35
Public and Private Utilities .....	37
Public Spaces .....	38
Redevelopment Projects.....	39
<b>Chapter 4 - Implementation.....</b>	<b>40</b>
Administration .....	41
Annual independent Audit.....	43
Tax Increment Provision .....	43
Amendments.....	44
Relocation of Persons Displaced .....	43
Program Funding .....	44
Program Evaluation .....	44
<b>Appendix A - Montana Code Annotated 7-15-4233.....</b>	<b>46</b>

## Introduction

The City of Missoula (the "City") is engaged in urban renewal efforts in an area primarily located between the Clark Fork River and West Broadway west of Orange Street. A portion of the area is located east of Orange Street. For the purposes of this Plan, this area is called the "Riverfront Triangle Urban Renewal District" or "District" (the boundaries of which are depicted on the map shown on page 6 and boundary description on page 9). For a variety of reasons property in the District did not benefit from the renewal and revitalization that occurred elsewhere in downtown Missoula during the 1990s and early 2000s. The presence of a former landfill along the river, ownership patterns, traffic difficulties, and lack of parking opportunities had an impact on lack of development of the area. The District is located along the western edge of the traditional downtown and is occupied by businesses, vacant land, and dramatically underutilized former medical office buildings. The revitalization of the Riverfront Triangle District is being undertaken to address infrastructure and parking needs and redevelop or remove deteriorating structures, and facilitate and encourage private development of vacant and underutilized property in order for the area to realize successful redevelopment which will benefit the downtown area and entire community.

This urban renewal effort is being undertaken pursuant to Montana Urban Renewal Statutes which provide for the renewal of blighted areas in Parts 7-15-42 and 7-15-43 of Montana Code Annotated as follows that enables municipalities to use tax increment financing ("TIF") to accomplish the following goals and objectives:

- 7-15-4209. Development of a workable urban renewal program. (1)  
A municipality, for the purposes of this part and part 43, may formulate a workable program for utilizing appropriate private and public resources:
- (a) To eliminate and prevent the development or spread of blighted areas;
  - (b) To encourage needed urban rehabilitation;
  - (c) To provide for the redevelopment of such areas; or
  - (d) To undertake such of the aforesaid activities or other feasible municipal activities as may be suitably employed to achieve the objectives of such workable program.
- (2) Such workable program may include, without limitation, provision for:
- (a) the prevention of the spread of blight into areas of the municipality which are free from blight through diligent enforcement of housing, zoning, and occupancy controls and standards;
  - (b) the rehabilitation of blighted areas or portions thereof by replanning, removing congestion, providing parks, playgrounds, and other public improvements; by encouraging voluntary rehabilitation; and by compelling the repair and rehabilitation of deteriorated or deteriorating structures; and
  - (c) the clearance and redevelopment of blighted areas or portions thereof.

On January 8, 2007, the Missoula City Council directed the Missoula Redevelopment Agency (MRA) to conduct a study of an area near the intersection of Orange Street and West Broadway to determine if conditions exist that meet the definitions of blight described in Title 7, Chapter 15, Parts 42 and 43 of Montana Code Annotated (7-15-42, 7-15-43 MCA) (the Act) and allow consideration of an Urban Renewal District to alleviate those conditions. On May 7, 2007, through Resolution No. 7223, the City Council found that "blighted" conditions exist within the boundaries of the area studied, determined the boundaries of the Plan area, and directed the MRA to produce an Urban Renewal Plan to redevelop the area in order to eliminate the blight.

In particular, the aforementioned Resolution identified the following general blighted conditions which are presented in greater detail in Chapter 2:

1. Physical deterioration of buildings
  - Vacant, deteriorating buildings
  - Obsolete and underutilized former office buildings
2. Inappropriate land use
  - High percentage of land dedicated to surface parking lots
  - Underutilization of land area through inefficient one and two level buildings
  - Undeveloped land
3. Inadequate street layout
  - General inefficiencies of West Broadway
  - Inefficiencies of the Orange Street-West Broadway intersection
  - The one-way street couplet of West Main and West Front Street – particularly their intersection with Orange Street.
4. Unsanitary conditions
  - Water and sewer infrastructure inadequate to allow development of urban scale structures in the District.
5. Deterioration of site
  - Very Poor street conditions
  - Sidewalk and curb in immediate need of replacement in several areas within the District
  - Very narrow sidewalks along the east side of Orange Street located between building walls and active street lanes.

### **Defining the District Boundaries:**

The initial boundaries of the District were selected to cover the properties described in the Missoula Riverfront Triangle Redevelopment Master Plan and Riverfront Triangle

Special Zoning District. Riverfront parcels west of that initial area to the Montana Rail Link Bitterroot Branch line were included in order to join the Urban Renewal District II eastern boundary. This provides boundary consistency and facilitates easy connections to any public amenity projects along the riverfront and West Broadway from either west or east.

Parcels east of Orange Street were included within the boundary to allow consideration of the City's use of urban renewal powers in any public improvements in or adjacent to both sides of Orange Street as well as any amendments to the West Main Street / West Front Street one-way couplet termination. Additionally, any widening of sidewalks on the east side of Orange Street in the District will require land or easements from adjacent private property owners. MRA involvement in that transaction may provide the incentive to achieve that goal. The study found that the future development and use of properties east of Orange Street included in the District are more interrelated and more dependent on redevelopment of the primary Riverfront Triangle area than of the nearby downtown core to the east.

### **Redevelopment Plans and Zoning:**

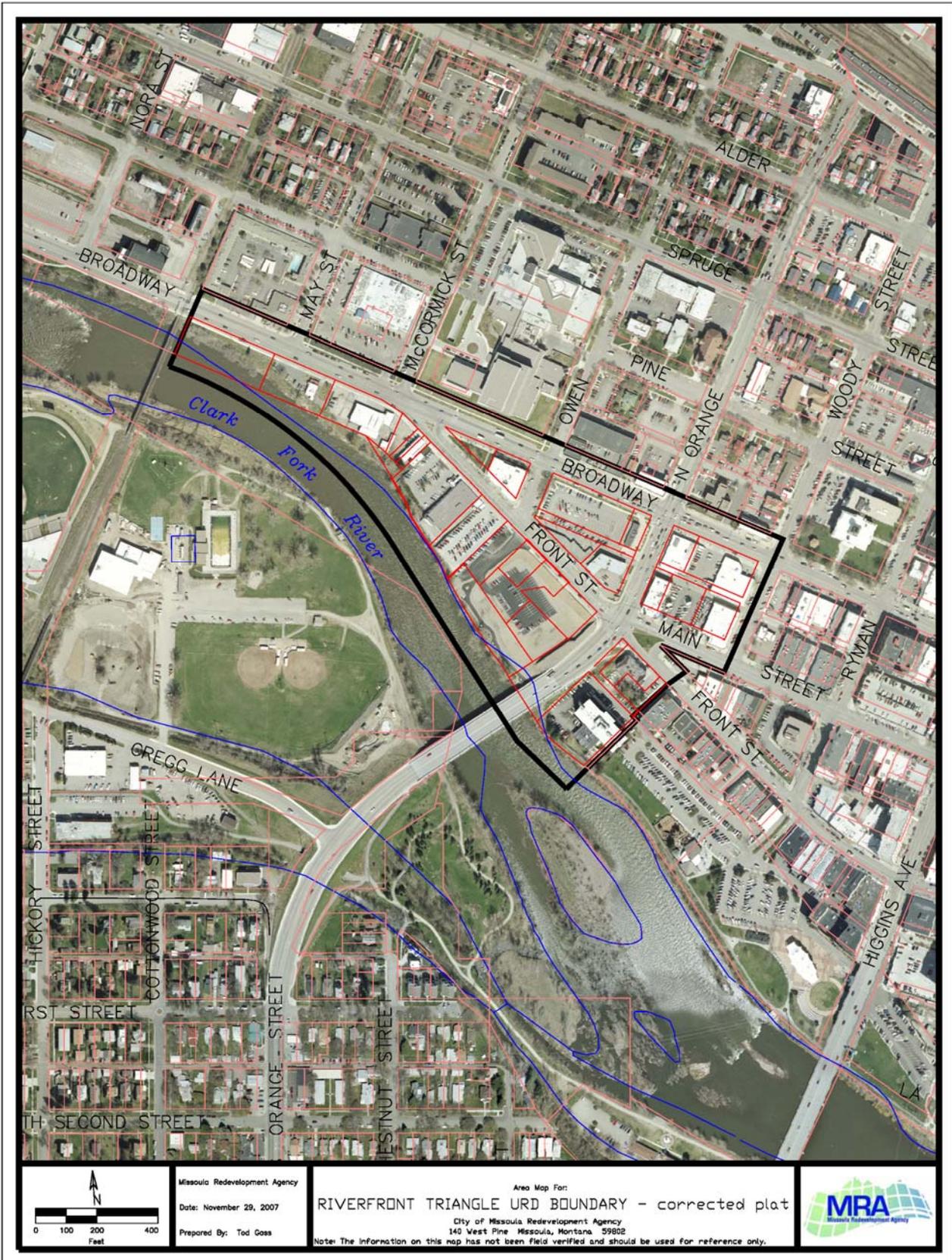
In 2003, St. Patrick Hospital and Health Sciences Center and the City of Missoula, through MRA, jointly sponsored a redevelopment master plan for the portion of the Riverfront Triangle District west of Orange Street. The goal of the master plan was to create a context for redevelopment of the area that addressed the issues of: use of the area, timing of development; conceptual design; location of structures; and relationship of each developed parcel to the others within the area and in the adjacent commercial neighborhoods.

The Missoula Riverfront Triangle Redevelopment Master Plan, as produced by consultant Design Workshop of Denver, Colorado, (the "Riverfront Triangle Master Plan") was guided in part by a philosophical framework developed as a result of a community planning program conducted in 2002, and is discussed in depth in Riverfront Triangle Charrette West Broadway at Orange Street Project Report. (Copies of the Missoula Riverfront Triangle Redevelopment Master Plan and riverfront Triangle Charrette Project Report are available from MRA, 140 West Pine Street, Missoula, MT 59802 or online at [www.ci.missoula.mt.us/mra](http://www.ci.missoula.mt.us/mra). )

The Riverfront Triangle Special Zoning District was adopted in 2004 by the City Council (the Zoning District). The Zoning District was created in order to rectify inconsistencies between then existing Commercial (C) zoning and the Riverfront Triangle Master Plan. It was also intended to provide a flexible regulatory mechanism to achieve the vision set forth by the Charrette and detailed by the Riverfront Triangle Master Plan. The Zoning District utilizes control of uses, establishes density standards through building height and location control, identifies location of vehicle parking and access, and controls design of the interface between public and private spaces.

The area is also discussed in the *West Broadway Corridor Community Vision Plan*,

adopted by the City in 2008; the *Northside/Westside Neighborhood Plan* adopted by the Missoula City Council in 2000 and its subsequent *Limited Scope Update* adopted in 2008; and the *Downtown Riverfront Plan* adopted by the City Council in 1991. The *Greater Downtown Master Plan*, being produced simultaneously to this Urban Renewal Plan will be presented for City adoption in late 2008.



