

SUMMARY OF ADMINISTRATIVE MEETING
July 20, 2016 – 4:00 p.m.
Room 326, City-County Building
316 N. Park Avenue, Helena

1. Call to order, introductions, opening comments – Mayor Smith called the meeting to order. Commissioners Ellison, Haladay and Noonan were present. Commissioner Farris-Olsen was excused. Staff present was: City Manager Alles; Executive Assistant Sarah Elkins; City Attorney Thomas Jodoin; Assistant City Attorney Iryna O'Connor; Community Development Director Sharon Haugen; Senior Planner Dustin Ramoie; Police Captain Curt Stinson; Public Works Director Randall Camp; Assistant Public Works Director Phil Hauck; City Engineer Ryan Leland; Engineer David Knoepke; Parks and Recreation Director Amy Teegarden; Human Resources Director James Fehr; Administrative Services Director Glenn Jorgenson; Community Facilities Director Gery Carpenter and City Clerk Debbie Havens.

Others in attendance included HCC Representative Gary Spaeth; BID Director Tracy Reich; BID Board members Randy Riley, Mark Roylance, Rex Seeley and Al Roy; Trinity Development representatives Greg Wirth, Byron Stahly and John Amsden; County Commissioner Good-Geise; Jim Skinner with MDT and IR Reporter Al Knauber.

2. June 20, 2016 Meeting Summary – The June 20, 2016 administrative meeting summary was approved as submitted.

3. Commission comments, questions –

Board Appointments – Mayor Smith is recommending the following board appointments:

ADA Compliance Committee

Appointment of the following to the ADA Compliance Committee:

James S. Bissett, Jr. – Disabled Community representative

Jim Whaley – Architect

Kirk Fuzesy – Medical Field representative

Robert Maffit – Disabled Community representative

All terms will begin upon appointment and expire September 1, 2019.

Building Board of Appeals

Appointment of David Nielsen, Consumer/Citizen representative on the Building Board of Appeals. Term will begin upon appointment and expire December 31, 2021.

Commission Comments – Commissioner Ellison stated he had a friend of his ask if the city has an ordinance or resolution that addresses a policy on drones within the city. This is something the commission may want to discuss in the future. Mayor Smith noted the state has been having this conversation and the city may want to coordinate our efforts.

3. City Manager's Report – Manager Alles reported the Quiet Zone bid was opened on July 19th. Staff will review the bid and report back to the commission. Commissioner Noonan asked if closing Roberts Avenue is part of the Quiet Zone proposal. Manager Alles stated it is not.

4. Department Discussions:

Public Works

Transportation Coordinating Committee (TCC) Urban Route Recommendations – Manager Alles introduced the agenda item and gave an overview of how these recommendations were compiled through the TCC.

City Engineer Leland and Engineer Knoepke reported presently, the City of Helena, Lewis and Clark County and East Helena have an Urban Funds balance of \$4,568,135. The annual allocation is \$1,043,290. Urban funds are for use on the Urban Highway System. The Urban Highway System is the

highways and streets that are in and near incorporated cities with populations of over 5,000 and within urban boundaries established by the department, that have been functionally classified as either urban arterials or collectors, and that have been selected by the commission, in cooperation with local government authorities, to be placed on the urban highway system [MCA 60-2-125(6)].

Montana's Urban Highway Program is provided under State law (MCA 60-2-126 & 60-2-125) and sub-allocations of federal Surface Transportation Program Funds (STP) by the Montana Transportation Commission. The Transportation Commission determines the program funding level which is currently at \$11.3 million annually. Distribution of the funds is through 19 urban areas based on the decennial census population and MCA 60-3-111.

