

PUBLIC MEETING – April 27, 2005

The Public Meeting was called to order at 1:30 p.m. by Chair Jean Curtiss. Also present were Commissioner Barbara Evans, Commissioner Bill Carey and Deputy County Attorney Colleen Dowdall.

Pledge of Allegiance

Public Comment

None

Routine Administrative Actions

Commissioner Carey moved that the Board of County Commissioners approve the routine administrative items adopted the past week and approve the weekly claims lists in the amount of \$426,008.77. Commissioner Evans seconded the motion. The motion carried on a vote of 3-0.

Bid Award: Clements Street Walkway

Chair Curtiss read the staff report.

This is a request to award the bid for construction of a walkway/bicycle path along Clements Road, Spurgin Road and Humble Street. Bids were advertised with the following results:

Bidder	Bid Total
Shadow Asphalt	\$123,234.75
L.S. Jensen	\$166,570.10
Green Diamond	\$129,495.04
Mickelson Rock Products	\$172,105.45

This is a CMAQ project that was approved a number of years ago by the Board of County Commissioners and is only now being constructed, due to the possibility of major street demolition along several of these streets from a proposal to extend the sewer system.

It is the recommendation of the Public Works Department to award the bid to Shadow Asphalt in the amount of \$123,234.75 as the lowest responsive bidder.

This project is being supplemented by a Montana State Fish, Wildlife and Parks grant that will more than pay the County's required 13.42% match.

Chair Curtiss asked for public comments. There were none.

Commissioner Carey moved that the Board of County Commissioners approve awarding the bid for construction of a walkway/bicycle path along Clements Road, Spurgin Road and Humble Street to Shadow Asphalt in the amount of \$123,234.75 as the lowest responsive bidder. Commissioner Evans seconded the motion. The motion carried on a vote of 3-0.

Hearing: Petition to Abandon a Portion of Road Plat Book 1 Road, GLO Road and GLO Trail – North of Highway 12

Chair Curtiss opened the public hearing. She explained that on road abandonments, a hearing is held on the petition to take any public testimony. The hearing is then recessed so that, as required by law, one Commissioner and a representative from the Public Works Department can conduct a site visit. The hearing will be reconvened and a report from the site visit will be made to the Commissioners, at which time they will make their decision. No decision will be made today.

Colleen Dowdall read the staff report.

This is a petition to abandon portions of these roadways as they cross a recently approved subdivision, Lolo Creek Trails, specifically described as:

Road Plat Book 1, GLO Road and GLO Trail in Section 34, Township 12 North, Range 20 West. From the East Boundary of the West 1/2 Northwest 1/4 of Section 34, lying North of Highway 12 to the West Boundary of the West 1/2 Northwest 1/4 of Section 34, lying North of Highway 12.

And further described in the Road Book of the Missoula County Surveyor as: A GLO trail is depicted on the official plat by W. H. Baker – depicting the partial subdivision of Township 12 North, Range 20 West, dated November, 1870. A GLO road shown on the official plat by James M. Page depicting the partial subdivision of Township 12 North, Range 20 West, dated October, 1879. Road Plat Book 1 – Page 46 (Sheet 116) – File A-141, Commissioners Journal G, Page 205 – Petitioned by C.E. Muzzie, viewed 4/23/1895 and accepted and declared a County Road 6/4/1895.

The reason for the request is as follows: 1) The Road Plat Book 1, GLO Road and GLO Trail are not in use, nor is there any definitive evidence as to their location on the ground. The following landowners have been notified: Mustang Holdings, LLC, 2503 Windermere Court, Missoula, MT 59804.

There were no public comments.

Chair Curtiss recessed the hearing and stated that a site inspection would be scheduled and a decision would be made at the public meeting next week, May 4, 2005.

Hearing: Continuation of Public Hearing on Wye-Mullan Plan (from Joint Meeting with City Council on Monday, April 11, 2005)

Chair Curtiss: So, next we have a continuation of the Public Hearing on the Wye-Mullan Plan. As you remember, we had a joint meeting with the City, we just recessed the hearing, so I'll reopen that hearing. Everything that was said in that joint hearing is on the public record, so it doesn't have to be repeated unless you want to add to it. Just so you know, those minutes have been transcribed and are now in our records too. So, we'll begin with Laval, and the other staff at OPG, have put some of the maps and things into a Power Point. So, Laval, if you'd like to begin with your presentation, and then we'll take public comment. So, we have some things that we're ready to just work through and then you'll do this later, is that how you want to do it?

Laval Means: Any presentation that I have really pertains to issues and we've established an issue outline that again is still a little bit of a evolving preliminary piece. You've seen it before, it has three other issues that are added to the back that reflect City Council, a few of City Council's concerns, so that's really what's new there. They had an earlier, PAZ talked about trying to prioritize the need for getting George Elmer Road and England Boulevard established in some way, so that's a new issue. Another one has to do with wanting to talk more about Neighborhood Commercial or Neighborhood Centers opportunities, if there are any. I think that's kind of linked to land uses around the Airport, perhaps and other things. And then the last one is just really wanting to have a dialogue of what do we do about public water. So those are the three other issues that were added to that outline of issues. In the last couple Work Sessions that the Commissioners held, you talked about Issues 1 through 4 and 5, 1 through 5, I should say, had some general dialogues about it, I provided some general background and we started to talk about the Airport. Airport Issues are Numbers 6 through 10. We started to talk more about the Airport and at the last Work Session, I was providing you with some background, kind of a more detailed look at land use, zoning, idea of an extended approach and departure area (EADA) and ownerships off the east end of the runways. We concluded kind of in the middle of that, so any presentation I have would probably be to pick that up again. This time we have layers of Power Point for us and I can walk through that again, maybe even just briefly, starting from the beginning of it and focus in primarily on the Parks and Open Space land use designation and then if we have time, you want to spend any time on other issues, we can, but that's where we're at, I believe.

Chair Curtiss: Okay, so the way that we ought to work this today, then, is to take the Preliminary Outline, do all the people in the audience have copies of these?

Laval Means: Some folks would have had them from the PAZ hearing from this morning, as well, it's the same outline of issues.

Chair Curtiss: Do we have some extras? So, the way we work through this is to start with these issues and make motions, take discussion, make decisions on the ones that we're ready to do. We'll start with 1, is that what you had in mind, Laval?

Laval Means: Yeah. I said that so convincingly, didn't I.

Chair Curtiss: So, Issue #1 was that there was an error regarding the Flynn Family Limited Property east of Flynn Lane, Page 6A-18, under the existing pocket parks, states .44 acres is a "portion of a larger park." We agree that that was a mistake and so we'd be willing to take any additional comments, but I think the recommendation here is just to delete that reference to "portion of a larger park." Is there anybody that needed to make any comment about that?

Commissioner Carey: I'll move to delete it.

Commissioner Evans: Second.

Chair Curtiss: Okay. All in favor?

Commissioner Evans: Aye.

Commissioner Carey: Aye.

Chair Curtiss: Aye.

The motion carried on a vote of 3-0.

