
19104, Staff Report for the Bridger View Redevelopment Growth Policy Amendment (GPA).

Public Hearing Dates:

Planning Board Meeting June 18, 2019 at 6:00pm in the City Commission room, City Hall, 121 North Rouse.

City Commission Meeting July 15, 2019 at 6:00pm in the City Commission room, City Hall, 121 North Rouse.

Project Description: A growth policy amendment to revise the future land use map from Community Commercial Mixed-Use and Residential to Residential Emphasis Mixed Use on 8.025 acres and the adjacent Bridger Drive right-of-way.

Project Location: The property is located at the southwest corner of Bridger Drive and Story Mill Road. The property is legally described as a tract of land known as the Bridger View Mobile Home Court as shown on Certificate of Survey 2547, and a portion of the adjacent Bridger Drive lying south of said centerline, located within the SW ¼ of Section 31, Township 1 South, Range 6 East, Principal Meridian, Gallatin County, Montana.

Planning Board Recommended Motion: Having reviewed and considered the application materials, public comment, and all information presented, I hereby move to adopt the findings presented in the staff report and recommend approval to the City Commission of the growth policy amendment application 19104 with contingencies and subject to all applicable code provisions.

City Commission Recommended Motion: Having reviewed and considered the application materials, public comment, Planning Board recommendation, and all the information presented, I hereby move to adopt the findings presented in the staff report and to approve the growth policy amendment with contingencies and subject to all applicable code provisions.

Report Date: June 6, 2019

Staff Contact: Tom Rogers, Senior Planner

Agenda Item Type: Action- **Legislative**

EXECUTIVE SUMMARY

Unresolved Issues

None

Project Summary

The Trust for Public Land (landowner) and HRDC (applicant) request to amend the Bozeman Community Plan (Growth Policy) Future Land Use Map Figure 3-1 designation from

Residential (3.46 acres) and Community Commercial Mixed Use (4.56 acres) to Residential Emphasis Mixed Use on one parcel totaling 8.025 acres.

The site is adjacent to the Story Mill Community Park to the west and is part of the larger vision of the area's redevelopment in conjunction with the park. The intention of the land use designation change is to allow the development of a mixed-income residential neighborhood on property owned by a community land trust. This would provide affordable housing options on a portion of the site and serve to reestablish a residential neighborhood after a trailer park was removed in 2008. The application proposes a designation of "Residential Emphasis Mixed Use" (REMU) on the entire property and half (1.35 acres) of the adjacent Bridger Drive right-of-way.

There is also a concurrent Zone Map Amendment (ZMA) application that proposes a zoning designation of R-3, Residential Medium Density District. The combination of a future land use designation of REMU and a zoning district of R-3 would allow a future residential neighborhood of one to five-household residential structures. If the GPA and ZMA are approved, the applicant intends to submit a Planned Unit Development (PUD) that could also allow some complementary light commercial uses.

Alternatives

1. Approve the application with the recommended contingencies;
2. Approve the application with modifications to the recommended contingencies;
3. Deny the application based on findings of non-compliance with the applicable criteria contained within the staff report; or
4. Open and continue the public hearing on the application, with specific direction to staff or the applicant to supply additional information or to address specific items.