Discussion of allocation of the urban funds balance began in June 2015. In the September and November 2015 Transportation Coordinating Committee (TCC) meeting priorities were presented from Helena, East Helena and Lewis and Clark County. A special meeting was convened on December 2, 2015 to allocate the urban funds but consensus could not be reached. It was then that the creation of a decision matrix was tasked to staff. Through June 2016 staff revised the decision matrix with comments from TCC members. At the June 2016 TCC meeting the decision matrix was adopted in its current form by a unanimous vote of the TCC members. At the July 12th, 2016 meeting the results of the matrix were presented to the TCC. The top five roadways and the respective scores are listed below:

- U-5802 Custer Avenue – 95
- U-5809 Montana Avenue – 90.25
- U-5805 Benton Avenue – 86.5
- U-5826 Lincoln Road – 84.25
- U-5810 Henderson Street – 82.25

One observation from the top five results is 4 out of the 5 roadways feed into Custer Avenue thus improving these collector roadways prior to improving the arterial roadway (Custer) would yield minimal results other than a new roadway. According to the by-laws of the TCC one of the stated purposes is "to establish with the Montana Department of Transportation local priorities for expenditures of all State and Federal Transportation Improvements Funds available through the Department of Transportation consistent with Federal and State regulations."

Commissioner Haladay noted when the city commission discussed this in September/October of 2015; they specifically set out priorities where they wanted to allocate urban funds. At that time there was expressed consensus not to put money into Custer Avenue. The TCC has taken the position that the matrix should be adopted, without any further policy discussion/decision. Commissioner Haladay spoke of the matrix and how the projects were ranked and at the criteria that were used for ranking. He does not believe the city commission should accept the recommendation of the TCC and should have further discussion on the projects.

Commissioner Ellison noted he and Commissioner Haladay sit on the TCC; he thanked staff for the matrix and ranking. The TCC is eager to pick a project and allocate the funding. He too noted the city commission had talked about other projects within the city. After looking at the matrix and the ranking, he would like to have some guidance from the rest of the commission.

Commissioner Ellison noted he requested that the TCC hold off in voting for a specific project until this conversation could happen. The matrix produced results that are very different than what the city commission had discussed. He again asked for input from the commission on how to expend the \$4.5 million dollars. The TCC is a group that will look at the big picture.

Commissioner Noonan asked if the projects identified by the city commissioner last fall are viable projects. Mayor Smith noted they were along with other projects; however, they are limited to urban routes.

Mayor Smith stated he does not have a clear memory of the commission exclusively excluding Custer Avenue. He does remember Airport Road being taken out of consideration. He does agree with Commissioner Haladay that the commission is not bound to vote on the matrix.

Commissioner Ellison referred to the matrix and listed on the other side are all projects the commission wanted considered, including 6th Avenue and Broadway. However, many of the projects did not score high enough to make the top five projects.

Commissioner Ellison also stated TCC has voted that if the recommendation is not accepted, it will take a super majority to change the ranking of the projects.

Jim Skinner, MDT, stated he has not been involved with the scoring or matrix; however, MDT supports the TCC recommendations.

Commissioner Noonan noted it seems the projects that were chosen are for the areas that bring people into the city limits. He believes this would be a perspective that the TCC would accept. However, he believes the urban routes within the city need major repair. His first response is to dismiss some of the perspective and look at the needs of those within the core of the city.

Manager Alles noted when he was asked to put this on the agenda; it was to see if the full commission wants to change the recommendation of the matrix. The TCC has representatives from the City of Helena, City of East Helena, Lewis & Clark County and Montana Department of Transportation and the urban area is much larger than the city limits. If the city were to change the recommendation; the city will have to figure out how to submit a descending recommendation. He then asked if the commission wants to change the recommendation.

Commissioner Haladay stated he would cross off Custer Avenue from consideration. He again questioned the scoring of Custer Avenue. Mayor Smith noted Custer Avenue is in need of improvements and at this time he would not support removing Custer Avenue from the matrix.

County Commissioner Good-Geise noted it was in October 2015 the TCC voted to create a matrix and the city staff did an excellent. The TCC agreed to use this process and the TCC is a board of some authority. She does not believe the city commission has the authority to change the recommendation of the TCC. This is the very reason the TCC adopted the super majority to change the recommendation.

