



COMMUNITY PLANNING, DEVELOPMENT AND INNOVATION

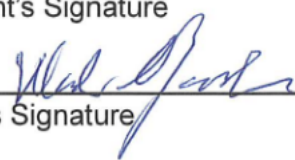
435 RYMAN • MISSOULA, MT 59802 • 4297 • (406) 552-6630 • FAX: (406) 552-6053

CITY REZONE APPLICATION

A. GENERAL INFORMATION

1. Submit the completed application with all attachments by email to the City Zoning Desk at ZoningDesk@ci.missoula.mt.us
2. Once the application is deemed complete by CPDI, Development Services and the applicant has paid the rezoning fee the rezone proposal will be scheduled for public hearings at Planning Board and City Council.
3. Name of proposed Rezone: **Gooden Curtis St. Rezone**
4. Name(s) of Applicant: **IMEG Corp c/o Tamara Ross**
Mailing Address: **1817 South Ave. W. Missoula, MT 59801**
Telephone Number: **406-272-0253**
Email Address: **Tamara.R.Ross@imegcorp.com**
5. Name(s) of Owner of Record: **Homes for Missoula, LLC**
Mailing Address: **P.O. Box 373, Frenchtown, MT 59834**
Telephone Number: **Same as Representative**
Email Address: **Same as Representative**
6. Name and Company of Representative: **IMEG Corp c/o Tamara Ross**
Mailing Address: **1817 South Ave. W. Missoula, MT 59801**
Telephone Number: **406-272-0253**
Email Address: **Tamara.R.Ross@imegcorp.com**
7. Does the applicant(s) whose signature(s) are included below own at least 35% of the area or number of the parcels included within the area proposed to be rezoned? (Requirement of Title 20, 85.050(A)) **Yes.**
8. If the applicant is someone other than the property owner, the owner must also sign the application in the space provided below.

Certification: I hereby certify that the foregoing information contained or accompanied in this application is true and correct to the best of my knowledge.

Tamara Ross		<small>Digitally signed by Tamara Ross DN: C=US, E=Tamara.R.Ross@imegcorp.com, O=IMEG Corp, CN=Tamara Ross Reason: I have reviewed this document Date: 2024.03.06 07:49:52-0700</small>
Applicant's Signature		Date
		3-6-2024
Owner's Signature		Date
Tamara Ross		<small>Digitally signed by Tamara Ross DN: C=US, E=Tamara.R.Ross@imegcorp.com, O=IMEG Corp, CN=Tamara Ross Reason: I have reviewed this document Date: 2024.03.06 07:49:52-0700</small>
Representative's Signature		Date

B. SUBJECT PROPERTY INFORMATION

General location of subject property and address (if address has been assigned): **The property is located on the west side of S. Curtis Street and south of Lovegrove Court. The property is assigned a physical address of 123 S. Curtis St., Missoula, MT 5980.**

Legal Description - complete and unabbreviated: **The South 110' of Lot 5 of Curtis & Major's Addition, as described in Bk. 1088, Pg. 547, Micro Records of Missoula County, located in the (SW 1/4) of S20, T13 N, R19 W, P.M.M., Missoula County, Montana; containing 1.58 acres, more or less.**

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

Geocode: **04-2200-20-3-26-09-0000**

C. ZONING AND GROWTH POLICY INFORMATION

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

	Zoning	Current Land Use
Adjacent (North)	City: Residential 10 two-unit/townhouse (RT10)	Residential and ROW
Adjacent (South)	City: Residential 10 two-unit/townhouse (RT10)	Residential
Adjacent (East)	City: Residential 10 two-unit/townhouse (RT10)	Residential and ROW
Adjacent (West)	City: Residential 10 two-unit/townhouse (RT10)	Residential

2. What is the current zoning of the property (including intensity designator)? **The property is currently zoned with RT10 Residential (two-unit/townhouse). This zoning district allows for zoning dwelling unit per 10,000 square feet of parcel area.**

3. What is the requested zoning for the property (including intensity designator)? **The applicant is proposing to rezone the property to RT5.4 Residential (two-unit/townhouse). This zoning district allows for zoning dwelling unit per 5,400 square feet of parcel area.**