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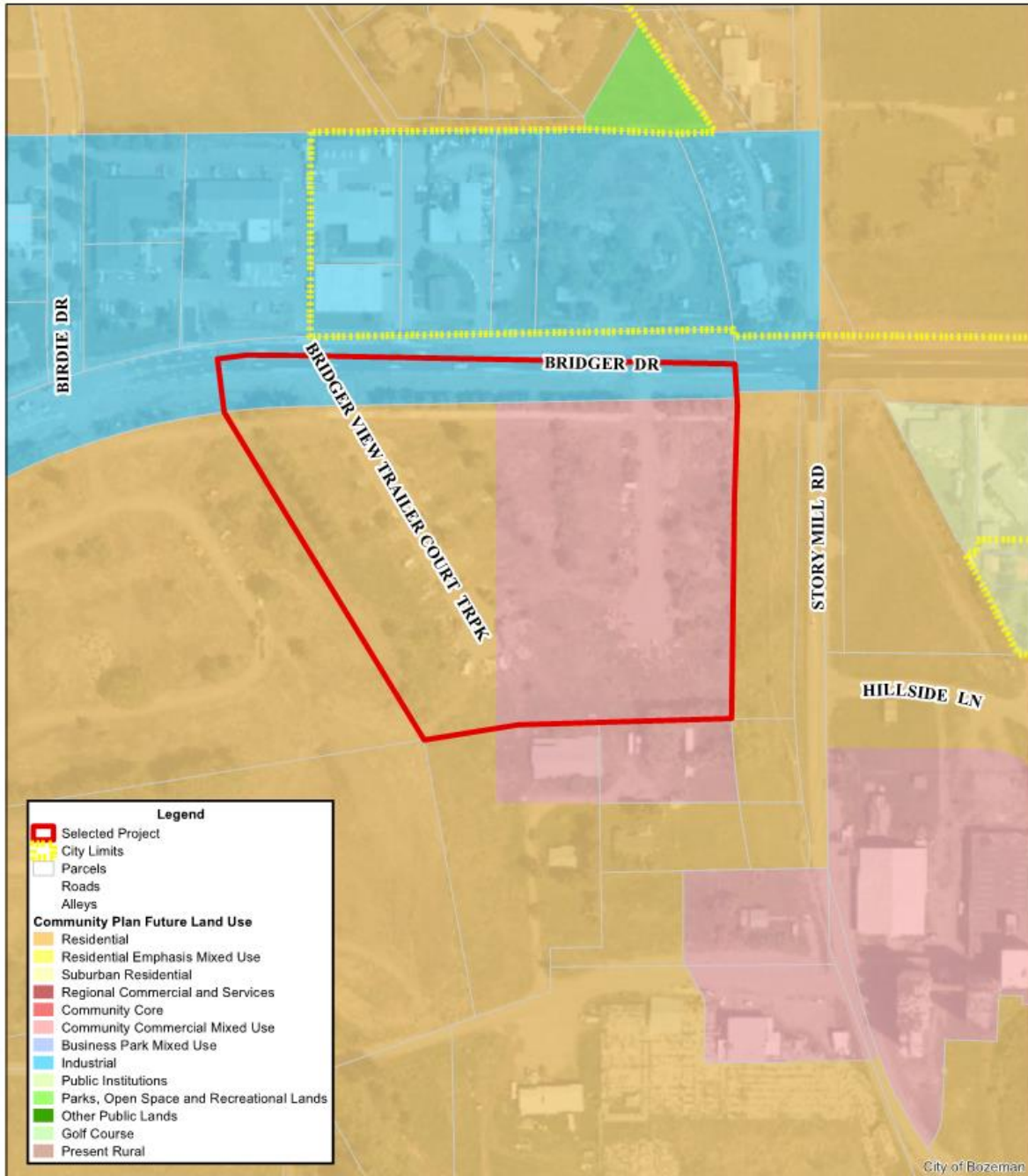
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SECTION 1 - MAP SERIES