Commissioner Good-Geise stated she believes to use the matrix was a unanimous vote of the TCC and now that the matrix did not turn out the way everyone wanted, she does not believe it should not be adopted.

Consensus Direction to Manager – No direction at this time. The TCC Urban Route recommendations will be placed on the August 3rd administrative meeting agenda.

Community Development

Trinity Development Annexation – City Manager Alles introduced the agenda item.

City Attorney Jodoin reported on May 9, 2016, the Helena City Commission passed a resolution of intention to annex an undefined 5-acre portion of property owned by the Resurrection Cemetery Association, Inc. The area under discussion is located immediately north of Sanders Street and east of Jordan Drive. Resolution of Intention No. 20245 required certain infrastructure to be installed to city standards or deferred pursuant to a development agreement. Those conditions can be summarized briefly as requiring (1) full build out of Sanders Street and Jordan Drive to their intersection, (2) installation of the attendant water, wastewater, and stormwater infrastructure in those rights of way, and (3) installation of off-site improvements to Sanders Street identified by the applicant-provided traffic impact study (hereafter "TIS") attached here.

The applicant, Trinity Development Partnership, LLC ("Trinity"), has proposed to eliminate two conditions and meet the remaining conditions of annexation by entering into a development agreement that specifies the timing of when the abovementioned infrastructure will be installed. Trinity's Annexation Conditions Removal Request is attached here. This memo discusses the deferral plan first and then concludes with the request to eliminate conditions.

The reason for a request to defer installation of infrastructure is the need by the applicant to obtain annexation of a 5-acre portion of property so that building to City standards can commence. Due to construction timing, it is not likely that all infrastructure can be completed this building season. Such a delay, because there would be no annexation, effectively delays the construction of commercial structures on the 5-acre portion currently under consideration.

Accordingly, Trinity has proposed a deferral plan as part of the development agreement. The draft development agreement is attached here. That plan calls for the City and Trinity to enter into the agreement as a means of satisfying the annexation conditions requiring infrastructure installation. That agreement then defines two "phases" of infrastructure installation. The first phase ("Phase I") would defer installation of on-site infrastructure specific to the 5-acre portion of the property until such infrastructure is needed for the foundation permit, building permit, or final occupancy. The offsite improvements to Sanders Street and Custer Avenue would similarly be deferred and required to be completed before final occupancy of any structure on that 5-acre portion of property is granted. The draft development

agreement would ensure the construction of water, wastewater (subject to a Commission decision whether to eliminate this condition), stormwater, and Sanders Street immediately adjacent to the 5-acre portion of property.

Specifically, Trinity has proposed that development agreement defer those infrastructure requirements to coincide with the building of any structure on that 5-acre portion of property. Trinity does propose to prepare a final plat that would formally create the 5-acre portion tract (via boundary line relocation) and dedicate the necessary Sanders Street right-of-way adjacent to that 5-acre tract. That component would not be deferred.

Infrastructure not immediately adjacent to the 5-acre portion of property would be deferred to the second phase ("Phase II"). This deferred infrastructure installation is proposed by Trinity to be "secured" by precluding further development of the "remainder" of its property. This means that Trinity would agree to not construct any building or structure requiring water or wastewater service on the remainder property until the owner applies for and receives annexation and subdivision approval and installs the deferred infrastructure.

With that background in mind, there remain several issues on which City staff and Trinity need Commission consensus/guidance.

I. Installation of wastewater infrastructure in Sanders Street adjacent to 5-acre portion of the property

Condition 1(e) requires the installation of a wastewater main in the dedicated Sanders Street right-of-way. Trinity has requested that the City eliminate this condition as not needed because the 5-acre portion of the property can be served by a private lift station serving development on the 5-acre portion of the property and then conveying that wastewater via a long "force" service line to the wastewater main behind Target which ultimately connects to the Skelton Lift Station.

City staff has concerns that not installing a wastewater main in Sanders Street adjacent to the 5-acre portion of the property will afford an opportunity for the property west of Sanders Street to connect into this long service line. Such an arrangement, while not prohibited now, would be if that lot is in different ownership.

