YELLOWSTONE COUNTY BOARD OF PLANNING
CITY OF BILLINGS AND YELLOWSTONE COUNTY, MONTANA

AGENDA
February 9, 2016 MEETING TIME: 6:00 p.m.
1st Floor Large Conference Room, Miller Building
2825 3rd Avenue North, Billings, Montana 59101

1. **CALL TO ORDER - Planning Board President:** Welcome and Introduction

2. **APPROVAL OF AGENDA* -** including any additions or deletions to agenda. The agenda for a regular meeting will be closed at 5:00 p.m. three (3) working days prior to the date of the meeting.

3. **MOTION. APPROVAL OF MEETING MINUTES**: JANUARY 26, 2016

4. **PUBLIC COMMENT PERIOD** – As required (3 minute maximum per person). *Any member of the public may be heard on any subject that is not on the agenda. The Planning Board will not take any action on these items at this time, but could choose to add an item to the next meeting's agenda for discussion.*
4a) Comments on items not on agenda and requests to add items to future agendas
4b) Comments on items on the non-public hearing agenda items

5. **DISCLOSURE OF CONFLICT OF INTEREST**

6. **DISCLOSURE OF EX PARTE COMMUNICATION**: Ex Parte Communication Binder is available at the Sign-In and Agenda station.

7. **OLD BUSINESS:** There is no old business.

8. **NEW BUSINESS:** (Agenda items new to this meeting).

   a. **DISCUSSION. AmeriCorps VISTA Alternative Modes Outreach and Education Volunteer-Jeffrey Butts, Bicycle Pedestrian Coordinator, Tony Chase, AmeriCorps VISTA member**

   b. **PLAT REVIEW/DISCUSSION. Trails West Subdivision, 3rd Filing. Dave Green, Planner II, presenting.**

c. **PLAT REVIEW/DISCUSSION. Harmony Meadows, 2nd Filing. County Major Subdivision, Dave Green, Planner II, presenting.**

d. **PLAT REVIEW/DISCUSSION. Emerald View Park Subdivision, Amd LA B3, Dave Green, Planner II, presenting.**

e. **PLAT REVIEW/DISCUSSION. Aspen Ridge Subdivision, 2nd Filing. Wyeth Friday, Division Manager, presenting.**

9. **OTHER BUSINESS:**

a. (Standing Item) Staff update. Long Range Strategic Issues and an overview of future City and County issues and projects.

10. **ADJOURNMENT**

FUTURE AGENDA ITEMS FOR TUESDAY, FEBRUARY 23, 2016

a. **Motion. AmeriCorps VISTA Alternative Modes Outreach and Education Volunteer-Jeffrey Butts, Bicycle Pedestrian Coordinator, Tony Chase, AmeriCorps VISTA member**

b. **Public Hearing/Motion/Recommendation to City Council. Trails West Subdivision, 2nd Filing, City Major Subdivision**. Dave Green,, Planner II, presenting.

c. **Public Hearing. Motion/Recommendation to BOCC. Emerald Park Subdivision, County Major Subdivision**. Dave Green,, Planner II, presenting.

d. **Public Hearing. Motion/Recommendation to BOCC. Harmony Meadows Subdivision, County Major Subdivision.** Dave Green,, Planner II, presenting.

e. **Public Hearing. Motion/Recommendation to BOCC. Aspen Ridge Subdivision, 2nd Filing**. County Major Subdivision. Wyeth Friday, Planning Division Manager presenting.

CITY/COUNTY PLANNING BOARD
1st Floor Large Conference Room, Miller Building
2825 3rd Avenue North, Billings, Montana 59101

Public Hearing Participation Guidelines

The County Planning Board welcomes public input on matters brought before the Board. To ensure a fair and effective public comment process, we ask that you consider the following guidelines when presenting your comments: **Address the Planning Board directly. You must state your name and address before commenting**. This is an opportunity to explain how you will be affected by the decision and why that is an important consequence.

1. Be informed of the process and the requirements of the Board. If you are commenting about a subdivision, please limit your comments to the review criteria.

   By state law, the Planning Board must consider only certain criteria when reviewing subdivisions (76-3-608(a), MCA). These criteria include:

   -Effect on agriculture and agricultural water user facilities

   -Effect on local services

   -Effect on the natural environment

   -Effect on wildlife and wildlife habitat

   -Effect on public health and safety

2. Provide specific information about why you are concerned about the pending application, how the decision will impact the review criteria listed above, and provide suggestions on how to minimize or eliminate the impact.

3. Respect the right of others to participate. Wait until the previous speaker has completed their comments before making your own comments. Do not talk over the person commenting or with other people in attendance.

4. The public hearing is not an opportunity to question or accuse the applicant or their agent. If you have questions of the Board, the applicant or the agent, ask the question directly to the Board during the public hearing portion of the meeting. The Board will respond or request the applicant or agent to respond after the public comment portion of the hearing is closed.

5. After the public comment portion of the hearing is closed, no further comments are allowed unless you are addressed directly by a Board member.

6. You should expect the Board to make a balanced recommendation in accordance with its statutory responsibilities. The Board's ability to make reasonable and thoughtful recommendations is dependent on a fair consideration of everyone's interests.

Thank you for participating.

Planning Board Meeting I (2nd Tuesday) **3.**

Meeting Date: 02/09/2016

Information

Subject

MOTION. APPROVAL OF MEETING MINUTES: JANUARY 26, 2016

Attachments

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CITY/COUNTY PLANNING BOARD

"Serving Billings, Broadview and Yellowstone County"

Board Attendance Roster: Please note: "E" stands for excused absence, "A" stands for un-excused absence, "1" stands for present.

BYLAWS, YELLOWSTONE COUNTY BOARD OF PLANNING, (Amended. May 25, 2004)

Section 4. Absences and Removal

A. Each member shall inform the Planning Director at least one day before the meeting of his/her inability to attend a Board or Committee meeting. Such an absence shall be considered an excused absence.

B. If any Board member accrues three (3) or more consecutive unexcused absences from regular meetings, notice of which has been given at his/her usual place of work or residence, or by announcement at a meeting attended by him/her, the President may call such absences to the attention of the Board which may then recommend to the appointing authority that such member be asked to resign and that another person be appointed to serve out the unexpired term. Schedule: (** denotes a Wednesday meeting)

	Position	01/12/2016																							
Dave Goodridge	Mayor/Billings Ward I	1																							
Jared LeFevre	Mayor/Billings Ward II	1																							
Donna Forbes	Mayor/Billings Ward III	1																							
Darell Tunnicliff	Mayor/Billings Ward IV	1																							
Patrick Klugman	Mayor/Billings Ward V	1																							
Troy Boucher	YC District 1	-																							
Dennis Cook	YC District 2	1																							
Lisa Sukut	YC District 3	1																							
Vacant	YC District 4	-																							
Don Reed	YC District 5	E																							
Dean Clark	YC District 6	E																							
Francisco Saldivar	YC District 7	1																							
Clint McFarland	Y County Cons. District	1																							
Scott Reiter	Ex-Officio S.D. 2 Facilities Director	E																							
Supt. Terry Bouck	Ex-Officio S.D. 2	A																							

January 26, 2016
To be approved by a motion on February 9, 2016

1. **Call the Meeting to Order**
President Darell Tunnicliff called the meeting to order at 6:00 p.m. on Tuesday, January 12, 2016, in the Miller Building 1st Floor conference room, 2825 3rd Avenue North, Billings, Montana.

Introduction of Planning Board Members and Planning Department Staff
President Tunnicliff called for introductions of the members of the Planning Board and staff. Attending Planning staff members are: Candi Millar, Director, Planning and Community Services; Wyeth Friday, Planning Division Manager; Tammy Deines, Planning Clerk

Attending: Gary and Theresa Dickhuat; Dave and Phylis Weaver; Morgan Manning; Mark and Kelly Hahn; Paul Hatzell; William Rightmire; Craig Dalton; Morris & Sandra Welchlin; Steve Wilson; Dennis & Kim Tallant ; Max Griffin; Chandler Griffin; Max Fogelsong, Sanderson Stewart; Chris Hertz, City Engineering Division

2. **Approval of the Agenda.**
Motion
Donna Forbes made a motion and it was seconded by Jared LeFevre to approve the agenda as submitted. The motion carried with a unanimous voice vote.

3. **January 12, 2016 meeting minutes.**

Motion
Francisco Saldivar made a motion and it was seconded by Dennis Cook to approve the December 8, 2015 meeting minutes as submitted. The motion carried with a unanimous voice vote.

4. **Public Comment:** President Tunnicliff asked if there was anyone wishing to speak during the public comment portion of the meeting. He stated any member of the public may be heard on any subject that is not on the agenda; the Planning Board will not take any action on these items at this time, but could choose to add an item to the next meeting agenda for discussion. There were no public comments.

5-6. Disclosure of Conflict of Interest – Board members and Planning Staff Disclosure of Outside (Ex Parte) Communication– Board Members and Planning Staff. The Ex Parte Communication Binder is available at the Sign-In and Agenda station. Board member LeFevre will abstain from a motion on Glynn Abbey has his law firm has had contact with the applicants.

7. OLD BUSINESS

a. Public Hearing: Motion/Recommendation to City Council. Glynn Abbey Subdivision, Wyeth Friday, Planning Division Manager

Wyeth Friday opened the agenda item and noted a new condition of approval to update the easement document language to address pedestrian access. He continued with an overview of this application. The parkland provided exceeds the total parkland requirements. The parkland areas will be held as private but public access easements will be provided for public use. The flood plain boundary is discussed in the SIA and the lots in this area will have to meet the construction requirements. This development will need to coordinate with Yellowstone Country Club to relocate the power line. There is an irrigation lateral that serves property to the south, and the proposal is to relocate it in the utility easement. There will be a point for the piped ditch to supply the ponds in the subdivision if needed and then flow to the south. This subdivision HOA will be responsible for the pipe maintenance. The ponds will serve for several purposes including irrigation and storm water. He opened a PowerPoint presentation and offered the information below.

INTRODUCTION

On November 30, 2015, the Planning Division received an application for preliminary plat approval for the proposed Glynn Abbey Subdivision, a major residential subdivision. The property is located on the north side of Rimrock Road between the intersection of 54th Street West and Rimrock Road and the intersection of Mickey Wright Lane and Rimrock Road. The subdivision is proposed to include 33 lots for single family residential development and one lot for open space/parkland/storm water management area. Planning Board reviewed the plat at its meeting on January 12 this meeting and will conduct a public hearing at this meeting.

RECOMMENDATION

Staff recommends that the Planning Board recommend that the City Council conditionally approve the preliminary plat of the Glynn Abbey Subdivision and adopt the Findings of Fact as presented in the staff report.

PROPOSED CONDITIONS OF APPROVAL

Pursuant to Section 76-3-608(4), MCA, the following conditions are recommended to reasonably minimize potential adverse impacts identified within the Findings of Fact.

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 be pumped to the Cove Ditch from the ponds 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. 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 submit the Glynn Abbey HOA language regarding maintenance of the storm water facilities to City Engineering for review and approval.

5. 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.

6. 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.

7. 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.

8. 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.

9. 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.

10. 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.

11.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.

12. Minor changes may be made in the SIA and final documents, as requested by Planning
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.
13. 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.

VARIANCES REQUESTED
Two variances have been requested from the City of Billings Subdivision Regulations for this proposal.
Variance #1: 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. Planning and Engineering staff are not in support of the proposed sidewalk variance and recommend that boulevard sidewalks be installed on both sides of Glynn Abbey Way and Aston Bay Circle throughout the subdivision. Staff's recommendation 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.

Variance #2: 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's Address Coordinator, City Fire Department, and County GIS (manages the street name database for emergency services), all support this variance request for the change in street name on the 58th Street West alignment.