4. What is the applicable City Growth Policy (comprehensive plan) and land use designation for the property? **The applicable regional plans for this proposal include 'Our Missoula' 2035 City Growth Policy, the Reserve Street Plan (1995 update) and the River Road/Emma Dickinson Infrastructure Plan. The current land use designated is Residential Medium Density (3 to 11 dwelling units per acre).**

5. What is the intended use for the property? **The property will be in a well-established residential neighborhood, in proximity to public amenities and existing road infrastructure. This development is intended for 10 residential homes on 10 lots which results in gross density of 6.3 dwelling units per acre. Therefore, the proposed zoning would continue to incorporate residential uses and infill to achieve a medium density residential development which aligns well within the existing 'Our Missoula' City Growth Policy.**

D. RESPONSES TO REVIEW CRITERIA REQUIRED BY STATE LAW & THE CITY OF MISSOULA TITLE 20 ZONING ORDINANCE

Review Criteria. Provide a response to the following review criteria for rezone requests.

1. Whether the zoning amendment is consistent with MCA § 76-2-304:

a. Whether the zoning is made in accordance with a growth policy;

The property is intended to be rezoned to RT5.4 Residential (two-unit/townhouse) allowing for similar building types and property line setbacks but will allow for two-unit townhomes. The RT5.4 has a minimum parcel size of 5,400 sq ft (gross density calculation). This proposal will comply with this zoning district through proposing residential dwelling units on each parcel.

Further, relatable zoning districts would include RT10, R8, and R5.4 recommending a density of anywhere between 5 to 11 du/acre; depending upon the zoning district. The current land use designated is Residential Medium Density (3 to 11 dwelling units per acre) in which the project complies with. The property is not subject to any overlay districts. This proposed zoning would continue to incorporate infill to achieve a medium density residential development which fits well within the existing 'Our Missoula' City Growth Policy.

The subject property proposes to use public infrastructure (water and sewer), provides mobility and access through creating road infrastructure that accommodates parking, walking, and is close to transit opportunities. Additionally, connection to existing road infrastructure will aid in meeting the goals and policies that guide this development within the growth policy.

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

The property is served by Emergency Services, Hospitals, City Police and City Fire. The property is not located within a Wildland Residential Interface. A fire hydrant exists at the corner of Trail Street and S. Curtis Street, north of the property.

A fire hydrant exists northeast of the property and is generally located at the corner of S Curtis Street and Trail Street. Further, a fire hydrant is being proposed near the eastern property line to service the subject property. Preliminary discussions with city staff and the fire department have required an additional fire hydrant for the subdivision to provide adequate means for water supply. Please see the Proposed Layout Sheet (within the Supplemental Data Sheets) included in Section A of this submittal. Each residential structure will undergo a formal review regarding fire and emergency services at the time of building permit review. City Fire will have the opportunity to review and require residential fire sprinklers or other means of fire suppression as each home is constructed.

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

The property is served by Emergency Services, Hospitals, City Police and City Fire. This infill housing project offered opportunity to access provided public transit, bicycle trail networks and walkability to reduce reliance on automobiles and results in lower transportation costs, improved health, and better air quality. This subdivision supports the Focus Inward development strategy by encouraging residential development around existing transportation nodes and corridors. The zoning is designed to promote public health, public safety and general welfare by promoting infill

development in a location where existing residential uses, transportation, water and sewer, and utility infrastructure already exists.

- d. Whether the zoning is designed to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; The subject property is within the City of Missoula
Townhomes are expected to contribute 7 vehicle trips per day each, while detached single family homes contribute 8 vehicle trips per day each. If the future development included 10 townhomes on 10 lots the development would generate a total of 70 vehicle trips per day.

If future development included all single-family homes the 10 lots would contribute 8 vehicle trips on average per day, totaling 80 additional trips per day. Both estimates would not generate 200 or more average weekday daily trips requiring a Traffic Study as stated below.

Further, the City of Missoula stated a traffic impact study would not be required as a result of the proposed development and anticipated increased traffic. This information has been provided through using traffic averages per the most recent edition of the Trip Generation, Institute of Transportation Engineers, 11th Edition (2021).

