



**CITY OF HELENA
Zoning Commission
February 14, 2023 – 5:30 PM
Meeting Minutes
Recording Available**

Members Present:

Rebecca Harbage (Chair), Kim Wilson (Vice-Chair), Alyssa Sorenson, Betsy Story

Members Absent:

Nicole Anderson

(0:03:38) Call to Order and Roll Call – It was noted that a quorum was present with four members in attendance.

(0:04:28) Minutes – Minutes from the January 10, 2023 meeting were approved.

Regular Items

Item 1

(0:07:29) Staff member, Ellie Ray, gave a presentation summarizing the staff report regarding the application for pre-zoning for a property legally described as a portion of tract A1A1A1A1A1A1A of the amended plot number 3386391, located within the south half of section 26 in the north half of the southeast quarter of section 35 Township 10 N Range 3 W PM Lewis and Clark County and being known as Craftsman Village. Bases 8-9 and ten at the crossroads at Mountain View Meadows subdivision to R-U (residential urban). Chair Harbage asked about trip generation and the traffic signal at Highways 12 and 282. Ms. Ray deferred to the applicant. Ms. Story asked why the recommendation was to zone RU as opposed to R4. Ms. Ray stated that there is more flexibility with RU, providing larger lot coverage allowances and having no setbacks, in addition the RU zoning district was created almost expressly for use in Mountain View Meadows for this type of development.

(0:18:43) Greg Wirth, of Stahly Engineering, spoke on behalf of the applicant, providing a brief statement about the application and request for RU pre-zoning, and noted that the absence of setbacks in this zoning designation was crucial for the development planned for these phases. Regarding the question about the traffic signal, there is significant capacity and will be functioning at a level service of B with the projected increase. There were no further questions for the applicant and public comment was opened.

(0:23:38) Dick Sloan commented that he was concerned about this zoning designation allowing for residences occupying the entire lot and having negative impacts on the neighboring property values as well as the increased traffic generated by the additional residents. Vice-Chair Wilson asked staff if the map of the area could be



up during public comment so the commission has an understanding of what is being stated. Ms. Ray clarified that the zoning district being sought is residential urban and that while there are not setback requirements, there is a 60% maximum lot coverage limitation, meaning only 60% of the 2500 square foot lot can be covered by a building. There will also be requirements for instance of there are all townhouses with tuck under garages, the driveway has to be 20 feet off the right-of-way. There was no further public comment.

(0:29:58) Vice-Chair Wilson asked Mr. Wirth what the vision for the design of the properties is. Mr. Wirth stated that the intent is to build with a “party wall” specifically like a four-plex, but similar to a more urban design, particularly for those people who do not want a large lot to care for and landscaping to maintain, but those who want high density. Vice-Chair Wilson asked if these units would be similar to units located near St. Peter’s, and Mr. Wirth stated that they would be similar to those, but with garage access from the alley allowing for a front porch facing the street. Ms. Ray also noted it was critical to remember that the RU district is distinguished from R4/RO and a reason why the district exists is that it allows for single family or duplex on each parcel, but these are essentially row houses, or townhouses, that are being mentioned and are very popular in markets outside of Montana. Mr. Wirth stated that these are becoming a modern urban housing product, and it may be unique from what Mountain View Meadows has offered, it will be compatible with Craftsman Village and the high density. Vice-Chair Wilson asked one more question about connectivity with existing neighborhoods. Mr. Wirth stated that the existing streets will continue into the new phases and where the townhouses are located is turned 90 degrees so it will create some differentiation from the existing homes. Chair Harbage asked about connectivity to other areas such as East Helena in relation to non-motorized traffic. Mr. Wirth pointed out that there will be sidewalks and there is a multi-use paved path which should provide connectivity with Centennial Trail and pointed it out on the map.

(0:37:53) Ms. Sorenson motioned to recommend approval of an ordinance pre-zoning to RU prior to annexing into the City of Helena a property legally described as a portion of tract A1A1A1A1A1A1A of the amended plot number 3386391, located within the south half of section 26 in the north half of the southeast quarter of section 35 Township 10 N Range 3 W PM Lewis and Clark County and being known as Craftsman Village Phase 8, 9, and 10 at the Crossroads of the Mountain View Meadows Subdivision. Vice-Chair Wilson seconded the motion. Ms. Sorenson stated that it would be great to see more of this type of housing as it is very desirable right now and that there has been a big upswing in the property values of this type of housing lately. Additionally she appreciated the inclusion of green space, walkways and connectivity. Vice-Chair Wilson commented on the project Prickly Pear is attempting to do now between Montana City and East Helena and that connectivity to that trail should be kept in mind. Ms. Story stated she is in support of the motion and that it is a great proposal, and appreciated Ms. Ray’s explanation of the 60% lot coverage. A vote was taken and the motion passed unanimously (4:0)

Item 2

(0:42:17) Mr. Alvarez gave a brief presentation on the application for a zone change from R2 to R4 for properties legally described as the north half of lots 13 through 16 in Block 39 of the Broadwater Addition and the south half of those same lots 13 through 16 in Block 39 of the Broadwater Addition both in the City of Helena,



Lewis and Clark County, Montana. They were separated by deed a while ago, generally located at Harrison and Wilder.