Discussion

Donna Forbes asked several questions. Wyeth Friday clarified and said the property will be held as a private development, and the Home Owners' Association will be responsible for maintenance. There will be public access points to the parkland. There is not a plan for a specific parking area to accommodate visitors to the park but there is on-street parking available. If needed, the available trail width will allow larger equipment to access the ponds for repairs. All of the lots will have access into the streets are internal. The proposal for a bermed wall on the southern end along Rimrock Road will be under consideration as to how it may affect storm water flows. Clint McFarland asked if there is a provision made for the irrigation pipe diameter.

Applicant/Agent

Craig Dalton, P.E., Performance Engineering, 2101 Overland, Billings, Montana

Mr. Dalton represents Glynn Abbey, LLC. He stated parking will be available on the shoulders of the internal roadways. There will be access to the ponds via the trails along with a potential access from Rimrock Road. The proposed intermix of walls and berms will have offset depths to allow water to move through them. The current lateral ditch holds a 15" irrigation pipe

Francisco Saldivar noted the applicant's reasoning for the sidewalk variance being encouraging pedestrian use of the center walking path request for a variance He asked for the developer's consideration of Lots 25-27, as they do not have ready access to the walkway especially in the spring. With the current plat, the only option for pedestrians is to cross the street and use a neighbor's driveway. He stated this arrangement is not in the best interest for public safety.

Mr. Dalton asked the Board to consider the applicant's proposal to put up cash for aesthetic improvements along Rimrock Road instead of an SID, as the City doesn't have a plan for what will take place in the future for Rimrock Road improvements. An irrigation lateral used for to supplement the pond level and the home owners' association

will monitor filling the ponds. He suggested using a flow activated valve to "kick on" at a certain water level.

Max Griffin, 1655 Valley Heights Road, Billings, Montana

Mr. Griffin is the property owner. He stated they are not asking to waive the contribution for the development of Rimrock Road but instead asking allocate the monies for landscaping and trees. They do not want to construct a wall or berm and have a large weed patch facing it. He suggested keeping the continuity of the subdivision out to the road. Mr. Griffin acknowledged Board member Saldivar's comments on connectivity for Lots 25-27 and said he would consider installation of a footbridge. Mr. Griffin explained the City reviewed the floodplain impacts and requires 0% impact on the neighboring properties. They will not raise the floodplain with this development plan. The ponds are designed to handle the flood waters with the sidewalks acting as a barrier. He commented on an option to use injection wells instead of piping the water to the Cove Ditch.

Public Hearing

At 6:55 p.m., President Tunnicliff opened the public hearing and asked if there was anyone wanting to speak in favor or against Glynn Abbey Subdivision.

Gary Dickhaut, 3045 Arnold Palmer Drive, Billings, Montana

Mr. Dickhaut has been a long term resident in this area and has experienced three storm events during this time. He said during these events the storm water follows Arnold Palmer Drive, crosses the new service road, and flows into the irrigation ditch. He voiced concern with the potential for damming if the irrigation ditch is removed. He said Arnold Palmer Road is not suited for heavy equipment and asked that construction vehicles be restricted to Glynn Abbey's roadways. Mr. Dickhaut asked for consideration of lowering the 55 mph speed limit on Rimrock Road in front of this property it to a more reasonable speed. He commented issues may arise from the slowing traffic entering the security gates; and a turn lane off of Rimrock Road is preferable.

Paul Hatzell, 5515 Rimrock, Billings, Montana

Mr. Hatzell has lived at this address for 15 years and experienced more than three significant water events in this time. The water table on his property is much higher than 7-feet in the spring season. He asked what will happen when the ditches are full and additional water is pushed toward Rimrock Road. Yellowstone County Club's tiles are located under three fairways. They are designed to move water southward which causes overflows when not maintained. Mr. Hatzell stated he built his home on the highest point of his property and he runs a sump pump at all times. He voiced concern with the HOA maintaining the ponds and the potential for creating breeding grounds for insects due to the swamp ground. He asked where the injection wells will place the water. He asked this Board to take a "hard look" as the water issues are valid. He said Rimrock

Road will need repair and the contribution funds should be spent to have a reserve to take care of this road in the future.

Steve Wilson, 5735 Sweetgrass Creek Drive, Billings, Montana

Mr. Wilson concurred with Mr. Hazel's comments and said this property has not been developed for several years due to the storm water issues. The reported water level at his residence is 3- 4 feet. He voiced concern with the effect on his property if there is continuously water in the ditch along Rimrock Road. He said houses will settle if the water table drops. He asked if this property should be classified as wetlands. He stated it seems this project has already started as they have hauled in dirt and utility line installation has begun.

Dave Weaver, 3026 Arnold Palmer Drive, Billings, Montana

Mr. Weaver said the storm water flows toward Rimrock Road and the water lies stagnant in the ditch. He asked if the property will be leveled. He commented on several types of wildlife species in this area and asked how they will be affected. He stated the water issues should be addressed prior to development.

William Rightmire, 5811 Mared Street, Billings, Montana

Mr. Rightmire asked about the water flows and said the water table is about 6-feet during the summer.

Rebuttal

President Tunnicliff called for rebuttal.

Craig Dalton, P.E., Performance Engineering, 2101 Overland, Billings, Montana

Mr. Dalton said the subdivision gates will be open from 5:00 a.m.-9:00 p.m. and traffic should easily move through the intersections for the majority of the day. The subdivision accesses will be built at the beginning of the development so Arnold Palmer and Mickey Wright Lane will not be used during construction. The applicant is going through the FEMA process to obtain a letter of map revision. They are working to lower the existing ground level for the pond storage areas. They will pump storm water to Cove Creek in order to meet City requirements to evacuate storm water after 72 hours and allow for adequate storage. The ponds will contain water year round. He pointed out the open lateral irrigation ditch and stated it may be contributing to the standing water. The applicant has contacted the Fish, Wildlife, and Parks Department, who stated there are no detrimental impacts to endangered species.

Darell Tunnicliff asked about groundwater monitoring. Mr. Dalton stated monitoring took place in November 2014; it will be checked again in early March 2015 and during the spring high water season. He explained the water evacuation rates and said they would ask the City to extend the evacuation time if the Cove Ditch is full. Dave Goodrich asked about monitoring the water system. Mr. Dalton stated the developer is proposing using secondary piping for a grey water system for irrigation. They may use a variable

frequency drive pump to open a valve and initiate discharge from the ponds. The Homeowners Association will maintain the water system.

Darell Tunnicliff asked about mitigation for surface waters moving to the east. Mr. Dalton said it is likely they will put bentonite blocks inside the utility trenches. The surface water will be contained up to a 50-year storm event, and the water will spill to the Rimrock Road ditch after that point. The streets will be designed with sag curves to alleviate flows across Rimrock Road. In response to a question by Dave Goodrich, Mr. Dalton said the modeling depicts flows moving towards the pond area. The 0% impact requirement is literal as the subdivision will be maintaining and holding its own surface water and not increasing the current water levels.

Clint McFarland asked about the alignment of the Rimrock Road access and 58th Street West. He stated the traffic congestion at 54th Street West and Yellowstone Country Club is horrendous and dangerous with high traffic speeds ranging beyond 55mph. He voiced concern with having a new access within a very short distance as there have been several accidents.

William Rightmire, 5811 Mared Street, Billings, Montana

Mr. Rightmire asked about the elevation changes along the perimeter of the interior street. Mr. Dalton said they will spread the dirt throughout the subdivision to develop the center parkland, and the outside lots have been raised to the point of the roadway. Homeowners in the flood fringe will be required to build homes with a 2 foot elevation above the known flood height.

Paul Hatzell, 5515 Rimrock, Billings, Montana

Mr. Hatzell commented the water table is between 3-7 feet and more dirt will raise the ground to an elevation above his property forcing water to flow that direction.

Steve Wilson, 5735 Sweetgrass Creek Drive, Billings, Montana

Mr. Wilson asked about the pond depths and said they will not help with a storm event if they are full.

Max Griffin, 1655 Valley Heights Road, Billings, Montana

Mr. Griffin stated he understands the water issues and have been working with the City to do the best they can. They are dedication 3 acres to parkland to avoid creating an adverse impact on the neighbors. He said he is not in favor of the pipeline but favors the injection wells instead. He stated change is difficult but they are committed to try to make this a great subdivision.

Chris Hertz, P.E., City of Billings, Engineering Division

Mr. Hertz said the applicant will have to construct in the winter when the water is lower. He explained the requirements to monitor buildings a certain distance away from the dewatering and said due to the number of onsite units, this development falls under commercial review. The applicant has provided calculations showing they are able to retain the water on site. The applicant's proposal to use the cash contribution to Rimrock Road for landscaping is not an option as this is a part of the SID process and it will be used when Rimrock Road is constructed.

Paul Hatzell, 5515 Rimrock, Billings, Montana

Mr. Hatzell asked who is financially responsible for poor modeling or a poor plan that impacts everyone else?

President Tunnicliff asked if there is anyone else wanting to speak in favor or against Glynn Abbey Subdivision. There was none. President Tunnicliff closed the public hearing at 7:37 p.m. and called for a motion.

Discussion

Wyeth Friday commented that the applicant brought of the potential use of injection wells during the plat review but up until that time, the applicant's plan was to pipe the water to Cove Ditch. He said these are two different systems as injection wells find a layer of natural gravel and inject the water there. Chris Hertz said the Engineering Division will approve the injection wells if the applicant is able to provide calculations that the water can be evacuated within 72 hours. Candi Millar asked Mr. Hertz regarding the process for adjusting the speed limit on Rimrock Road, and he replied he could speak with the City Traffic Engineer. Francisco Saldivar requested an additional condition of approval that the applicant will install engineered footbridges for Lots 25-27 to provide pedestrian access to ponds 1 and 2.

Motion

President Tunnicliff called for a motion.

David Goodridge made a motion and it was seconded by Francisco Saldivar that the Planning Board recommend that the City Council conditionally approve the preliminary plat of the Glynn Abbey Subdivision and adopt the Findings of Fact as presented in the staff report, and an additional condition of approval that the applicant will install engineered footbridges for Lots 25-27 to provide pedestrian access to ponds 1 and 2.

Discussion

There was no further discussion on the motion.

The motion carried with a unanimous voice vote.

President Tunnicliff called for a motion on the request for 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.

Motion

Francisco Saldivar made a motion and it was seconded by Donna Forbes to approve the variance to provide boulevard style sidewalk on only the north side of Glynn Abbey Way and not on either side of Aston Bay Circle.

Discussion

Per Troy Boucher's request, Wyeth Friday reiterated the request for this variance and explained staff is not in favor due to safety issues. Staff wishes to stay with the standard required by the subdivision regulations.

President Tunnicliff called for a roll call vote

The motion fails, 4-3-1, Against-(Cook, Boucher, Forbes, McFarland), Favor-(Saldivar, Goodridge, Klugman), and Abstaining-(LeFevre).

President Tunnicliff called for a motion on the request for a variance to 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's Address Coordinator, City Fire Department, and County GIS (manages the street name database for emergency services), all support this variance request for the change in street name on the 58th Street West alignment.

Motion

David Goodridge made a motion and it was seconded by Donna Forbes to approve the variance that 58th Street West not continue across Rimrock Road but have the name change to Glynn Abbey Way when it enters the subdivision.

The motion carries with a unanimous voice vote.

8. NEW BUSINESS-There is no new business.

9. OTHER BUSINESS-

a. Urban Fringe Design Standards-Candi Millar, Director, Planning & Community Service

This item was bought forward from the previous Planning Board meeting. Ms. Millar related she has discussed this with President Tunnicliff as members may not be familiar enough with the specific information needed to serve as a

committee. President Tunnicliff and Ms. Millar are suggesting delaying this action until a later date and putting together a scope of work for the committee. President Tunnicliff stressed the need to define what the work will be and who are the interested parties. He asked that Staff present the Board with a written document. This will be a future agenda item, possibly during the second meeting in February.

b. Item) Staff update. Long Range Strategic Issues and an overview of future City and County issues and projects.