A lift station may not service multiple property owners and service lines may not cross another property. Thus, when annexation, subdivision, and building permits for the lot west of Sanders Street occur, the owner would need to either install the wastewater main in Sanders Street that Trinity is proposing not to install, or obtain a variance from the City Commission from subdivision and wastewater rules found in the City Code. A third alternative, which is also not recommended, is for the lot west of Sanders Street to connect directly into the wastewater main behind Target. That main ultimately connects to the Skelton Lift Station and is at capacity.

The ultimate risk of not installing a wastewater main in Sanders Street adjacent to the 5-acre portion of the property is that the remainder of the property will be served by a larger public lift station while the 5-acre portion will have its own private system and a long service line across another property.

II. Clarification of "additional center left turn lane" condition

The February 2016 TIS recommended a "protected southbound left-turn phase" to mitigate the decrease in the level of service at the Sanders/Custer intersection. A "protected left-turn phase" in this particular context means a green left turn arrow that specifically protects the left turn movement from other traffic from Sanders Street eastbound onto Custer Avenue. Currently, that movement is not "protected" and must yield to vehicles traveling north on Custer Avenue.

In early March 2016 the MDT provided comments on the February 2016 TIS which are attached here. The comments stated that access to Custer is currently experiencing congestion and long delays and that "no additional green time could be considered since the existing traffic signal is in coordination with other Custer Avenue traffic signals."

The staff report and Commission-adopted resolution of intention included a condition [1(d)(ii)] for "an additional center left turn lane from Sanders Street onto Custer." This condition confused the center turn lane along the length of Sanders Street with the issue of alleviating impacts of queuing vehicles attempting to turn left off of Sanders Street onto Custer Avenue (i.e., the protected southbound left turn phase).

Staff recommends that the Commission accept a center left turn lane along the length of Sanders Street. The issue of the impacts of vehicle queuing is, however, not resolved given MDT's comments that the proposed mitigation of a "protected left-turn phase" cannot be accommodated. Thus, the recommendations of the TIS cannot be implemented as required by the resolution of intention.

Trinity has provided supplemental information regarding this issue which is attached here. Trinity's conclusion is that Phase I will result in an increased delay of 8 seconds and add 80 feet of vehicle queuing for vehicles turning left off of Sanders Street onto Custer Avenue. Trinity's TIS concludes that this does not degrade the intersection any further than its current "E" level of service.

III. Level of immediate installation of Sanders Street and Jordan Drive

The conditions of annexation require the dedication and installation of Sanders Street and Jordan Drive to their intersection to City collector street standards. As partially explained above, Trinity has proposed to dedicate the right-of-way for Sanders Street immediately adjacent to the 5-acre portion of property and defer the installation of the remainder portion as part of Phase II, concurrent with construction of commercial buildings on that portion of property. The crux of the issue deals with the remainder of the northward extension of Sanders Street and eastern extension of Jordan Drive. Trinity proposes to construct a 24'-wide private drive that would be (1) built to City standards for base and surface construction, but not to "complete streets" standards; and (2) open to the public. As a result of this proposal, the dedication of public right-of-way and build out of Jordan Drive and Sanders Street to collector street standards would be completed with future development of Phase II. Additionally, as part of Trinity's completion of Lewis and Clark County building for lease or rent permit review to operate a mini-storage facility, Trinity must obtain the requisite permits from the City to access Jordan Drive. Trinity has proposed that the above described 24'-wide private drive serve as a "temporary" extension of Jordan Drive in its application for a drive approach.