Chair Curtiss: The next one was from Hellgate Elementary School District that stated: "Because the Airport is a quasi-public agency, land use on Airport property need not comply with zoning," referring to 6A-13 that states this. Hellgate School District would like the same statement added under Schools, on Page 6B-4 or 5 under Hellgate School District #4, because schools are also not required to comply with zoning. The alternative that we have discussed in our Work Sessions is that under Hellgate School District #4, we would add the following statement on the end of the fourth paragraph: "Because schools are public agencies, land use on school property need not comply with zoning."

Commissioner Evans: So moved.

Commissioner Carey: Second.

Chair Curtiss: Is there anyone who wanted to make some comment on that before we vote. Laval?

Laval Means: During the Work Session, you also talked about adding a similar statement in a general location such as our Chapter 8, Implementation section, we have a sub-section of that called zoning, we haven't worked up the exact language of what that could be, but that was dialogue, so that it's clear that it's something that applies to quasi-public, public agencies with the whole workings of that type of education.

Chair Curtiss: So it would also then apply to any other public or quasi-public agency. So is that okay with your motion, to make sure that they add it in the correct place?

Commissioner Evans: I made the motion and it's okay.

Commissioner Carey: Yes.

Chair Curtiss: Alright. Any discussion on that, or any comment? Seeing none, all in favor?

Commissioner Evans: Aye.

Commissioner Carey: Aye.

Chair Curtiss: Aye. Opposed?

The motion carried on a vote of 3-0.

Chair Curtiss: Number 3, written and verbal comments from Eli and Associates on behalf of Joe Frasier suggesting changing the land use designation east of Deschamps Lane and north of Roller Coaster Road from Rural Residential – one per five, to Light Industrial. I think that we agreed in our Work Session that that made sense. Was there anyone who wanted to make any comment on that change?

Commissioner Evans: So moved.

Commissioner Carey: Second.

Chair Curtiss: All in favor?

Commissioner Evans: Aye.

Commissioner Carey: Aye.

Chair Curtiss: Aye.

The motion carried on a vote of 3-0.

Chair Curtiss: We'll revise as suggested. Issue Number 4, these were comments sent by Missoula City Fire Department. City Fire suggested revisions are shown through tracked changes in addition to the recommended revisions. I'm not making sense on this one. This is one we have an e-mail on. Could you explain this a little.

Laval Means: I'll go back into that one a little bit, because, essentially, we didn't talk about, we didn't focus on the content too very much about it, because there was interest in trying to get a sense of what the County Rural Fire Department and Frenchtown Rural Fire Department would feel about proposed languages, plus, the e-mail as submitted by City Fire Department was a little hard to read because it was tracked changes on top of the Planning Board tracked changes, so what I can do just right now is maybe just give you an update as to where we are at on it. Mirtha Becerra has been working on coordination with the City Fire Department and the City Fire Department, you know, even previous to holding our first hearing, had said, yeah, they want to talk with the Rural Fire Department about these proposed changes so we've been kind of checking through them as to, well, what have you heard from County Rural or Frenchtown Rural so far, so Tom Steenberg has forwarded the language to them and we haven't heard back directly yet what their perception of the language changes are. So, we're still waiting to hear specifically from County Fire and Frenchtown Rural Fire. But what we have also done is prepared a cleaner version of the Fire Department's comments that will allow you to see, maybe, it will focus primarily only on the City Fire Department suggestions and we eliminated at least the delete bubble from the Planning Board revisions. So, we accepted them, you know, we accepted the deleted version changes but still keep the underline for new Planning Board language and then we also have underline and strikethrough for the City Fire Department, so that helps clarify it, I believe. Well, really, that's an update, that's where we're at with it and you know, maybe this is one of the issues you want to hold over a little bit longer so we can continue to work with County Fire and Frenchtown Fire.

Chair Curtiss: Is that the wish of the Commission, to just wait till we have all the comments from other fire agencies.

Commissioner Carey: I would be.

Commissioner Evans: I certainly want to hear from all or none.

Chair Curtiss: Right. So, we'll delay action on that one. Next we have written comments and verbal comments from, and this is on behalf of the Kona Ranch, and the next, all of Number 5, are those all Kona Ranch ones.

Laval Means: Yeah, there's 5 issues underneath it, or subsets.

Chair Curtiss: We had received correspondence from Dick Ainsworth, who's representing Bonnie Snavelly, and asked that we don't make these decisions today because she, neither Bonnie nor Mr. Ainsworth could be here today. So even though we've really kind of worked through them, the Commissioners decided to delay those until a time when they can be here.

Commissioner Evans: Before we leave that, I would like to ask the staff to consider, I'd like to have Section E, the last line, changed to have input from Fish, Wildlife and Parks or a biologist. I don't want to require a biologist for everything. I think that's expensive and if Fish, Wildlife and Parks can provide it, I prefer that.

Chair Curtiss: Okay, so when we make the motions on that, we can put that in. Laval?

Laval Means: Just to be clear, the suggestion to add a recommendation in the biological resources objectives and strategies section comes from the property owner. It's not in the document right now. There is a place in the document under our strategies for using the wildlife linkage and habitat map that says you should coordinate with Fish, Wildlife and Parks. We don't have a recommendation in the document right now about this need to retain a biologist to make site specific habitat assessments. That's their suggestion that it be added.

Commissioner Evans: As long as it is not a hard and fast requirement, that it be a biologist. I would like them to be able to use Fish, Wildlife and Parks if they can provide the information and then the homeowner doesn't have to pay for a biologist instead of using what they already pay for as a staff agency.

Chair Curtiss: So, what you're saying, Laval, is that Bonnie Snavely and her consultants are the ones recommending this, which would result in more stringent, rather than less, if you required a biologist.

Laval Means: If you want to add that strategy into the document, that's fine. I'm just saying that it isn't there right now and that you could revise the language to say "recommend that individual property owners retain Fish, Wildlife and Parks or a biologist to make that site-specific habitat assessment."

Commissioner Evans: I'd like that language.

Laval Means: Okay, so what I'm hearing is that might be a good strategy to place in the document.

Commissioner Carey: And before we do that, I'd like to hear from Fish, Wildlife and Parks as well to see what they say about that.

Chair Curtiss: Well, we already have, they're already a, we're not changing what we already do when we send out and ask for requests from Fish, Wildlife and Parks, are you, agency review?

Laval Means: This is a suggestion that property owners do some site-specific habitat assessment.

Chair Curtiss: But the stuff that is proposed in this yellow book doesn't reflect any more workload put on Fish, Wildlife and Parks than we already do when we ask for agency review, right?

Laval Means: There's a coordinating piece, I think, where we're saying if a landowner is working with cluster land use that coordinating with Fish, Wildlife and Parks perhaps earlier and often, then on the wildlife habitat and linkage concepts is desirable.

Commissioner Evans: One of the reasons I would prefer to have the option is if I hire a wildlife biologist, they are going to be caring what I, as the employer, would like. If we have Fish, Wildlife and Parks look at, they're going to look at it from a neutral position and that's what I prefer.