## **Statement of Purpose**

This Urban Renewal Plan summarizes the conditions MRA found in the Urban Renewal District and provides guidance in alleviating those conditions through redevelopment of the area. The Act encourages the City "to the greatest extent it determines to be feasible" to "afford maximum opportunity, consistent with the sound needs of the municipality as a whole, to the rehabilitation or redevelopment of the urban renewal area by private enterprise" (7-15-4208 MCA). Moreover, since creation and investment of TIF funds within the District depends primarily on new private investment generating new property taxes, the Plan provides an evaluation of the existence of assets or opportunities for private investment within the District as well as specific areas that TIF may be used to overcome localized physical impediments and institutional challenges facing private investment.

## Chapter 1 - Historical Use and Planning

### Historical Use of the Area

Historic use of the District has centered around travel. Native Americans traveled for many generations along the north shore of the Clark Fork River through the Missoula valley on their way from points west and north to hunt bison east of the continental divide. Later, Captain John Mullan followed their trail in surveying what became known as the Mullan Road or Mullan Trail. Although Captain Mullan's duty was mainly to produce a survey for future railroad routes, the Mullan Road became the primary route used to deliver goods and people from steamboats offloading on the Missouri River above Great Falls to all of the then Washington Territory. The general route within the District eventually became US Highway 10. The historical Native American trail and Mullan Road is likely located along Front Street or West Broadway in the District.

The entire District had been placed in platted subdivisions by the end of the 1890s. Roads created by the plats (Orange, Owen, West Front, West Main Streets, and West Broadway) were all being used by 1921; although at that time the current Orange Street north of the Clark Fork River was called "Harris Street" and West Broadway east of its intersection with Toole Avenue was known as "Cedar Street". Until supplanted by Interstate 90 in the mid-1960s, Cedar Street/Broadway (as US Highway 10) was the major east-west transportation route through the Missoula valley. The vestiges of its highway oriented development remain to this day. Harris Street was a simple connector road to the neighborhoods north of the Northern Pacific Railroad tracks (now Montana Rail Link) until the Parkway Bridge (now Orange Street Bridge) was constructed in the early 1930s joining the Higgins Avenue and Van Buren Street Bridges as the only vehicle and pedestrian river crossings within the City limits. Front and Main Streets were originally conceived of as wide city-center business streets through the original Missoula townsite along the Clark Fork River. However, from the late 1800s through at least the 1940s, the area adjacent to those streets between the eastern boundary of the District and Higgins Avenue were primarily occupied by saloons, boarding houses, laundries, and other businesses considered by much of the public at that time as being less than desirable. The District is immediately west of these historic activities and its uses for a long time reflected the community's attitude of those neighboring uses.

The riverfront south of the platted lots along Front Street (Block 56 of McCormick's Addition) was given to the City in 1928. Much of that land was used as a landfill for municipal waste for nearly 40 years (approximately 1895 – 1933). During the late 1920s there was an effort by the City to construct a civic center along the river on this land but intervention by the State in building the Parkway (Orange Street) Bridge terminated those plans. Businesses that later used the riverfront land included a large scale bakery (1950s and 1960s), medical clinic (1960s – 2000), movie theater (1950 – 1984), various automobile repair and fueling businesses (1930s – 2006), and various eating establishments (1960s – present). By 2002, the City had acquired and cleared a large parcel between Owen, Orange, and Front Streets along the Clark Fork River; which composed the primary area occupied by the former landfill. In 2005, the City

removed approximately 25,000 cubic yards of waste from that parcel. By 2000, St. Patrick Hospital had acquired the riverfront parcels between Owen Street and West Broadway. Activities within the remaining buildings on the Hospital's property are currently limited to a few offices and use of a three level parking structure constructed in the 1970s. The riverfront along West Broadway has been cleared for redevelopment with the exception of a small restaurant.

The blocks between West Front Street and Broadway west of Orange Street were, for many years, highway oriented being used by vehicle fueling and repair businesses along with a small motel and eating establishments, and a few residential buildings. Starting in the 1980s, The Western Montana Clinic and St. Patrick Hospital began purchasing land parcels in the area to be used as medical offices, out-patient services, and employee parking. By 2000, all but one parcel was owned by the Hospital. The remaining parcel, on the southwest corner of the intersection of Orange Street and West Broadway, is currently used by retail and service businesses.

Prior to the 1930s, the portion of the District east of Orange Street between West Broadway, Main Street, and Woody Street was lightly used by livery and repair businesses. In 1951, a majority of the block was used as vehicle sales lots. By 1958, a soft drink bottling business was located on the corner of Broadway and Orange Street and a television station was located on the corner of Orange and Main Streets. During the 1970s, the bottling plant began being used as a vehicle parts warehouse; a car sales lot at the corner of Woody and Broadway gave way to a retail vehicle parts store; and a vehicle show room and repair building was constructed at the corner of West Main and Woody Streets

From 1980 to 2005, the area which is now the Riverfront Triangle Urban Renewal District was part of the former Downtown Urban Renewal District. During that time the City acquired and joined several parcels by purchase or gift, to form a large parcel of land at the corner of Orange and Front Streets. The City cleared and made the parcel available for redevelopment but several factors made the project financially infeasible. One of the primary factors was the presence of the former landfill described above. The landfill material was removed and the parcel filled and compacted in 2005 at the end of the Downtown District's lifetime mandated by State statute.

### **Boundary Description:**

From the Point of Beginning, a point at the intersection of the east ROW line of the MRL Bitterroot Branch Tracks and the north ROW line of West Broadway; thence going in a southeasterly direction along the north ROW line of West Broadway and an extension of said line to a point at the intersection of extended line and the centerline of Woody Street; thence in a southwesterly direction along the centerline of Woody Street and an extension of said line to a point at the intersection of extended line and the south ROW line of Main Street; thence going in a northwesterly direction along the south ROW line of Main Street to a point at the intersection of the south ROW line of Main Street and the

north ROW line of Front Street; thence in a southeasterly direction along the north ROW line of Front Street to a point at the SE corner of Lot 16, Block 26, C. P. Higgins Addition; thence in a southwesterly direction to a point at the NW corner of Lot 20, Block 29, C. P. Higgins Addition; thence in a southwesterly direction to the SW corner of Lot 16 Block 29 C. P. Higgins Addition; thence to a point at the NE corner of Tract B COS 1267; thence in a northwesterly direction along the north boundary of Tract A & Tract B COS 1267 to a point at the NW corner of Tract A COS 1267; thence in a southwesterly direction to the SW corner of Tract A COS 1267 and along an extension of said line to a point at the middle of the main channel of the Clark Fork River; thence in a northwesterly direction along the middle of the main channel of the Clark Fork River to a point at the intersection of the middle of the main channel of the Clark Fork River and the east ROW line of the MRL Bitterroot Branch Tracks; thence in a northeasterly direction along the east ROW line of the MRL Bitterroot Branch Tracks to the Point of Beginning.

### **Plans and Zoning:**

#### **Current Zoning:**

Within the District there are four zoning designations; Central Business District ("CBD") on all parcels east of Orange Street, Riverfront Triangle Special Zoning District on most parcels west of Orange Street with the exception of an ownership parcel presently occupied by a small Mexican restaurant and a billboard which is zoned Commercial ("C") (see zoning map on Page 15) and a vacant parcel immediately east of that restaurant that is zoned Business Commercial (BC).

CBD Zoning: The intent of CBD zoning is to provide "an area for high intensity uses or mixtures of uses for general commercial, retail, service, wholesale and multi-dwelling activities. The district is to promote the special characteristics of the area, the rehabilitation of existing structures, and the most desirable uses of land". In the CBD zone there are no maximum building coverage, minimum lot areas or front yards and, with exceptions, where commercial and residential areas meet, no required side yards or back yards. The maximum height of a building in the CBD zone is 12 stories. No off-street parking is required for commercial uses. Residential uses must provide off-street parking. Residential densities greater than 16 units per acre require a conditional use permit.

Riverfront Triangle Special Zoning: During 2002, the Hospital and the City of Missoula through MRA cosponsored a design charrette, attended by over 60 citizens from all walks of life, to craft a vision for their holdings as well as three contiguous privately owned land parcels. The recommended development controls defined in the Riverfront Triangle Redevelopment Master Plan provide a basic framework for preferred land-use, maximum building heights and massing, transportation and circulation corridors, architectural principals and guidance, recommended streetscape improvements, and open space frameworks for future development on the site. The Riverfront Triangle Special Zoning

District addresses the differences between the previous zoning (Commercial (C)) and the Riverfront Triangle Master Plan and provides a regulatory mechanism to achieve the basic vision set forth by the charrette and incorporated in the Plan.

When created, the Special Zoning District was intended to provide more regulatory certainty for developers interested in redeveloping the major parcels defined in the Plan (described as “Sub-Districts” in the zoning document). The plan and special zoning assume deed restrictions and covenants will be used to further assure that particular portions of the Plan related to design, materials, and use location are followed. A committee made up of current owners within the Riverfront Triangle (Riverfront Triangle Owners Development Review Committee) is proposed by the plan to provide decisions regarding covenant interpretation and architectural details; and provide recommendations for zoning compliance review of signs, permitted uses, and conditional uses.

Riverfront Triangle Master Plan / Riverfront Triangle Special Zoning Relationship: The Missoula Riverfront Triangle Master Plan utilizes a public space framework to create a vibrant mixed-use development. Public plazas and streetscape improvements orient the development to the Clark Fork River and establish direct connections to the surrounding residential and business neighborhoods. The planning area has been organized for the Riverfront Triangle to become a gateway to downtown Missoula's core as well as provide a mixed-use destination for shopping, restaurants, cafés, and public gatherings along the riverfront. The framework is flexible to allow site and architectural design creativity. For that reason the Plan has been endorsed by the City and other owners as a guide rather than adopted as a final redevelopment design.

The Plan offers five main principles to guide redevelopment of the Riverfront Triangle:

1. Provide a distribution of uses that concentrates diverse building programs around a public plaza and streetscape network and encourages a mixture of activities and fosters an active public environment. Such a distribution should include a diversity of public spaces including large public gathering spaces, small intimate plazas, and street improvements that connect pedestrians and residents to the riverfront corridor.
2. Respond to the varied uses surrounding the site. Incorporate residential, office, commercial, and retail uses within the site. If possible, include civic or public uses such as a performing arts complex.
3. Allow building heights and massing that preserve important views and frame the surrounding mountain backdrop.
4. Provide architectural nodes that encourage a relationship with downtown and the surrounding neighborhoods by establishing terminating axis points at important intersections. Provide a horizontal and vertical mixture of uses by stacking

residential uses above ground-floor retail and create concentrated nodes of higher density at key intersections.

5. Create a circulation and access pattern that organizes and distributes pedestrian, vehicular, and service access in a clear and logical pattern.