1. President Tunnicliff announced to the Board Director Millar plans to retire and depart from the Planning & Community Services Department on July 28, 2016. Ms. Millar related to the Board she has encouraged City Administrator Tina Volek to initiate the search process to fill her position in a timely fashion. The City Administrator may be asking for a representative from this Board to participate in the selection process.

2. President Tunnicliff encouraged Board members and this Board to become more engaged in the planning process.

3. Director Millar said she will be bringing the results of the scenario planning for City Growth areas and use this group to help develop a growth policy statement. She stated this is a critical task for this Board. Other focus groups will write alternative statements, including the Steering Committee and Special Interest Groups.

c. Announcements:

1. **West End Traffic Modeling Study Public Meeting:** February 2, 2016 5:00 p.m.-7:00 p.m. Billings Library Community Room.

2. **Rimrocks to Valley Bike Pedestrian Study Public Meeting:** February 3, 2016, 4:00 p.m.-6:00 p.m. Billings Library Community Room.

3. **The next Planning Board meeting** will be held on Tuesday, February 9, 2016, in the Miller Building 1st Floor Conference Room.

ADJOURNMENT: 8:08 p.m.

ATTEST: DRAFT. To be approved by a motion on February 9, 2016

Planning Board Meeting I (2nd Tuesday) **8. b.**

Meeting Date: 02/09/2016

Information

INTRODUCTION

On January 4, 2016, Trails West Homes, LLC applied for preliminary major plat approval for Trails West Subdivision, 3rd Filing. The proposed subdivision would create 55 lots for single-family residences and one large remaining lot for future development. The first filing of this subdivision and a master plan of the entire development was first submitted and reviewed by the Planning Board in 2009. The subject property is generally located on the south side of Grand Avenue, just west of 56th Street West. The property is zoned Residential-6,000-Restricted (R-60-R) and Residential-9,600 (R-96). The Yellowstone County Board of Planning will review the plat at this meeting and conduct a public hearing on February 23, 2016.

RECOMMENDATION

Staff recommends that the Planning Board recommend conditional approval of the preliminary plat of Trails West Subdivision, 3rd Filing, to the City Council and adopt the Findings of Fact as presented in the staff report.

PROPOSED CONDITIONS OF APPROVAL

Planning staff recommends the following conditions of approval:

1. To minimize the effect on local services with regard to the drainage system in the subdivision, prior to final plat approval the applicant will add the following language to the SIA under V. Storm Drainage: The maintenance of the ponds, including any mechanical systems, is the obligation of the HOA. The ponds will be privately owned and maintained by the HOA. The ponds shall be improved with underground, automatic sprinkler systems and grass. Privately owned ponds shall be covered with a blanket stormwater easement. If the HOA fails to maintain or replace the ponds, the City reserves the right to create a maintenance district in the subdivision to maintain the ponds.
2. To minimize effects on local services, prior to final plat approval the final cash-in-lieu contributions toward the intersection improvements at 54th St. West & Grand Ave., 56th St. West & Grand Ave., and 56th St. West & Central Ave. shall be approved by the City Traffic Engineer and the table in the SIA under F. Off-Site Intersections will be filled in with the correct dollar amounts.
3. To minimize effects on local services, prior to final plat approval the developer will be required to submit a cash contribution for the construction of 56th Street West. It shall include half of a residential street (given credit for what is constructed), curb and gutter, sidewalk, and design and construction administration.
4. Minor changes may be made in the SIA and final documents, as requested by the Planning, Legal or Public Works staff to clarify the documents and bring them into the standard acceptable format.
5. 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.

VARIANCES REQUESTED

None

PROCEDURAL HISTORY

- A pre-application meeting was held on August 13, 2015 to discuss the proposal.
- The preliminary plat application was submitted to the Planning Division on January 4, 2016.
- A departmental review meeting was conducted on January 14, 2016.
- The preliminary plat was resubmitted with revisions based on department reviews on January 21, 2016.
- The Planning Board will review the plat on February 9, 2016.
- The Planning Board will conduct a public hearing on February 23, 2016, and forward a recommendation to the City Council.
- The City Council will consider the preliminary plat on March 21, 2016.
- The 60 working-day preliminary plat review period ends March 30, 2016.

PLAT INFORMATION

The proposed subdivision re-plats a large lot originally platted in the Trails West Subdivision, 1st Filing into 55 lots for single-family residences and one large lot for future development. The subject property is located on the south side of Grand Avenue, just west of 56th Street West. The property is zoned R-60-R and R-96. The subject property is bordered on the north by developed single-family lots within Trails West Subdivision, 1st Filing, and on the south, east, and west by irrigated agricultural land and large lot single-family development in the County. School District #2 owns the adjacent 40 acres north of the subdivision at the southwest corner of Grand Ave. and 56th Street West.

General location:	On the south side of Grand Ave., between 56th St. West and 60th St. West
Legal Description:	Lot 1, Block 10, Trails West Subdivision, 2nd Filing
Subdivider/Owner:	Trails West Homes, LLC
Additional Owners:	Ronald Frank, Douglas Frank and Deborah Frank
Engineer and Surveyor:	Sanderson Stewart
Existing Zoning:	R-96 and R-60-R
Existing land use:	Irrigated agricultural land
Proposed land use:	Single-Family Residential
Gross area:	36.67 acres
Net area:	32.83 acres

Proposed number of lots:	55
Lot size:	Max: 17.5 acres (Lot for future development) Min.: 6,030 square feet
Parkland requirements: and cash in lieu	0.894 acres of parkland is required for the developable lots of land dedication is proposed

Attachments

Findings of Fact
Trails West 3rd Filing Proposed Plat

FINDINGS OF FACT

The Planning staff has prepared the Findings of Fact for the preliminary plat of Trails West Subdivision, 3rd Filing and has provided them for review by the Planning Board, as follows:

A. What are the effects on agriculture, local services, the natural environment, wildlife, wildlife habitat, and public health, safety and welfare? [MCA 76-3-608 (3) (a) and BMCC 23-302.H.2.]

1. Effect on agriculture and agricultural water user facilities

The subject property was previously irrigated agricultural land irrigated from the High Ditch, which is located about a half mile north of the property. From the ditch, a pipe runs down through Foxtail Village Subdivision to a head gate near the northwest corner of the property. There is a lateral ditch running along the north and there used to be one running along the west side of the property. The ditch on the north side provided irrigation to the school district property on the southwest corner of 56th St. West and Grand Ave. The west ditch provided irrigation water to the subject property as well as to two properties to the south. The west ditch went away with the 1st Filing, as this property will no longer be farmed and property owners to the south have signed an agreement with the developers saying that they did not need the ditch anymore for their properties. No water rights are being transferred to subsequent owners of this property.

Another waterway on the property on the west side is the Birely Drain. With the first and second filings a dedicated right-of-way around the Birely Drain was made to the City of Billings. The Birely Drain District is amenable to having the City of Billings take over ownership of the drain at some point in the future, as existing subdivisions and streets are already using it for stormwater drainage. There is some confusion about what is really the Birely Drain. In a stormwater study done for the City of Billings in 2013 the drains labeled as "Rimrock Drain," "64th Street Drain," and "50th Street Drain" on some older maps are really part of the Birely Drain.

2. Effect on local services

a. **Utilities** – Public water and sewer services will be provided to the future lots through lines within the internal subdivision streets extended from the main lines within Grand Avenue. In order to provide a properly looped water system for better service and quality, City Engineering required a 20-inch or larger main line be installed in 56th St. West. As with previous filings in regard to sewer service, because gravity sewer is not feasible, the subdivider is proposing to install low-pressure sanitary sewer mains and require the installation of individual low-pressure sanitary sewer lines and grinder pumps in each household. A note regarding this requirement is found in the "Conditions that Run with the Land" section of the SIA. Private electric and gas utilities will be served by Yellowstone Valley Electric Cooperative and MDU.

b. **Storm water** – Stormwater management for the proposed subdivision will be provided by directing water through a network of curb and gutters, inlets and piping

to series of five temporary retention ponds located at the terminus of the various streets as shown on the plat. These stormwater facilities will be abandoned when future filings are developed and retention facilities are created elsewhere in the subdivision. A preliminary storm drain report was submitted to City Public Works with the preliminary plat submittal. All drainage improvements shall satisfy the criteria set forth by the *City of Billings Stormwater Management Manual* and are subject to review and approval by the City Engineering Department.

The applicant will also add language to the SIA outlining the maintenance of the ponds and all appurtenances associated with them is the responsibility of the HOA. **(Condition #1)**

c. Solid waste – The City of Billings will provide solid waste collection and disposal. The City's landfill has adequate capacity for this waste.

d. Streets – Access to the lots in the 3rd Filing will be via extension of the 1st and 2nd Filing internal streets from Grand Avenue and 56th Street West. The internal subdivision streets will be constructed to 34-feet pavement widths, with curb, gutter, and 5-foot wide boulevard style sidewalks within 56-foot wide rights-of-way. The one exception is Stockman Avenue, which will function as a Collector street and will be built to a width of 39 feet within a 74-foot wide right-of-way. The sidewalks will be built at the time of lot development with the exception of the ADA ramps at the street intersections. Those will be built by the developer at the time of street construction. Proposed street names for the internal streets have been approved by the City Fire Department and the County GIS Department.

The subdivider will be required to make cash-in-lieu contributions toward the design and installation of future intersection traffic controls at the intersections of Grand Avenue and 54th Street West, at Grand Avenue and 56th Street West, and if determined necessary, at Central Avenue and 56th St. West. These intersections were identified in the Traffic Impact Study as being affected by the proposed subdivision. The required contributions are based on the estimated volume of subdivision traffic using these intersections and an estimated cost of the intersection for the design and construction of a traffic signal at the intersection. Installation of a traffic signal is assumed for calculation of the cash-in-lieu contribution only. Other forms of intersection control, such as a roundabout, may ultimately be installed at one or both of these intersections. The final contribution amounts shall be approved by the City Traffic Engineer prior to final plat approval. **(Condition #2)**

The applicant will be responsible for the cost of construction of 56th Street West directly adjacent to the subdivision through cash contribution. A contribution will be made that will include cost of sub-base, base course, asphalt paving, standard curb & gutter, 5-foot wide boulevard sidewalks, and estimated engineering design and construction administration costs (given credit for what is constructed). The

contribution will be collected in phases, prior to release of each phase for development and the road will be built at a later time by the City **(Condition #2).**

In the SIA the applicant will add language in III. Transportation to address the requirement for a cash-in-lieu contribution toward the construction of 56th Street West. **(Condition #3)**

e. Emergency services – The Billings Police and Fire Departments will respond to emergencies within the proposed subdivision. The nearest fire station is located within one mile of the subdivision at 54th St. West and Grand Avenue (Station #7). The Fire Department finds the proposed layout will provide adequate emergency access.

e. **Schools** – The subdivision is located within School District #2 (SD#2). The school assignments for the subdivision were received from the School District during the review of the 1st Filing. Students from the proposed subdivision will attend Central Heights Elementary School, Lewis and Clark Middle School, and Senior High School. These assignments will necessitate bussing of the students. Currently, a new middle school at the southwest corner of 56th St. W. and Grand Ave. adjacent to this subdivision is under construction. When the school is finished, SD#2 will implement the new school boundaries and the schools for this neighborhood may change.

f. Parks and Recreation – In accordance with State and City laws, the subdivider is required to provide a minimum of 0.894 acres of parkland. The subdivider has proposed to meet this requirement by providing cash in lieu of land dedication, with the contributions made in phases. In addition to cash, the developer is proposing to continue the 5-foot wide multi-use trail on the western property line within the Birely Drain right-of-way tract. This trail is proposed to be for public use, and maintained by the homeowners' association.

g. Mail Delivery - The United States Postal Service will provide postal service to the subdivision and has requested the installation of centralized mailbox units (CBUs). The developer will work with the USPS to identify appropriate locations of CBUs prior to final plat approval**.**

3. Effect on the natural environment

The subject property is vacant property that has been planned for urban development since the original Master Plan review in 2009. The property is generally flat, with the exception of the Birely Drain on the western edge, which is being protected in a dedicated right-of-way.