Chair Curtiss: Was this document sent out to agencies for comment too.

Laval Means: It was and because the wildlife/biological resources section underwent some degree of revision while we were working on it with Planning Board, we had involved Fish, Wildlife and Park in those revisions as well. So, they've had a chance to see it, those revisions, in drafting stage to letting them know the final document is out there for them to see.

Chair Curtiss: So is that sufficient for you or do you want some more comment from them, if they were involved in the drafting.

Commissioner Carey: Well, I guess I'd want to hear what they have to say about being called in to make site-specific habitat assessments on behalf of private landowners.

Chair Curtiss: Okay. Alright. So, since we're delaying action on those issues, we are now to Number 6, which is land use compatibility around the Airport. The first comment is from Colleen McKinley and Marifranis Courtney: "The landowners would like land use that better supports their current sewer obligations and would like more study done regarding the Airport influence area." And I think that's kind of, all the rest of these, all the next group, apply to that. Is there one we could skip forward on and take care of something before we, because this one's going to take more time.

Laval Means: We have Airport issues to talk through some more and see where you are at the end of that. There's also maybe some road issues that, we do have Mike Kress here today, so that's another thing that we could focus on, although we haven't had any Work Sessions on them. So, there's some thoughts on that.

Chair Curtiss: Okay. Do you want to just go right into the Airport ones? Okay, so Laval, if you'd like to review and bring us up to speed and show any new things that you have.

Laval Means: I just have to find all my papers.

Chair Curtiss: Okay.

Laval Means: I just want to point out material that was distributed to you earlier. One was a matrix that's called the "Airport Compatible Land Uses around the Airport." This really stems from questions that were posed at the Work Session about, well, if you're going to explain the sub-areas, please tell us what the Airport Authority's recommendation was in those sub-areas and the FAA's recommendation were on those sub-areas. So that's what this matrix does and it's based on, it breaks it down on each end of the runway as well as on the main runway versus the proposed future runway. So you see Main Runway – East End and then a Future Runway – East End and then Main Runway – West End and Future Runway – West End. It puts into perspective the various ways of viewing recommendations or land use and zoning, really, within each of these particular types of sub-areas. So we have a row for the California Model, which I'm even more and more coming to understand it as a really comprehensive model that the whole country looks to, I think, I've seen reference to it from Washington material, other counties and things like that, it just has a lot of great detail and has been really well studied. Existing zoning for each sub-area is listed down in here. The Planning Board recommended land uses. The Airport Authority recommendations, you'll see on that row that where the Airport Authority went with their recommendations for the areas of extended approach and departure area really fall within, for us, the areas of Zones 2, 3 and 4. The Zone 1, which is a runway protection zone, is either Airport owned or would be Airport owned and the Sideline Zone is an area that would be in that same category of either already Airport owned or would be. So their focus as it translates to these particular zones lie within Zones 2, 3 and 4. And then I took from the FAA letter that you'd received on Monday the statements from the FAA as to how it pertains with Zones 2, 3 and 4 as well and their perspective on it. So, that's a table to help perhaps as I run through the sub-areas and maybe even sort of ponder for awhile. The other piece that was distributed, another piece that I'm going to distribute to you is a letter that the City Council received at their hearing on Monday night and so I just asked the attorneys whether they had distributed to you yet and it sounded like they hadn't, so apologize if you've already received this, but this is a comment letter, if you will. The other thing that I handed out is really some background information for you all. It's a document called the "Wye-Mullan West Area Plan Coordination with the Airport." It's a document that I prepared while we were working with Planning Board to help provide background and essentially like a timeline of how different planning efforts were going on and the sort of phasing in of Airport issues and things like that and the evolution also, if you will, of our land use recommendations from as early as, before we even started working on the plan again but hearing of the idea of a second runway back in 2001 and as it kept evolving, so the shaded areas in this document, the coordination with the Airport, are the places that really focus on the land use revisions and it only brings us up to the point of just going to Planning Board, of course, so it's not going to have on it the evolution to this final, this land use revised draft here that shows the Parks and Open Space as a land use technique inside that extended Approach and Departure area. So those are the material that you have before you. As I start talking about the east end of the runway, I think that it's important to continue to point out that what we, what I've heard from the Airport is that the Airport would still be able to continue their operations the way they are now and expand within what they have as Airport ownership or future proposed ownership and what we're dealing with here is land use recommendations outside of the Airport ownership, in some ways independent of where the runway is located, because the Airport can expand, we're not hindering that by this type of discussion. What we're doing is taking a concept that they presented to us and we start to see is being explored in other parts of the country and trying to think of whether we want to extend the idea of Airport constraints and compatibility of land uses around the Airport. So, of course, it's nice to get an idea and to know a preferred alternative for a runway, but we have to plan for what we can plan for now and think about, you know, if there's flexibilities that can be worked into this situation as well. And what we've heard from the Airport and I think I've said back here again also, is that for those lands that are outside of the Airport ownership, it's a community decision and that comes back to you all and it's based in the realm of policy making and how we balance all of that, how we balance with the risk as a factor, risk being the public safety element that we use often in subdivision and zoning, rezoning. And it's true that that's not the only factor, there are other community policies in place that need to be balanced with it and that's why we're in this place I think that we are right now of the sewer out there, those roads that have been dedicated already and your close to City services and there's need for community parks, but is this the only way we need to go about getting to that need. There's some thought of natural resources, there's other precedent, there's existing recent development, there's just a multitude of many pieces that needs to be thought out and ultimately landing on the land use recommendations that we do. So, with that in mind, one of those pieces may be how's it zoned now. That's not the only piece, it one parameter for us to be thinking about and bringing into it all the other commitments to services and concerns over safety that we may have. So with that in mind, I think what I'll try to do is move into the east end of the runway. We have it set up so we'll have to go through the whole plan area, but it will be very quickly. Then we'll focus on the east end of the runway and we'll go through primarily property zoning and Parks and Open Space on the east end, okay? I ran off with you laser pointer on Monday, so I'm here to give it back, sorry about that.

Commissioner Evans: I noticed.

Laval Means: Okay, the plan boundary is the orange line around this area, Clark Fork River, etc., Highway 10. Dave's going to add a few layers as we go, you can see with the white, the ownership lines. The magenta that just came on is the Mullan Corridor Sewer District. It does exclude the Airport piece here and some land that sort of stair steps around Grant Creek and that's because it was within the DNRC floodplain along Grant Creek and that you have your own agreement with the Airport on the sewer, so those were, I think, part of the rationale for coming around that land and having all of this as in the sewer district. Roads, Dave has added on to the layer as well, that's the proposed roads and some of those easements have been given and granted already. And then you see the extended approach and departure areas as presented in the Planning Board recommendation carrying through with the California model. It also shows the 2,800 foot separation between runways and then it shows, with the red boundaries, it shows that the Airport Authority, from their document, what the extended approach and departure was looking like and that's where, I think, at the last Work Session we had, they talked about it, well it flared off the end of the RPZ, which you see, where would see it, kind of right in here somewhere, and then it stepped back. There's some similarities in all of this and similarities in other approaches and that is, the length, you can see they're pretty similar, the width of the most extended part of the idea of an extended approach and departure area. Is that it for this section? Okay, we won't go through the land use, but we'll go right into the east end now. The east end, it has the ownership names on it. The hard copy document I had I could state a little bit better for that, but I think I know them well enough, I apologize if I'm getting them a little mixed up. It shows the ownership lines, and then our sewer district as you suggested, the extended approach and departure areas. We're stuck with showing the red outline although let's try to focus on the California model, the black lines there for the sub-areas. And then you have, oh, so is the zoning on the next, zoning is on this one, okay. So, this is the same sub-areas showing the properties, our proposed land uses, the sewer district, the extended approach and departure areas and now, the old version, and then the zoning on top of it. So, this is more similar to what you were looking at on Monday, but it also shows the red of the older EADA idea.

