6 Range Condominiums

Process – This application is going through a Site Plan Review Process. Due to the type of project, this Site Plan does not go to City Commission for approval, rather it is approved administratively meaning the Community Development (CD) Director makes the final decision. The development review team (made up of planners, engineers, Fire Marshall, building department, and any other applicable departments) reviews the projects against adopted local and state code and law. Once the project is deemed compliant with all appropriate provisions, the decision of approval or denial is passed along to the CD Director. The below linked document shows some more information on the Site Plan Review. Today, the final determination is made by Marty Matsen, mmatsen@bozeman.net, after review is completed by the current planning team lead by a planner (in this case myself) and Brian Krueger, bkrueger@bozeman.net.

<https://www.bozeman.net/home/showpublisheddocument/544/636288151169070000>

Public comment is welcome at any time during the process, however the formal public comment period will be scheduled once the project receives adequacy and it is during that public comment period the comments are entered into the formal record. Adequacy is given once there is reasonable certainty that the project will go forward as proposed and not have significant changes. This project has not received adequacy at this time thus it is not the formal public notice time.

As I'm sure you are aware, my role as a planner is to uphold the adopted Growth Plan and Bozeman Unified Code, both of which are adopted policies by your elected City Commissioners. As planners, our role is to compare it to the code and not provide subjective requirements for individual projects. If you want to look at specific requirements for projects, you can take a look at the Bozeman Municipal Code (mainly Section 38) where specific requirements can be found. <https://library.municode.com/mt/bozeman/codes/code_of_ordinances?nodeId=PTIICOOR_CH38UNDECO>

Reviewing the plans: At any time the plans are available for review electronically at our office at 20 E. Olive Street. The plans are all digital, but could be viewed on monitors at our office. It is not city practice to upload them at the preliminary stages of review as they will most likely change throughout the process. Also, the full application is available through a public information request through the City Clerk's Office via digital format and fees to transfer all of the files to you on digital media. I understand your desire for answers to all of the questions however due to the many projects coming through, we don't have the capacity to go through step by step our review. Also keep in mind that many of these questions are likely to change throughout the review. I unfortunately am not in person at the office, however I'd be happy to connect you with someone who can assist you to view them, or just stop by and someone should be available to help. At the time the project received adequacy and goes to public notice, the plans will be uploaded onto the Citys portal and can be viewed remotely as well.

Connectivity - Local street connectivity is an important function of our street network.  Additional connections help alleviate pressure on the greater transportation network.   Per BMC code, a connection  to Mill Creek Drive through the future development would be required to support the greater connectivity of the network for pedestrian, vehicles, as well as multi-modal use. In addition, this also helps in emergency situations by providing additional points of access for responders.  At this point review, we have asked the applicant to provide additional information on existing easements to determine if legal access to Mill Creek Drive has been established. We have also asked this for Hanley Avenue.

**Sec. 38.400.010. - Streets, general.**

[**SHARE LINK TO SECTIONPRINT SECTIONDOWNLOAD (DOCX) OF SECTIONSEMAIL SECTIONCOMPARE VERSIONS**](https://library.municode.com/)

A.

All streets must comply with the adopted growth policy and/or transportation plan. The arrangement, type, extent, width, grade and location of all streets must be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and to the proposed uses of the land to be served by such streets. The design standards contained in these regulations apply to all construction, reconstruction and paving of streets. Review authority for exceptions or modifications to this section is specified in[division 38.200.010](https://library.municode.com/mt/bozeman/codes/code_of_ordinances?nodeId=PTIICOOR_CH38UNDECO_ART2PELEACPR_DIV38.200JUSCAU_S38.200.010REAU).

1.

*Relation to undeveloped areas.* When a proposed development adjoins undeveloped land, and access to the undeveloped land would reasonably pass through the new development, streets and alleys within the proposed development must be arranged to allow the suitable development of the adjoining undeveloped land. Streets and alleys within the proposed development must be constructed to the boundary lines of the tract to be developed, unless prevented by topography or other physical conditions. If the development being reviewed is a subdivision, a request for an alteration of this standard must be processed as a subdivision variance. If the development being reviewed is not a subdivision, a request for an alteration of this standard must be reviewed against the criteria of section 38.250.080.B, but will not alter the review authority who would otherwise decide upon the application.

2.

*Relation to developed areas.* The developer must arrange the streets and alleys to provide for the continuation of streets and alleys between adjacent developed properties when such continuation is necessary for the convenient movement of traffic, effective provision of emergency services and efficient provision of utilities.

The best way to stay informed of the project is by signing up for notifications which will let you know when public notice period is open, and the project decision. The City is broken up into 4 quadrants and you can sign up for the appropriate geographical area for your interests. <https://www.bozeman.net/government/planning/using-the-planning-map>

Code specific items:

1. The City does not specify whether they need to be rentals or for purchase. The developer has indicated they will be condominiums, however that is up to the developer. The current proposal calls out 182 housing units and 7,000 square feet of commercial/retail space. However this may change as we go through review.
2. The  height limit for the R-O zone is 50’ for roofs pitches less than 3:12 and 60’ for roofs pitched greater than 3:12. The project is within their permitted height limits.
3. The development is required to analyze their offsite impacts, including traffic, light impacts, etc., and if problem areas are shown, they have to provide improvements to mitigate negative impacts.
4. It is within the code you will find specific code provisions to lighting (38.570). All new site lighting is required to be full cut off (only illuminating down, not up), and new lighting added is required not to be spilled offsite (measured as foot candles on the ground).

"We cannot email you the plans for every aspect of the project at this point in time. Not until public notice do we upload all the plans into our system for public review. If you would like to view the individual plans you are welcome to do so at our office at 20 E. Olive Street. The plans are all digital, but could be viewed on monitors at our office. The full application is available through a public information request through the City Clerk's Office via digital format and fees to transfer all of the files to you on digital media. Your other questions relate to aspects of the project that are actively under review and our determination on these issues are ongoing and will be in the staff report prior to a decision on the project. Some of the information you request can be found on and in the application materials viewable at our office. We do not have the capacity to review in detail every aspect of an application directly with the public and walk them through our analysis during the review process. I manage multiple applications at any one time and the City's staffing levels do no permit that level of customer service. Some of the information that you request is policy related and not directly applicable to the review, such as affordable housing and infill which we currently do not have regulations for that apply to this project. You are also mixing in public comment and opinion into your emails to me. In order for your comment to be considered by the City and decision maker for the project it must be submitted during the public comment period when it is opened. The site will be posted and many CT condo owners will be notified directly during the notice for the project due to their proximity to the site. Your comments on the project are best submitted during that timeframe. Thank you for your continued interest in this project and planning in the City of Bozeman."

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