The geotechnical study was performed for the subdivision and structural recommendations were included in that study dated August 11, 2008. The information from that study is included in the SIA. The subdivision should have a minimal effect on the natural environment.

4. Effect on wildlife and wildlife habitat

There are no known endangered or threatened species on the property. As indicated within the Conditions the Run with the Land section of SIA, future property owners should be aware that the proposed subdivision is located near prime wildlife habitat and adjacent to open agricultural areas, therefore conflicts with wildlife may occur. Any damage caused by wildlife is the responsibility of the owner.

5. Effect on the public health, safety and welfare

Fire hydrants will be constructed to meet fire department requirements. Sidewalks and trails will offer a safe place for pedestrians to walk. The effects on public health and safety should be minimal.

B. Was an Environmental Assessment required? [(MCA 76-3-603 and BMCC 23-302.H.1.]

The proposed subdivision is exempt from the requirement for an Environmental Assessment pursuant to Section 76-3-616, MCA.

C. Does the subdivision conform to the Yellowstone County-City of Billings 2008 Growth Policy, the Urban Area Transportation Plan--2009 Update, and the Billings Area Bikeway and Trail Master Plan? [BMCC 23-302.H.4.]

1. Yellowstone County-City of Billings 2008 Growth Policy

The proposed subdivision is consistent with the following goals of the Growth Policy:

a. Goal: Predictable land use decision that are consistent with neighborhood character and preferred land use patterns identified in neighborhood plans. (p. 6)

b. Goal: Contiguous development focused in and around existing population centers separated by open space. (p.6)

c. Goal: More housing and business choices within each neighborhood. (p. 6)

d. Goal: A multi-purpose trail network integrated into the community infrastructure that emphasizes safety, environmental preservation, resource conservation and cost effectiveness. (p. 10)

3. 2014 Billings Urban Area Long Range Transportation Plan

The proposed subdivision adheres to the goals and objectives of the 2014 Billings Urban Area Long Range Transportation Plan and preserves the street network and street hierarchy specified in the plan.

4. Billings Area Bikeway and Trail Master Plan (BABTMP)

The proposed subdivision lies within the jurisdiction of the BABTMP. The Plan identifies a primary bikeway along Grand Avenue. Once Grand Ave. is reconstructed in the future, bikeway improvements may be completed in accordance with the plan.

D. Does the subdivision conform to the Montana Subdivision and Platting Act and to local subdivision regulations? [MCA 76-3-608 (3) (b) and BMCC 23-302.H.3.a.]

The proposed subdivision satisfies the requirements of the Montana Subdivision and Platting Act and to the design standards specified in the local subdivision regulations. The subdivider and the local government have complied with the subdivision review and approval procedures set forth in the local and state subdivision regulations.

E. Does the proposed subdivision conform to all requirements of the zoning in effect? [BMCC 23-302.H.3.e.]

The subject property is located within the R-60-R and R-96 zoning districts. All development shall comply with the standards set forth in Section 27-308, BMCC.

F. Does the proposed plat provide easements for the location and installation of any utilities? [MCA 76-3-608 (3) (c) and BMCC 23-302.H.3.b.]

The subdivider has provided utility easements as requested by the City, MDU and NWE on the face of the plat.

G. Does the proposed plat provide legal and physical access to each parcel within the subdivision and notation of that access on the plat? [MCA 76-3-608 (3) (d) and BMCC 23-302.H.3.c.]

Legal and physical access is provided to the proposed lots from Grand Avenue and 56th Street West via Wilderness Drive, Black Berry Way, Mountain Front Avenue, Horseshoe Trail, Ninebark Street, Grouse Berry Street, Bitterbrush Street, Sandcherry Street, North Fork Trail, Phantom Creek Avenue, and Stockman Avenue.

CONCLUSIONS OF FINDINGS OF FACT

- The preliminary plat of Trails West Subdivision, 3rd Filing does not create any adverse impacts that warrant denial of the subdivision.

- The proposed subdivision conforms to several goals and policies of the 2008 Growth Policy Update and does not conflict with the Transportation or Bikeway and Trail Plans.

- The proposed subdivision complies with state and local subdivision regulations, local zoning, and provides legal and physical access to each lot.

- Any potential negative or adverse impacts will be mitigated with the proposed conditions of approval.

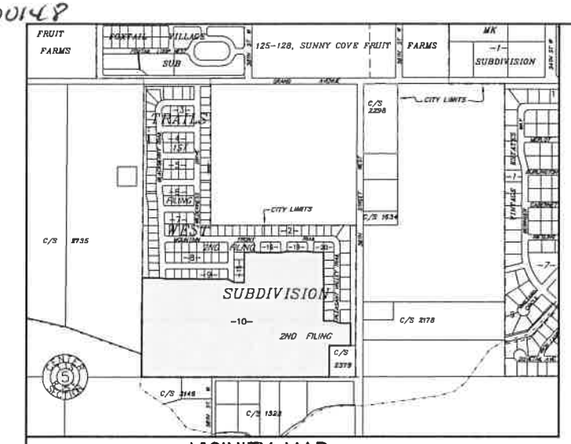
RECOMMENDATION

Staff recommends that the Planning Board recommend conditional approval of the preliminary plat of Trails West Subdivision, 3rd Filing, to the City Council, and adopt the Findings of Fact as presented in the staff report.

ATTACHMENTS

B: Preliminary Plat and Associated Documents

P2-15-00148



VICINITY MAP
NOT TO SCALE

PRELIMINARY PLAT OF

TRAILS WEST SUBDIVISION, THIRD FILING

BEING LOT 1, BLOCK 10, TRAILS WEST SUBDIVISION, SECOND FILING SITUATED IN THE NE1/4 OF SECTION 5, T. 1 S., R. 25 E., P.M.M., IN THE CITY OF BILLINGS, YELLOWSTONE COUNTY, MONTANA

PREPARED FOR : DORN-WILSON DEVELOPMENT, LLC.

PREPARED BY : SANDERSONSTEWART

DRAFT

PLAT DATA

GROSS AREA:	36.896 AC
NET AREA:	±32.862 AC
NUMBER OF LOTS:	55 LOTS
MINIMUM LOT SIZE:	±6,030 SF
MAXIMUM LOT SIZE:	±17.489 AC
LINEAL FEET OF STREETS:	±3,037 LF
PARKLAND REQUIREMENT:	±0.980 AC
PARKLAND DEDICATION:	CASH-IN-LIEU
EXISTING ZONING:	R-9600/R-6000R
SURROUNDING ZONING:	
NORTH:	R-9600
SOUTH:	VARIABLE
EAST:	VARIABLE
WEST:	AGRICULTURAL OPEN
EXISTING LAND USE:	AGRICULTURAL
PROPOSED LAND USE:	RESIDENTIAL

OWNER-BERDLY DRAIN R.O.W.: CITY OF BILLINGS PO BOX 1178 BILLINGS, MT 59103

OWNER-L2781 TRAILS WEST 2ND: MOUTOY, ANDREW 822 BLACK BERRY WAY BILLINGS, MT 59108

OWNER-L1139 TRAILS WEST 2ND: SCHULZ, WALTER L & BARBARA J 5859 HORSESHOE TRL BILLINGS, MT 59106

OWNER-L2259 TRAILS WEST 2ND: TRAILS WEST HOMES LLC 1135 BLUEGRASS DR E BILLINGS, MT 59108

OWNER-L389 TRAILS WEST 2ND: TRAILS WEST HOMES LLC 1135 BLUEGRASS DR E BILLINGS, MT 59108

OWNER-L489 TRAILS WEST 2ND: TRAILS WEST HOMES LLC 1135 BLUEGRASS DR E BILLINGS, MT 59108

OWNER-L589 TRAILS WEST 2ND: TRAILS WEST HOMES LLC 1135 BLUEGRASS DR E BILLINGS, MT 59108

OWNER-L689 TRAILS WEST 2ND: TRAILS WEST HOMES LLC 1135 BLUEGRASS DR E BILLINGS, MT 59108

OWNER-L789 TRAILS WEST 2ND: TRAILS WEST HOMES LLC 1135 BLUEGRASS DR E BILLINGS, MT 59108

OWNER-L889 TRAILS WEST 2ND: TRAILS WEST HOMES LLC 1135 BLUEGRASS DR E BILLINGS, MT 59108

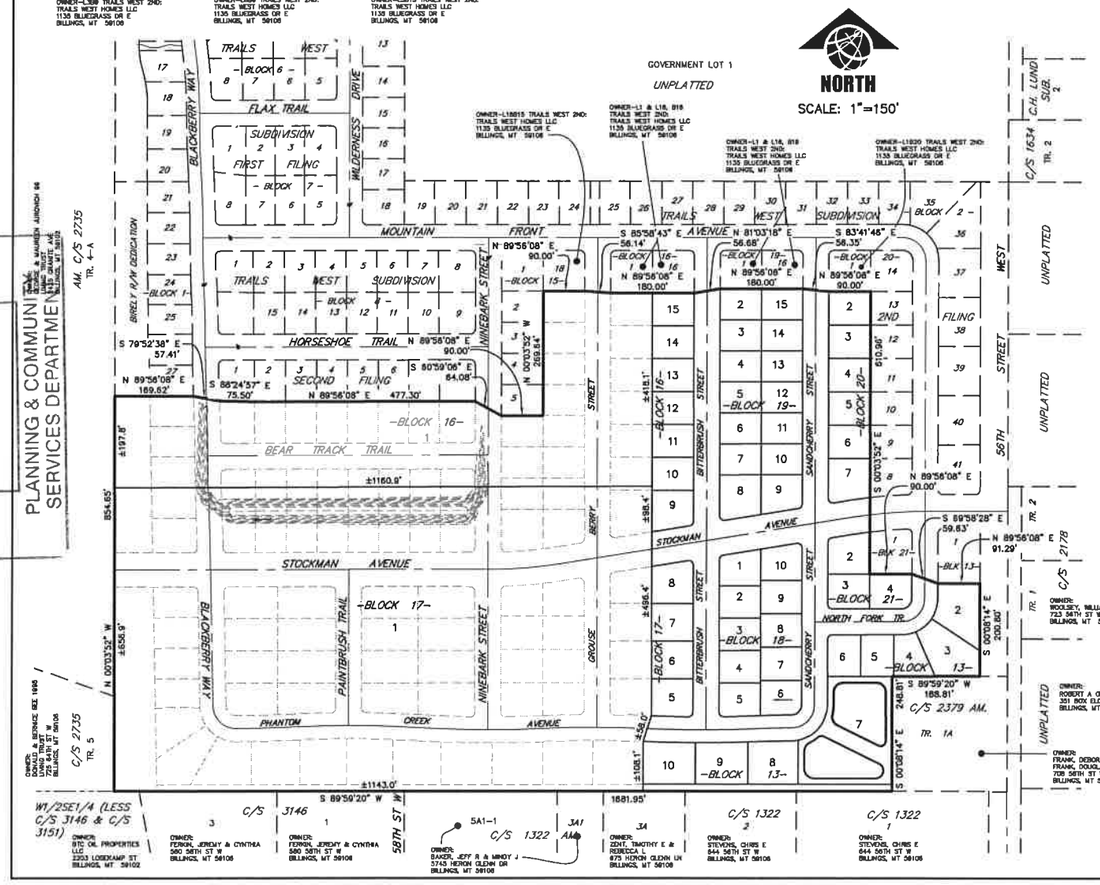
OWNER-L1015 TRAILS WEST 2ND: PATES, JULIEN & TEAL N 837 NINEBARK ST BILLINGS, MT 59106

