

**City of Missoula, Montana**  
**Item to be Referred to City Council Committee**

**Committee:** Conservation Committee

**Agenda Item:** Kolendich-Grove Street Open Space Acquisition

**Date:** January 19, 2017

**Sponsor:** Elizabeth Erickson, Open Space Acquisitions Attorney

**Prepared by:** Elizabeth Erickson, Open Space Acquisitions Attorney

**Wards affected:** Wards 1, 2, 3, 4, 5, 6

---

**Action Required:**

Set a public hearing for adoption of a resolution that authorizes the expenditure of up to \$320,000 of 2006 Open Space Bond funds to purchase in fee approximately 4.6 acres of land including riparian land and land to extend the Milwaukee Trail, and pay transaction and project-related costs associated with the acquisition.

**Recommended Motion:**

The committee moves to set a joint public hearing for February 27, 2017 for City Council and County Commissioners to vote on a resolution to expend up to \$320,000 of 2006 Open Space Bond funds to purchase in fee the approximately 4.6 acre Kolendich-Grove Street property and pay transaction and project-related costs associated with the acquisition.

**Timeline:**

Referral to committee:	January 21, 2017
Committee discussion:	January 25, 2017
Council acts to set hearing:	February 6, 2017
Public hearing:	February 27, 2017 (joint Board of County Commissioners and City Council hearing)

**Background:**

The Kolendich-Grove Street project proposes to spend up to \$320,000 for the acquisition of approximately 4.6 acres, situated between Grove Street and the Clark Fork River, west of Missoula. The property lies within the Clark Fork River corridor open space cornerstone, as identified in the 2006 Missoula Urban Area Open Space Plan. Protection of the Clark Fork River corridor is articulated as a high priority in the 2006 Missoula Open Space Plan update ("Open Space Plan"). More specifically, the Open Space Plan notes a strong need for protecting riparian corridors, and the Clark Fork River corridor west of Reserve Street in particular, for its wildlife and water quality values in addition to allowing for recreational access. The acquisition would serve additional purposes of the 2006 Open Space Bond, including protecting water quality and providing access to the Clark Fork River, protecting wildlife habitat, protecting open space and providing a key connection in a potential future recreational and commuter trail.

The property possesses a host of characteristics making it worthy of protection as open space. The property borders the Clark Fork River and is located within the Clark Fork River-Grass Valley Important Bird Area (IBA). The Clark Fork River-Grass Valley IBA was approved as a State IBA in 2006 and as a Continental IBA in 2009 by the National Audubon Society because of its significance to species of conservation concern. The property also contains a key section of the historic Milwaukee Railroad, which provides an opportunity for a future extension of the Milwaukee Trail, the developed portion of which currently terminates at Grove Street. A number of City land use planning documents, including the 2004 Master Parks Plan, the 2006 Open Space Plan update, the 2011 Active Transportation Plan and the 2011

Missoula Long Range Transportation Plan (LRTP), and the draft of the 2017 Activate Missoula transportation plan, identify as a priority expanding the non-motorized commuter trail network and specifically the expansion of the Milwaukee Railroad corridor. The LRTP specifically identifies as a high priority extending the Milwaukee Trail from Reserve Street to Mullan.

This project also leverages the impact of several other conservation and recreation efforts in the immediate vicinity. The project would provide legal and physical access to the Clouse property, a 75 acre riparian property the City acquired in early 2016, via an existing bridge that connects the Kolendich and Clouse properties. The Clouse acquisition consists primarily of a mid-river island that is currently accessible only from the Tower Street Conservation Area, via an active channel of the Clark Fork River. The Kolendich Family plans to donate its interest in the bridge, which will allow the public to reach the Clouse island. The project also leverages the years of work to develop the Milwaukee Trail from downtown to Grove Street by providing the land needed to extend the trail further west. Finally, the Kolendich property contains a section of the orchard homes levee, which has potential for a future formal recreational trail.

The project is being accomplished in partnership with the landowners, the Kolendich Family, who have significant family history on this land and have many stories from the days when the railroad was active and trains passed through. The Kolendich Family wishes to retain naming rights for a landmark or portion of the property to incorporate "Koly" into the name, in honor of their grandparents and in recognition of their donation of their ownership interest in the bridge, and will follow the process laid out in the City's park naming policy. The Kolendich Family's entire ownership is close to 9 acres and the family plans to pursue a residential development on the remainder of the parcel not proposed for sale to the City. Accordingly, this project will accomplish goals of conservation and recreation while also supporting housing in a desired location that is consistent with goals of the 2015 Our Missoula Growth Policy. The portion of the property proposed for private development is adjacent to existing residential development, and the trail corridor will provide a non-motorized means of travel for residents and access to open space and recreational land for residents of the neighborhood.

Article II, Section 2.1 of the April 5, 2007 Interlocal Agreement between the City of Missoula and the County of Missoula Related to Open Space Acquisition and Use of Open Space Bond Proceeds (Interlocal Agreement) establishes the general purposes of the open space bond. The Kolendich-Grove Street project will carry out the purposes of the Bonds by protecting open space; protecting wildlife habitat; securing land for a potential future location for a recreational trail; providing access to and protecting water quality in the Clark Fork River; and paying non-personnel related transaction costs, costs of initial clean up and other project related costs, including abatement of any safety concerns related to future public use of the existing bridge.

**Financial Implications:**

The Kolendich-Grove Street project proposes to expend up to \$320,000 of the City's portion of the 2006 Open Space bonds to provide the public benefits described above.

**Attachments:**

Exhibit A - Resolution