Trinity's proposal does raise issues. The TIS and subsequent "updates" and "clarifications" describe this 24'-wide private drive as open to the public and functioning as a critical access to the 5-acre portion of the property and providing access from the mini-storage facility to the existing Jordan Street right-of-way maintained by the City. The TIS and its associated updates indicate that there is some impact to the intersections of Sanders/Custer and Jordan/Montana (25% of the 2200 vehicle trips per day generated by Phase I proposed to use Jordan to Montana, 75% to use Sanders to Custer). However, the TIS doesn't analyze the effects of drive through traffic that would use this private road as a means to avoid the Custer/Montana intersection. Modeling done in conjunction with the Greater Helena Area Long Range Transportation Plan – 2014 Update, page 69, shows that traffic volumes reached nearly 3,000 vehicle trips per day on Sanders to Ptarmigan (Jordan) connection. There is no doubt that Sanders Street and Jordan Drive need to be improved to City standards. The issues are whether (1) the impacts of such a connection have been properly analyzed, (2) whether a 24'-wide private drive is sufficient to handle not only Phase I developed traffic, but also pass through traffic, and (3) whether deferral for an indefinite period of time is appropriate.

Correspondingly, water and wastewater infrastructure in Jordan Drive and Sanders Street would be deferred in the same fashion. Since it makes imminent sense to install such infrastructure with the construction of the roads, staff is recommending that water and wastewater infrastructure be constructed as well if the Commission does not agree with deferral of the construction of Sanders Street and Jordan Drive to City standards.

Since there isn't a larger plan of development, it is unknown what size pipes are needed, what looping system is required, location of service line stubs, or even lift station capacity. However, it should be made clear that even with a development agreement that defers the street, water, and wastewater, and a requirement that installation of this infrastructure occur before any Phase II structure can be built, there is no guarantee that development will occur in the immediate future.

The future construction of Sanders Street and Jordan Drive are dependent on an affirmative action by Trinity which the City cannot compel. Until a subdivision is proposed, the area will be served by a 24'-wide private drive that would essentially function as a public road. While the TIS does analyze the impact of the Phase I development, it does not analyze the potential impact to Sanders/Custer and Jordan/Montana of pass through traffic using this 24'- wide private drive to avoid the Custer/Montana intersection.

The City and the MDT had a meeting on July 15, 2016 to discuss these issues. It should be noted that much of the traffic issues in the area of Montana and Custer/Sanders are directly impacted by the lack of capacity of Custer Avenue west of Montana due to only one lane of westbound traffic.

Commissioner Ellison asked what the status is of the well and septic system for the storage units being proposed. Senior Planner Ramoie reported there are approximately 220 storage units approved in the county; with that there was the approval of an individual septic system and there is an existing well. The access to the storage unites is off Jordan Drive.

Mayor Smith commented in regards to the traffic, MDT comments will weigh heavily with him. He also does not want to sway from our city standards. Beyond that and for various reasons, he also does not believe the developers want to be annexed into the city.

Mayor Smith noted there was discussion on the installation of the septic system and the calculations of how expensive it is to connect to city services versus installing the septic system.

Commissioner Ellison commented at the meeting when the commission considered the resolution of intention to annex, he noted he would vote in favor of the resolution because the last thing he wanted to see were more septic tanks and wells. He too wants to hear what formula was used to determine it was three times the cost to install city services. Commissioner Ellison asked if there is a proposal to install a private sewer line Jordan Drive and Sanders Street; he would like to hear more about that also.

Mayor Smith asked for public comments. Trinity Center representative John Amsden stated it is their desire to be in the city limits; they absolutely want to be in the city. The property is right on the edge of the city limits. The storage units were permitted prior to the resolution of intention being considered by the city. The sole purpose of the storage units is to provide funds for the maintenance of the cemetery. The Diocese of Helena does not have the funds to provide ongoing maintenance. Mr. Amsden agreed Jordan Drive and Sanders Street will be built to city standards; however, the question is what happens from now until full development is completed.

Mr. Amsden concurred that Sanders/Jordan should be connected. The only question is what does the city want from now until full development. The proposal is the 24' street and they are willing to financially guarantee full road build out. The applicant has had one pre-application meeting with city staff on the remainder of the property. The developer wants to develop the project in the smartest way. They intend to sell the lots to private owners and will increase the tax base.