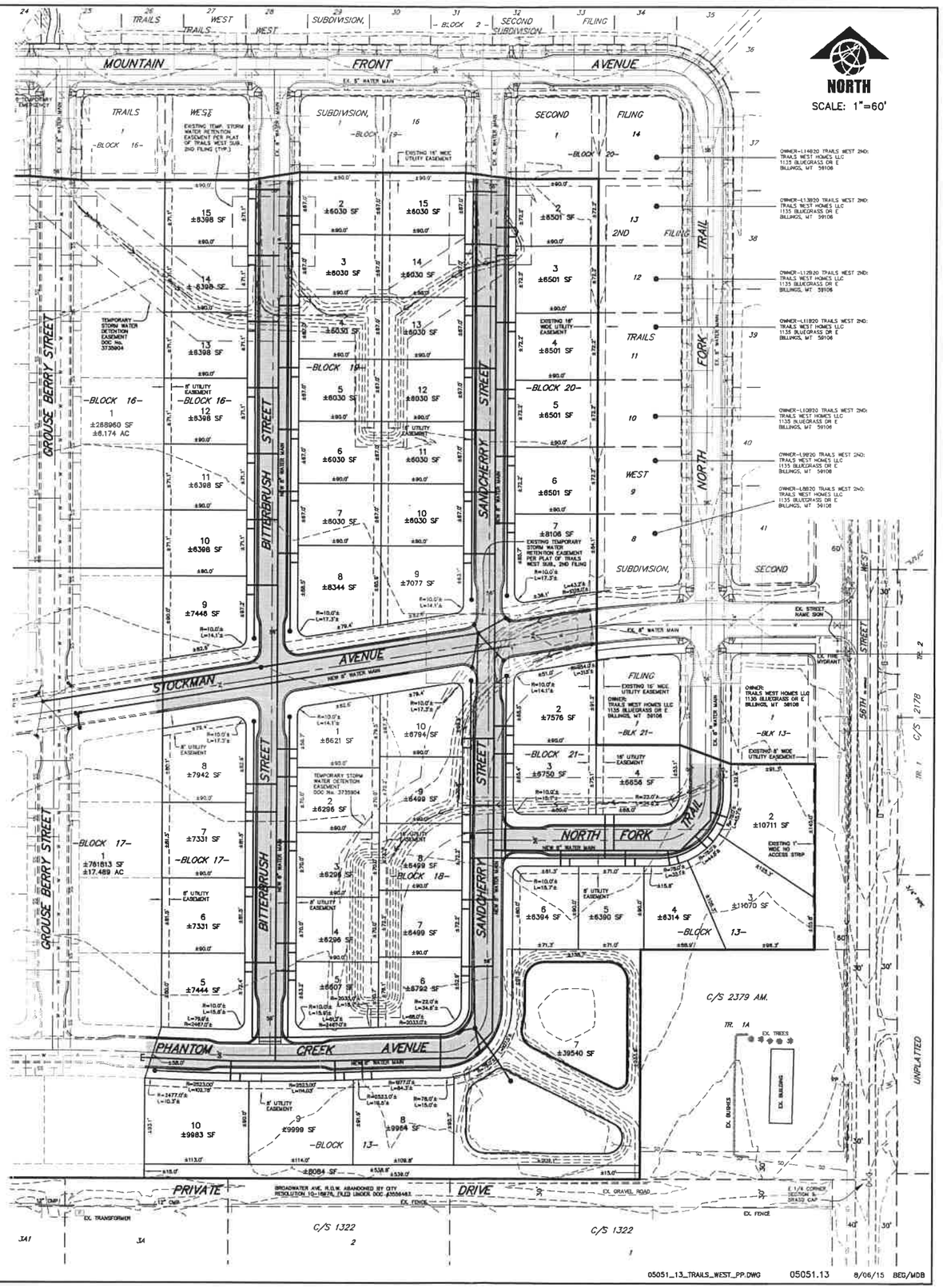
OWNER-L2815 TRAILS WEST 2ND: TRAILS WEST HOMES LLC 1135 BLUEGRASS DR E BILLINGS, MT 59108

OWNER-L3815 TRAILS WEST 2ND: TRAILS WEST HOMES LLC 1135 BLUEGRASS DR E BILLINGS, MT 59108

OWNER-L4815 TRAILS WEST 2ND: TRAILS WEST HOMES LLC 1135 BLUEGRASS DR E BILLINGS, MT 59108

OWNER-L5815 TRAILS WEST 2ND: TRAILS WEST HOMES LLC 1135 BLUEGRASS DR E BILLINGS, MT 59108





RECEIVED
AUG 07 2015
PLANNING & COMMUNITY SERVICES DEPARTMENT

Planning Board Meeting I (2nd Tuesday) **8. c.**

Meeting Date: 02/09/2016

Information

INTRODUCTION

On January 4, 2016, Harmony Meadows, LLC, applied for preliminary major plat approval for Harmony Meadows, 2nd Filing. The proposed subdivision would create 25 lots for commercial uses and multi-family residential development. The first filing of this subdivision was done as an expedited subdivision creating two large lots in December, 2012. The subject property is generally located on the south side of Elysian Road, just west of Mullowney Lane. The property has multiple zonings of Community Commercial (CC), Highway Commercial (HC) and Residential Multi-Family Restricted (RMF-R). The Yellowstone County Board of Planning will review the plat at this meeting and conduct a public hearing on February 23, 2016.

RECOMMENDATION

Staff recommends that the Planning Board recommend conditional approval of the preliminary plat of Harmony Meadows Subdivision, 2nd Filing, to the City Council, and adopt the Findings of Fact as presented in the staff report.

PROPOSED CONDITIONS OF APPROVAL

Planning staff recommends 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 2 and 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 as per the City Engineering Division, prior to final plat approval the applicant will add language within the street section of the SIA, that reads: "Upon construction of Phase IV, developer is required to construct Story Road and/or Stearns Circle between the eastern boundary of Harmony Meadows Subdivision and Mullowney Lane to the standards that are in place at the time of Phase IV construction. Developer is also required to mill and overlay Mullowney Lane to City standards between Elysian Road and Story Road. If the properties along Story Road have annexed into the City prior to Phase IV construction, the City may initiate a Special Improvement District and include Harmony Meadows Phase IV in the Special Improvement District for its proportionate share."
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 subdivison and provide HOA language to outline how these smaller parks will be maintained.
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. 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.
14. 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.

VARIANCES REQUESTED

No variance is being requested.

PROCEDURAL HISTORY

- A pre-application meeting was held on October 22, 2015 to discuss the proposal.
- The preliminary plat application was submitted to the Planning Division on January 4, 2016.
- A departmental review meeting was conducted on January 14, 2016.
- The preliminary plat was resubmitted with revisions based on department reviews on January 21, 2016.
- The Planning Board will review the plat on February 9, 2016.
- The Planning Board will conduct a public hearing on February 23, 2016, and forward a

recommendation to the City Council.
- The City Council will consider the preliminary plat on March 21, 2016.
- The 60 working-day preliminary plat review period ends March 30, 2016.

PLAT INFORMATION

The proposed subdivision re-plats two large lots originally platted in the Harmony Meadows Subdivision, 1st Filing into 25 lots for commercial and multi-family development. The subject property is located on the south side of Elysian Road, just west of Mullowney Lane. The property has multiple zonings of CC, HC and RMF-R. The subject property is bordered on the north by commercial development, on the south by a commercial development, and the Yellowstone River, on the east by the Catholic Holy Cross cemetery, and on the west by irrigated agricultural land (the future location of the McCall's new development Josephine Landing).

General location:	South side of Elysian Road and west of Mullowney Lane
Legal Description:	Lot 1 and Lot 2 of Block 1, Harmony Meadows Subdivision, 1st Filing
Subdivider/Owner:	Harmony Meadows, LLC
Additional Owners:	James A Weber
Engineer and Surveyor:	Performance Engineering and Consulting
Existing Zoning:	CC, HC and RMF-R
Existing land use:	Irrigated agricultural land
Proposed land use:	Commercial and Multi-Family Residential
Gross area:	92.55 acres
Net area:	82.67 acres
Proposed number of lots:	25
Lot size:	Max: 7.21 acres Min.: 1 acre

Parkland requirements: 6.23 acres of parkland is required for the residentially developed lots. 5.25 acres will be met with one parcel on the south end of the subdivision by the Yellowstone River. The remaining land will be provided with small parks developed among the housing, as per Parks Department approval.

Attachments

Findings of Fact

Attachment A - Phases

FINDINGS OF FACT

The Planning staff has prepared the Findings of Fact for the preliminary plat of Harmony Meadows Subdivision, 2nd Filing and has provided them for review by the Planning Board, as follows:

A. What are the effects on agriculture, local services, the natural environment, wildlife, wildlife habitat, and public health, safety and welfare? [MCA 76-3-608 (3) (a) and BMCC 23-302.H.2.]

1. Effect on agriculture and agricultural water user facilities

The subject property was previously irrigated agricultural land irrigated from the Suburban Ditch, which is located on the north edge of the subject property. On the west side of the subject property is the Hogan Slough. The Hogan Slough runs to the south and drains into the Yellowstone River. The Suburban Ditch flows farther east and then north into the City of Billings. No water rights are being transferred to future owners of this property.

2. Effect on local services

a. **Utilities** – Public water and sewer services will be provided to the future lots through lines within the internal subdivision streets extended from the main lines within Elysian Road. The subdivider will place 12 inch water mains inside the proposed subdivision connecting to 8 inch stub outs from Elysian Road. This will be done to City of Billings Public Works and MDEQ standards, rules and regulations. In the final phase of this subdivision development, the subdivider will install a 12 inch water line along the entire length of the common frontage with Mullowney Lane at Phase IV development. It will be installed to City Public Works and MDEQ standards. The subdivider will install an 8 inch gravity feed sewer main in the interior roads of the subdivision. These lines will connect to existing 8 inch sewer stub outs along Elysian Road. The sewer lines will be installed to meet all City Public Works and MDEQ standards. Private electric and gas utilities will be served by Northwestern Entergy and MDU. Easement for the private utilities will be shown on the final plat. **(Condition #1)**

b. **Storm water** – Stormwater management for the proposed subdivision will be provided by directing water through a network of curb and gutters, inlets and piping to a retention pond located within the dedicated parkland at the southern end of this subdivision by the Yellowstone River. This detention facility in the dedicated public park land will be reviewed and approved for location, size, functionality, maintenance, and any other requirements the City Parks Department deems necessary for proper functioning within the park. **(Condition #2)** A preliminary storm drain report was submitted to City Public Works with the preliminary plat submittal and a final stormwater management plant will be submitted to City Public Works for final review and approval with the final plat. **(Condition #3)** All drainage improvements shall satisfy the criteria set forth by the *City of Billings Stormwater Management Manual* and are subject to review and approval by the City Engineering Department. In the SIA under Storm Drainage language must be

modified to properly define that a Park Maintenance District will be maintaining the storm water detention facility. **(Condition #4)**

c. Solid waste – The City of Billings will provide solid waste collection and disposal. The City's landfill has adequate capacity for this waste.

d. Streets – Access to the subdivision will be from Elysian Road. At this time, there are no plans to access off of Mullowney Lane. The applicant must add a controlled access strip on the face of the plat along Elysian Road so that the City Engineering Division may manage access from the proposed lots in Elysian. **(Condition#5)** Elysian Road will be upgraded to Collector Street status. Required improvements to the street will include, but not be limited to, curb and gutter, a multi-use path, and a three lane section along the frontage of the subdivision as required by the City Engineering Division. The subdivider plans to make these improvements at the same time as the phases of the subdivision. Construction of improvements will be done to City of Billings Engineering Division standards and approved before construction. There is currently a bridge across Hogan Slough on Elysian Road. The internal subdivision streets named Dodger Lane and Interstate Avenue will be constructed to 44-foot back of curb to back of curb pavement widths, with curb, gutter, and 5-foot wide boulevard style sidewalks within 70-foot wide rights-of-way. From the south side of the intersection of Dodge Lane and Interstate Avenue, including Story Road, the roads will be paved with a standard width of 34 feet back of curb to back of curb. The sidewalks will be built at the time of lot development with the exception of the ADA ramps at the street intersections. The ADA ramps will be built by the developer at the time of street construction. **(Condition #6)**

A traffic study was submitted with this subdivision proposal. There are other intersections outside the subdivision that it impacts that need to be analyzed through the study and submitted to City Engineering for review and approval before final plat. Offsite intersection contributions must be identified within an updated Traffic Impact Study. These contributions also must be outlined within the SIA detailing each intersection and timing of contribution. **(Condition #7)**

Proposed street names for the internal streets have been approved by the City Fire Department and the County GIS Department. The street that runs north and south will be a continuation of an existing street name, Interstate Avenue, in accordance with Billings Subdivision Regulations, Section 23-406 (A) 8 Street Continuity: Streets that are a continuation of streets in contiguous territory shall be so aligned as to assure that their centerlines shall coincide and shall have matching names.