Chair Curtiss: Laval, after the work meeting the other day, you and I had time to visit around the map a little bit. Could you show, in the green, which pieces of those properties are either in Airport ownership or that the Airport has an option upon.

Laval Means: Sure. The current ownership fits with this grey public/quasi-public land all the way up to here. Then, from this point on, the Airport has purchased land all the way down to this line. That put, I believe it was approximately 66 acres of land here, over on the east side of Grant Creek, and with this scenario, within a Parks and Open Space designation. So, this is land currently owned by the Airport. When you go beyond that and you go further west and south of the grey area, that is land that is owned by Earl Pruyn and the Airport has an option to purchase within 5 years, I believe. So, from here to here, all the way to the Old Milwaukee and even beyond this plan, beyond this section that we cut out, so it goes further west, is land that the Airport has option to purchase and I believe that this little section right in here, between the Open and Resource land use designation and the Airport owned piece, that that is also Earl Pruyn's, but I'm not absolutely sure. Okay? So, as we have mentioned before, the first zone, which is pretty consistent with the Airport Authority and the FAA's approach, the first zone is our zone called the RPZ (Runway Protection Zone). Typically owned within the Airport or, in this case, off of a proposed second runway, would be with the option to purchase off in this particular area, but as a, sort of a holding place or a safety measure, that where the land use designation for Parks and Open Space comes from in this particular area, it's driven by the edge of the RPZ. Then we have the Parks and Open Space up here to the west of Grant Creek, that's approximately 26 acres, I think, something like that. Those are the two RPZ's. Then we have Zone 2, that's called the Inner Approach and Departure Zone. In this particular land use map, we are showing and treating the idea of the land use recommendations within that zone in different ways in different locations in this plan area. The California model would suggest that if any residential were to occur inside of that Inner Approach and Departure area, that it would be no greater than one dwelling unit per 10 to 20 acres or pretty limited people per acre maximum for Commercial or Industrial uses. So, with the main runway, this sub-area 2 here, Zone 2, we use the land use designation Low Intensity Commercial/Industrial, pretty reflective of the California model recommendation for 25 to 40 people per acre, that would be the intent. But when you come down to this next extended runway, or extended constraint area, it is designated Parks and Open Space, and that is, what I want to do with that is maybe break it down into different ownerships for you and different acreages of Parks and Open Space versus the zoning. So, we've talked a little bit about the Airport already and inside that extended, inside this Zone 2, it's about 66 acres. There's another piece of land right here just south of the Airport, comes to about there, it's 40 acres, and that's the land that is owned by Patricia Sinclair. You received a letter from her and her attorney. They have concern over this land use designation. It starts right under the Airport, it has a land use designation, I think this is Commercial/Industrial and then it shifts to Community Commercial and it has about 8 acres of Parks and Open Space as well. This area is within a zoning district of C-RR1 currently, so with 40 acres, it would be about 40 units to reflect current zoning, and what this land use recommends, what we've got right here, is the 8 acres of Parks and Open Space and then 32 acres of some form of business type land use, 32 acres. The shift in land use right here falls along where the England Boulevard would be proposed, where you go from Commercial/Industrial on one side to Community

Commercial on the other. Then as we keep going down through this subdistrict 2, there's a 20 acre parcel right below Patricia Sinclair's, it's right in here, there's also another 15 acres right in here that's owned by Mike and Susan Flynn. Of this 20 acre piece, 17.5 acres is in this Parks and Open Space designation, it's zoned C-RR1, two and a half acres would be in this, some Community Commercial land use designation. The other piece that's 15 acres right in here, also that's zoned one dwelling unit per acre, and I should add that current land use designations for all of this area, a majority of this area right in here, is actually two dwelling units per acre. Okay, so down to this 15 acre piece here, 6 dwelling units per acre and 2 dwelling units per acre. So, between the two of them, the 15 and the 20, there 17.5 acres of Parks and Open Space and there's the potential for 70 units, versus the zoning which is 35 units, so it's essentially like two times what its zoned as now, between the two pieces if you looked at it as one ownership. The next piece, as you keep going south, is the Catherine Flynn Family Limited Partnership, and that actually falls, takes in, you know, the tail end of this Zone 2, comes down along this property line and then jogs over up to West Ranch Subdivision here and comes all the way to Mullan Road. In total, it's approximately 170 acres. Out of that, there's about 70 acres of this Parks and Open Space designation. That includes this piece as well as this area, in Parks and Open Space. With the six dwelling units per acre around the southern end of that, the amount of dwelling units that could be proposed would be about 579 units. Current zoning of one dwelling unit per acre at 170 acres would be 170 units. So there would be something like a 3.4 times the way it is currently zoned.

Chair Curtiss: Didn't you say that was two per acre there, though?

Laval Means: That's how it's land use designated. And I'm talking about this to zoning because that's your base regulation. But, you know, it is, it's been land use designated as two and I think what you've heard from citizens is, there's also been a lot of process involved that created, you know, other concepts for what it could be and even in the past when we brought these previous land use maps back to you to show you on the wall here, the one we were at in August or September of 2004, this area was designated with four dwellings units per acre and then some 8 dwelling units per acre. That's the evolution that we've gone through. Keep going toward the west because I'm trying to focus a little bit on just Parks and Open Spaces and associated ownerships within this second zone. When you go toward the west, it's primarily been a Shelter West ownership, or Shelter West, and out of that, there's about 84 acres from the calculations that we could tell and there's 14 acres of that that's in Parks and Open Space approximately. There's also land that's in this Open and Resource land use designation that is generated off of the DNRC Grant Creek floodplain, within their ownership here too, and that's about 29 acres. So, after all that, there's about 41 acres of development recommendation for 6 dwelling units or 2 dwelling units per acre and that comes to somewhere in the area of 225 potential units and that's, the way that it is zoned right now is one dwelling unit per acre at 84 acres would be 84 units, so that comes to about 2.7 times more than the way it's zoned now. Then we'll go down to the next sub-areas. Sub-area Number 3 is called the Inner Turning Zone and you can see it has this flare off the ends here and it has a different boundary depending on the type of runway. That's one of the differences you'll see between using this model for the idea of an extended approach and departure area versus the Airport Authority's original boundary because they were treating both runways with the same type of constraints off the end and the examples from the California model would show slightly different constraints for commercial aircraft/large air carriers off the main runway versus general aviation off this proposed second runway, so there's a shorter flare off the end of it. These Inner Turning Zones are Zone Number 3. And with them and you can see from this table that the recommendation out of the California model would be that you could have up to one dwelling unit per 2 to 5 acres and a lot of this area is currently zoned one per one. The land use recommendations kind of vary on these turning zones. One off to the end of the main runway, those land uses fall primarily in the commercial realm. Off to this end they fall within the commercial end with a little portion of this that's in this Parks and Open Space. Over off of this potential proposed second runway, it carries some of the Parks and Open Space within the Airport ownership and then it fits with the Commercial/Industrial or the Community Commercial. Now our proposed maps use an asterisk symbol over top of these standard land use designations to say that while this is Community Commercial and this is Community Commercial, these two might be designated the same but they really fall within this area you should look to be some further restriction to the number of people per acre.

