

March 28, 2016

Harmony Meadows, LLC
6238 Golden Eagle Way
Billings, MT 59106

Dear Property Owners:

On March 28, 2016, the Billings City Council conditionally approved the preliminary plat of Harmony Meadows Subdivision, 2nd Filing, subject to the following conditions of approval:

1. To ensure the provision of easements for utilities, prior to final plat approval the subdivider shall provide utility easements on the final plat as requested by the private utility companies.
2. To minimize effects on public facilities and for public safety, prior to final plat approval the subdivider will coordinate the layout of the proposed storm water detention facility in the public park with the City Parks Department and have a letter from the Department stating the proposal is acceptable. The facility also must meet the requirements of City Engineering Division and be approved by the Division prior to final plat approval.
3. To minimize effects on local services and ensure proper storm water management, prior to final plat approval the applicant will provide a storm water report to the City Engineering Division for approval.
4. To minimize effects on local services and to ensure proper maintenance of the detention pond in the public park, prior to final plat approval in the SIA under Section V Storm Drainage second paragraph, the last sentence shall be changed to read "Stormwater detention facility will be maintained through the creation of a Parks Maintenance District."
5. To minimize the effects on local services and provide access control onto Elysian Road, prior to final plat approval the applicant will show on the face of the plat a controlled access strip along Elysian Road.
6. To minimize effects on local services and ensure proper access for pedestrians, prior to final plat approval the applicant will add a paragraph in the SIA under Section III Transportation B, that all sidewalks will be installed at time of lot development with the exception of ADA ramps at the intersections. The ADA ramps will be constructed at the time of road construction.
7. To minimize the effects on local services and contribute to intersections that may be impacted by this development, prior to final plat approval, the applicant will submit an updated TIS to the City Engineering Division and offsite intersection contributions must be identified within the Traffic Impact Study. These contributions must be outlined within the SIA detailing each intersection and timing of contribution.

8. To minimize the effects on local services and provide for coverage of possible future costs related to bridge construction, prior to final plat approval, the applicant in the SIA under Section III Transportation A Streets will modify language in paragraph 3, the last sentence by removing the words 'construction costs' replacing them with, 'any overages incurred' beyond the 50% that what will be contributed for improvements to cross Hogan Slough.

9. To minimize the effects on local services, prior to final plat approval the applicant will add language within the street section of the SIA that reads: "Upon construction of Phase IV, if Story Road/Stearns Circle is not paved, the developer is required to contribute his proportionate share to paving of Story Road/Stearns Circle to the standards that are in place at the time of Phase IV construction as determined by the Traffic Impact Study. The Developer is also required to mill and overlay Mallowney Lane to City standards between Elysian Road and Story Road."

10. To minimize effects on local services and ensure proper parkland dedication requirements, prior to final plat approval, the subdivider will meet with the City Parks Department and determine how much additional parkland will be provided through smaller park areas within the proposed lots in the subdivision. These additional private park parcels shall be dedicated to a legal entity such as a Homeowners Association (HOA) and maintained by that entity.

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 ensure proper documentation for the proposed phasing of Harmony Meadows prior to final plat approval the applicant will include a Declaration of Restriction of Transfers, a Release, and a Certificate for each proposed phase of Harmony Meadows.

13. To minimize the effects of local services and ensure proper parkland dedication requirements, prior to final plat approval the subdivider shall add language in the SIA under the heading Parks/Open Space that states, 'At Phase IV and prior to the construction of the storm water detention facility, a Special Improvement District and a Park Maintenance District shall be created for the purpose of funding the public park master plan, park development and park maintenance. At that time the storm water detention facility shall be integrated into the park master plan to serve as an amenity to the park and to integrate other park functions within the footprint of stormwater detention facility'.

14. To minimize traffic and pedestrian conflict and provide for safer access to Elysian School along Elysian Road prior to final plat approval, the applicant will add language in the SIA under Billings Area Bikeway and Trails Master Plan stating the bike trail on the south of Elysian Road will be constructed along the entire northern boundary of Harmony Meadows with Phase I construction. Also a contribution of 50% for a pedestrian bridge over Hogan Slough will be given with Phase I.

15. Minor changes may be made in the SIA and final documents, as requested by the Planning, Legal or Public Works Departments to clarify the documents and bring them into the standard acceptable format.

16. The final plat shall comply with all requirements of the City of Billings Subdivision Regulations, rules, regulations, policies, and resolutions of the City of Billings, and the laws and Administrative Rules of the State of Montana.

If you have questions please contact Dave Green at (406) 247-8666 or by email at greend@ci.billings.mt.us.

Sincerely,

Thomas W. Hanel, Mayor

Pc: Scott Aspenlieder, Performance Engineering