Dodger Lane, a proposed internal street that runs east and west in this subdivision, will run west to Hogan Slough. Dodger Lane will be the connection to the future subdivision to the west. The subdivider will be providing a 50% contribution for the design, permitting and construction of the crossing of Dodger Lane over the Hogan Slough. It will be part of the Phase III construction and the contribution will be made at that time. Should the cost of the crossing exceed the 50% contribution

specified, the City of Billings will have the right to create a Special Improvement District (SID) to cover the additional costs. In the SIA under Transportation A Streets paragraph 2, the last sentence will be modified to include language that any overages incurred beyond the 50% that was initially contributed for crossing Hogan Slough may be provided through creation of an SID to include lots within the subdivision. **(Conditions #8)**

The applicant is connecting to Story Road to the east and carrying that road across the subdivision to the west, with a a connection to the west across the Hogan Slough. The subdivider will be providing a 50% contribution for the design, permitting and construction of the crossing of Story Road over the Hogan Slough. It will be part of the Phase IV construction and the contribution will be made at that time. Should the cost of the crossing exceed the 50% contribution, the City of Billings will have the right to create a Special Improvement District (SID) to cover the additional costs. In the SIA under Transportation A Streets paragraph 3, the last sentence must be modified to include language that any overages incurred beyond the 50% that was initially contributed for crossing Hogan Slough may be provided through creation of an SID to include lots within the subdivision. **(Conditions #8)**

The applicant and City staff has had a great deal of discussion regarding the roads in and around the proposed subdivision. Focus has been on the portion of Interstate Avenue south of Dodger Lane and the connections to Story Road to the east and across Hogan Slough to the west at the bottom portion of the subdivison. The City Subdivision Regulations state that the maximum length of a dead end cul-de-sac is 600 feet and that it cannot serve more than 20 lots or 30 dwelling units. The property to the south of the intersection of Interstate Avenue and Dodge Lane would require a distance of well over 600 feet for access and the applicant is planning on building apartments on the lots in the area. Since more than 30 dwelling units are to be built, a second way out of the subdivision on the southern portion must be provided.

The subdivision regulations also state that new subdivisions will connect to existing streets that abut the subdivision property. In this case, Story Road is an existing road in River Grove Estates Subdivision that dead ends on the south east property line of this proposed subdivision. It has not been completely built, its east end connects to Mullowney Lane and the west end to the south east property line of this proposed subdivision. Stearns Circle connects to the two ends of Story Road and serves the lots in the county subdivision. Stearns Circle is a gravel road.

There have been several different proposal put forward by the applicant and City staff to address the second access for the southern end of the subdivision. One was to connect to Story Road. This solution would give Harmony Meadows a second access out and meet the requirements of subdivision regulations to connect to existing roads that abut the subdivision property. If Story Road and Stearns Circle are to be utilized as an access by the subdivision, City Engineering staff requires

that the applicant pave the county subdivision road to county standards out to Mullowney Lane.

Another option discussed by the applicant and staff was to connect to the west over Hogan Slough into the future subdivision being prepared by McCall Development. This solution would give the needed second access out for this subdivision, connect the two neighborhoods, and provide access to parkland that is being dedicated in both subdivisions along the Yellowstone River. This option would require the applicant to request a variance from the subdivision regulations to connect to the existing Story Road that abuts the property on the east. In any option, the applicant would still be required to provide water and sewer utilities to the edge of the property at Story Road.

A last proposal was put forward by the applicant that accompanies this staff report. This proposal is to create a 'T' intersection with Interstate Avenue that connects east to Story Road and west to a crossing at Hogan Slough into the future Josephine Landing development being planned by McCall Development. This option would continue the Story Road. With this proposal, the applicant is providing a connection to an existing road and connecting to the future subdivision to the west, providing street frontage along the entire proposed dedicated parkland which the parks department is in favor of, and also provides pedestrian connectivity within the neighborhood and across this area of the community to support the future 'Marathon Trail' that is expected to eventually loop around Billings. A key corridor of this loop trail is to connect in this area between Riverfront Park and Zoo Montana.

Under the east/west connection proposal, the easterly connection to Story Road was proposed to be a temporary emergency access only and not open to daily traffic use. It would be closed with an accepted emergency access gate and signs. This temporary emergency access would provide a secondary access for Harmony Meadows Subdivision until the western connection over Hogan's Slough was completed and also would provide the River Grove Estates Subdivision an emergency access to the west, which it does not currently have. Sometime in the future should River Grove Estates Subdivision be redeveloped and/or annexes into the city, the road in that subdivision could be built to city standards and the emergency access gates would be removed giving a full secondary access.

The 'T' option is the preferred option for the Planning Division and the Parks Department because it is the best solution, providing the most benefit for not just the proposed subdivision and the neighborhood, but also the community. Under this option, Engineering is still requiring the applicant to pave Story Road/ Stearns Circle connection out to Mullowney Lane. Engineering has requested that at the time of developing Phase IV of Harmony meadows that the applicant pave the east and west end of Story Road and the connecting road between them, Stearns Circle. **(Condition #9)** It is not clear if the applicant is willing to complete this improvement under the "T" option since Harmony Meadows will have a second

access to the west. This issue may need further discussion at the plat review between the applicant Planning Board, and City staff.

e. Emergency services – The Billings Police and Fire Departments will respond to emergencies within the proposed subdivision. The nearest fire station is located about 3 miles of the subdivision at South 24th St. West and Still Water Drive (Station #5). The Fire Department finds the proposed layout will provide adequate emergency access.

e. **Schools** – The subdivision is located within Elysian School District #23 (SD#23) for elementary and middle school. They are in School District #2 (SD#2) for High School, West. These assignments will necessitate bussing of the students. Comments received from the Elysian School District state that they have more capacity for Elementary and Middle School students. They also state that with this subdivision bus routes would be added. SD#2 stated that West High School has more capacity for students.

f. Parks and Recreation – Billings Subdivision Regulations Section 23-1002 (B) 1, requires parkland dedication for this subdivision at 11% of the overall land developed for residential uses. In accordance with this regulation, the subdivider is required to provide a minimum of 6.53 acres of parkland. The subdivider has proposed to meet this requirement by providing 5.25 acres of land at the southern end of the development by the Yellowstone River. The Parks Department staff is in favor of this proposal and supports the proposed street layout that has Story Road frontage all across the park land area from the eastern edge of the subdivision to the western edge of the subdivision. The remaining acreage will be provided with smaller 'pocket parks' spread throughout the housing in the subdivision. These 'pocket parks' will be private parks and will be maintained by an HOA. The City Parks Department must review and approve of the planned pocket parks in the subdivision to ensure that they will be counted toward park dedication requirements. **(Condition #10)**

g. Mail Delivery - The United States Postal Service will provide postal service to the subdivision and has requested the installation of centralized mailbox units (CBUs). The developer will work with the USPS to identify appropriate locations of CBUs prior to final plat approval. **(Condition #11)**

h. Phasing – The subdivider is planning to develop this property in four phases. Phase one includes Lots 7-12, phase two includes Lots 1 - 6 and Lots 20 -23, phase three includes Lots 13, 18 and 19, and phase four includes Lots 14- 17. See attachment A for a map of the proposed phases. The subdivider will be providing all the needed paperwork for the phased development of this subdivision prior to final plat approval. **(Condition #12)**

3. Effect on the natural environment

The subject property is vacant property that is generally flat in appearance and has been historically used for farming purposes. The Hogan Slough is on the western edge and the Suburban Ditch runs along the northern border of the subject property. There will be no water shares transferred to new owners within this subdivision.

4. Effect on wildlife and wildlife habitat

There are no known endangered or threatened species on the property. As indicated within the Conditions the Run with the Land section of SIA, future property owners should be aware that the proposed subdivision is located near prime wildlife habitat and adjacent to open agricultural areas, therefore conflicts with wildlife may occur. Any damage caused by wildlife is the responsibility of the owner.

5. Effect on the public health, safety and welfare

Fire hydrants will be constructed to meet fire department requirements. Sidewalks and trails will offer a safe place for pedestrians to walk. The effects on public health and safety should be minimal.

B. Was an Environmental Assessment required? [(MCA 76-3-603 and BMCC 23-302.H.1.]

The proposed subdivision is exempt from the requirement for an Environmental Assessment pursuant to Section 76-3-616, MCA.

C. Does the subdivision conform to the Yellowstone County-City of Billings 2008 Growth Policy, the Urban Area Transportation Plan--2009 Update, and the Billings Area Bikeway and Trail Master Plan? [BMCC 23-302.H.4.]

1. Yellowstone County-City of Billings 2008 Growth Policy

The proposed subdivision is consistent with the following goals of the Growth Policy:

a. Goal: Predictable land use decision that are consistent with neighborhood character and preferred land use patterns identified in neighborhood plans. (p. 6) *The subdivision's mix of uses fits in with the surrounding existing and proposed development.*

b. Goal: Affordable housing for all income levels dispersed throughout the City. (p. 6) *It is expected that the apartments in this subdivision will provide options for housing for residents of Billings as well as convenient local services.*

c. Goal: More housing and business choices within each neighborhood. (p. 6) *The subdivision's mix of uses provides for housing and business choices in this neighborhood and area of the community.*

d. Goal: Safe, functional, and attractive streets for all users, including drivers, bicyclists and pedestrians. (p. 13) *The proposed subdivision will provide excellent connectivity to properties on all sides, boulevard sidewalks on both sides of the streets, and a multi-use trail along Elysian Road.*

3. 2014 Billings Urban Area Long Range Transportation Plan

The proposed subdivision adheres to the goals and objectives of the 2014 Billings Urban Area Long Range Transportation Plan and preserves the street network and street hierarchy specified in the plan.

4. Billings Area Bikeway and Trail Master Plan (BABTMP)

The proposed subdivision lies within the jurisdiction of the BABTMP. The Plan identifies a primary bikeway along Elysian Road. A multi-use path and bike lanes are expected to be constructed when Elysian Road is improved in this area.

This area of this subdivision also is identified in the **Zoo Montana to Riverfront Park Trail Feasibility Study** completed in 2014. The Study identifies Elysian Road as having a high potential for a 10 foot wide trail within its public right-of-way, and this is planned with the reconstruction of Elysian Road with development of this subdivision. The Study also shows that a trail connection option closer to the Yellowstone River along the Story Road alignment would provide another excellent opportunity for access and connectivity along the River in this area. The proposals by the subdivider to provide both a full road connection from the current end of Story Road to the west across the subdivision and a 5+ acre, dedicated park across the southern end of the subdivision supports and is in alignment with the Study in this area.

D. Does the subdivision conform to the Montana Subdivision and Platting Act and to local subdivision regulations? [MCA 76-3-608 (3) (b) and BMCC 23-302.H.3.a.]