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Revised: 03/15/2019

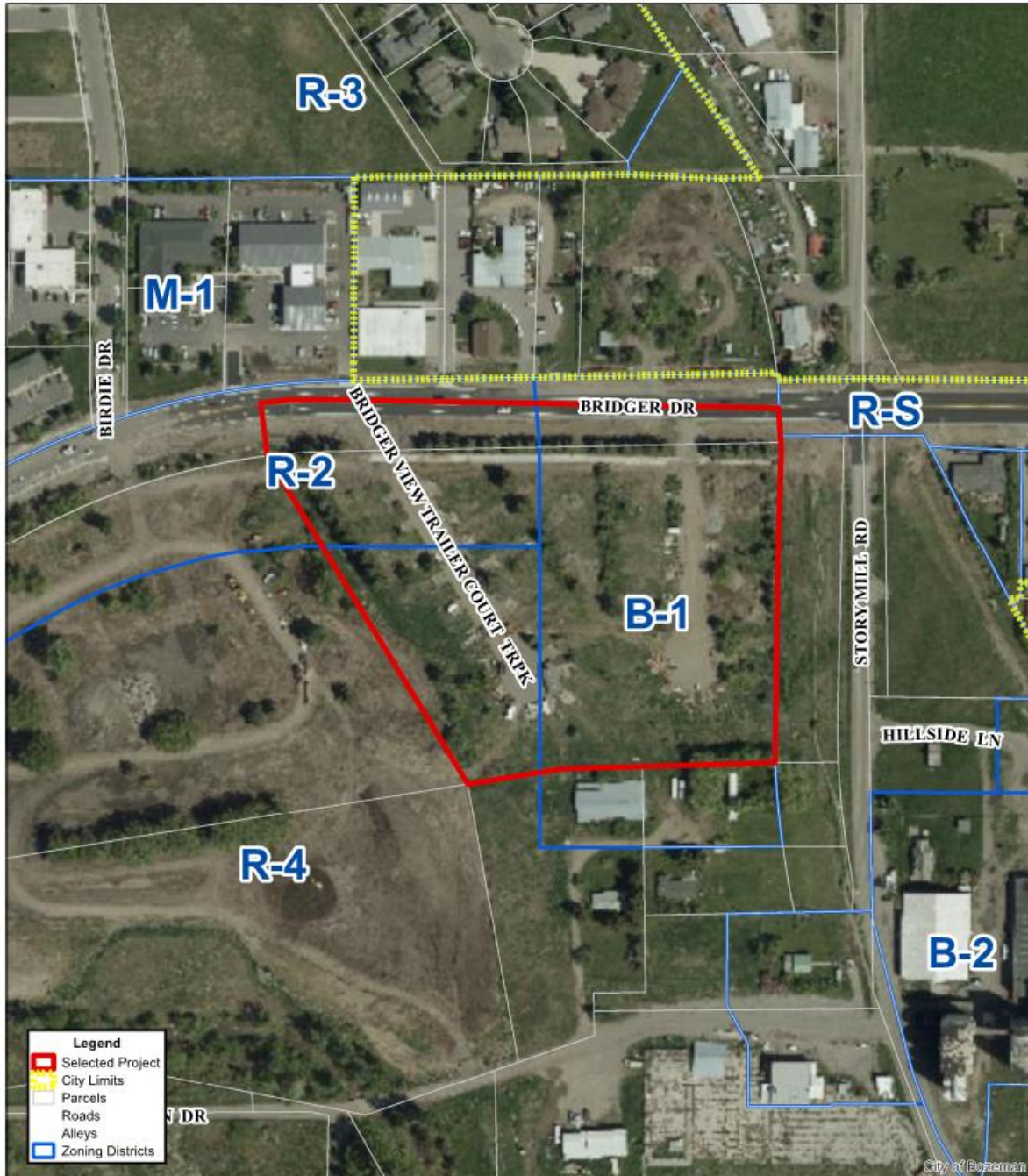
1 inch = 200 feet



Bridger View Redevelopment
Growth Policy Amendment
Application 19-104
Submitted 03/12/2019