Responding to those principles, the Riverfront Triangle Special Zoning District establishes a distribution of uses and other criteria as follows:

- West Broadway has the highest density of uses in the development area consisting of ground-floor retail and commercial office space.
- Residential space for owner-occupied housing or rental units has been included at the corner of West Broadway and Orange Street.
- The West Front Street corridor has been identified as a mixed-use residential area from the West Front/Broadway intersection to Owen Street. The plan allocates ground-floor retail at street level with residential units above.
- The section of West Front Street between Owen and Orange Streets is a transitional zone. It includes non-residential uses such as a hotel, commercial office space, and an area that could be used by a performing arts complex.
- The primary use along the riverfront edge is residential with the exception of the hotel use at Riverfront Plaza. Heights and distribution respond to the relationship with the river by creating large courtyards and stepped building heights from West Front Street down toward the river.
- Riverfront Plaza, at the intersection of Owen and Front Street, is surrounded by the highest concentration of mixed uses in the redevelopment plan. This area capitalizes on the public space amenity by providing office, residential, hotel, and retail on adjacent sites. The plaza steps down from Front Street toward the River and promotes the active public use of the riverfront edge by including space for ground floor retail, hotel restaurants, and riverfront residential units at the lower plaza level. Retail areas near the river are limited to “quasi-public” uses such as coffee shops, restaurants, etc. that maximize the riverfront experience.
- To promote an active street environment, areas are identified where ground-floor uses are limited to retail and service businesses. However, such uses are desired along all right-of-ways. Where sidewalk widths allow, retail uses are encouraged to have outdoor eating and goods presentation areas. Adequate signage and appropriate window transparency should be incorporated to establish a relationship between building interiors and the street.

- Along streets, buildings are to be constructed adjacent to the sidewalks with minimum setbacks in classic urban fashion.
- Parking is, for the most part, to be underground or otherwise “hidden”.
- Building height limits range from 30 feet near the river to 105 feet at the hotel site and along Broadway west of Owen Street.
- Public use of the riverfront for pedestrian trails, park areas, and open space is essential in the development of the Riverfront Triangle. The building setbacks included in the Riverfront Triangle Special Zoning District reflect the adjacent permitted uses and the developable land remaining beyond the setback within particular areas. There is also direction for additional pedestrian access to the riverfront at regularly spaced intervals. Many uses near the river are provided with additional review criteria to assure the developments are appropriate to continued public enjoyment of the adjacent riverfront.

The West Broadway Corridor Community Vision Plan was produced by Moore - Iacofano - Goltsman, Inc. of Portland, Oregon and is expected to be adopted by the City in 2008. The Plan provides guidance in redeveloping the West Broadway corridor between Orange Street and Mullan Road as well as future solutions to traffic congestion on West Broadway. The plan envisions "a West Broadway Corridor that extends the downtown, provides neighborhood services and amenities, increases access to the Clark Fork River, welcomes users to Missoula, and provides a broad mix of housing choices, while accommodating all modes of travel safely and effectively".

Many of the Riverfront Triangle Master Plan concepts are embraced by this Plan. It expands the Riverfront Triangle Master Plan goal of the area as a gateway into downtown by encouraging redevelopment of the Riverfront Triangle and adjacent areas north of West Broadway to create an extension of the downtown. To further this goal, the West Broadway Corridor Plan encourages the Riverfront Triangle Master Plan's mix of public, office, retail, and residential uses while recommending "development along the edge of the Clark Fork River include retail and entertainment uses along a wider span of the Riverfront Triangle to help activate the promenade section of the envisioned greenway".

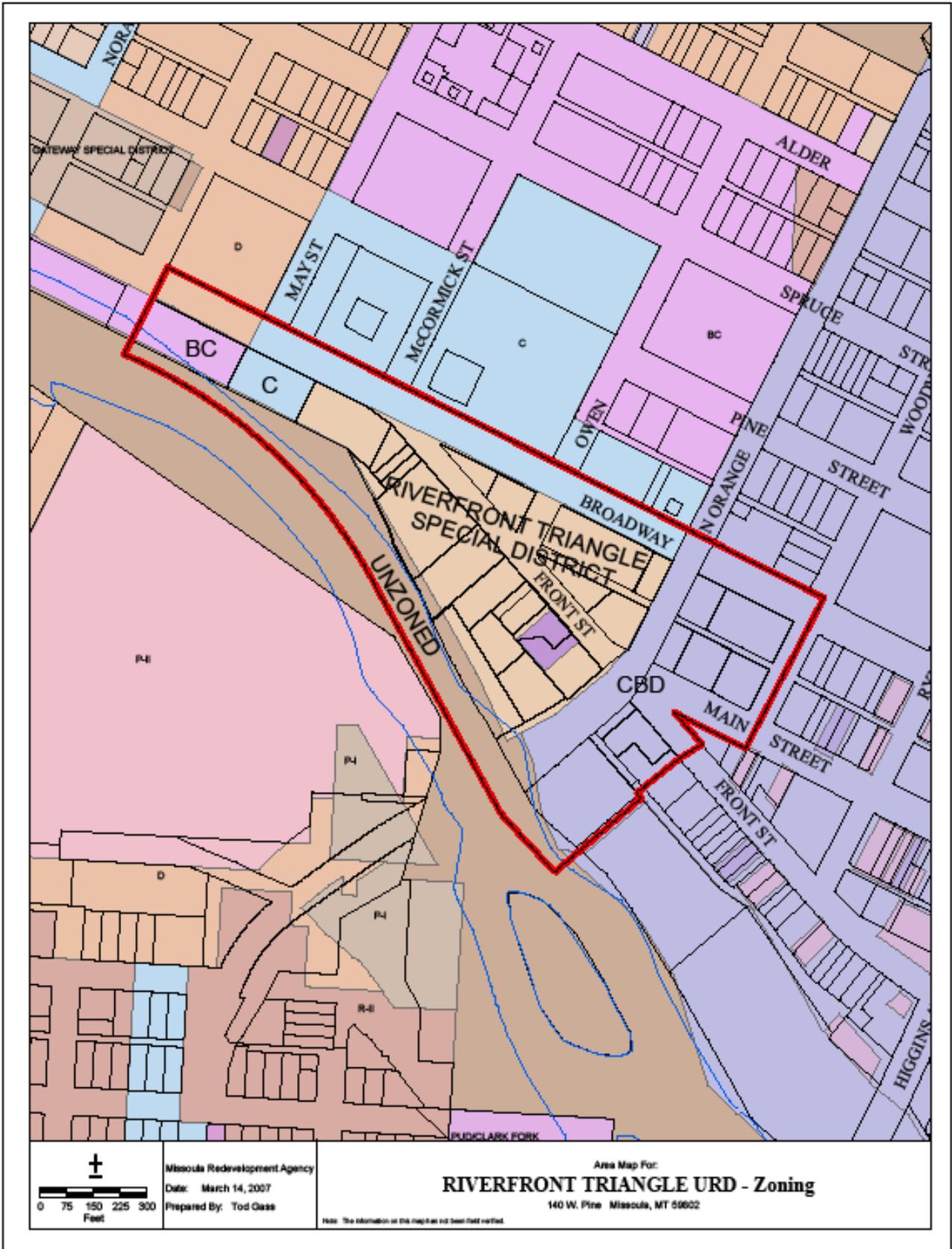
The Northside/Westside Neighborhood Plan was produced by the Missoula Office of Planning and Grants (OPG) and adopted by the City in 2000. A subsequent Limited Scope Update produced by consultant Caitlin DeSilvey and OPG, was adopted in 2008. The Update mentions that the guidelines within the Riverfront Triangle Special Zoning District are "compatible" with suggested uses and urban design features along West Broadway near Orange Street suggested by the 2000 Plan. The Plan emphasizes West Broadway near Orange Street to be a "community gateway" into the downtown area

with relatively dense commercial, retail, and housing opportunities. The Plan also stresses pedestrian friendly streets and access to and along the river.

The Downtown Riverfront Plan was adopted by the City Council in 1991. In addition to general design criteria and goals, the Plan proposes incentives and regulatory methods to meet the goals. It recommends continued efforts to expand the public riverfront parks and trail system westward through the Riverfront Triangle from Orange Street to West Broadway.

The Greater Downtown Master Plan is being prepared simultaneously with this Riverfront Triangle Urban Renewal Plan by a consultant team led by Crandall Arambula, PC of Portland, Oregon. This plan will embrace, update, and provide consistency among the previous plans within its study area including the plans mentioned above. The plan will include land use and circulation frameworks, specific area urban design models, a parking plan, and implementation strategies addressing downtown area retail, housing, open space, employment, tourism, roadway improvements, pedestrian routes, and configurations. The process to adopt the plan is anticipated to begin in late 2008.

In an initial report, Crandall Arambula states that its final plan proposals will agree with the types of uses and general public space framework proposed by the 2004 Riverfront Triangle Special Zoning District and Master Plan. However, given its required greater depth of local economic and social research and a much larger context and scope of the entire downtown area and its adjacent neighborhoods, the Greater Downtown Master Plan will likely propose emphasizing residential opportunities in the ratio of uses in the District. It also will likely recommend greater development density in portions of the Triangle which will only be achieved through increasing the height limits listed in the zoning. Further, the plan will suggest alternative site design schemes for particular blocks to those shown as examples in the Riverfront Triangle Master Plan and in overall parking patterns.



## Chapter 2 – Finding of Blight

### **Establishing Blight:**

Montana law sets forth the conditions that constitute a blighted area as one that substantially impairs or arrests the sound development of communities, constitutes an economic or social liability, and/or constitutes a menace to the public health and safety and that, while contributing little to the tax income of the state and its municipalities, consumes an excessive proportion of the municipality's revenues because of the extra services required for police, fire, accident, hospitalization, and other forms of public protection, services, and facilities (from 7-15-4202 M.C.A.). Through 7-15-4206(2) M.C.A., a blighted area can be identified by reason of:

- (a) the substantial physical dilapidation; deterioration; defective construction, material, and arrangement; or age obsolescence of buildings or improvements, whether residential or nonresidential;
- (b) inadequate provision for ventilation, light, proper sanitary facilities, or open spaces as determined by competent appraisers on the basis of an examination of the building standards of the municipality;
- (c) inappropriate or mixed uses of land or buildings;
- (d) high density of population and overcrowding;
- (e) defective or inadequate street layout;
- (f) faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
- (g) excessive land coverage
- (h) unsanitary or unsafe conditions;
- (i) deterioration of site;
- (j) diversity of ownership;
- (k) tax or special assessment delinquency exceeding the fair value of the land;
- (l) defective or unusual conditions of title;
- (m) improper subdivision or obsolete platting;
- (n) the existence of conditions that endanger life or property by fire or other causes; or
- (o) any combination of the factors listed in this subsection (2).

### **District Description and Findings:**

The following is a list of conditions and properties found in the District. The small size of the District allows much greater scrutiny of individual properties than is possible in larger or more densely developed areas. The property list corresponds to applicable sections of the State Urban Renewal Statute's definition of blight.

- (a) *Substantial physical dilapidation; deterioration; defective construction, material, and arrangement; or age obsolescence of buildings or improvements, whether residential or nonresidential.*

There are two buildings in the District that have been vacant for more than one year and several others are only partially utilized because of significant accessibility and obsolescence problems.

### Vacant buildings

- A small, one-story former motel building located on the north side of the 400 block of West Front Street has been vacant for the better part of a decade. Originally closed due to major accessibility problems, the property was acquired in the 1990s by Western Montana Clinic and then by St. Patrick Hospital in 2002. All utilities services have been shut off and the building has been secured by boarding windows to reduce fire hazard from electrical or arson causes<sup>1</sup>. The interior of the building is reportedly<sup>2</sup> severely dilapidated and none of the mechanical, plumbing, or electrical systems are repairable to meet current codes. It is unlikely this building is salvageable for reuse.