The proposed street improvements to the applicable motorized roadway systems will aid in alleviating traffic generated with this development and surrounding areas. The project elements will be completed to mitigate adverse impacts to public road infrastructure, provide increased connectivity for this neighborhood to local road networks already developed. Permission to connect to Missoula Water Municipal Facilities will be pursued and preliminary discussions have supported connection. The proposed lots are currently within the Missoula Wastewater Facilities Service Area and permission to connect to Missoula City Sewer is required.

The subdivision is within the following school districts; Hawthorne Elementary, C.S. Porter Middle School, and Big Sky High School. It is assumed that the proposed rezoning will result in a maximum of .5 children per year (assuming a household has two parents). There are no proposed bus stops or turnarounds within the proposed Subdivision. However, access through both motorized and non-motorized transportation options is supported with the proposed infill development.

This proposed rezone will provide adequate provisions for parkland as the subdivision will complete a "cash-in-lieu" park land dedication. Pursuant to Section 76-3-606 MCA, developers may make cash contributions instead of dedicating part of the area being developed as park land. This cash-in-lieu option will better allow the city to use funds for those spaces that could offer a higher quality open space and future opportunities to residents to enjoy larger complexes with connectivity to surrounding neighborhoods and established public spaces. The proposal has been preliminary reviewed by the City of Missoula Parks Department, indicating cash-in-lieu of parkland space would be supported.

- e. Whether the zoning considers the reasonable provision of adequate light and air; **The proposed zoning considers the reasonable provision of adequate light and air. The required building setbacks for the proposed zoning will be like**

the existing setbacks for the homes in the area. These setbacks provide adequate light and air for this area.

Proposed boulevards will be planted with new trees and vegetation types as outlined in an approved site and landscaping plan prior to final plat approval. The proposed rezone to RT5.4 Residential and the major subdivision development requires sidewalk and boulevard improvements that will aid in providing adequate light and air.

- f. Whether the zoning considers the effect on motorized and nonmotorized transportation systems;

Generally, infill housing projects that are located near employment and retail centers provide public transit, bicycle trail networks and walkability to reduce reliance on automobiles. The proposed development is south of Milwaukee Trail, an existing shared use path, constructed of asphalt and generally spans from Davis Street to Russell Street. The trail provides residences of the River Road Neighborhood increased pedestrian and bicycle access.

S. Curtis Street is adjacent to the proposal's eastern property line. This street is classified as an Urban Collector (without Parking), providing the main ingress and egress for the development. S. Curtis Street is wide enough to support two 12.5' driving lanes, intermittent 5-foot sidewalks and curb and gutter constructed within a 60-foot right-of-way. Improvements are proposed adjacent to the property and will be blended with existing infrastructure mitigating impacts to the roadway. As infill throughout this area occurs safe access to this trail will be improved. This subdivision supports the Focus Inward development strategy by encouraging residential development around existing transportation nodes and corridors. The subdivision is within proximity to major streets and intersections that provide efficient access to motorized transportation systems.

- g. Whether the zoning considers the promotion of compatible urban growth;
As mentioned throughout this application, the proposed RT5.4 Residential (two-unit/townhouse) zoning is made in accordance with the 'Our Missoula' City Growth Policy for this area. The policy notes to identify appropriate areas in the community to develop medium density housing to make housing affordable and accessible. The current land use designated is Residential Medium Density (3 to 11 dwelling units per acre) in which the project complies with.

The growth policy further notes to guide development to focus inward. The rezone of this property is within a developed residential neighborhood within the city limits of Missoula which will provide an inward location and further achieve a medium density community in accordance with the growth policy. According to this policy all residential housing should be arranged with consideration of compatibility with adjacent development and natural constraints, such as watercourses, in which this proposal takes into consideration. The existing irrigation ditch on the property will not be affected because of this development. The proposal is compatible with neighborhood plans, zoning ordinances, and considers the character of the neighborhood and those in the vicinity of the project site.

- h. Whether the zoning considers the character of the district and its peculiar suitability for particular uses;

Yes, the proposed zoning is suitable for residential uses and the rezone is in accordance with the character of the district. Directly adjacent to the south is a mix of residential (single family) and duplexes based upon Computer Assisted Mass Appraisal (CAMA) data which is publicly available. Additionally, to the north, along Lovegrove Court, are similar duplex building types. These are appraised under the commercial structure type, "102- Residential, 2-Family" as described in the Property Assessment Division provided by the Montana Department of Revenue. Both areas seem to have been developed in the late 1970's according to public aerial imagery and CAMA data. Similar building types exist to the west. Therefore, the applicant does not believe the character of the area would be substantially altered if this rezone were to be supported as it is already established similarly to what is proposed. As discussed in detail in this application, there are multiple existing residential properties surrounding this property. The project is near similar uses and the character is consistent with the district.