The developer is trying to meet the city needs to avoid traffic going behind Target. There is an issue between right-of-way and an easement; the developer is willing to meet all conditions. They are willing to financially guarantee all improvements. What they are asking for is a smart engineering way to be flexible with the future PUD. They are proposing to develop the Jordan extension to city standards and to install infrastructure along Sanders Street.

Mr. Amsden stated the developers want to be good partners with the city. The construction of the motel is a must to assist with the remainder of the development.

Byron Stahly, Stahly Engineering, commented Phase I was always planned to go first to accommodate the proposed motel. The developer is pursuing the PUD for the remaining property. He also addressed the easement versus the rights of way. Mr. Stahly suggested there could be some mechanism that would assure the city would get the necessary right of way if the development is never fully built out. He noted there are other large projects that have proceeded with having an easement. The right of way requirement does not meet the timelines of Phase I.

Greg Wirth, Stahly Engineering, noted this has been a fast paced project; he appreciates the meetings he has had with city and MDT staff. There are a lot of issues intermingled with the Custer/Montana corridors. He addressed what needs to happen to improve the traffic from Sanders and Jordan. In the future, once there is total build out, they will prepare another traffic impact study and will be requesting a light be installed at the corner of the Jordan/Montana. The Trinity Center has offered to install all required infrastructure, except for the complete streets, for the remaining 50-acres.

Jim Skinner noted MDT has had some good discussions on the traffic in the area with the developers. He believes there are good ways to move forward; however, Custer Avenue ultimately needs to be improved.

Commissioner Noonan stated he does trust city staff the work with the applicant to meet city standards. He also knows the Diocese of Helena has been involved in the development of Helena for many years. The current financial stability of the Diocese of Helena will be impacted by this development.

Commissioner Haladay stated he has not heard anything to change is opinion on the annexation. He believes the conditions should be met upfront and the developer should not be able to skirt the conditions.

Mayor Smith noted he did not know the septic system for the storage units was approved prior to the city commission considering the resolution of intention to annex. The proposal for a 24' wide road and the comments of the developer to install water/sewer and provide a pedestrian path has helped with some of his concerns. He does not believe it would hurt the city to take some risks.

Commissioner Ellison thanked the developer's representatives for the comments today. He would have liked to have heard those comments at the May 9th meeting. He is willing to accept the permits were approved prior to the resolution of intention for annexation. He also appreciates Commissioner Noonan's comments regarding the Diocese of Helena. He wants to see what staff recommends on how to proceed.

Mr. Amsden stated the permit to build the storage unit facility was approved in January and clarified the septic system was approved in May. He also stated he takes full responsibility for any miscommunications at the May 9th city commission meeting. Mr. Amsden again noted he will do anything possible to assure the city is comfortable with them meeting the conditions.

Mayor Smith asked Senior Planner Ramoie to track down the dates of when the septic system permit was approved by the county.

Consensus Direction to Manager –

1. Does the Commission want to eliminate the condition requiring the installation of a wastewater main in the Sanders Street right-of-way adjacent to Phase I? – **Developer has agreed to install the watermain. Non-issue at this time.**

2. Does the Commission want to require only a center turn lane along the length of Montana Avenue? How does the Commission want to address the impacts of Phase I to the left-turn queuing movement off of Sanders Street to Montana Avenue? – **Developer has no issue installing the center turn lane; however, turning left from Sanders onto Custer is still unresolved.**

3. Is the Commission comfortable with an "interim" 24'-wide private drive by deferring the dedication of right-of-way and complete build out of Sanders Street and Jordan Drive and associated water and wastewater mains in that right-of-way until future subdivision or annexation? Is the Commission satisfied with the lack of analysis of effects that such a connection would have on Jordan (Ptarmigan)/Montana and Sanders/Custer intersections?

Attorney Jodoin noted he would love to do the financial guarantee; however, the city does not have the right of way to build on. To avoid this in the future, the subdivision review process should be followed. Staff cannot accept the financial guarantee due to the fact they do not know what the development needs are. As far as an easement, there are jurisdictional issues. Other issues include parking on the street, maintenance of the street and law enforcement. Attorney Jodoin stated there are a couple options, either install the infrastructure in phases or do it all at once.