- A former vehicle repair and tire sales site along West Broadway had been vacant for several years. The property had been used for vehicle repair for many decades. It was purchased in early 2008 by a development firm who reportedly envisions constructing high density residential units with underground parking and perhaps street level retail. All structures on the property were demolished during the Spring of 2008. No review evaluating whether underlying or adjacent property soils were been impacted by the traditional use of the land has been made public. The depth of the parcel between Broadway and the Clark Fork River is relatively shallow which limits access onto Broadway and places the primary opportunity for parking underground.



## Obsolete and Underutilized Buildings

- During the 1990s, former owner, Western Montana Clinic, expanded and remodeled a single family home west of their main office building on the south side of West Front Street to relocate its accounting and billing operations. Use of the building was limited due to accessibility issues at the entry and within the two story structure<sup>2</sup>. Inability to achieve proper multiple exiting opportunities further restricted use of the building<sup>2</sup>. Reuse of the building, other than for its current storage use, would require significant structural upgrade and complete replacement of electrical, plumbing, and mechanical systems. Therefore, the structure is likely at the end of its useful life.<sup>2</sup>



- Formerly primary location of the Western Montana Clinic along the south side of West Front Street, this building was originally constructed in the early 1960s. Two of the three levels of the structure are below street grade. The exterior elevations of the lower levels rise from the bank of the Clark Fork River. Although the building's interior was remodeled several times to accommodate changing needs of the medical business, by the mid-1990s it became increasingly difficult to make it function for that specialized use. The concrete and steel structure formed with closely spaced structural columns, low ceilings, along with structurally integrated stair and elevator placement hampered upgrade of basic systems and remodeling efforts<sup>2</sup>. Unable to reconfigure the building to current standards for medical use, the medical clinic moved to new offices north of West Broadway in 2002. A small portion of the building is currently being utilized for storage and office space for its present owner, St. Patrick Hospital. It is unlikely that affordable renovation of this building to meet modern design demands of any market is possible.<sup>2</sup>



- A former Western Montana Clinic building, located on a triangular shaped parcel between West Broadway and West Front Street, is composed of two structures perhaps built in the 1940s that were bridged or connected with a third building and covered with a veneer of brick in the 1980s. Within the building are several levels that do not match from one end of the building to the other creating "half-floors", emergency exiting issues, and many unusable areas<sup>2</sup>. Although much of this building is currently being used for storage and office use by St. Patrick Hospital, it is unlikely the building could be affordably renovated to compete for commercial or residential use. The Hospital has apparently rectified soil contamination of the western end of the parcel, which was the location of a fuel station and vehicle repair shop for many years prior to its conversion to medical offices.



- The building located at the northwest corner of West Front and Orange Streets was built as a vehicle fuel and repair shop by a business specializing in small farm implement repair. The structure was remodeled to provide a non-emergency acute medical care facility in the 1990s. It is currently used as a retail outlet for previously owned clothing and home furnishings, storage, and by St. Patrick Hospital office personnel. Fuel from a leaking underground storage tank on the site was substantially remediated prior to the property's conversion from vehicle repair to office and retail use. Monitoring of residual contaminants in the underlying soil and aquifer is ongoing.



### Description of other District Buildings

- A three level parking structure was built along the riverfront in the early 1980s. The long-term structural integrity of the building is unknown. It is also unknown if the waste, discussed above, which was removed from City property extends

under this structure. It is unlikely that the placement and condition of this structure would be included in a comprehensive redevelopment of the area.

- A small commercial building located at the southwest corner of the West Broadway and Orange Street intersection is currently occupied by three businesses. The building's core is a former fuel station and convenience store. An addition to the store was constructed in the 1980s. Portions of the building have undergone several extended periods of vacancy but the building has retained at least one tenant for over ten years. This corner, at the intersection of two primary arterial streets is one of the most visible in the Riverfront Triangle. Redevelopment of the block will likely include replacement of this structure with a more prominent multi-story building.



- The commercial building at the southeast corner of the intersection of West Front and Orange Streets has been remodeled many times. Its time of construction is unknown but may have been in the 1950s. Its structural integrity and condition of basic systems is also unknown. There are presently no outstanding official building or fire code violations at the location but the City Fire Marshal's Office feels it may need attention soon to conform to current fire and building safety codes<sup>1</sup>. The building maintains consistently low vacancies but there has been a relatively high tenant turnover. It is doubtful that this building has the potential to be remodeled or renovated to compete for longer term tenants.

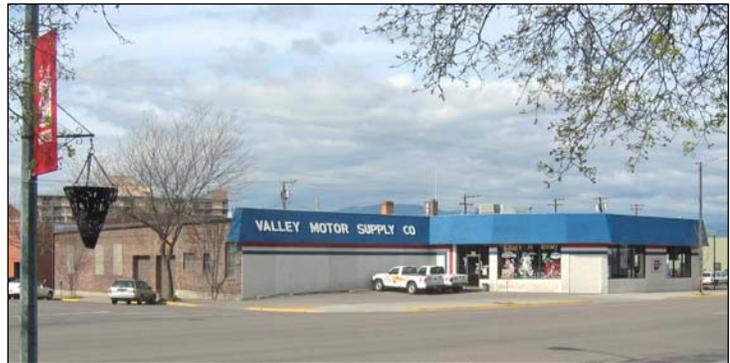


- The commercial building at the northeast corner of the intersection of Orange and West Front Streets houses a television station. The corner has housed radio and television production at least since the 1950s. The building has been significantly upgraded over the past 10 years to meet the business's needs as well as current fire



and building codes<sup>1</sup>. Adjacent to the station building is a lot containing several large dish antennae and stored equipment and remote broadcast vehicles. Although the street front antennae and other equipment storage are relatively unattractive, it is unlikely that the use of the lot will change until transmission technology allows or the station moves to another location.

- The vehicle repair facility located on the southwest corner of West Main and Woody Street intersection. The building was built in the 1970s as a vehicle showroom at street level with repair in the basement. It appears to be in good condition. Vehicle repair and storage is contained within this attractive building which presents a good example of successfully adapting such use into an urban downtown environment.
- A relatively small auto parts retail store is located at the southwest corner of West Broadway and Woody Street intersection. The building was built in the late 1970s. The actual condition of the building is unknown but appears to be in good structural shape. The store property includes a fairly large surface parking lot. Given the present needs of the urban area and the goals of this plan, this parcel may be labeled "underutilized".



- The one-story building with a basement located on the southeast corner of the intersection of Orange Street and West Broadway was constructed in the 1950s as a soft drink bottling plant. In the 1970s it became an auto parts wholesale warehouse. The Salvation Army acquired the building in the 1990s. It functioned as a used-furniture and clothing collection and distribution center and offices for over a decade. Food products were also distributed to individuals and families in need from the building. Recently the collection and distribution center was moved to the south side of town. Currently, the building houses Salvation Army program office space and storage. The building appears in fair structural shape and is currently in compliance with basic fire safety codes<sup>1</sup> (for its current use and occupancy load). Given its prominent location in the downtown at the intersection of primary arterial streets the property has the potential to be utilized to a much greater extent. It is likely that significant redevelopment of this parcel would incorporate the adjacent auto parts store and parking lot.
- A small Mexican restaurant is located at the western end of the District along West Broadway. The building is apparently in good structural shape and currently has no outstanding building or fire code violations<sup>1</sup>. This parcel includes an undeveloped riverfront area west of the restaurant to the western

edge of the District (at the Montana Rail Link Bitterroot Branch Railroad) which is occupied by a large advertising billboard. The City has long maintained that billboards in the downtown and along the river in the urban area are less than appropriate uses. Although this parcel is several hundred feet long along West Broadway, future development of the property is constrained by the narrow depth of the lots between West Broadway and the Clark Fork River. Difficult ingress and egress from West Broadway further limits the density of reuse of the property.

- (b) *Inadequate provision for ventilation, light, proper sanitary facilities, or open spaces as determined by competent appraisers on the basis of an examination of the building standards of the municipality.*

A comprehensive review of the District by an appraiser or building and fire officials has not been conducted. As mentioned above, building and fire code officials are concerned about several buildings. They have stated they feel that most of the existing buildings would require significant updating to meet current codes.

- (c) *Inappropriate or mixed uses of land or buildings.*

#### Vehicle Parking

A large percentage of the District is used as surface parking for automobiles. This is an inefficient use of land along two arterial streets adjacent to the Clark Fork River in Missoula's urban commercial core. Use of this land for single level parking rather than redeveloping the land into commercial and residential activities encourages private investment to focus on the urban edges exacerbating traffic congestion and air quality issues.

#### Density

All existing buildings within the District are one or two levels, with the exception of the former medical clinic building at 500 West Front Street, which is one level at and three levels exposed on the riverfront. As discussed above in regard to surface parking, the urban core should be as efficient as possible in creating space for residential and commercial uses. Increased density or building height will allow the opportunity for private investors to participate in a variety of spaces offered and create income potential to help offset the cost of structured parking and other requirements of construction in a downtown environment.

- (d) *Defective or inadequate street layout.*

Inefficiencies and safety concerns along West Broadway recently led the Montana Department of Transportation to reduce the number of West Broadway driving lanes from four to two (plus a continuous center left turn lane) between Orange Street and

Russell Street. Analysis and planning continues to assess the best configuration of that major street.

The one-way street couplet of West Front Street and West Main Street begins east of the District at Madison Street and terminates at Orange Street. West Front Street continues through the main portion of the District as a two-way street to terminate at its intersection with West Broadway. There have been several informal and preliminary studies conducted to determine the efficiencies of the couplet through downtown regarding both traffic flow, capacity, and the streets' effectiveness in accessing adjacent businesses. Although a complete, formal analysis has not been conducted, informal studies indicate that downtown traffic, customer parking, and business access may be better served if those streets are restored to two-way status between Madison and Orange Streets.

The two primary street intersections within the District (Orange Street / West Broadway intersection and the West Main Street / West Front Street / Orange Street intersection) are both sub-par in their efficiency. This is particularly acute in turning movements at high volume portions of the day<sup>3</sup> in that queuing for left turn motions at each intersection may, at times, back up to the point that they interfere with one another.

The sidewalk along the east side of Orange Street between West Broadway and West Main Street is very narrow in terms of urban standards. It is constructed from the curb to the property line and building walls. Further restricting accessible passage along this area are power poles that have been installed within the sidewalk.



(e) *Faulty lot layout in relation to size, adequacy, accessibility, or usefulness.*

Several official encroachment notifications have been filed with the Missoula County Clerk and Recorder involving improvements and buildings along West Front Street in the District. Although a majority of the encroachments are of private improvements onto public land or right-of-way there are instances of right-of-way improvements such as sidewalks encroaching onto private land.

The Ron MacDonald Riverfront Trail System is recognized by the community as an essential element of downtown Missoula. Existing buildings along the riverfront west of Orange Street extend to the riverbank making it nearly impossible to extend the riverfront trail to its natural on-street connection at West Broadway within the western extent of the District.

(f) *Unsanitary or unsafe conditions.*

A water main owned by Mountain Water Company bisects the District within West Front Street (see map on Page 25). This six-inch diameter line is not "looped" with major main lines and dead-ends at West Front Street and West Broadway intersection. A second six-inch diameter main is found in West Broadway. Current building and fire codes would require any building built to the heights allowed by District zoning be served by a minimum eight-inch diameter line that is connected (or "looped") to two other sources<sup>1</sup>.