- i. Whether the zoning conserves the value of buildings and encourages the most appropriate use of land throughout the jurisdictional area.

The existing land use and character of the surrounding neighborhoods is predominantly residential. Containing a mixed housing stock that comprised of townhomes, single family attached and detached housing types, with some commercial uses in the vicinity. Therefore, the building value of surrounding neighborhoods is conserved and would be an appropriate use of land within the area.

2. Whether the proposed zoning amendment corrects an error or inconsistency in the zoning ordinance or meets the challenge of a changing condition;

The proposed zoning does not correct an error or inconsistency in the zoning ordinance.

3. Whether the proposed zoning amendment is in the best interests of the city as a whole.

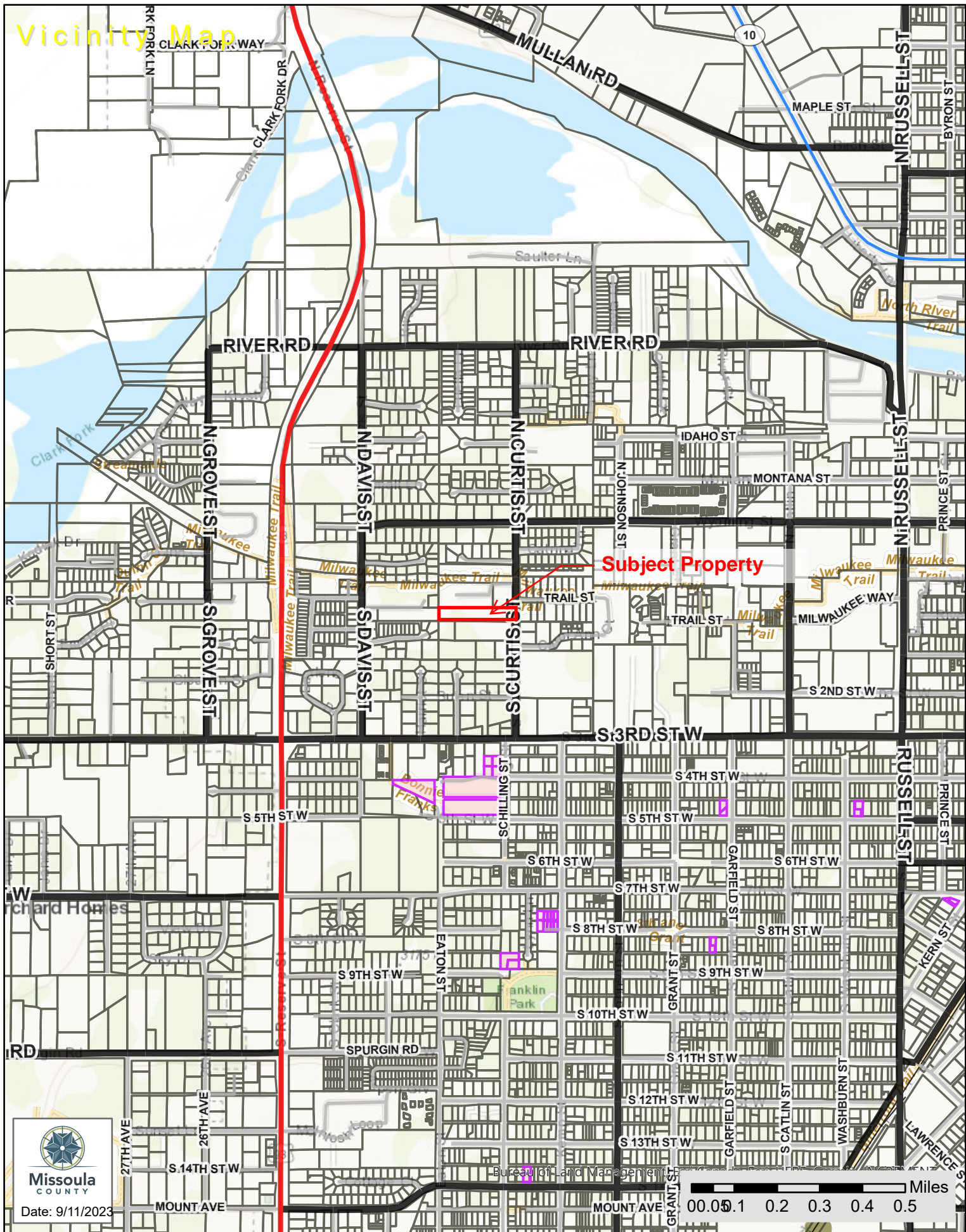
This subdivision supports the Focus Inward development strategy by encouraging residential development around existing transportation nodes and corridors. The zoning is designed to promote public health, public safety, and general welfare by promoting infill development in a location where existing residential uses, transportation, water and sewer, and utility infrastructure exists. The proposal supports the needs and values of residents regarding neighborhoods and community character, parks, trails, and natural resources. Thus, the rezone will support additional economic and housing opportunities with the City and supports the 'Our Missoula' City Growth Policy's Focus Inward strategy.