Future Land Use Map



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Revised: 03/15/2019

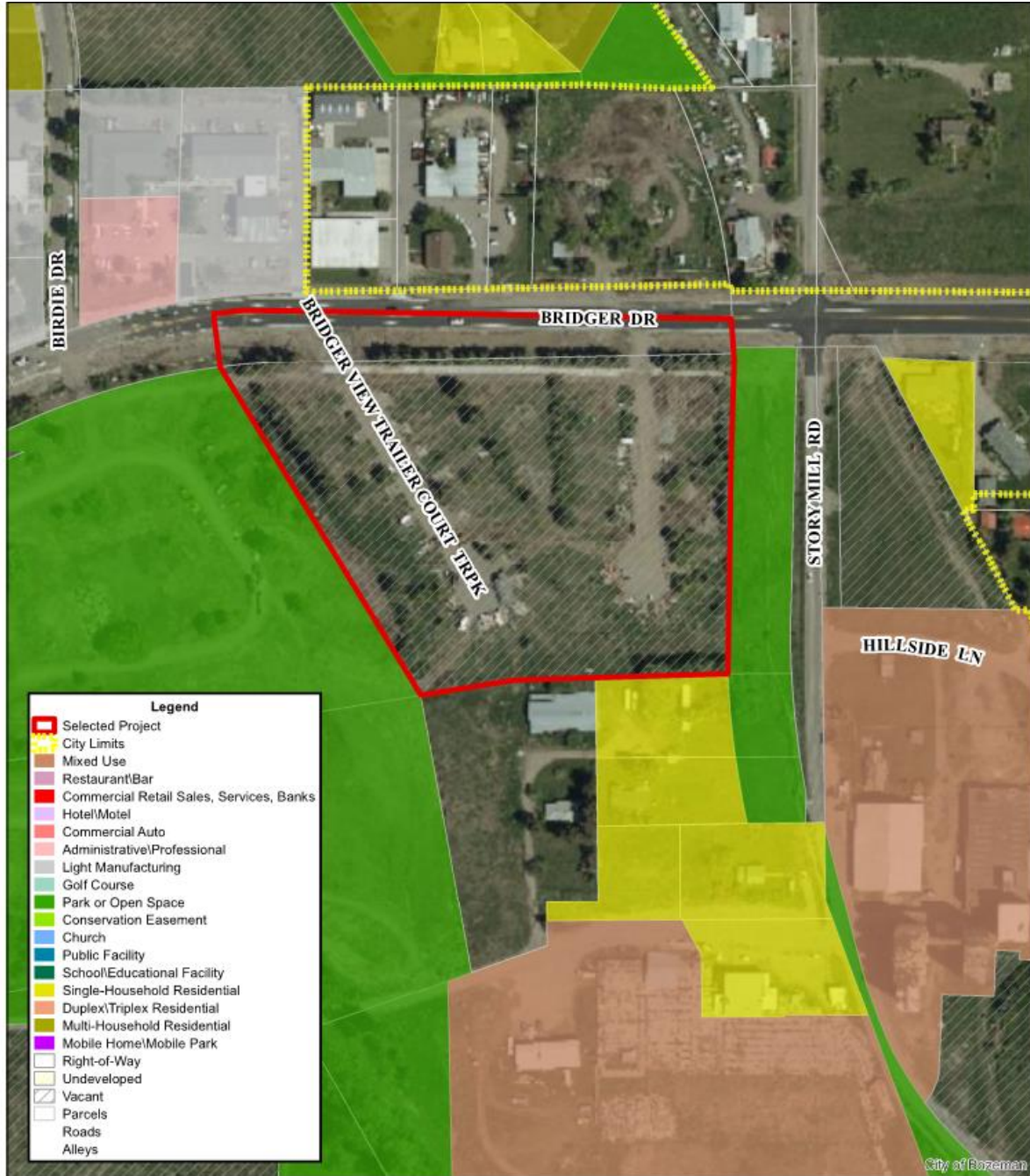
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**Bridger View Redevelopment
Growth Policy Amendment
Application 19-104
Submitted 03/12/2019**



Current Zoning Map



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Revised 03/15/2019

1 inch = 200 feet



Bridger View Redevelopment
Growth Policy Amendment
Application 19-104
Submitted 03/12/2019



Current Land Use Map

SECTION 2 - RECOMMENDED CONDITIONS OF APPROVAL

If the Planning Board recommends approval of the application, the following contingencies are recommended. Please note that these contingencies are necessary for the City to complete the processing of the proposed amendment.

Recommended Conditions of Approval:

- 1) The applicant shall submit, within forty-five (45) days of approval by the City Commission, an 8½- x 11-inch or 8½- x 14-inch exhibit titled “Bridger View Redevelopment Growth Policy Amendment” to the Department of Community Development containing an accurate description of the property for which the growth policy designation is being amended. The exhibit must be acceptable to the Department of Community Development.
- 2) The resolution for the growth policy amendment shall not be drafted until the applicant provides an exhibit of the area to be re-designated, which will be utilized in the preparation of the resolution to officially amend the Future Land Use Map of the *Bozeman Community Plan*.

SECTION 3 - RECOMMENDATIONS AND FUTURE ACTIONS

Having considered the criteria established for a growth policy map amendment, the Staff recommends approval with contingencies for the application as submitted. The Development Review Committee (DRC) considered the amendment on April 24, 2019 and did not identify any concerns with the application.

The Planning Board will hold a public hearing on June 18, 2019 to make a recommendation to the City Commission for the growth policy map amendment. The City Commission will hold a public hearing on the growth policy map amendment on July 15, 2019. The hearing will be held at 121 N. Rouse Avenue, Bozeman. The meeting will begin at 6 p.m.