The proposed subdivision satisfies the requirements of the Montana Subdivision and Platting Act and to the design standards specified in the local subdivision regulations. The subdivider and the local government have complied with the subdivision review and approval procedures set forth in the local and state subdivision regulations.

E. Does the proposed subdivision conform to all requirements of the zoning in effect? [BMCC 23-302.H.3.e.]

The subject property is located within the Community Commercial and Highway Commercial zoning districts. All development shall comply with the standards set forth in Section 27-308, BMCC for residential construction and 309, BMCC for commercial construction.

F. Does the proposed plat provide easements for the location and installation of any utilities? [MCA 76-3-608 (3) (c) and BMCC 23-302.H.3.b.]

The subdivider will be providing utility easements as requested by the City, MDU and NWE on the face of the plat.

G. Does the proposed plat provide legal and physical access to each parcel within the subdivision and notation of that access on the plat? [MCA 76-3-608 (3) (d) and BMCC 23-302.H.3.c.]

Legal and physical access is provided to the proposed lots from Elysian Road and the internal streets in the subdivision.

CONCLUSIONS OF FINDINGS OF FACT

- The preliminary plat of Harmony Meadows Subdivision, 2nd Filing does not create any adverse impacts that warrant denial of the subdivision.

- The proposed subdivision conforms to several goals and policies of the 2008 Growth Policy Update, does not conflict with the Transportation or Bikeway and Trail Plans, and supports the goals of the 2014 Zoo Montana to Riverfront Park Trail Feasibility Study.

- The proposed subdivision complies with state and local subdivision regulations, local zoning, and provides legal and physical access to each lot.

- Any potential negative or adverse impacts will be mitigated with the proposed conditions of approval.

RECOMMENDATION

Staff recommends that the Planning Board recommend conditional approval of the preliminary plat of Harmony Meadows Subdivision, 2nd Filing, to the City Council, and adopt the Findings of Fact as presented in the staff report.

ATTACHMENTS

A: Phasing map
B: Preliminary Plat and Associated Documents

PRELIMINARY PLAT OF

HARMONY MEADOWS SUBDIVISION 2ND FILING

LOCATED IN THE NE 1/4 OF SECTION 19, T 01 S, R 26 E, P.M.M., YELLOWSTONE COUNTY, MONTANA

PREPARED FOR: HARMONY MEADOWS, LLC — JANUARY 2016

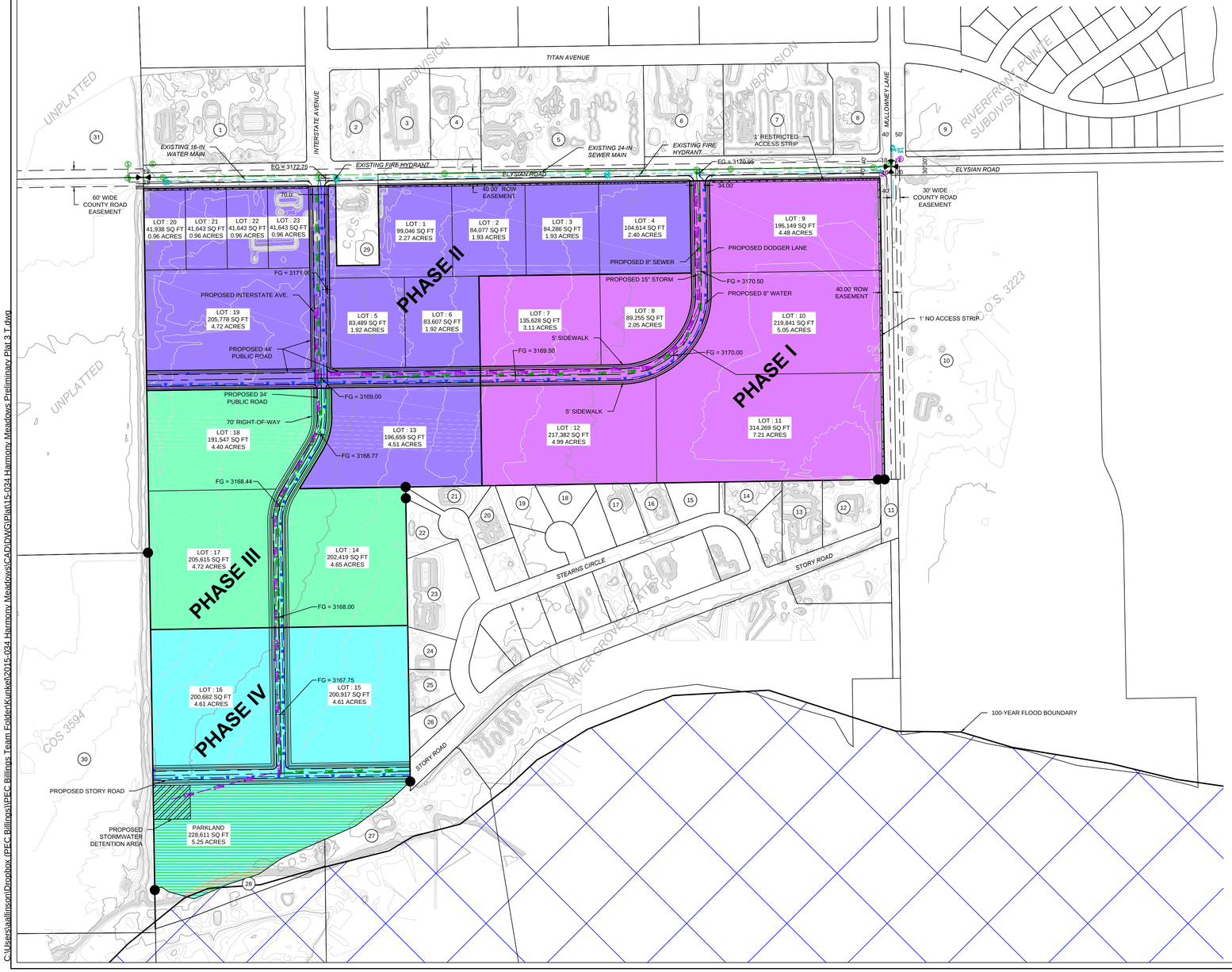
PREPARED BY: PERFORMANCE ENGINEERING — BILLINGS, MONTANA

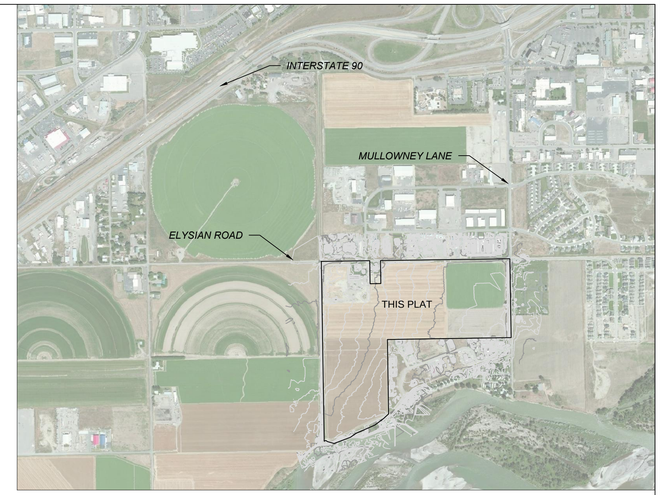
EXISTING ZONING: HIGHWAY COMMERCIAL
COMMUNITY COMMERCIAL
RESIDENTIAL MULTI-FAMILY RESTRICTED

PROPOSED ZONING: HIGHWAY COMMERCIAL
COMMUNITY COMMERCIAL
RESIDENTIAL MULTI-FAMILY RESTRICTED

EXISTING LAND USE: AGRICULTURAL

PROPOSED LAND USE: COMMERCIAL LOTS AND APARTMENT COMPLEXES





VICINITY MAP

NOT TO SCALE

0 200' 400'

PROPERTY OWNERS

NUMBER	NAME	ADDRESS
1	JOCK AND KATHY CLAUSE (C/O WESTERN MUNICIPAL CONSTRUCTION)	555 INTERSTATE AVENUE, BILLINGS, MT 59101
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3	MICHAEL TVETENE	6844 SOUTH FRONTAGE ROAD, BILLINGS, MT 59101
4	MELVILLE PROPERTIES, LLC	292 BENEDICT GULCH ROAD, PARK CITY, MT 59063
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- FOUND QUARTER CORNER
- FOUND PROPERTY CORNER
- STORM DRAIN MH
- STORM INLET
- STORM DRAIN PIPE
- WATER VALVE
- FIRE HYDRANT
- WATER LINE
- SANITARY SEWER MH
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FLOODPLAIN LEGEND

FEMA FIRM PANEL FLOODWAY AREA

SITE DATA

# OF LOTS	23
MAX. LOT AREA	±7.21 AC
MIN. LOT AREA	±0.96 AC
LINEAL FEET OF STREETS	±5,532 LF

AREA DATA

GROSS AREA	±92.55 AC
ROADWAY AREA	± 11.98 AC
NET AREA	±80.57 AC
REQUIRED PARK AREA	±5.98 AC
DEDICATED PARK AREA	±5.25 AC
POCKET PARK AREA	±0.73 AC

PROJECT TITLE:
HARMONY MEADOWS SUBDIVISION PRELIMINARY PLAT

REVISIONS DATE	BY

2101 OVERLAND AVE
BILLINGS, MT 59102
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PRELIMINARY PLAT OF

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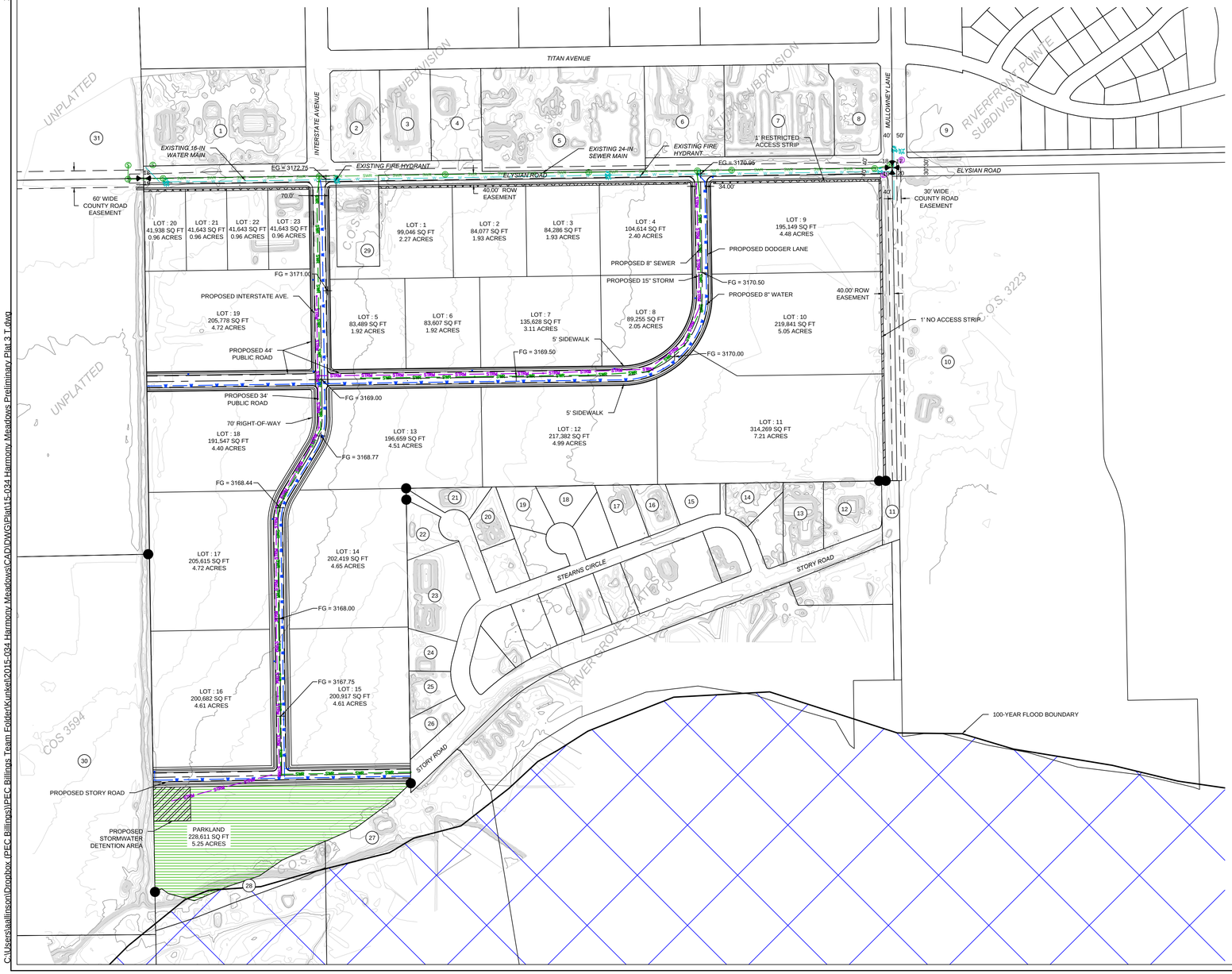
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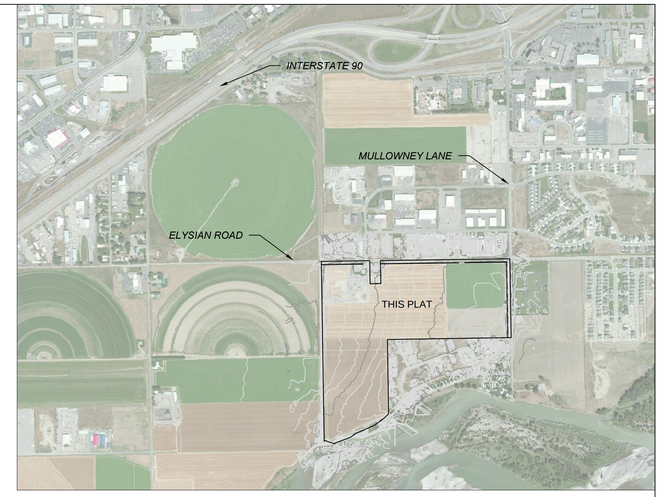
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Planning Board Meeting I (2nd Tuesday) **8. d.**