Commissioner Evans: So tell me Laval, how did the Parks and Open Space come to be designated that way, was that at the request of the Airport or because the Planning Board thought it was a good idea?

Laval Means: When we were working with Planning Board, they ended up looking at other resources as I mentioned. They asked us to come forward with an option that fairly purely reflects the California model and with that were the boundaries and everything, and then also use other policy issues or natural resource ideas to bring back into consideration. For example, they spent quite a bit of time talking about this is agricultural, it's prime agricultural land if irrigated, so they were very interested in trying to think about ways that we can have urban contacts with open space because this is prime agricultural land. They also heard comments about the concern of trying to get community parks in the area. So, they charged, asked us to look at this with an emphasis on how to think about the natural resources and the open spaces. So, that's how this was generated. And it comes back to the, you know, the idea of a continuum between the Grant Creek, or this Open and Resource here and an Open and

Resource there. But you can see where the constraint lines are that fall within Airport safety issues and there's some places where it extends and uses the Parks and Open Space to connect, where like particularly in this area, it doesn't fall with the Airport constraints.

Commissioner Evans: So they gave you a task and you came up with this choice.

Laval Means: Yes. They asked us to look at options and we spent a lot of time looking at options. Previous to this, we came back to them with three options, some of it based on that earlier FAA document I was talking about and it showed a balancing of some twos and some fours within this extended approach and departure area, and some where really there shouldn't be any development, so we showed an option of quite a variety of land use within these constraints, we showed another option that continued with even earlier with the idea of more Parks and Open Space thinking of if it isn't, if there isn't Residential, then perhaps that's the route to go is with Parks and Open Space. And I think we came back with a Commercial model too. So we explored three options earlier and then we talked more about the California model and they asked us to look at it with the theoretical approach and an emphasis on resources and we came back and showed them this and they said, great, let's recommend it. And that's where we're at.

Commissioner Evans: I fail to understand why Commercial plopped down in the middle of this, Commercial or Industrial, makes any sense. Would you explain to me why and what kind of Commercial/Industrial you think would be appropriate and where the roads are likely to be into them.

Chair Curtiss: So, which piece are you talking about, that big one there? Okay.

Laval Means: They spent some time talking about the Commercial and Industrial land uses and wondering about the relationship to roads, just as you. So England Boulevard works through here and the thing I think we need, the way to approach this might be to think of it in terms of this isn't so necessarily an interior of an undeveloped area as it would be a place with a road running through it and circulating around it and therefore more accessible. I think there's concerns over how much usage these roads would get and that they end up not being a huge magnet draw for regional traffic so believe that this plan talks about not having uses that serve regional big box and things like that, but the kinds of uses, initially, like the, for this idea of the low intensity Commercial/Industrial was with the Commercial/Industrial that was surrounding the Airport, helping to be in some degree a buffer, but you can see that it was more on this west end or east end where it was a little closer to Highway 10 and a little less when it was over on the south side. England Boulevard would be proposed here at a transition between the Light Industrial and Commercial use to Community Commercial areas and I think we had like an earlier concept that even showed another transition between Community Commercial to a mixed use, so we were really thinking of it in layers of moving from a higher intensity use like the roadways, or a roadway in this situation to less intensity as you got closer to something that is more purely Residential. This particular Commercial and low intensity Commercial/Industrial is a lot more limiting because of that persons per acre. I mean it may be warehouse, something that just doesn't have a lot of people using the facility but the warehouse type things or storage type facilities, that kind of thing. And we thought about the Commercial as it met up to Flynn Lane as well, and talked a lot about how would we address this area to the east of Flynn Lane as primarily residential neighborhoods and that transition over to Commercial as you went this way. The other thing that you might need to keep in mind is that there is a 65 DNL over top of this and we didn't put that on there, but it's on your Airport environs map, off to your right up there, and it pretty much comes in over, for the main runway anyway, this sub-area 2, and that's where we would certainly not be saying Residential. So we add all these constraints to the list that were leading us away from Residential in certain areas. Most streets, that I can say, England was right there. So we were talking about sub-area 3 and I think I covered that. Then sub-area 4's come off the end of this second zone and keep on going. They are within and very similar to the sub-area number 3 in regards to the California recommendation for density and intensity. Off the main runway, we're looking at the Community Commercial within a portion of that area, we're looking at public/quasi-public, which is the school land. A lot of my emphasis right here is on residential densities that the California model would also say not recommending school structures or places of public assembly and things like that within this EADA, so in this vicinity, and then we have Flynn Lane. California model recognized that where existing development occurred, it should acknowledge it. So once you got to the east side of Flynn Lane, you start to see the four dwelling units per acre and even mixed use, within the end of this runway, that's the runway that exists now. Then when we go off the proposed second runway, we come into, we talked about this Parks and Open Space land use designation, but within the sub-area number 4, one dwelling unit per 2 to 5 would be okay, by the California model, or some form of lighter intensity Commercial uses. This shows the Parks and Open Space and then when you come up into this parcel right here, this is part of an overall ownership that is the Flynn Family Limited Partnership. So, on this left side of Flynn Lane, there's 80 acres here, it comes all the way to the other side of the Airport ownership. Twenty-one acres of that is in Parks and Open Space and 59 of it is in some form of Commercial or Industrial land use. It has sort of a split zone along through it, so a portion of this is currently zoned C-A3 for one dwelling unit per 5 acres and the other portion is, so you can see that stair-stepping through the ownership here, and the other portion is C-RR1,

so overall, it would be as for current zoning, it would be about 55 units. This land use recommendation shows about 59 acres of some form of Commercial or Industrial and 21 of Parks and Open Space and no place, no recommendation for Residential, so it's kind of hard to compare, but I've given you that basis. I think that walks through some of the main ownership pieces and the main sub-areas of this idea of an extended approach and departure area. I guess I talked a little bit about off the main runway in this sub-area number 4, but I really didn't do it off of this one, so we shift over to one dwelling unit per acre, when we start to come to a development pattern of one dwelling per acre. I think that completes the synopsis of this rationale.