A sanitary wastewater main is also located in West Front Street intersecting a larger collector main within West Broadway (see map on Page 26). The West Front Street main line is well over 50 years old. It is likely that all or portions of the main would require replacement in the event buildings of the size allowed by zoning of the area are constructed<sup>4</sup>.

(g) *Deterioration of site.*

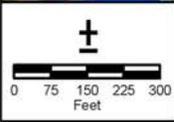
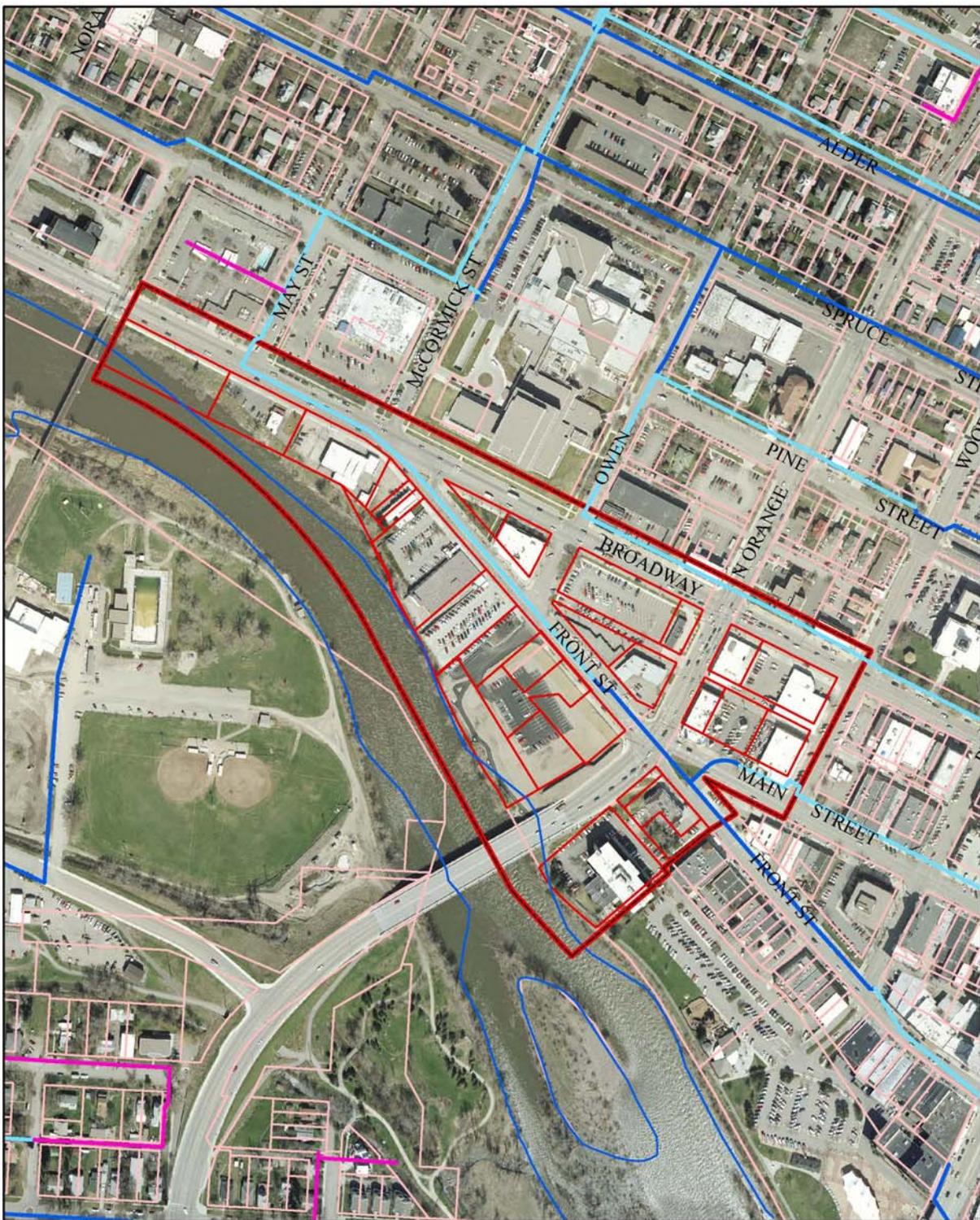
Street Condition<sup>4</sup>:

Orange Street between West Broadway and West Main Street is beginning to deteriorate and will require milling and overlay within as little as two to three years.

Front Street between West Broadway and Orange Street is in very poor condition and will required repair in the very near future or will quickly deteriorate to a condition requiring major reconstruction.

Owen along with West Main and West Front Streets east of Orange Street are in good shape but will require near term maintenance to remain in that condition.

West Broadway was repaired recently and should remain in good shape for many years with regular maintenance.



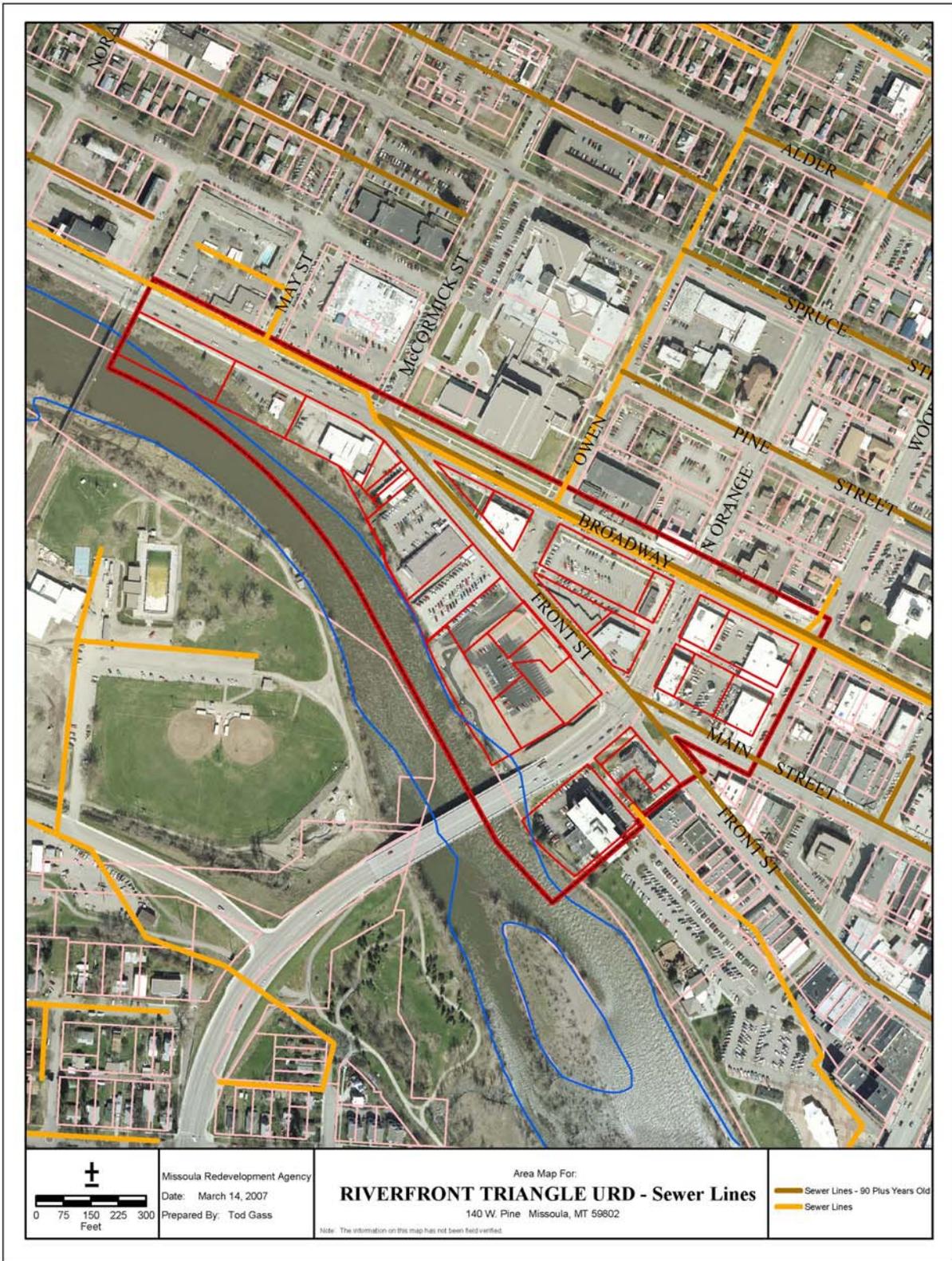
Missoula Redevelopment Agency  
 Date: March 14, 2007  
 Prepared By: Tod Gass

Area Map For:  
**RIVERFRONT TRIANGLE URD - Water Lines**

140 W. Pine Missoula, MT 59802

Note: The information on this map has not been field verified.

- Water Lines Less Than 3'
- Water Lines Between 3' and 7'
- Water Lines Greater Than 7'



## Sidewalk and Curb Condition<sup>4</sup>

Much of the sidewalk and curb is in need of replacement within the District including both the north and south side of West Front Street from the eastern edge of the District westward to Owen Street; the east side of Orange Street between West Main Street and West Broadway; and Woody Street between West Main Street and West Broadway. Repair of sidewalks is needed in all other areas with the exception of West Broadway frontage. None of the current sidewalk width within the area meets the intended standards described within the Riverfront Triangle Draft Master Plan or Special Zoning District.



### (h) *Defective or unusual conditions of title.*

There is a deed limitation on use of the triangular shaped property bounded by Owen Street, West Front Street and West Broadway. The restriction prohibits "drinking establishments". A deed restriction on the former Fox Theater Site prohibits movie theaters. The deed on the property located on the southwest corner of Orange and West Front Streets prohibits certain convenience store sales.

### (i) *The existence of conditions that endanger life or property by fire or other causes.*

St. Patrick Hospital and the owner of the vacant tire and repair shop (prior to its demolition in the Spring of 2008) reported they suffer vandalism of the river side of their buildings along the south side of West Front Street. The Hospital has also noted that transient camps have appeared from time to time at that location and fear that warming and cooking fires may spread to the buildings.

#### **Noted Sources Regarding Blight:**

<sup>1</sup> Missoula Fire Department – Fire Marshal's Office

<sup>2</sup> Gordon Construction – Previous Primary Building Contractor for Western Montana Clinic and St. Patrick Hospital

<sup>3</sup> Missoula Public Works Department – Director

<sup>4</sup> Missoula Public Works Department – Engineering and Inspection Division

## Chapter 3 – Redevelopment of the District

As previously mentioned, parts of the District are the subject of several planning efforts as well as a special zoning district based on the 2004 Missoula Riverfront Triangle Redevelopment Master Plan. Parcels in the District east of Orange Street (zoned Central Business District (CBD)) were not included in that plan. However, they relate well to their counterparts directly west across Orange Street that are in the plan area. The developable riverfront parcels within the District that are west of the Special Zoning District are zoned Commercial (C) relate well to the development goals of the western most parcel in the Special Zoning District. Other, less developable, riverfront parcels on the western extent of the District (zoned Commercial (C)) should be included in future public pedestrian and bicycle trail development.

