



# CITY OF BILLINGS

THOMAS W. HANEL, MAYOR

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## Mayor's Approval Letter— Glynn Abbey Subdivision

February 23, 2016

Glynn Abbey, LLC  
1010 Central Avenue, Suite 1  
Billings, MT 59102

Dear Property Owner:

On February 22, the Billings City Council conditionally approved the preliminary plat of Glynn Abbey Subdivision, subject to the following conditions of approval:

1. To minimize effects on agriculture and agricultural water user facilities, prior to final plat approval the subdivider will add language to Section VIII of the SIA as to the maintenance responsibilities of the relocated and piped irrigation ditch and documentation in writing that ditch user Ted McFarland has accepted the maintenance plan for the relocated piped ditch.
2. To minimize the effects on local services, prior to final plat approval the subdivider will receive approval from the City Engineering Division for the content of the City of Billings Right-Of-Way Easement and prepare the easement document for execution and recording at the time of final plat approval.
3. To minimize effects on local services and ensure ongoing operation of electric utilities, prior to final plat approval the subdivider will provide written documentation that the Yellowstone Country Club has approved relocation and burying of the overhead power line that crosses the subject property and serves the Yellowstone County Club.
4. To minimize the effects on local services and address management of storm water in the subdivision as per City Engineering Division specifications, prior to final plat approval the subdivider will update language in Section V of the SIA to read: "The existing property does not have any existing or active storm water detention or retention facilities located onsite. The development will include installation of four (4) storm water ponds used for routing and detention. Total detention volume within the central open space area will be sized in accordance with the Storm Water Management Manual for a commercial site. Water will either be pumped to the Cove Ditch from the ponds or conveyed via injection well(s) to reduce pond volume to pre-storm volume within 72 hours. All ponds shall be maintained by the Home Owner's Association." The subdivider also will submit a copy of the agreement with the Cove Ditch for pumping storm water and the easement necessary to pump storm water to the ditch where it crosses Yellowstone Country Club Property to City Engineering for review and approval prior to final plat approval. If the subdivider chooses to employ injection wells to manage the storm water, design, operation and maintenance plans, and any state permitting requirements must be provided to City Engineering for review and approval prior to final plat approval.
5. To minimize the effects on local services and address management of stormwater in the subdivision as per City Engineering Division specifications, prior to final plat approval the subdivider will submit the Glynn Abbey HOA language regarding maintenance of the stormwater facilities to City Engineering for review and approval.
6. To minimize effects on local services and as specified in Section III (A) of the SIA, prior to final plat approval the subdivider will provide the required cash contribution to the City Engineering

Division equivalent to construction of half a residential street to fund the future reconstruction of Rimrock Road adjacent to the subdivision to a Principal Arterial Street standard.