Commissioner Evans: One of the things I asked you for and maybe you haven't had time to do it, but I want to see the whole master development plan that the folks who own the property around it have in mind and where they intend to put parks, so that we can compare that with this proposal.

Laval Means: I don't know if they have that here, I was expecting, I was thinking that's something they would bring forward if they were able to.

Chair Curtiss: So I think the other thing that we need to clarify is, we keep saying, when we look at the green, we say parks, but it doesn't mean that that's a big community park, it means the use of it, you're not going to take somebody's farm and make it into a Fort Missoula, although it could happen in the future if somebody bought it. But, that just means that its designation means not very many houses, what is it, 20.

Laval Means: No. Open and Resource is a one dwelling unit per 40 acres. Parks and Open Space is primarily a public or quasi-public or places where public issues such as things like safety might be a concern and you'd use that designation.

Chair Curtiss: So, is it Parks and Open Space, or is it?

Laval Means: It's Parks and Open Space.

Chair Curtiss: So it's either/or?

Laval Means: This designation is Parks and Open Space, in the darker green. If I could just kind of follow up on your point about Parks and Open Space. One need was to establish some form of community park but there are many other issues involved. We have a symbol that we were using on our land use plans that indicate that need and that really can be the marching orders, if you will, to be pursuing the idea. The Master Parks Plan also refers to community parks in the area of 25 to 100 acres, I think, does that sound right; 25 to 100 acres. This area, this was, I think, another question you asked me about, Barbara, but the area between Grant Creek and the conservation easement and existing ownership, all this Parks and Open Space is over 200 acres, like 208 acres I think or something like that, and then this piece to the west side of Grant Creek, is 26 or so acres. As far as a community park, their level of service can be fulfilled by a lot less than that. So it's one of the criteria, it's not the only one and there's other ways and you know that with community park, your park tools have to come into play, do we find a way to buy the land, do you find a way to trade land, do you find a way to transfer rights, do you send from subdivisions to those particular areas inside the Parks and Open Space. Those tools would have to come into play, I would imagine.

Commissioner Evans: I'd like to hear from the folks who own the land, either Mike, Mr. Mytty, Nick Kaufman, somebody, I want to know whether parks are planned to be in your subdivisions so that we can compare those particular locations with this.

Nick Kaufman: For the record, my name is Nick Kaufman, I'm a land use planner with the engineering firm of WGM Group and here today representing the Flynn family and Kevin Mytty. The general area of the subdivision that we're proposing goes from the Grant Creek floodplain in and around portions of this property. What the planning staff is recommending right now in terms of approval of a subdivision that's in place is to approve a portion of the development sort of in this area, there's about a 5.6 acre park that lies right about here, right across the street from what's designated as Parks and Open Space in this area, so one of the parks is right here. The other park originally moved in the direction toward where the grid road system would continue off of Mullan Road in the other portions of the subdivision, say in that area. So, we've got two large interior parks and as a function of where the floodplain actually lands as part of the Grant Creek study. This is the DNRC floodplain right here, this could move this direction as that floodplain study evolves and is completed. Then certainly that which is in a floodplain would have a high potential for Parks and Open Space and part of a linked system. So, all I did at this point was just answer the specific question of where do we plan parks within the subdivision. Portions adjacent to Grant Creek and then centrally located within the subdivision both to the northwest and to the northeast.

Commissioner Evans: I would also like the opinion of the folks who own the land, whether they want it all designated Parks and Open Space. Since they own it, I think maybe we ought to hear what they have to say.

Chair Curtiss: I think that they have said so in the other hearing, we do have their comments, but if there's anybody who would like to make further comment? Laval, did you want to address any other things before we start taking some public comment.

Laval Means: No.

Chair Curtiss: Okay. So, go ahead, Mr. Kaufman, if you wanted to go first.

Nick Kaufman: For the record again, my name is Nick Kaufman. My answer to Commissioner Evans question is what's their expectations of Parks and Open Space and once again, I think the expectation is reflected very well in the proposed subdivision that has gone before the Planning Board and will go before the City Council on May 9th, which is for Residential development with interior developed parks and playgrounds, not Parks and Open Space as is reflected in the current plan. But while I'm up here, I'd like to address a couple of things and I appreciate very much the work that the Office of Planning and Grants has done and the recommendations and analysis with regard to the Airport. And I also appreciate very much, Laval, and you're very correct when you say the existing zoning is either C-A3 or C-RR1. This changes what the prevailing land use regulation is. But it's also true that in 1998, this community made a different decision about growth than the zoning that was adopted circa 1976 or 1977. And those are significant dates, Barbara, because that's about when you became a County Commissioner in Missoula County, I don't remember the exact year.

Commissioner Evans: I think it was 1979.

Nick Kaufman: But clear back then is when we said, hey, we'd like to do 2 per acre out here and we zoned it one per acre. But in 1998, we adopted a Growth Policy that said Target Range, in-fill development and Wye-Mullan are where this community needs to grow. And then we adopted some other things. We adopted a transportation plan that used what's called TAZ, which are Transportation Analysis Zones, and the Office of Planning and Grants, working with the transportation consultants and demographers, took little square of land all over the community, including around the east end of the runways, and they assigned to their best ability the potential future growth of those areas. And those were modified a bit as part of the Wye-Mullan Plan, but those Transportation Analysis Zones as modified served as the basis for the extension of sewer out to the Mullan Road area, served as the basis for the grid system road plan, served as a basis for the transportation plan update and also served as a basis most recently for the parks and recreation plan. So I think all the statements here are correct today, but I think the reason we're looking so hard at land use designations is because we've designated this for a growth area in 1998 and every one of our plans and investments in infrastructure since then are in conformance with the expectations of that 1998 plan. As I look at the map, I can't help but notice that, I think Laval's got her laser there, and the land that parallels the Milwaukee railroad but north of it that the Airport owns, that's west of Grant Creek, could you just sort of try to outline that, all that land is owned by the Airport but a lot of the projected impacts from the Airport's proposed new runway are over where the green space is, if you could acknowledge that. The second thing I have to observe, under the main runway, which is the commercial runway, whereas under the second runway, which is the general aviation runway, as I understand that, we're talking about allowing Commercial and Industrial under the general aviation runway which has an impact to the 65 DNL noise level and the big commercial jets. The parallel runway, which is the general aviation runway with the smaller aircraft, whose DNL is clear back, can you show that, the 65 DNL is clear back away from what we're designating as Parks and Open Space, so it's not affected by noise by the 65 DNL which has been the benchmark, we're designating open space. I guess my concern is that if we were to put a Commercial use under the main runway in that area 2, I believe, which is the Inner Zone, and it wasn't a regional use, let's say it was an office building for WGM Group and our office building sits on 2 acres and us together with the Credit Union is about 60 souls on 2 acres, or 30 souls per acre, I guess I wouldn't feel bad about that, Alan, if it were a lawyers office, but I'm concerned about it if it was an engineering office. So what I'm concerned about is the safety is not just based on whether it's Residential or Industrial, the safety is based on who's there and what's going there. It's hard for me to see the distinctions but I do appreciate all the work that's gone into it. But, the general commercial runway which has the noise impact versus the general aviation runway which is smaller jets and no noise impact, there's a huge difference between those two item's designations.