E. ATTACHMENTS

As separate attachments (8.5" x 11" or 11" x 17"), provide the following materials with the site clearly identified. Where appropriate, required information may be combined, as long as the information is clearly presented. Please check the box if the material is included in the packet. If the material is not included in the submittal packet, please note "N/A".

- ☒ **A vicinity map** showing the subject property and the area within 300 feet of the subject property.
- ☒ **A Zoning map** of the subject property and vicinity (showing the existing zoning district), extending at least 300 feet from the property boundaries.
- ☒ **An aerial photo** of the subject property and vicinity extending at least 300 feet from the property boundaries.
- ☒ **A Growth Policy/Comprehensive Plan map** of the subject property and vicinity extending at least 300 feet from the property boundaries for the applicable comprehensive plan, clearly showing the land use designation of the subject property and surrounding properties.
- ☒ **The current plat** of the subject property.

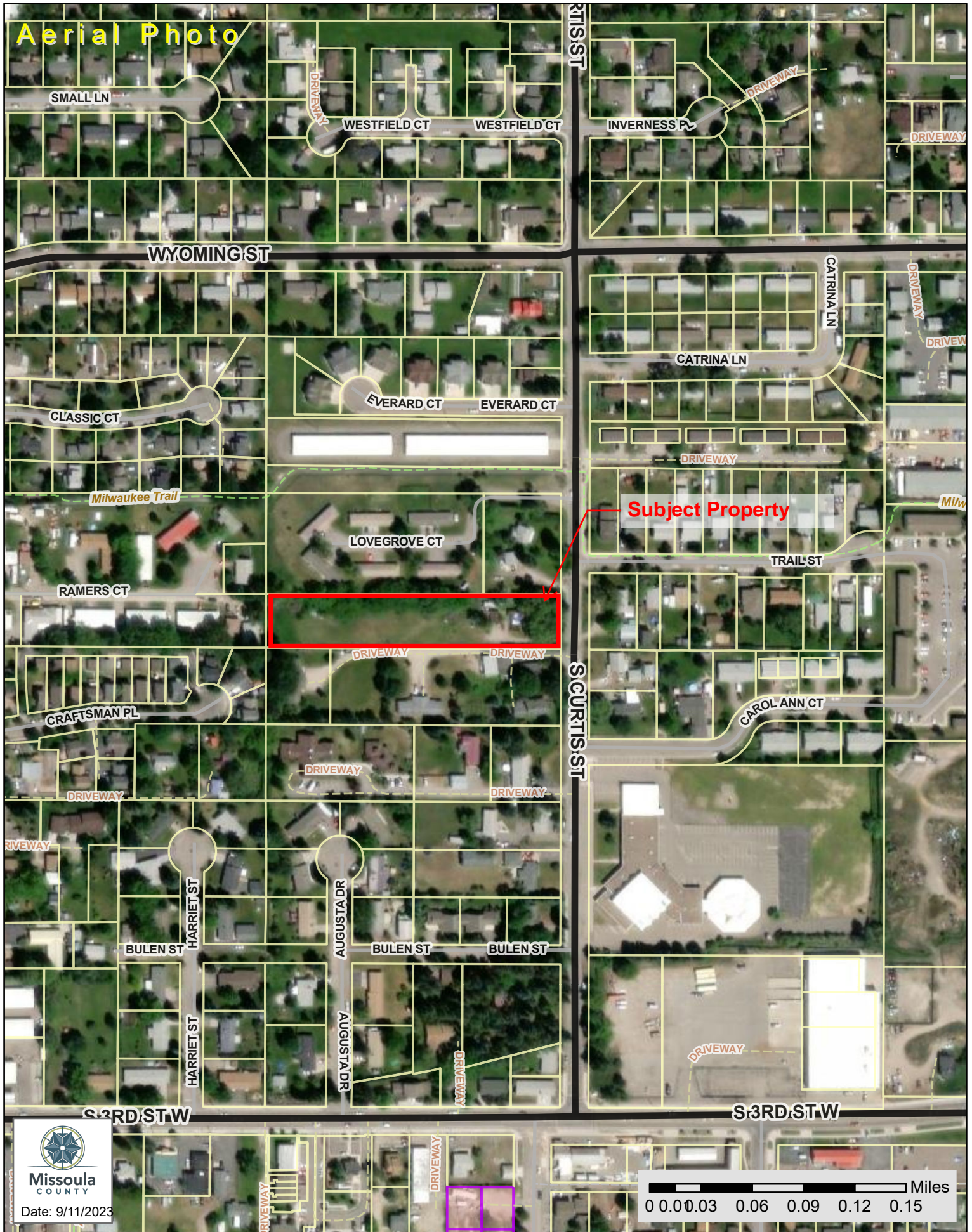
This page left intentionally blank.