SECTION 4 - STAFF ANALYSIS AND FINDINGS

Analysis and resulting recommendations are based on the entirety of the application materials, municipal codes, standards, plans, public comment, and all other materials available during the review period. Collectively this information is the record of the review. The analysis in this report is a summary of the completed review.

In considering applications for approval under this title, the advisory boards and City Commission shall consider the following criteria. As an amendment is a legislative action, the Commission has broad latitude to determine a policy direction. The burden of proof that the application should be approved lies with the applicant.

To reach a favorable decision on the proposed application the City Commission must find that the application meets all of criteria 1-4 of Section 17.4, Bozeman Community Plan Amendment procedures. In making these findings, they may identify that there are some negative elements within the specific criteria with the final balance being a positive outcome for approval.

Section 17.4, Bozeman Community Plan Amendment Criteria.

- 1. The proposed amendment must cure a deficiency in the growth policy, or improve the growth policy, to better respond to the needs of the general community;**

Staff first reviewed the proposal for its ability to cure a deficiency. The current parcel has a split future land use designation that is the result of a previously proposed project that did not move forward. The Community Plan states that it is preferable for land use designation boundaries to follow the parcel boundaries established by recorded plats. This amendment would serve to do that by designating the entire parcel REMU, thus correcting a deficiency in the current growth policy.

Staff also reviewed the application to determine whether the proposal would result in an improved growth policy which better responds to the needs of the general community. The proposed REMU designation puts a greater emphasis on housing than the current Community Plan designations, allowing more housing in an appropriate location adjacent to the Story Mill Community Park and near services. Furthermore, the designation will require that any new development on the site meet code requirements that at least 10 percent of the homes be priced at levels that households earning less than 80 percent Area Median Income (AMI) can afford to purchase. According to the 2018 Demographic and Real Estate Market Assessment (EPS Report), the community has a need for long-term affordable housing. This GPA would allow for the development of more mixed-income housing in an area that is appropriate for such growth.

Both the current Community Plan and public input related to the pending plan update note housing affordability as a high priority goal for the community. Therefore, the proposed amendment would better respond to the needs of the general community by providing more affordable housing options.

If approved, the relative certainty of commercial use at the corner of Bridger Drive and Story Mill Rad is lost. Although there is a commercial area at the Story Mill site it is

unlikely this location will evolve into a commercial zone serving the general area. The next proximate commercial area is Cannery District approximately one mile to the southwest.

Based on these findings, staff concludes that the Plan is an improvement to the growth policy and better responds to the needs of the general community

2. The proposed amendment does not create inconsistencies within the growth policy, either between the goals and the maps or between different goals and objectives.

The proposed amendment to change 8.025 acres from “Community Commercial Mixed Use” and “Residential” to “Residential Emphasis Mixed Use” does not appear to create any inconsistencies within the growth policy goals or between goals and maps. The existing split land use designation is a result of a previously unsuccessful project that planned to mix commercial uses with residential. The proposed amendment would return the site back to its historic use of residential. With regards to commercial uses, the current Community Plan Update is exploring the concept of encouraging commercial nodes within neighborhoods. The 2018 Demographic and Real Estate Market Assessment (EPS Report) notes that other communities have reported difficulty in creating new retail locations without significant housing density to support such uses (pages 3 and 5). Therefore, it is consistent with current plan updates and previous study efforts to provide residential uses prior to the creation of a larger commercial node in the area.

Additionally, there are public utilities located on the site which are consistent with many of the goals of the Community Plan in determining where it is appropriate for new locations of residential uses. With the development of Story Mill Park, it is compatible and appropriate to include residential uses adjacent to this new community feature. Also, the change in designation allows residential uses in an area that is well connected with trails which helps support many of the sustainability goals and within the community plan.

Staff concludes that no substantive contradictions are created.

3. The proposed amendment must be consistent with the overall intent of the growth policy.

The overall intent of the growth policy is to proactively and creatively address issues of development and change while protecting public health, safety and welfare (page 1-1). If approved, the proposed amendment will allow more residential uses on the subject property which will complement the park and other adjacent uses, while providing a mix of housing options for residents. The change will allow more space for residential development that is in demand as the city continues to grow. Additionally, residential

development on the subject property will increase public use and enjoyment of the park and support existing and future commercial centers. Housing that provides affordable options is deemed to be beneficial in the Community Plan, and the Strategic Plan states that Bozeman should “explore opportunities for partnerships with key business groups and non-profit organizations.” The proposed amendment does both of these things, aligning with the overall intent of the growth policy and its goals.