### **Challenges:**

An analysis of the findings in Chapter 2 indicates there are major challenges to redevelopment of a large portion of the District. The challenges vary from area to area but are common in that they are, by and large, physical and infrastructure related constraints to redevelopment that could be alleviated in part through the use of tax increment financing. The challenges listed in Chapter 2, coupled with others not reflected in the State's definition of blight, have existed for many years, and may continue to discourage significant private investment into the future. The Missoula market for commercial and residential space has been strong for a few years and it appears this trend will continue. Attracting significant investment within the District will likely require intervention by the City in improving infrastructure, addressing transportation complexities in the District, clarifying zoning issues in the residential area, and participating in vehicle parking opportunities.

Although parking is recognized throughout Montana urban renewal law, the lack of it is not listed as a direct condition of blight. The high cost and low availability of developable land in Missoula urban core forces consideration of parking needs by way of multi-story structures. However, in the District, lack of available public parking and the high cost of developing private structures are ranked by interested developers, property owners, and business owners, as being the greatest impediment to investment in the District. Lack of adequate water and sewer are also listed as major impediments.

### **Area Assets:**

For an urban renewal district to be successful it must contain enough potential assets or investment opportunities to attract property tax paying private developers, both to start the tax increment accumulation and, with mitigation of certain challenges, begin substantial redevelopment.

- The District is situated at the intersection of two cross-town traffic arterials, Broadway (east-west) and Orange Street/Stephens Avenue (north-south). Orange Street not only connects the site to the southern portions of Missoula and the Bitterroot Valley, but northward it terminates as an interchange to Interstate 90. The traffic arterials also create a highly visible area and thus a large potential retail customer base. West Broadway, West Main Street, and West Front Street provide an easy connection to the downtown core by vehicle and a pleasant, quick trip for pedestrians.
- The riverfront trail provides pedestrian and bicycle access to the downtown center and The University of Montana. It also connects the District to the rest of the riverfront park system including the many events, entertainment, and amenities offered in Caras Park and elsewhere downtown.
- The area is immediately adjacent to one of Missoula's largest employment centers, St. Patrick Hospital, and its related medical campus. Proximity to the medical campus provides a market for businesses serving tenants, employees, and the Hospital itself. It also provides for continued expansion of synergistic medical industry activities.
- For both residential and office uses, the area also offers unimpeded views of the mountains and foothills in all directions. Many other activities and amenities are offered nearby from watching professional minor league baseball to kayaking.
- Basic infrastructure including water, sewer, storm water sewer, power, natural gas, and a full range of communications are in or near the area and repairable or upgradable.

The community, through previous master planning and zoning efforts of the Riverfront Triangle, the West Broadway Corridor Community Vision Plan, and the ongoing Greater Downtown Master Plan, clearly envisions multi-use development of the District with urban densities, which requires structured parking. Those planning processes also reveal that maintaining and expanding public riverfront and street front amenities enjoyed in the downtown is very important to the community. In summary, the blighting conditions described in Chapter 2 show the cost of demolition of existing structures, uncertainty of soil stability near the river in some parts of the District, the cost of upgrading condition and expanding capacity of water and sewer service to the District, addressing vehicle and pedestrian safety and efficiency; the provision of urban-style structured vehicle parking, etc. are dissuading private developers from serious investment consideration of the Riverfront Triangle. To overcome the redevelopment challenges found in the District and achieve the community's vision for the area as expressed in the various planning efforts, tax increment financing will be an essential tool.

## **Redevelopment Goals and Objectives:**

It is well established in 2008 that Missoula has found itself with a rapidly diminishing inventory of developable vacant land. This, combined with other market factors such as increasing cost of basic construction materials, has led to a steep escalation of the cost of available land and thus significantly higher housing costs. High housing costs coupled with somewhat static local wages has meant that housing has become unaffordable for a large segment of the population. At the same time the cost of transportation from suburban and out-of-county neighborhoods has risen to a point that living in those heretofore more affordable areas has become less attractive. It is generally recognized that increased density, primarily through increased building heights, small-lot and zero-lot line subdivisions, increased utilization of condominiums, and other density tools, are currently the only viable ways to create a greater inventory of housing in Missoula's urban area.

Given its proximity to employment centers, the University of Montana, City and County government centers, St. Patrick Hospital campus, the downtown retail center, and numerous entertainment opportunities make the District an obvious area for consideration for increased housing opportunities for persons and families from a variety of income levels. The District will be expected to contribute to the community's housing inventory.

Although the current CBD zoning (east of Orange Street) allows for substantial building heights for commercial buildings, it deters residential developers' consideration of increased density by requiring additional authorization for density of 16 units per acre or greater. Receiving the secondary authorization is not an administrative process therefore has traditionally been lengthy and subject to inconsistent evaluation. Building height limits within the Riverfront Triangle Special Zoning District (adopted immediately prior to the above described market changes) restricts densities by limiting building height. However, an objective of the 2004 Riverfront Triangle Special Zoning District is also to balance building heights with public enjoyment of the riverfront and backdrop views to the north and south of the District. Therefore, as the Greater Downtown Master Plan is generated and zoning regulations are subsequently reviewed to assure consistency with that Plan, specific attention should be given to balancing current and future community standards and needs regarding density with the experience of people using the riverfront trail and how views to open lands and mountains surrounding the City will be provided.

Redevelopment in the District will be accomplished through demolition of existing structures and construction of new buildings. Evaluation criteria should be established to prioritize each project requesting public participation to promote projects utilizing innovative and creative design, construction practices, materials, and technologies to reduce impact to air and water quality, limit power and natural gas usage, employ re-used, recycled, and locally produced materials, and achieve a negative or neutral climate impact.

## Residential Redevelopment Goals

- Emphasize urban density residential development in the District, particularly along West Front Street west of Orange Street and upper stories east of Orange Street that are sensitive to and take full advantage of the existing amenities including views, public experience along the riverfront trail, etc.
- Create a sense of neighborhood with a diverse population and appropriate services.
- Develop an active public environment that connects pedestrians and residents to the riverfront by providing appropriately sited public gathering places, small plazas, and street improvements.
- Through public/private partnerships, maximize opportunities for private investment in construction of new units at appropriate urban densities that are attainable for people at a variety of income levels including low to moderate income.
- Encourage and prioritize projects which incorporate innovative and creative design models and utilize construction practices, materials, and technologies that decrease harmful emissions, limit on-grid power usage, reduce impact to air and water quality, and minimize climate impact.

## Residential Redevelopment Strategies

- Provide incentives to projects that utilize leading environmental practices in construction methods, architectural design, and building materials. Additionally, support projects that minimize the need for "on-grid" power, natural gas, and water usage; reduce surface drainage to the river and storm sewer system; minimize light and sound reflection and daylong shadowing; and employ re-used, recycled, and locally produced materials.
- Work with OPG to assure that any zoning amendments along the riverfront emphasize site and architectural designs that provide public access to the Clark Fork River and address the public experience along the riverfront trail.
- Encourage development that respects important backdrop views by providing sight lines between and around structures and varying building heights.
- Encourage automobile-free living. Promote neighborhood-scale service and shopping businesses in the area to minimize the need for residents to drive to obtain common household merchandise and services.

### **Applicable Comprehensive Plan and Growth Policy Statements:**

*-Maintain and expand the redevelopment of the City Center through continued public/private partnership.*

*-Create smooth transitions from commercial to non-commercial uses.*

*-Improve the pre-application process to ensure timely and thorough review which also provides for early involvement by the public to address neighborhood and community concerns.*

*-Encourage a residential land use pattern which provides a high quality living environment in a variety of residential settings, protects public health and safety, minimizes local government service-costs, and preserves natural resources.*

*-Encourage upgrading and maintenance of private property and structures.*

*-Develop building guidelines which define the desired scale and character of development within the community without dictating architectural style. Regulations should focus on building mass, building coverage relationships, placement of new additions and infill within existing neighborhoods and in commercial areas.*

*-Create sustainable relationships between human activities and natural systems.*

*-Encourage and support new land development within or immediately adjacent to areas where public services are currently available both to maximize local government efficiency and to promote a logical growth pattern.*

*-Encourage a viable mix and concentration of residential housing types that serve a diverse population, including the aging and those with special needs.*

*-Design and locate homes to minimize impacts on natural resources and the physical environment and to maximize social resources while meeting emerging needs. Locate housing in proximity to physical, technological, social, and economic infrastructure.*

### **Commercial Redevelopment Goals:**

- Recognize the area along Broadway from Orange to McCormick Street as an extension of Downtown and encourage mixed land uses and densities typical of an urban central business district.
- Encourage and prioritize projects which incorporate innovative and creative design models and utilize construction practices, materials, and technologies that decrease harmful emissions, limit on-grid power usage, reduce impact to air and water quality, and minimize or eliminate climate impact.
- Provide opportunities for private investment and public/private partnerships that create jobs, expand the tax base, and enhance the overall Downtown that emphasize sustainable design and materials appropriate to the area's aesthetic assets including views and the Clark Fork River.

- Encourage a variety of retail activities including destination stores; businesses oriented toward downtown employees, tenants, and visitors; and retail and services which address nearby residents' common needs.
- Support the overall area's role as a community employment center. Within the District, this role is best positioned between West Front Street and West Broadway.

#### Commercial Redevelopment Strategies:

- Provide incentives to projects that utilize leading environmental practices in construction methods, architectural design, and building materials. Additionally, support projects that minimize the need for "on-grid" power, natural gas, and water usage; reduce surface drainage to the river and storm sewer system; minimize light and sound reflection and daylong shadowing; and employ re-used, recycled, and locally produced materials.
- Advocate for construction of a significant retail anchor business or group of businesses east of Orange Street.
- Sponsor efforts to develop a significant hotel capable of hosting conferences and meetings west of Orange Street.
- Promote commercial/retail businesses within the District that sustain the residential and workforce components of the District and adjacent downtown areas.
- Support uses between West Front Street and West Broadway that emphasize the Greater Downtown Master Plan concept of an employment center near and adjacent to the hospital campus.
- Acknowledge the assets of the area by encouraging development that is visually permeable from the south and north, emphasizes architectural compatibility and varying building heights.
- Encourage street front retail throughout the District, emphasizing West Front and West Main Streets east of Orange Street, West Front Street between Orange and Owen Streets, Owen Street, and along public plaza areas leading to the riverfront.
- Facilitate with the Public Works Department the conversion of the Main Street/Front Street one-way couplet to two-way traffic to act as a catalyst for redevelopment within the District and adjacent downtown areas.
- Support development of public space, parks, trails, plazas, and public art.

- Promote convenient and accessible pedestrian and bikeways to and within the commercial area.

**Applicable Comprehensive Plan and Growth Policy Statements:**

*-Allow for diverse business and employment opportunities and a competitive business climate.*

*-Maintain and expand the redevelopment of the City Center through continues public/private partnership.*

*-Create smooth transitions from commercial to non-commercial uses.*

*-Identify, evaluate, and develop ways to protect historic and cultural sites, structures, and trails.*

*-Conserve resources and minimize transportation demand in rural areas by structuring commercial centers around existing facilities.*

*-Encourage interesting and innovative design of structures.*

**Infrastructure Redevelopment**

For the purposes of this plan "infrastructure" includes both motorized and non-motorized transportation systems, vehicle parking, and both public and privately owned utilities such as sewer, water, gas, power, and communications. The definition also includes a distinct category of "technology" which is integral to the other categories but separated for emphasis to promote and encourage utility providers to investigate and utilize innovative production and delivery systems within the District. In addition to the amenities and convenience of the District, marketing commercial and residential development to the District will be enhanced by the presence of superior communications infrastructure and upgrading water and wastewater services.