- (0:47:09)** Ms. Sorenson asked why 1312 Harrison was in violation of the zoning. Me. Alvarez state that the city originally received an application for rezoning after a business permit was requested that was not permitted in R2, upon assessing that application it was decided by staff to being forward a larger zone change to provide a buffer between the commercial and residential. There were no additional questions for staff and as the city is the applicant there was no presentation or questions for the applicant. The hearing was then opened to public comment.
- (0:49:16)** James Anderson, a trustee for the property owner, spoke in favor of the change as it would provide greater flexibility in the use of the property, especially considering the property is surrounded on three sides by commercial uses. Cami and Dave Beck of 1402 Harrison Ave, having just purchased their home and having received a notice of the hearing wanted to inquire if they were involved in this change, and were notified during the meeting they were not and they had no other comment. With no other comment the Public comment period was closed.
- (0:52:11)** Ms. Sorenson asked for clarification on what might keep R3 from working in this situation. Ms. Alvarez stated that R3 would require a CUP in order to have professional services on premises, and that it may also be required for the church in an R3. Ms. Sorenson stated her concern that there isn't any similar zoning within a number of blocks from this. Chair Harbage stated that higher density and more development options makes sense as a buffer to her, and if R4 is easiest as it doesn't require a CUP she does not have an issue with it and it seems consistent with the mixed use for the area and the growth policy. Ms. Story motioned to recommend approval of an ordinance amending City of Helena Ordinance number 3097 and the official zoning map for the city of Helena that changes the zoning district from R2 residential to R4 residential for properties legally described as the north half of lots 13 through 16 in Block 39 of the Broadwater Addition and the south half of those same lots 13 through 16 in Block 39 of the Broadwater Addition both in the City of Helena, Lewis and Clark County, Montana. Vice-Chair Wilson seconded the motion. With no further discussion a vote was called. The motion passed unanimously (4:0).

Item 3

- (0:57:05)** Mr. Alvarez gave a brief presentation on the application for a conditional use permit to allow a residence multiple dwelling units, three or more units use in the R3T number 12 residential zoning district for property legally described as lot 17 through 19 in block 66 of the Canon addition to the city of Helena, Lewis and Clark County, noting the public comments that had been received before the meeting. Vice-Chair Wilson asked about properties to the west developed in the area. Mr. Alvarez clarified that those properties are owned by another entity and that they are also multi-family units. Vice-Chair Wilson then asked about the R3 T12 overlay origins and purpose. Mr. Alvarez explained that the T district overlays were created in the 60s and early 70s, and they vary overlay to overlay, but many have been repealed. This specific overlay requires all but single dwelling units to have a CUP. Vice-Chair Wilson asked if everything within an R3 is residential even with the overlay. Mr. Alvarez stated that it is not, but the non-residential is limited. Vice-Chair Wilson asked if it is only residential use contemplated in this



application, and if it is contemplated to be affordable housing. Mr. Alvarez stated that it will be market-rate housing. Vice-Chair Wilson then noted that Mr. Alvarez seemed to hedge on four vs five parking spots, and asked if it would be possible to fit in five spaces. Mr. Alvarez stated that he would assume so, as they have an ADA spot facing the other ones that they could put another spot next to it, but is unsure if they need the space for a drive lane, but that is something the applicant needs to work out or reduce the number of units to eight.

- (1:06:41)** Chair Harbage asked if the recommendation of approval of the CUP would not limit the applicant to nine units should they need to reduce it to eight. Mr. Alvarez confirmed it would not. Chair Harbage asked if the applicant will be adding sidewalks to both streets. Mr. Alvarez confirmed they would and noted that it does not need to be conditioned because it is a requirement when building a new primary structure.
- (1:07:39)** The applicant did not address the commission. Public Comment was opened and there was no public comment on the item. Chair Harbage then opened commission discussion of the item. Vice-Chair Wilson asked Mr. Alvarez about the address of the property in the application, and Mr. Alvarez answered it is 1000 Cannon. There was some additional discussion about its location in relation to a member of the public who submitted public comment. Ms. Story stated that she would be in favor of this application as the use would already be allowed in R3, and that T-districts should be discussed at a future work session. Vice-Chair Wilson expressed his agreement with Ms. Story, and that he thought it was a good infill proposal on an appropriate lot, and based on the photograph provided will be an improvement for the neighborhood. Chair Harbage added that multifamily seems consistent with the neighborhood despite the T overlay, noting the location of existing multi-family in the area. Ms. Sorenson stated that it is a good place for increased residential units with proximity to a grocery store and that hopefully there will be increased walkability on Knight St if things progress in that area.
- (1:11:00)** Ms. Sorenson motioned to recommend approval of a resolution granting a conditional use permit to allow a residence, multiple-dwelling units (3 or more units) use in the R-3 T#12 (Residential) Zoning District for a property legally described as Lots 17-19 in Block 66 of the Cannon Addition to the City of Helena, Lewis and Clark County, Montana, with the following conditions: a building permit must be submitted for within one (1) year; and all conditions must be met within one year of CUP approval, as per Section 11-3-9 of the Helena City Code. Vice-Chair Wilson seconded the motion.
- (1:11:43)** Chair Harbage began discussion and stated her feeling that there does seem to be a lot of growth and increasing density in Helena, and as someone who has lived in Helena for a while it is surprising, but wanted to reflect that there is a demand and need for housing and that is a lot of what the Commission is seeing in this hearing. Chair Harbage continued that from her perspective, she prefers to find a place for [housing] within the city within the Urban Standards Boundary, where connection to city infrastructure exists and [housing] is not sprawling out into the valley, additionally this is a good proposal to provide some infill in a spot that makes a lot of sense for the city. There was no further discussion and a voice vote was taken. The motion passed unanimously (4:0)

Old Business



(1:13:04) There was no old business identified.

New Business

(1:13:13) There was no new business identified.

Public Comment

(1:13:28) There was no general public comment.

Member Communications / Proposals for next Agenda

(1:13:47) It was noted that T districts had been identified as a topic for a future work session.

Meetings of Interest / Announcements

(1:14:05) There was discussion about the contents of the next meeting and some discussion about the state legislative session, as well as topics for future work sessions including sign code.

Adjournment

(1:23:55) The meeting was adjourned just before 7:00 PM.