The overall intent of the Bozeman Community Plan is expressed in the seven themes first presented in the executive summary and expanded upon throughout the document. These themes interact with all elements of the plan and touch on many of the same issues as the themes being developed for the Bozeman Community Plan update. Having considered the intent of the Bozeman Community Plan staff concludes that the Bridger View Redevelopment GPA is consistent with the intent of the Bozeman Community Plan.

4. The proposed amendment will not adversely affect the community as a whole or significant portion by:

- a) *Significantly altering land use patterns and principles in a manner contrary to those established by this plan,*

No, the proposed map amendment does not significantly alter land use patterns from those established by the plan. The existing land use designations are Community Commercial Mixed Use and Residential and the proposed land use designation is Residential Emphasis Mixed Use, which combines the existing split designations into one cohesive designation for the entire property with a stronger emphasis on residential uses. However, uses will be determined by the zoning district applied to the property.

- b) *Requiring unmitigated larger or more expensive improvements to streets, water, sewer, or other public facilities or services, thereby impacting development of other lands,*

No negative impacts to other lands or the community are anticipated as a result of the proposed growth policy amendment. The site is located at the corner of an established collector and principal arterial street and is within the planned service area for municipal utilities. Future development will require municipal review for any additional impacts and will be evaluated at that time.

- c) *Adversely impact existing uses because of unmitigated greater than anticipated impacts on facilities and services,*

No adverse impacts have been identified at this time. Additional review will occur during site development and mitigation of any potentially adverse impacts will be addressed at that time, as required by municipal code. The addition of a residential neighborhood to the east of Story Mill Park is compatible with surrounding land uses and will place residents near a regional park which is seen as a positive for the community.

d) *Negatively affect the livability of the area or the health and safety of the residents.*

Designation of this site as Residential Emphasis Mixed Use is compatible with surrounding land uses and should not negatively affect the livability of the area or the health and safety of residents. The land use change would allow for additional residential opportunities to meet the expanding demands of the city, in an area that is appropriate and compatible for such a use.

APPENDIX A - PROJECT SITE ZONING AND GROWTH POLICY

Zoning Designation and Land Uses:

The property is zoned by the City of Bozeman as B-1, Neighborhood Business, R-2, Residential Single-Household Medium Density, and R-4, Residential High Density. The Applicant is proposing to change the zoning of this property to R-3, Medium Density Residential. This request will be reviewed if the City Commission approves the GPA. The property has historically been used residentially as the Bridger View Trailer Court.

Adopted Growth Policy Designation:

The following designations are applicable to this application.

Existing – Residential. The growth policy states, “This category designates places where the primary activity is urban density dwellings. Other uses which complement residences are also acceptable such as parks, low intensity home based occupations, fire stations, churches, and schools. High density residential areas should be established in close proximity to commercial centers to facilitate the provision of services and employment opportunities to persons without requiring the use of an automobile. Implementation of this category by residential zoning should provide for and coordinate intensive residential uses in proximity to commercial centers. The residential designation indicates that it is expected that development will occur within municipal boundaries, which may require annexation prior to development...All residential housing should be arranged with

consideration of compatibility with adjacent development, natural constraints such as watercourses or steep slopes, and in a fashion which advances the overall goals of the Bozeman growth policy. The residential designation is intended to provide the primary locations for additional housing within the planning area.”

Existing – Community Commercial Mixed Use. The growth policy states that, “activities within this land use category are the basic employment and services necessary for a vibrant community. Establishments located within these categories draw from the community as a whole for their employee and customer base and are sized accordingly. A broad range of functions including retail, education, professional and personal services, offices, residences, and general service activities typify this designation. In the “center-based” land use pattern, Community Commercial Mixed Use areas are integrated with significant transportation corridors, including transit and non-automotive routes, to facilitate efficient travel opportunities. The density of development is expected to be higher than currently seen in most commercial areas in Bozeman and should include multi-story buildings...High density residential areas are expected in close proximity. Including residential units on sites within this category, typically on upper floors, will facilitate the provision of services and opportunities to persons without requiring the use of an automobile... Mixed use areas should be developed in an integrated, pedestrian friendly manner and should not be overly dominated by any single land use. Higher intensity employment and residential uses are encouraged in the core of the area or adjacent to significant streets and intersections. As needed, building height transitions should be provided to be compatible with adjacent development.”