Considerable input over several years from developers and investors interested in the Riverfront Triangle indicates that the cost of providing adequate utility service, upgraded sidewalks and curbs, and especially parking for projects deters consideration of substantial investment. Additionally, parking, access, and visibility problems associated with the one-way West Front and West Main Street make those important streets difficult locations for successful retail businesses.

**Transportation**

The configuration of West Broadway has been a difficult and controversial subject for some time. The West Broadway Corridor Community Vision Plan and the ongoing Greater Downtown Master Plan propose street section alternatives for consideration presently, and as traffic conditions warrant. All of the alternatives recognize the importance of outstanding circulation and access to the success or the Riverfront Triangle and how that success translates for the entire downtown and West Broadway corridor.

## Parking

As mentioned in Chapter 2, much of the District is currently used as surface parking for automobiles; a glaringly inefficient use of land along two arterial streets in Missoula's urban core. A substantial portion of the existing surface and structured parking lots within the District are intended to address parking deficiencies at the St. Patrick Hospital medical campus north of West Broadway. The Hospital will be able to accommodate this parking on the medical campus with the relocation of Safeway supermarket in late 2008.

The primary key to the successful redevelopment of the Riverfront Triangle Urban Renewal District will be though efficient structured parking both within the District and at the Hospital's growing campus. However, simply mandating private developers construct structured or subsurface parking in conjunction with their developments in the District is not a complete solution as the expense of such construction is often prohibitively high, making development at the urban edges where less expensive surface parking may be utilized more feasible.

Part of a more complete solution is to emphasize public transportation and to make pedestrian and bicycle routes safe, efficient, and pleasant alternatives. Secondly, since the cost of construction of parking structures is generally beyond most private developments, financing construction and operation of parking facilities oriented toward commercial use will likely need to be through partnerships between multiple public agencies and private developers. Because parking residents is often an exclusive use, traditional public/private partnership finance and operation models may not apply. Therefore, it is important to find mechanisms to offset the added cost of parking to lessen its influence on the price and market of residences.

### Transportation and Parking Goals:

- Create a circulation pattern that organizes and distributes pedestrian, vehicle, and service traffic in a clear and logical pattern that minimizes conflict, congestion, and driving time while providing maximum exposure and convenience to retail and other uses.
- Encourage safe, efficient, and accessible multi-modal transportation systems to, from, and within the district by maximizing the opportunity and desirability for use of non-motorized transportation as well as mass transit alternatives.
- Encourage innovative and creative parking structure design models that maximize vehicle storage efficiency and utilize construction practices, materials, and technologies that minimize environmental impacts.
- Encourage and assist development of adequate parking to serve residential and commercial demand in the District.

### Transportation and Parking Strategies:

- Collaborate with Public Works Department, Mountain Line, bicycle advocacy groups, and affected property owners to conduct a feasibility study regarding converting the Main/Front Street one-way couplet east of Orange Street to a two-way system. Actively participate with City, State and federal financing sources to address recommendations in the study.
- In partnership with Public Works Department, analyze and address circulation and safety for pedestrian, bicycle, and vehicular traffic throughout the District, particularly where West Broadway, West Main, and West Front Streets intersect Orange Street. Continue to work with Public Works Department and Greater Downtown Master Plan consultants to formulate recommendations regarding the West Front Street intersection with West Broadway.
- Complete north shore riverfront trail system through the Riverfront Triangle along with safe, convenient pedestrian and bicycle accesses between the trail and street systems. Consider a pedestrian/bicycle bridge to connect trail systems on either side of the river.
- Collaborate with Mountain Line to assure convenient and efficient public transportation opportunities to and from the Riverfront Triangle including future possibilities of streetcar or light rail service.
- Engage the Public Works Department to identify street and sidewalk conditions and participate in addressing those conditions. With the Office of Planning and Grants, modify, as needed, sidewalk design conflicts between the Greater Downtown Master Plan, West Broadway Corridor Community Vision, and the CBD and Riverfront Triangle Special Zoning District regulations.
- With current District and adjacent property owners, City agencies, and recommendations from the Greater Downtown Master Plan and other public and private planning efforts to analyze potential parking needs of the District and devise a parking plan that maximizes use of each parking site in and nearby the District throughout all portions of the day and encourages innovative design that increases parking efficiency.
- Provide incentives to projects that utilize leading environmental practices in construction methods, design, and materials used in parking structures, streets, and sidewalks.

### Applicable Comprehensive Plan and Growth Policy Statements:

*-Review existing sidewalk networks and plan sidewalks where warranted for public safety or for pedestrian circulation.*

*-Revise off-street parking requirements for new uses and explore the use of minimum and maximum parking standards.*

*-Encourage a land use pattern that facilitates use of all modes of transportation and provides for safe, healthy, affordable, efficient, and convenient access to transportation connections for residential, commercial, industrial, and emergency traffic.*

### Public & Private Utility Goals:

(Sewer, Water, Storm Water, Power, Gas, Communications, and Technology)

- Quantify the condition of existing infrastructure and determine the adequacy of service for current and future needs.
- Preserve and protect the aquifer and the river through provision of adequate sewer, storm sewer, and potable water service.
- Encourage utilities, developers, and contractors to investigate and utilize innovative technologies that increase efficiencies, decrease need for systems maintenance, and reduce negative impacts on the environment.

### Public & Private Utility Strategies:

- Promote the formation of a partnership of public and private utilities to investigate the condition and long-term needs of infrastructure systems in order to identify current and projected service needs for all properties.
- Facilitate projects and partnerships with public and private utility providers, developers, and property owners to rectify infrastructure deficiencies.
- Assist the Public Works Department in developing strategies to assure there is adequate wastewater sewer capacity for future growth of the District.
- Explore model and innovative methods of minimizing offsite storm water from new developments within the District.
- Work with providers to assure the availability of variety of high quality communication alternatives in the District.
- Explore potential financing sources and other mechanisms for infrastructure improvements and expansions.
- Prioritize creative redevelopment and public projects that incorporate innovative on-site and off-site infrastructure technologies that increase efficiencies or have a positive environmental impact.

**Applicable Comprehensive Plan and Growth Policy Statements:**

*-Encourage and support new land development within or immediately adjacent to areas where public services are currently available to both maximize local government efficiency and to promote a logical growth pattern.*

*-Determine the location of current infrastructure, and provide information about funding mechanisms through the planning process to expand and maintain existing systems.*

*-Provide the necessary public services to commercial areas efficiently and economically.*

*-Minimize the impact of land development on surface and subsurface water.*

*-Develop infrastructure to accommodate present development and plan infrastructure to meet the needs of anticipated growth in accordance with public values and goals.*

**Public Spaces:**

One of the foundations of this urban renewal plan is to provide for the expansion of public spaces including trails, a variety of public plazas, wide sidewalks, pedestrian amenities, visual permeability, etc. The amount of developable land adjacent to the Clark Fork River downtown makes the area unique. The community's attitude regarding the river has changed dramatically since its days of acting as the site for garbage dumps, vehicle wrecking yards, and sewer. The current physical and emotional connection to the river should be enhanced and expanded through the Riverfront Triangle by creation of enjoyable public space and trails along the riverbank and convenient, well designed access between the street network and riverfront.

An active pedestrian street front environment on all streets within the District is essential for achieving the envisioned redevelopment of the Riverfront Triangle. Sidewalk areas should invite retail and entertainment use while being efficient, safe conduits to the medical campus, West Broadway, and downtown core. Sidewalks should connect street level plazas, be a location for public art, and be wide enough for retailers to feature goods and food in the public space. Crossing West Broadway and Orange Street is currently intimidating for many pedestrians because of the wide busy streets and the absence of pedestrian services or amenities. For the Riverfront Triangle to become an extension of the downtown retail core, exchange customers, and clients with the employment center and medical campus north of West Broadway, and attract a substantial residential component, the pedestrian experience at key intersections must be comfortable, convenient, and feel safe. Further, linking the Riverfront Triangle and north shore riverfront parks and trail to south shore trails, neighborhoods, and recreation opportunities at the riverbank level should be considered. A pedestrian bicycle connection would augment retail and entertainment opportunities in the Riverfront Triangle and present additional convenient nonmotorized access to residents living on both sides of the river to employment centers. To assure future use of the area, stability of the riverbank and riparian areas should be assessed and augmented where necessary.

### Public Spaces Goals:

- Encourage development of the riverfront adjacent to the Riverfront Triangle to facilitate bicycle and pedestrian travel and create an identifiable, unique public place.
- Promote a pedestrian/bicycle bridge within or adjacent to the Riverfront Triangle.
- Assess long term status of the riverbank and facilitate a plan to mitigate issues found in that analysis.
- Encourage public/private development partnerships that provide gathering areas, plazas, public art, and other amenities throughout the District.
- Support efforts to create appropriately designed pedestrian crossings of Orange Street, West Broadway and the Clark Fork River.

### Public Spaces Strategies:

- Facilitate design and development of extending and upgrading the riverfront pedestrian/bicycle trail, addresses connections to the street system, and considers a bridge between the north and south shore trails within or adjacent to the Riverfront Triangle.
- Assess long term status of the riverbank and facilitate a plan to provide safety and stability while maximizing riparian and flood retention resources.
- Promote and facilitate appropriate sidewalk design and amenities throughout the District. Work with OPG to, if necessary, adjust zoning design criteria within the Riverfront Triangle Special Zoning District to address recommendations within the Greater Downtown Master Plan.
- Sponsor public/private development partnerships to assure gathering areas, plazas, public art, and other amenities are located throughout the District
- Work with State and local agencies and officials facilitate design and construction of pedestrian-oriented crossings of Orange Street, West Broadway, and the Clark Fork River.

### **Applicable Comprehensive Plan and Growth Policy Statements:**

- *Provide adequate infrastructure to ensure a healthy natural, economic, and social environment in Missoula County.*
- *Provide accommodations for and promote the use of more sustainable modes of transportation including public transit, bicycle, and pedestrian facilities.*

### **Redevelopment Projects:**

The various plans and zoning for the Riverfront Triangle Urban Renewal District described herein agree on recommended types and general location of uses within the District. It is the intent of the currently ongoing Greater Downtown Master Plan to govern in the event of conflict between it and other adopted plans. Each of the previous efforts, particularly the Greater Downtown Master Plan, is the subject of extensive public involvement during formation and again during the City's adoption process. This urban renewal plan affirms those public planning efforts and recommends TIF assistance in accordance with Montana Code Annotated Title 15, Parts 42 and 43 (entitled "Urban Renewal" and "Urban Renewal Continued") be considered for projects proposed by the plans that are consistent with the redevelopment goals and strategies listed above.