Map Center: X: -114.03267 - Y: 46.86969

The material displayed on this page is informational and should be used for reference only. No reliance should be placed thereon without verification by the user. Missoula County does not warrant that the information is either complete or accurate. No representation, warranties or covenants of any kind are made by Missoula County. Before acting on the information contained on this page the user should consult original documents.

This page left intentionally blank.

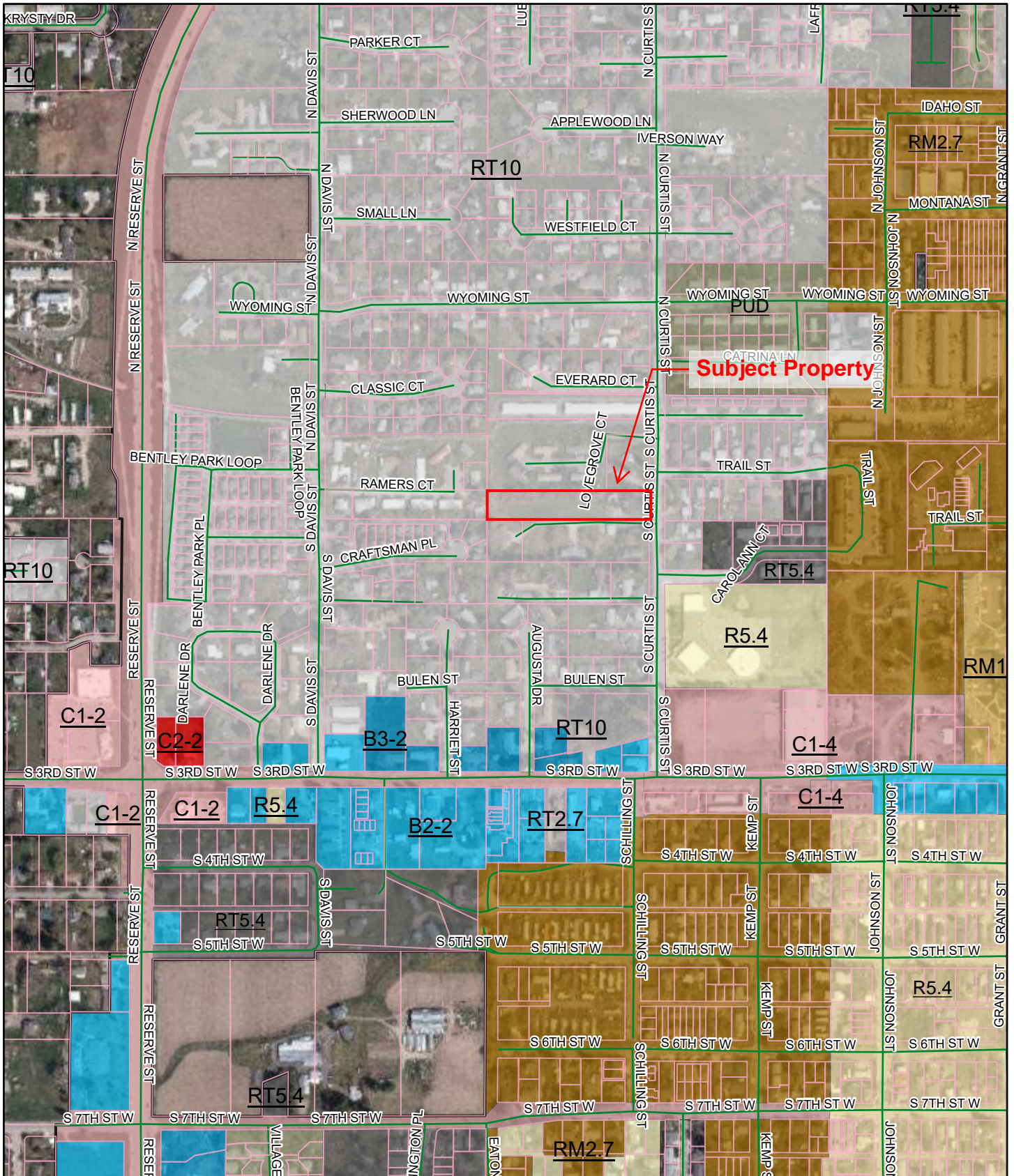


Map Center: X: -114.03239 - Y: 46.86982

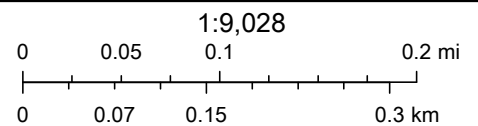
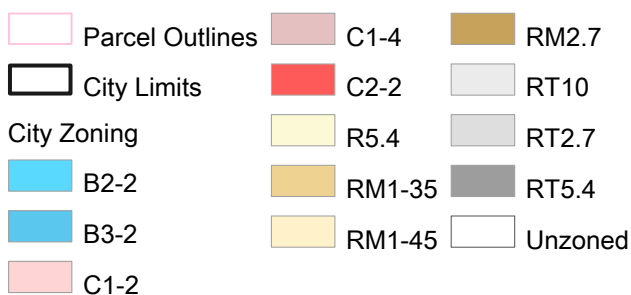
The material displayed on this page is informational and should be used for reference only. No reliance should be placed thereon without verification by the user. Missoula County does not warrant that the information is either complete or accurate. No representation, warranties or covenants of any kind are made by Missoula County. Before acting on the information contained on this page the user should consult original documents.

This page left intentionally blank.