Chair Curtiss: Thank you Mr. Kaufman. Anyone else who'd like to make comments?

Mike Flynn: For the record, my name is Mike Flynn, I live at 2275 Roundup Drive. I purposely for the last couple of years have kept my mouth shut, but as Laval stated here a little while ago of one portion of ground that I own that is 20 acres, I have 17 acres of open space. There is quite a bit of other ground that is owned by my family, my immediate family and my extended family, that is in open space. I think it's a matter of record that we have

introduced a subdivision with 500 and some homes and I really don't want my land in open space. So, I hope that answers your question about what we want and I'm sure that the other Flynn family, where they had 8 homes per acre now on 21 acres they have no Residential anywhere on their property, so I think that would answer their question also. Thank you.

Commissioner Evans: Thank you Mike.

Chair Curtiss: Thank you. Another other comments.

Alan McCormick: My name is Alan McCormick, I'm an attorney with Garlington, Lohn and Robinson and I am representing the landowners who own this piece here, actually two 20 acre parcels, that's the Patricia Sinclair Trust and then I also represent the Flynn Family Limited Partnership, they're Mike's cousins, and they have a 20 acre parcel here, 20 acre parcel here, 20 acre parcel here and a 20.12 acre parcel right here. First I'd like to address one of Laval's comments that the characterization is being made that this is only 20 acres of Parks and Open Space out of 80 acres, and it's not, it's 20.12 acres of Parks and Open Space out of a 20.12 acre parcel. It's 100% of that parcel is designated Parks and Open Space and to be clear about what Parks and Open Space means, this is Page 7-20 of the proposed plan and the recommended uses for the Parks and Open Space area are two: natural resource based uses such as agriculture; or passive or active recreation limited to 25 to 40 people per acre. That's it, no development at all, and so it is a significant burden. I want to show you something on this 20.12 acre parcel and that is this area right here, it is not within any of the zones for the Airport. This is Zone 2, this rectangle here. This rectangle here is Zone 4, this is sort of a tail end of some weird zone, is that a 3, so right here in the middle, about 10 or 12 acres of this 20.12 acre parcel isn't in any of those zones. A better question is why are we using the California model when we have a recommendation of land uses from our very own home grown Airport and that's in your chart that was handed out, the chart that has the California model, Planning Board recommendation and our own Airport's recommendations. Our own Airport's recommendations is that in this zone, this rectangle and in this rectangle, they would prefer not to see residential development, places of public assembly, hospitals, that sort of thing. I can give you most of that today, if you want to make some progress and make some decisions, I'll show you what we can do. For the Patricia Sinclair Trust property, that's this 40 acres here, that this 8 acre chunk, they do not want that in Parks and Open Space, to answer Commissioner Evans question. Let's convert that back to Community Commercial which is this pink here. So upholds the Airport's recommendation not to have residential development within this Zone 2. The same goes for this little triangle right here, this is part of the Flynn Family Limited Partnership, that's 4 acres or so, maybe a little bit less than that, of a 20 acre parcel, let's convert that to Community Commercial. That again upholds the Airport's recommendation of not having residential development in this area. Now let's talk about this 20.12 acre parcel. We had recommended in our letter to you that that be converted back to the 8 dwelling units per acre. I want to commend Jeff, actually this morning boiled down this issue very nicely, in that the issue with these extended approach and departure zones is a question of risk, it's not a question of whether the Airport gets to put in the second runway or not, it's just a question of what's the acceptable level of risk for a proper designation. We've already decided, this is a Zone 4 right here, we've already decided that it is an acceptable level of risk in a Zone 4 area to have residential development, and so I don't see why all of a sudden this 10 acres, or a little less than 10 acres on this property, it's an unacceptable risk to have the same kind of Residential development designation. There's a disconnect there that doesn't make sense. So, we would like this parcel to be moved back to 8 dwelling units per acre, because it's the same type of risk as you're looking at over here. Let me give you a way to compromise between what I'm asking for the 8 dwelling units per acre and the Airport's recommendation not to have Residential there. Change this 20.12 acres to mixed use. You got mixed use here, you've got some mixed use here, up here, over here, what that would allow us to do, is that mixed use, that's Page 7-13 in the draft plan, that lists a mixture of business type uses and a mixture of residential type uses. That would permit us to take this 20.12 acre parcel and design the residential portions of that mixed use in this area that is not covered by any of these zones and then these zones that are by, this is a Zone 4, this is part of a Zone 3 here, that would allow us to then compliment those residential uses that aren't prohibited by anybody, California model or otherwise, and to concentrate those non-residential uses in that area, would provide the maximum flexibility that we need for that property there. There is no plan for that property right now, Commissioner Evans, you asked where perhaps some parks might go. There is no plan for any of this property yet, we're waiting to see what kind of land use designation it is. Commissioner Ballas mentioned this, sorry, Council Member Ballas, I just elevated him, depending on your perspective I guess. This parcel here is in a conservation easement, I do not know whether that allows any public use of that conversation easement, my guess is that it does not. But really, the reason for this Parks and Open Space designation here is to provide a link between that conservation easement and the other parcel and Council Member Ballas asked whether if we did residential for this parcel, could we use the park dedication to create some kind of a link between the two. I've not asked our client if that would be appropriate, but if you've got to designate some parkland, that sounded like a pretty good way to even meet what the Planning Department was recommending in terms of the linkage. So I think there's a real opportunity here to meet our needs, meet the Airport's needs and meet your question of acceptable risk. I think that will do it for the time being.

Chair Curtiss: Thank you Mr. McCormick.

Commissioner Carey: That's very helpful to me, I mean, we need that kind of, to my mind at least, we need some suggestions on how we can reach compromises that work for people, because I think they're out there, it's just that we need to kind of have that brought forward. So, I very much appreciate your effort.

Chair Curtiss: Anyone else?

Commissioner Carey: Let's see if you can top him?

Bob Sullivan: Hope I can.

Chair Curtiss: You want to pull the microphone toward you there.

Bob Sullivan: Usually I talk loud enough that they don't want to have the mic very close to me. Bob Sullivan, I'm an attorney with Boone Karlberg representing Shelter West and the Flynn, Mike Flynn and his Flynn Family Partnership. I think, I appreciate to have the opportunity to come back from the Commissioners and hear that you have the other meeting transcribed, heard a lot from me and I'm not going to repeat any of those things. I think that what I have presented here is a letter and I apologize, this was a letter that was prepared and presented to the City Council. Unfortunately, I've been tied up in some other things and I didn't get an opportunity to address it to you, but it's the same sort of concept. We've talked about the issues about needs of the Airport and whether those were met. I'm not here to reiterate those, other than to state that the, as this process has gone on, the Airport's runway has gone from 4,800 feet, 3,800 feet, to now it's just 2,800 feet, on an Airport layout plan that hasn't been approved yet, and Commissioner Carey, you were talking about solutions. There are some solutions that have been suggested for the Airport and if you take what Alan talked about as far as his solutions with the designated areas on the approach and departure areas and you incorporate them into the suggestions that have been made, which is to move the runway to 1,500 feet and move it a little bit to the west. That will allow, take out the issues about whether or not there's ever a need for it and if the Airport wants to build the dream parallel runway, that would allow them to do that and would accommodate the growth that we've been trying to plan for years. One thing that Laval was talking about when she was talking about, you know, the current designations and how many homes per acre under this plan would be in there, is saying there's more development, what that doesn't take into account is the assessment that has been placed on these people for the sewer, which is different, significantly different. But there is a solution in moving this runway, adopting what Alan has said and I think you can come to a plan that accommodates what everyone's trying to do. So, I would ask that you consider my letter although it's addressed to the City Council, I'd be happy to deliver another copy for you guys. Thank you.