7. To minimize the effects on local services and public health and safety, and to ensure emergency access to the subdivision, prior to final plat approval the subdivider will receive approval from the City Fire Department and City Public Works Department that the access gates at the entrances to the subdivision are designed to meet all City requirements for emergency and maintenance access.
8. To minimize the effects on local services and ensure that the park land requirements are met, prior to final plat approval the subdivider will provide public access easement documents for review and recording and will show public access easements on the plat over the park land/open space areas of the subdivision to ensure public access is maintained for the park land areas.
9. To minimize the effects on local services and ensure public pedestrian access on the 20-foot-wide utility easement on the western boundary of the subject property, prior to final plat approval the subdivider will provide a revised public access and utility easement documents for recording that ensures that both utility and public pedestrian access is allowed on the 20-foot-wide utility easement on the west boundary of the subject property.
10. To ensure connectivity between the subject property and existing neighborhoods to the west, the subdivider will update Section III (B) of the SIA to clarify that at time of construction of the sidewalks and trails within the subdivision, a 6-foot wide sidewalk will be constructed from where the public right-of-way for Mickey Wright Lane and Arnold Palmer Drive meet the subject property line and the 20-foot-wide public access and utility easement to where the 8-foot-wide trail between Lot 14 and Lot 15 is being built to connect to sidewalk on Glynn Abbey Way and the internal trail system in the open space of the subdivision.
11. To minimize the effects on local services, prior to final plat approval the subdivider will provide a letter from the United States Postal Service acknowledging its agreement with the placement of mail delivery facilities in the subdivision.
12. To minimize the effects on public health and safety, prior to final plat approval the subdivider will provide documentation that the subdivision has completed a Conditional Letter of Map Revision process through FEMA on the impacts the proposed project may have on the Special Flood Hazard Area of the Cove Creek Drainage, and an approved Floodplain Permit issued by the City of Billings Floodplain Administrator. The Cove Creek 100-Year Floodplain also will be delineated on the final plat.
13. To minimize effects on public health and safety and ensure pedestrian access for lots 25, 26, and 27 to the trail system in the park areas, if the variance to not provide boulevard sidewalks on the south (inside) of Glynn Abbey Way is approved, engineered footbridges will be provided for each of these three lots to access the trails across the drainage system in the park land areas. If the variance to not provide boulevard sidewalks on the south (inside) of Glynn Abbey Way is denied, making sidewalk required, then the footbridges are not required as each of the three lots will have access via sidewalk to the park areas.
14. Minor changes may be made in the SIA and final documents, as requested by Planning and/or Engineering/Public Works to clarify the documents and bring them into the standard acceptable format.
15. The final plat shall comply with all requirements of the City Subdivision Regulations, rules, regulations, policies, and resolutions of the City of Billings, and the laws and Administrative Rules of the State of Montana.

The City Council also approved one of two variances from the City Subdivision Regulations that were requested. The approved and denied variances are described as follows:

### **Sidewalk Variance**

One variance is regarding provision of sidewalks on both sides of all of the internal streets in the subdivision. The applicant is requesting a variance to provide boulevard style sidewalk on only the north side of Glynn Abbey Way and not on either side of Aston Bay Circle. In lieu of complete boulevard

sidewalk within the subdivision, the applicant is proposing to utilize an internal trail network that runs behind the lots on the south side of Glynn Abbey Way and may provide pedestrian connections to the lots in the subdivision. Justification for the variance request is provided by the applicant in an attachment to this memo. It is important that the Yellowstone County Board of Planning understand that it is the Board that may choose to recommend to the City Council that the sidewalk requirements be waived or modified for local residential streets as per Section 23-406 (B)(13) CSR.

The City Council concurred with the Planning Board and staff and did not approve this variance. Boulevard sidewalks will be installed on both sides of Glynn Abbey Way and Aston Bay Circle throughout the subdivision. The decision to deny the variance is based primarily on the safety of pedestrians circulating within the subdivision and access for pedestrians to neighboring lots in the subdivision. Other benefits of boulevard sidewalks include snow storage, off-street and off-sidewalk location for garbage and yard waste bins, landscaping, and in some cases mail delivery.

### **Street Name Variance**

The second variance is regarding the requirement Section 23-406( A)(8) that streets in a new subdivision that are aligned with existing streets shall have matching names. The proposed internal Glynn Abbey Way is aligned with 58th Street West where it intersects Rimrock Road on the west side of the subdivision. The applicant is proposing that 58th Street West not continue across Rimrock Road but have the name change to Glynn Abbey Way when it enters the subdivision.

The City Council concurred with the Planning Board and staff and did approve this variance. The change in street name on the 58th Street West alignment in this subdivision to Glynn Abbey Way is approved.

Should you have questions please contact the Wyeth Friday at (406) 247-8660 or by email at [fridayw@ci.billings.mt.us](mailto:fridayw@ci.billings.mt.us)

Sincerely,

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Thomas W. Hanel, Mayor

Pc: Craig Dalton, Performance Engineering and Consulting