Manager Alles stated the city cannot accept a financial guarantee to improve an easement. Attorney Jodoin stated this would be a policy decision if the commission wants to build public infrastructure on an easement. However, he would not recommend it for the long term.

Commissioner Haladay asked if the easement would be a concern with a waiver of protest for future improvements for Phase II. Attorney Jodoin stated yes, the city does not own the easement.

City Manager Alles stated there does not seem to be opposition to phasing in the improvements and could be looked at and brought forward for commission consideration.

Director Haugen noted in regards to the phasing plan, staff is working on the development agreement which is intended to serve in meeting the conditions, if the commission concurs to the phasing plan. Staff will bring this forward sometime in August/September.

Mr. Amsden assured the commission they will work with city staff to do anything they can to get all issues resolved to move forward with this development.

Staff and the developer will continue to meeting and look at phasing the project and look at the conditions to be included in the development agreement.

Downtown Master Plan – Manager Alles and Director Haugen referred the commission to the copy of the Downtown Master Plan.

Manager Alles asked if the commission would like to schedule a separate work sessions to review the document or would they prefer to review it and bring back for general discussion at an administrative meeting.

Director Haugen noted the City-County Planning Board has reviewed the plan and has passed a resolution with the recommendation the commission adopt the Downtown Master Plan as an addendum to the City's Growth policy. She reviewed the requirement on the formal process for the city commission to adopt the plan.

The Planning Board did not make a recommendation on the implementation schedule, as it directs staff and allocates resources. If there is consensus on the implementation recommendations,

Director Haugen and her staff will meet with the appropriate departments to discuss the recommendations.

Planner Ellie Rae reported on Tuesday, June 21, 2016, the City of Helena-Lewis and Clark County Consolidated Planning Board held a public hearing, and, based on its review and findings, unanimously approved a resolution recommending an amendment to the 2011 City of Helena Growth Policy to include the Downtown Master Plan as the Downtown Neighborhood Plan.

The recommendation of the Planning Board also included adding language to the Downtown Master Plan, as proposed by the Helena Business Improvement District, regarding affordable housing. The proposed revision is intended to strengthen the housing component of the Downtown Master Plan.

Section 76-1-601 (4) (a) and (b) of the MCA states that, when amending a growth policy to adopt a neighborhood plan, the plan must be consistent with the Growth Policy and must define the jurisdictional area for the neighborhood plan. Further, §76-1-604(3) states that a governing body has the authority to revise an adopted growth policy, and, as per §76-1-604(1), shall reject or adopt a resolution of intention to adopt the growth policy with revisions, following a recommendation from the planning board.

Pursuant to Chapter 13 of the 2011 Growth Policy, neighborhood plans are intended as a mechanism to further identify community needs and priorities.

The City's 2011 Growth Policy is intended to be flexible to allow response to changing conditions, other factors might lead to revising the Growth Policy, such as the adoption of a neighborhood plans. As neighborhood plans are proposed for inclusion in the Growth Policy, priority should be given to the o the mixed use areas identified on the Future Land Use map, such as the Downtown area. All amendments to the Growth Policy shall be consistent with applicable Montana statutes. In accordance to our Growth Policy, any amendments will include the following elements: 1.) A statement of any proposed changes and rationale for the changes; 2.) any necessary implementation mechanisms and alternatives; and 3.) public participation processes.

While the Planning Board found the DMP to be consistent with the 2011 Growth Policy, they did not review all of the implementation steps with currently adopted capital plans, budgets and priorities and felt that would be better completed at the City Commission level. Prior to any public hearing on the proposed plan, City staff will review the DMP's implementation steps to ensure that there is consistency between the DMP's action items' and any City Commission priorities or plans and budgeted priorities. Staff will recommend any proposed changes and will review them with the HBID prior to making any final recommended changes for the City Commission to consider at the public hearing.