Chair Curtiss: Thank you. Anyone else?

Vicki Bostick: For the record, Vicki Bostick, homeowner in the area. During the Monday Work Session, Commissioner Evans made the following statement: "This is all so frustrating. Why did we put sewer out there, if not for residential use." At the City-County Council meeting about two weeks ago, the Flynn Family Partnership attorney pointed out that there is currently a huge RSID assessed against their parcels that are now looking at Open Space/Park designations. I have to point out that the Mullan Road Coalition was formed to fight for affordable backbone costs that would not displace homeowners that would have to sell in order to pay those costs. Another huge piece of what we wanted you to do was to slow down and to put the Wye-Mullan Plan into place before this took place, before the backbone was also put there. I think that a lot of this would have been not putting assessments against people's property that now have to figure out how they can afford to pay for them if they cannot put what they want on their property in terms of housing or other structures and that there has to be some type of recognition to those people if, in fact, this does happen that they take those Parks and Open Space and they don't have those RSID's to pay or at least some type of a recognition. This is what we were looking at in the beginning was that there should be a way to have the plan in place before the backbone was put in areas that now maybe don't need them.

Chair Curtiss: Thank you Vicki. Anyone else?

Doug Resig: Thank you Commissioner Curtiss. My name's Doug Resig, I'm the superintendent at Hellgate Elementary, I'm not a homeowner in the area but we are impacted and affected by the plan and by the Airport, the existing runway, and the reason I'm up here is to ask, first of all to thank you for recognizing the fact that the zoning regulations don't apply to us and we have to do some things that fall outside of that, but I'm also up here asking that if Laval's picture is right and I follow the map as I go to the meetings, I believe I'm in a grey area on Zone 4, which is the extended centered line of the runway and by being in that public/quasi-public area on Page 7-20 of the Wye-Mullan Plan, it says "lands currently owned by public agencies or held in reserve for future development of public

facilities also receive this designation.” As you know, right across the street from us, we have about 700 homes that will ultimately be built there. If the Wye-Mullan Plan is accurate, there’s going to be somewhere between 5,000 and 8,000 homes eventually built in this area. Clearly there’s going to be children that are coming to the school. We have 1,200 kids right now and as I said Monday evening at the City Council meeting, we have experienced our largest pre-registration kindergarten class in the last 5 years and in talking to Kenny Johnson, the K2 principal, he said, I could have said that for the last 10 years. So we’re starting to see the impact of the development. The need is great on our part to build another facility. We have been working with firms to get those plans in place to begin that process and we have no other land to build upon and I know people have criticized us for buying the land that we purchased, but even the land that we owned before that falls into the extended center line of this runway, so what we are asking you folks is some sort of clearance or leeway for the school to continue to accommodate the children that will be coming to our school from the development and understand that we have been there since 1873. No one has been willing to come forward with \$40 million to help us relocate to a whole new area, which that would be the cost to relocate the whole school and to rebuild the facilities, so we’re kind of trapped in this thing. We have no intention of building on the center line of the runway, but the 500 feet either side causes us some great concern because it eats up the lion’s share of our property, existing and new. Thank you.

Chair Curtiss: Thank you Mr. Resig. Anyone else? So, it’s now 3 o’clock. We had talked about, on Monday, whether we wanted to, once we had heard public testimony today, that we may want to do some more Work Session stuff. What’s the wishes of the Commission, because it looks like the comments are done on what we’re talking about right now, so we can recess again.

Commissioner Carey: I think we’re going to need some time to assimilate this.

Commissioner Evans: I’ll acquiesce.

Chair Curtiss: That we’ll recess today.

Commissioner Evans: Unless there’s any other subject anyone wants to speak on while they are still here.

Chair Curtiss: Laval?

Laval Means: We do have Mike Kress here and I could ask him to attend a Work Session in the future or if you have particular questions you want to pose to him now, but, just get a sense of if we have anything that would be most useful to you.

Chair Curtiss: We have several questions that were in regard to roads.

Laval Means: Some regarding possible linkage of the roadway across the Clark Fork River. Other concerns over how do we address existing roads that might be in the way of or in the area where proposed growth and the continuations of roads occur, like going from local to collector type systems, and another one that is about the idea of emphasizing in some ways the George Elmer Road and England Boulevard. George Elmer, by the way, is the name that is being used for the primary north/south road that’s west of Flynn Lane.

Commissioner Evans: Has that name already been approved by Public Works.

Laval Means: It was coming forward with the 44 Ranch Subdivision and I don’t know that, that’s the way that City Council started to refer to it as, so that’s how we started to refer to it as also.

Commissioner Evans: But it’s not been properly designated as that, so it could change somewhere in the future.

Laval Means: Yeah. Of course, our land use planning could affect those ideas of the roads too. So those are, I think, the main road pieces.

Chair Curtiss: I guess the other option I didn’t mention is we could make some decisions based on some of the Airport stuff, but it sounds like you want to think about it a little bit longer, how we want to deal with it all.

Laval Means: If you can think of anything you would like us to follow up on or do any further scoping on, we can certainly help you with that and prepare or do that type of brainstorming at the next Work Session.

Chair Curtiss: The next Work Session is scheduled for May the 9th, because next Monday, Commissioner Carey and I will be at a MACo meeting. Did you want to have Mike discuss any of these road things while he’s here or would you rather have him come to the May 9th meeting.

Commissioner Evans: Does he have anything he wants to say today? Then I guess May 9th.

Chair Curtiss: Okay. Is there anyone else who wanted to make comment before we recess this Public Hearing? Okay, seeing none, we'll recess the hearing until a future date, we haven't set a date for the next, have we.

Laval Means: No, is there any way we could do that right now, rather than having to advertise another date?

Chair Curtiss: Sure, if we could get the book. The 11th meeting just has a few items, although how long do you think the interim zoning on the gravel pit thing will take, Colleen? Depends on the public interest I guess.

Colleen Dowdall: I don't think it will take long.

Chair Curtiss: Okay, so we will recess today, then, and reconvene the Public Hearing on May 11th and it will be the last thing on the agenda that day, so that we have time. Okay. So, is there any other business to come before the Commission? Seeing none, we're in recess.

There being no further business to come before the Board, the Commissioners were in recess at 3:05 p.m.