City of Missoula: Existing Zoning



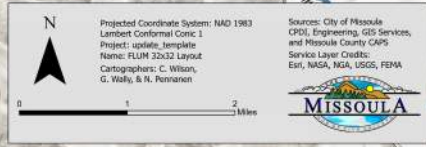
9/11/2023, 1:01:02 PM



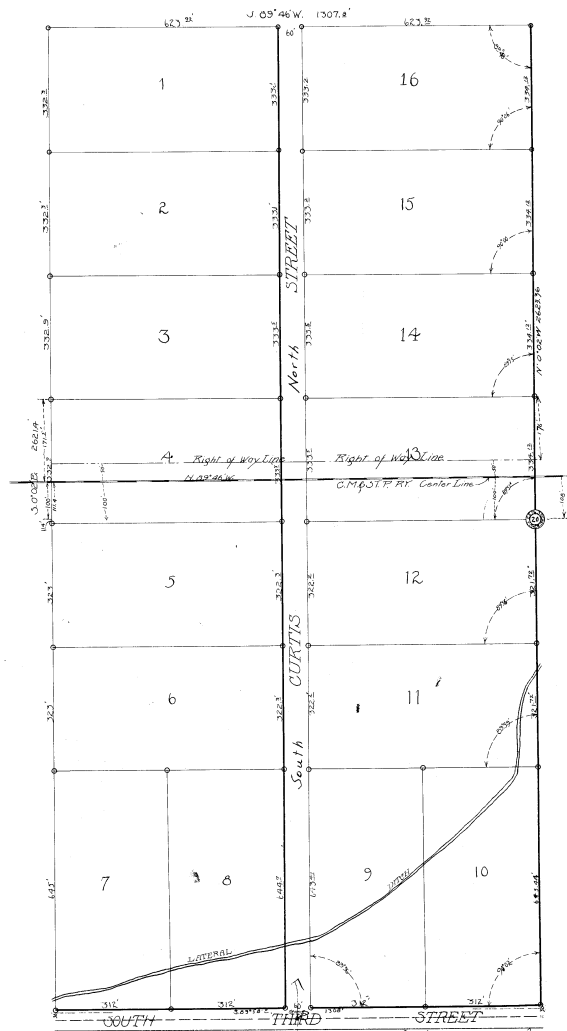
Maxar

This page left intentionally blank.

Rattlesnake Creek



This page left intentionally blank.



Curtis & Majors Addition

IN 3/4 AC. TRACTS.

15 ft. to 1 inch.
E.S. Hathaway C.E. January, 1909.

Legend -

- Iron Pins
- Stone beneath surface.

State of Montana } ss
(County of Missoula.)

We, E.B. Weirick Trustee, T.A. Price, S.A. Price & I.M. Carrick, owners of the following described property, do hereby certify that we have caused to be surveyed, subdivided and platted into lots and streets, according to the plan and certificate of survey herunto annexed, the following described tract of land, to wit, The S.E. 1/4 of the NW 1/4 and the N.E. 1/4 of the S.W. 1/4, Sec. 20, T.13N. R.19W. of the principal Meridian to be known and designated as (Curtis & Majors Addition), and the streets shown on the annexed plan to be, and are hereby granted and donated to the use of the Public forever.

Nico I.M. Carrick
T.A. Price
S.A. Price
E.B. Weirick
J. Benson

Subscribed and sworn to before me, by E.B. Weirick and I.M. Carrick this 11th day of Jan. 1909.

Notary Public in and for Silver Bow County Montana.

Subscribed and sworn to before me, by T.A. Price and S.A. Price his wife this 30th day of Jan. 1909.

Notary Public in and for Missoula County, Montana.

State of Montana } ss
(County of Missoula.)