The public process for consideration of the Downtown Master Plan (DMP) as a Neighborhood Plan has been extensive. Starting with the HBID, there were 3 charettes, numerous public meetings, interviews with stakeholders, and acceptance of public comments. There was a joint work session held between the City of Helena-Lewis and Clark County Consolidated Planning Board and the City Zoning Commission on the vision of the DMP in 2015, followed by further work sessions between the Zoning Commission, the Planning Board, and HBID. The public has been provided opportunities to participate in these sessions, and has been provided access to the DMP on City websites. Notice for the June 21, 2016 Planning Board public hearing was run twice in the Independent Record.

Next Steps

- 1) Possible work session(s)
- 2) City Commission Public Hearing

Affordable Housing Amendment (Proposed by Helena Business Improvement District):

Create a full range of housing affordability and options. A full range of housing choices is important for Downtown Helena. Providing affordable housing options is critical for attracting a community work force. Seek partnerships to provide senior, low- to moderate-income, workforce, and market rate housing Downtown. Work with existing property owners and partners to retain and maintain current affordable housing units. Encourage different housing types, such as apartments, condominiums, brownstone/row houses and townhouses, in both rental and ownership models.

As additional cleanups, the following amendments to the Implementation Table were proposed by the Helena Business Improvement District after the June Planning Board public hearing:

Implementation Table changes: (pgs. 67-74)

1.3 Create a high-quality downtown experience – 1.3.c: add Montana Main Street as a resource

2.2 Promote redevelopment of underperforming properties - 2.2.a: add Montana Main Street and CDBG as funding sources.

2.3 Encourage Downtown housing – 2.3.e: move from “mid-term” to “short term”

4.1 Manage parking – 4.1.e: move from “short term” to “mid term”

The appendix is also available for review.

Mayor Smith called for public comment. Tracy Reich, BID Executive Director and BID Board members Mark Roylance, Al Roy and Rex Seeley, spoke in support of the Downtown Master Plan and thanked the city for being a partner in the development of the plan.

Consensus Direction to Manager – Commissioner Haladay suggested cueing it up for a meeting and have staff provide the necessary information.

Mayor Smith stated he is curious on the request to add it to the Growth Policy; however, referring to it as a “Neighborhood Plan” has been answered. He would like to have a work session and go through it.

Commissioner Haladay clarified he was suggesting moving it forward to a regular commission meeting. Commissioner Ellison stated he would benefit from a work session. He noted since he has been on the commission, the Growth Policy has not been amended.

Commissioner Noonan stated he has gone through the plan and does not necessarily need a work session. He does have the sense the adoption of the plan is not absolute. This is a very good plan and he is willing to participate in any way to assure its adoption.

Proposed R/U (Residential/Urban) Zoning District – Deferred to a later date.

6. Committee discussions

- a) Audit Committee, City-County Board of Health, L&C County Mental Health Advisory Committee, Montana League of Cities & Towns – No report given.
- b) Audit Committee, Helena Chamber of Commerce Liaison, Information Technology Committee, Transportation Coordinating Committee – No report given
- c) ADA Compliance Committee, Audit Committee, City-County Parks Board, Civic Center Board – No report given
- d) Board of Adjustment, City-County Administration Building (CCAB), Non-Motorized Travel Advisory Board, Transportation Coordinating Committee – No report given
- e) Business Improvement District/Helena Parking Commission, Montana Business Assistance Connection, Public Art Committee – No report given
- f) Helena Citizens Council – HCC Representative Gary Spaeth thanked Commissioner Noonan for attending the June HCC meeting. He invited Manager Alles to attend the HCC meetings. Mr. Spaeth noted it is hard for the HCC to react to business the commission discusses earlier in the month. He asked the commission to consider how the HCC could be better utilized to discuss current issues.

7. Review of agenda for July 25, 2016 – No discussion.

8. Public Comment – No public comment received.

9. Commission discussion and direction to the City Manager – No discussion held.

10. Adjourn – Meeting adjourned at 5:55 p.m.