Proposed – Residential Emphasis Mixed Use. The Residential Mixed-Use category “promotes neighborhoods with supporting services that are substantially dominated by housing. A diversity of residential housing types should be built on the majority of any area within this category. Housing choice for a variety of households is desired and can include attached and small detached single-household dwellings, apartments, and live-work units. Residences should be included on the upper floors of buildings with ground floor commercial uses...The category is appropriate near commercial centers and larger areas should have access on collector and arterial streets. Multi-household higher density urban development is expected. Any development within this category should have a well integrated transportation and open space network which encourages pedestrian activity and provides ready access within and to adjacent development.”

Future Land Use Map. This map is a synthesis of many different ideas, public input, existing conditions, and existing and desired land use patterns for the future. The map is the visual representation of the land use patterns and ideas discussed in this chapter, and

elsewhere throughout this document. The map shows in a very broad manner acceptable uses and locations throughout the community. It does not represent a commitment by the City to approve every development proposed within each category. Neither does a designation indicate that a property is free from constraints to development.

The map and other elements of this plan must be weighed and evaluated in conjunction with the specific details of a proposed project which are beyond the scope of this plan but will be addressed through the implementation tools discussed in Chapter 16 and Appendix I. The provisions of any intergovernmental agreement between the City and County regarding land use will influence the final development pattern within the defined planning area.

This plan looks at a twenty-year horizon as well as the current situation, so it is to be expected that some areas which are not in conformance with the plan will be identified. This plan recognizes the presence of these uses without specifically mapping or otherwise identifying them. It is desired that these anomalies be resolved over the term of this plan so that the land use pattern identified herein may be completed.

APPENDIX B - DETAILED PROJECT DESCRIPTION AND BACKGROUND

Project Description

A growth policy amendment proposal to revise the future land use map from Residential and Community Commercial Mixed Use to Residential Emphasis Mixed Use on 8.025 total acres plus adjacent public rights-of-way.

The proposal is part of a larger vision of redevelopment for the area which includes Story Mill Community Park. A portion of the subject property formerly housed a trailer park that was removed for a larger housing and commercial development proposal that failed to move forward. The Trust for Public Land acquired the property as part of the larger Story Mill Community Park purchase to explore the option of returning some affordable homes on a portion of the site. If the GPA and proposed ZMA are approved, the applicant intends to submit a Preliminary PUD that would include a mixed-income residential development and possibly some light complementary commercial uses.

The concurrent Zone Map Amendment application that proposes a zoning designation of R-3, Residential Medium Density District and the future land use designation of REMU would allow a future residential neighborhood of single household dwelling units with up to five attached units. The addition of a residential neighborhood in this area is compatible with adjacent uses and would serve to activate the edge of Story Mill Community Park, while

providing the opportunity for residents to live near a great community resource and enhance livability.

APPENDIX C – NOTICING AND PUBLIC COMMENT

Notice was sent via US first class mail to all owners of property located inside the site and within 200 feet of the perimeter of the site. The project site was posted with a copy of the notice. The notice was published in the Legal Ads section of the *Bozeman Daily Chronicle* on May 26 and June 2, 2019. The Planning Board public hearing is scheduled for June 18, 2019 and the City Commission public hearing is scheduled for July 15, 2019.

APPENDIX D - OWNER INFORMATION AND REVIEWING STAFF

Owner: Trust for Public Land, 901 5th Ave, Suite 1520, Seattle, WA 98164

Applicant: HRDC, 32 South Tracy Ave, Bozeman MT 59715

Representative: Groundprint, LLC, 1262 Stoneridge Drive, Bozeman MT 59718

Report By: Tom Rogers, Senior Planner

FISCAL EFFECTS

No unusual fiscal effects have been identified. No presently budgeted funds will be changed by this growth policy amendment.

ATTACHMENTS

The full application and file of record can be viewed at the Community Development Department at 20 E. Olive Street, Bozeman, MT 59715.

Application materials