## Chapter 4 - Implementation

### **Summary of Community Input and Public Actions:**

In accordance with 7-15-4213 MCA, on June 17, 2008, the Plan was presented to the Missoula City-County Consolidated Planning Board for review and recommendations as to its conformity with the Missoula County Growth Policy (Growth Policy). The Board found the Plan conforms with the Growth Policy and recommended such to the City Council to advise the Council's deliberations regarding the Plan.

All landowners within the Plan Area were notified in writing of the planning effort and MRA staff contacted or met with each of the owners or their local representatives and tenants to encourage their participation in creation of the Plan. Additionally, pursuant to 7-15-4215 MCA, the landowners were officially notified by mail of City Council public hearing regarding the plan by way of a certified letter mailed 18 days prior to the hearing. In addition to describing the time, date and place of the hearing, that letter identified the Plan area and included a Plan summary as well as a copy of the draft Plan.

The Missoula City Council held a public hearing regarding this Plan on July 21, 2008 and approved Ordinance No. 3380 adopting an Urban Renewal Plan to create the "Riverfront Triangle Urban Renewal District" and providing the District with Tax Increment Financing (TIF) authority.

### **Administration**

The Riverfront Triangle Urban Renewal Plan identifies community attitudes, problems, and opportunities and sets a direction for achieving redevelopment of a portion of the urban core. After adoption, this document is the official policy guide for public action. These policies can only be transformed into action through effective implementation. The implementation of community policies will depend on sound processes of administration, financing, and evaluation.

The Missoula Redevelopment Agency is responsible for the administration of the redevelopment effort outlined in this Plan under the provisions of Title VII, Chapter 15, Section 42-43, MCA.

The Missoula Redevelopment Agency may exercise any of the following urban renewal project powers (7-15-4233 MCA):

- (a) to formulate and coordinate a workable program as specified in 7-15-4209;
- (b) to prepare urban renewal plans;
- (c) to prepare recommended modifications to an urban renewal project plan;

- (d) to undertake and carry out urban renewal projects as required by the local governing body;
- (e) to make and execute contracts as specified in 7-15-4251, 7-15-4254, 7-15-4255, and 7-15-4281, with the exception of contracts for the purchase or sale of real or personal property;
- (f) to disseminate blight clearance and urban renewal information;
- (g) to exercise the powers prescribed by 7-15-4255, except the power to agree to conditions for federal financial assistance and imposed pursuant to federal law relating to salaries and wages shall be reserved to the local governing body;
- (h) to enter any building or property in any urban renewal area in order to make surveys and appraisals in the manner specified in 7-15-4257;
- (i) to improve, clear, or prepare for redevelopment any real or personal property in an urban renewal area;
- (j) to insure real or personal property as provided in 7-15-4258;
- (k) to effectuate the plans provided for in 7-15-4254;
- (l) to prepare plans for the relocation of families displaced from an urban renewal area and to coordinate public and private agencies in such relocation;
- (m) to prepare plans for carrying out a program of voluntary or compulsory repair and rehabilitation of buildings and improvements;
- (n) to conduct appraisals, title searches, surveys, studies, and other preliminary plans and work necessary to prepare for the undertaking of urban renewal projects;
- (o) to negotiate for the acquisition of land;
- (p) to study the closing, vacating, planning, or replanning of streets, roads, sidewalks, ways, or other places and to make recommendations with respect thereto;
- (q) to organize, coordinate, and direct the administration of the provisions of this part and part 43;
- (r) to perform such duties as the local governing body may direct so as to make the necessary arrangements for the exercise of the powers and performance of the duties and responsibilities entrusted to the local governing body.

Any powers granted in Title VII, Chapter 15, Section 42-43, M.C.A. that are not included in this section as powers of the Missoula Redevelopment Agency may only be exercised by the local governing body as provided under existing law. The provisions of this Plan or other documents entered into pursuant to this Plan may also be enforced by court litigation instituted by either the Agency or the City. Such remedies may include, but are not limited to, specific performance, damages, reentry, injunctions, or any other remedies appropriate to the purposes of this Plan. In addition, any recorded provisions that are expressly for the benefit of owners of property in the District may be enforced by such owners.

The Agency is authorized to permit persons who are owners of residential, business and other types of real property in the Riverfront Triangle Urban Renewal District to be given the opportunity to participate in redevelopment by rehabilitation, by retention of improvements, by new development, by retaining all or a portion of their properties, by

acquiring adjacent or other properties from the Agency, or by purchasing other properties in the Riverfront Triangle Urban Renewal District. The Agency is also authorized to enter into participation agreements regarding properties not purchased or not to be purchased by the Agency.

The Agency shall prepare an annual work program and budget that will list the activities and costs of activities for the coming fiscal year, as well as the method of financing those activities. This program and budget may be amended during the course of the fiscal year, in light of funding and program changes. All budgets and revised budgets shall be reviewed and approved by the City of Missoula. Urban renewal activities undertaken by the City of Missoula will be in accordance with Montana State statute.

Nothing herein shall limit or affect the authority of the Council to undertake and carry out renewal activities on a yearly basis as provided by Section 7-15-4220, MCA.

### **Annual Independent Audit**

The Agency shall cause to be performed an annual independent audit covering the operations of the Agency in carrying out this Plan. The first such audit shall be completed within ninety (90) days of the close of the first fiscal year following the adoption of this Plan by City Council. All such annual independent audits shall be maintained as a part of the public records of the City of Missoula

### **Tax Increment Financing Provision**

The City elects to utilize Tax Increment Financing (TIF) in the implementation of the Riverfront Triangle Urban Renewal Plan. Under section 7-15-4282 of the Montana State Urban Renewal Law, communities may establish tax increment districts for the purposes of revitalizing blighted neighborhoods and central business districts. Tax increment financing directs new property tax dollars resulting from increases in the market value of real property to the area where the real property is located. The base property tax (before any improvements to real property) continues to be distributed to the local governments and school districts. However, tax dollars that accrue from increase in property values (from rehabilitation, new construction, etc.) are available for urban renewal projects as defined by the Montana Urban Renewal Law. More particularly, costs which may be paid using TIF dollars are included in 7-15-4288, MCA. (See Appendix A).

A tax increment financing provision is authorized for 15 years or longer if the tax increment revenue is pledged to the repayment of tax increment bonds. Section 7-15-4289, MCA provides for the use of tax increments for bond payments. The tax increment may be pledged to the payment of the principal of premiums, if any, and interest on bonds which the municipality may issue for the purpose of providing funds to pay for eligible redevelopment activities.

The City of Missoula shall establish a Tax Increment Financing program for the Riverfront Triangle Urban Renewal District, as defined in this Urban Renewal Plan. The base year for the purposes of measuring any incremental value will be as of January 1, 2008.

### **Amendment**

The Plan provides flexibility to accommodate a variety of approaches. However, changes over time may necessitate more formal amendments to the Urban Renewal Plan. Changes in State law may necessitate amendments to the Plan to reflect those changes. The Urban Renewal Plan may be modified by ordinance under 7-15-4221, MCA. In addition, any changes to the land use element shall be made consistent with Missoula zoning regulations.

The City Council may modify and amend the Plan, including modifications and amendments to designate and approve urban renewal projects to be undertaken pursuant thereto, by enacting an ordinance providing for and setting forth the modification and amendment. No such ordinance shall be adopted until after a public hearing has been conducted thereon and notice of said hearing has been given in accordance with State Law.

If the modification or amendment involves the addition or deletion of land from the District, mailed notice shall be given to all persons owning property to be added or deleted at the time and the manner provided by Section 7-15-4215 (1), MCA. All such notices shall provide the information regarding the modification required by Section 7015-4215 (1), MCA.

### **Relocation of Persons Displaced by Riverfront Triangle Urban Renewal**

The Agency shall assist all persons (including families, business concerns, and others) displaced by acquisition of property in the Riverfront Triangle Urban Renewal District through the use of Tax Increment Financing funds in finding other locations and facilities and shall pay relocation payments. Unless otherwise required by State or federal law, relocation procedures and payments shall be in accordance with the Federal Uniform Relocation Act rules as defined by the US Department of Housing and Urban Development or Federal Highways Administration that are current as of the date of notification of relocation.

### **Program Funding**

The Agency is authorized to develop financing programs for redevelopment projects with funds from the City and State of Montana, property tax increments, Special Improvement Districts (SID), interest income, Agency bonds or any other available sources such as gifts and federal grants.

Tax increment financing will become a major source of funding for redevelopment activities. The implementation of this feature will be in accordance with Title VII, Chapter 15, Part 42, Sections 4282-4292 MCA.

### **Riverfront Triangle Urban Renewal Program Evaluation**

The Agency will annually develop a program and budget to be reviewed and adopted by the City Council. All documents related to evaluation including annual reports, audits, budgets, project plans, City Capital Improvements Plan submittals, etc shall be available for community review to allow maximum community input in order to further the redevelopment interests of the community and to evaluate past actions of the Agency.

The Riverfront Triangle Urban Renewal Plan will be evaluated on a yearly basis in conjunction with the preparation of the annual report. Measures that may be used in evaluating program success within the District include but are not limited to:

- The increase in the property tax valuation within the District
- Elimination of blighted conditions identified herein
- The extent of redevelopment in previously blighted or underutilized areas
- The use of innovative and creative design, material and technologies in projects

## Appendix A

### **7-15-4233. Powers which may be exercised by urban renewal agency or authorized**

**department. (1)** In the event the local governing body makes such determination, such body may authorize the urban renewal agency or department or other officers of the municipality to exercise any of the following urban renewal project powers:

- (a) to formulate and coordinate a workable program as specified in 7-15-4209;
- (b) to prepare urban renewal plans;
- (c) to prepare recommended modifications to an urban renewal project plan;
- (d) to undertake and carry out urban renewal projects as required by the local governing body;
- (e) to make and execute contracts as specified in 7-15-4253, 7-15-4254, 7-15-4255, and 7-15-4281, with the exception of contracts for the purchase or sale of real or personal property;
- (f) to disseminate blight clearance and urban renewal information;
- (g) to exercise the powers prescribed by 7-15-4255, except the power to agree to conditions for federal financial assistance and imposed pursuant to federal law relating to salaries and wages shall be reserved to the local governing body;
- (h) to enter any building or property in any urban renewal area in order to make surveys and appraisals in the manner specified in 7-15-4257;
- (i) to prepare plans for the relocation of families displaced from an urban renewal area and to coordinate public and private agencies in such relocation;
- (m) to prepare plans for carrying out a program of voluntary or compulsory repair and rehabilitation of buildings and improvements;
- (n) to conduct appraisals, title searches, surveys, studies, and other preliminary plans and work necessary to prepare for the undertaking of urban renewal projects;
- (o) to negotiate for the acquisition of land;
- (p) to study the closing, vacating, planning, or replanning of streets, roads, sidewalks, ways, or other places and to make recommendations with respect thereto;
- (q) to organize, coordinate, and direct the administration of the provisions of this part and part 43;
- (r) to perform such duties as the local governing body may direct so as to make the necessary arrangements for the exercise of the powers and performance of the duties and responsibilities entrusted to the local governing body.

**(2)** Any powers granted in this part or part 43 that are not included in subsection (1) as powers of the urban renewal agency or a department or other officers of a municipality in lieu thereof may only be exercised by the local governing body or other officers, boards, and commissions as provided under existing law.

**For more urban renewal powers see M.C.A. 7-15-4251 thru 4259**