Edwip S. Hathaway, being first duly sworn, says that he is the Engineer under whose supervision the survey and plan hereon were made in Missoula County, Montana, that the annexed plan is a correct representation and diagram, that said addition is laid out according to law and that the width of the streets, the measurements of the lots, and the posts for reference points are correctly represented on said plan. All courses were deflected from True Meridian.

Subscribed and sworn to before me, this 1st day of Feby 1909

E. S. Hathaway

State of Montana } ss
(County of Missoula.)

Wallace P. O'Neill
Notary Public in and for Missoula County, Montana.

I hereby certify that the foregoing instrument was filed in my office on the 1st day of February A.D. 1909 at 3 o'clock P.M., and is recorded on page 7 of Plats of Missoula County Records.

This plat is hereby approved this day of

Clerk & Recorder of Missoula County, Montana
A.D. 1909.

P.T. Curran
Frank Nelson
Thor Worden

(County Commissioners of Missoula County, Montana.)

(S.S.)

I certify that I recorded this instrument for Record on the 1st day of February, 1909, at 3:30 p.m. in Book 24, Micro 14, 227, Filed - B-37, Comm. Jr. FF 359.

E.W. Kuphal

County Recorder.

Notary Public.

Notary Public.

Notary Public.

Notary Public.

I certify that I recorded and filed this instrument for record on the 1st day of February, 1909, at 3:30 p.m. in Book 24, Micro 14, 227, Filed - B-37, Comm. Jr. FF 359.

E.W. Kuphal

County Recorder.

STATE OF MONTANA } ss
County of Missoula.

SURVEYOR'S CERTIFICATE

I, the undersigned, do hereby certify that the foregoing instrument was filed in my office on the 1st day of February, 1909, at 3:30 p.m. in Book 24, Micro 14, 227, Filed - B-37, Comm. Jr. FF 359.

E.W. Kuphal

County Recorder.

Notary Public.

Notary Public.

Notary Public.

Notary Public.