Meeting Date: 02/09/2016

Information

INTRODUCTION

On January 4, 2016, Performance Engineering and Consulting, agents for Teton Properties, LLC, applied for preliminary subsequent minor plat approval for Emerald View Park Subdivision, Amended Lot 1A, Block 3. The proposed plat does not create any additional lots from a 6.861-acre parcel of land as it is proposed for expansion of manufactured home park development. The subject property is generally located on the west side of Johnson Lane, south of Old Hardin Road in Lockwood. The property is zoned Residential Manufactured Home (RMH) and currently has residential manufactured home uses on the south portion of the property. The Planning Board is scheduled to conduct a public hearing on this application at its meeting on February 23. The Board of County Commissioners will act on the proposal on March 15.

RECOMMENDATION

Staff recommends the Planning Board recommend that the Yellowstone County Board of County Commissioners conditionally approve the preliminary plat of Emerald View Park Subdivision, Amended Lot 1A, Block 3, and adopt the Findings of Fact as presented in the staff report.

PROPOSED CONDITIONS OF APPROVAL

Planning staff recommends the following conditions of approval:

1. To minimize the effects on local services, prior to final plat approval the property owner will complete the process to dedicate the roads in the subdivision to Yellowstone County and a Rural Special Improvement District (RSID) will be created, or expanded, to provide maintenance of the interior road of this subdivision.
2. To ensure compliance with Montana Department of Environmental Quality (MDEQ) regulations, prior to final plat approval, the applicant will obtain MDEQ approval for the proposed subdivision storm drainage system.
3. To ensure compliance with the park land cash-in-lieu requirements, prior to final plat approval, the applicant will provide a rough proportionality of value for the cash-in-lieu and a comparative market analysis (CMA) will be prepared by a third party real estate broker, or similarly qualified person, in Yellowstone County.
4. To minimize the effects on the natural environment, prior to final plat approval, a weed management plan and property inspection shall be approved by the County Weed Department.
5. To minimize effects on local services, prior to final plat approval, utility easement will be shown on the lot on the final plat acceptable to private utility providers.
6. To minimize the effects on local services, prior to final plat approval, the subdivider shall provide written verification that the US Postal Service has approved the mail facilities for this subdivision.

7. Minor changes may be made in the SIA and final documents, as requested by the Planning and/or Public Works Departments to clarify the documents and bring them into the standard acceptable format.
8. The final plat shall comply with all requirements of the County Subdivision Regulations, rules, regulations, policies, and resolutions of the Yellowstone County, and the laws and Administrative Rules of the State of Montana.

VARIANCES REQUESTED

No variances have been requested from the Yellowstone County Subdivision Regulations for this proposal.

PROCEDURAL HISTORY

- A pre-application meeting was held on October 22, 2015, to discuss the proposal.
- The preliminary plat application was submitted to the Planning Division on January 4, 2016.
- A departmental review meeting was conducted on January 14, 2016.
- The preliminary plat was resubmitted with revisions based on department reviews on January 21, 2016.
- The Planning Board will review the plat on February 9, 2016.
- The Planning Board will conduct a public hearing on February 23, 2016, and forward a recommendation to the Board of County Commissioners.
- The Board of County Commission will consider the preliminary plat on March 15, 2016.
- The 60 working-day preliminary plat review period ends March 30, 2016.

PLAT INFORMATION

General location:	Located approximately 0.31 miles south of the intersection of Johnson Lane and Old Hardin Road, on the west side of Johnson Lane
Legal Description:	Lot 1-A, Block 3 of Emerald View Park Subdivision
Subdivider/Owner:	Teton Properties, LLC
Engineer and Surveyor:	Performance Engineering and Consulting
Existing Zoning:	Residential Manufactured Home (RMH)
Existing land use:	Residential
Proposed land use:	Residential
Gross/Net area:	6.861 acres
Proposed number of lots:	1
Lot size:	Max: 6.861 acres Min.: 6.861 acre
Parkland requirements:	Parkland dedication is 2.31 acres, the applicant will be paying cash-in-lieu.

Attachments

Findings of Fact

Proposed Plat

FINDINGS OF FACT

The City/County Planning staff has prepared the Findings of Fact for the Emerald View Park Subdivision, Amended Lot 1A, Block 3. These findings are based on the preliminary plat application and address the review criteria required by the Montana Subdivision and Platting Act (76-3-608, MCA) and the Yellowstone County Subdivision Regulations (YCSR).

A. What are the effects on agriculture, local services, the natural environment, wildlife, wildlife habitat, and public health and safety (76-3-608(3)(a), MCA) (Section 3.2(H)(2), YCSR)

1. Effect on agriculture and agricultural water users' facilities

The subject property is not currently used for agricultural purposes and does not have water rights. The subdivision is in an area that is developed with a mix of other uses and should not affect agriculture or agricultural water users' facilities.

2. Effect on local services

a. **Water and Sewer** –The property is currently served by the Lockwood Water and Sewer District (LWSD). Water service lines already exist in this subdivision in Rockwood Street. LWSD will review the proposal and work with the applicant to provide any additional water services to the new lot. There also is public sewer to the property. There is an 8 inch gravity feed system and the new development will be submitting engineered drawings to the LWSD for review and approval to service the additional homes on the subject property. Water and sewer systems will be constructed as approved by the LWSD and the MDEQ as shown on approved plans.

b. **Streets and roads** – The proposed subdivision is located on the west side of Johnson Lane south of Old Hardin Road. Johnson Lane is a paved principle arterial road. There are two access points into the subdivision from Johnson Lane via Rockwood Street and Silverton Street. These interior streets are all paved and have curb, gutter and sidewalks. There are no additional road improvements needed on existing roads within this subdivision.

   A new cul-de-sac street will be built to county standards for the new proposed mobile home spaces. The applicant has shown the new street to match the existing streets in the subdivision with curb, gutter, and sidewalk.

   This subdivision was originally platted in 1983 with traditional lots and blocks for residential homes. In 1989 the subdivision was amended to remove all the individual lots, the blocks were retained. Each block became a block and a single lot. Street layout was the same. The streets have been well maintained and so have the curb gutters and sidewalks. There has been a question raised as to whether the streets were dedicated to the public or not. This has caused confusion with who the roads belong to and who is responsible for road maintenance. With

this proposed plat, the applicant will be dedicating the roads to the public and creating an RSID for their maintenance. **(Condition # 1)**

c. **Fire and Police Services** – The property is within the Lockwood Fire Department jurisdiction and it will provide fire service. It is the subdivider's responsibility to ensure provisions of a water source and adequate access to the proposed lots for emergency service's needs. A pressurized fire hydrant is located across Johnson Lane from Silverton Street, adjacent to this subdivision. The Lockwood Fire Department has reviewed the location of this existing hydrant in relation to the proposed subdivision and finds is acceptable.

   The Yellowstone County Sheriff's Department will provide law enforcement services.

d. **Solid Waste disposal** – The Billings Landfill has capacity for solid waste disposal. Solid waste will be collected and disposed of by a private garbage collection company. Each home owner will be responsible for arranging for collection.

e. **Storm water drainage** – All storm water drainage shall satisfy storm water management requirements and specifications of MDEQ. There will be additional stormwater detention swales along the perimeter of the lot that is being modified to meet the requirements of MDEQ. **(Condition # 2)**

f. **School facilities** – The proposed subdivision is located in the Lockwood School District for elementary and Middle school, and Senior or Skyview High School in Billings School District #2. Staff did receive correspondence from the Lockwood School District for the Elementary and Middle School. Both stated they have capacity for more students and that there is a current bus route in the area. School District #2 responded stating that Senior High School would be where the students would attend and that they are currently 3 students above maximum capacity.

g. **Parks and recreation** – This proposed subsequent minor subdivision will be paying cash-in-lieu of the required 2.31 acres of parkland dedication. The land that is the subject property is a private park easement that was provided in 1983 when the plat was originally completed. Before there was water and sewer available to the development, the land of the subject subdivision was the drain field for the septic system and was left as a private park space. As the drain field is no longer needed for that purpose, the owner is proposing to further develop the land for more mobile homes and remove the drainfield and private open space area.

   This proposed subdivision is required to provide between 11% of the net area as parkland pursuant Section 10.2 B, YCSR and MCA 76-3-621. This amount totals 2.31 acres, and a cash contribution in lieu of land dedication has been proposed to

meet this requirement. The County Park staff has reviewed this proposal and approves of the cash-in-lieu contribution in place of land for this project. The nearest park in the area is about half a mile east of the subject property.

The State Legislature has established how and where cash-in-lieu of parkland must be spent, and this dictate is delineated in the districts established in the Comprehensive Parks Plan for Yellowstone County adopted by the Board of County Commissioners after review, recommendation, and public hearing by the County Board of Park Commissioners. Cash-in-lieu funds from this subdivision development will be used to make improvements in a nearby established park (MCA 76-3-621(5).

To provide a rough proportionality of value for the cash-in-lieu, a comparative market analysis (CMA) will be prepared by a third party real estate broker, or similarly qualified person, in Yellowstone County. The CMA provides the dollar per acre value to be applied to the required amount of parkland for which cash is being taken in-lieu. MCA 76-3-621(10)(a) defines cash donation, i.e., cash-in-lieu as "—the fair market value of the unsubdivided, unimproved land." **(Condition #3)**

h. **Historic features** – No known historical or cultural assets exist on the site.

3. Effects on the natural environment

The development will use noxious weed control measures to prevent the spread of noxious weeds to adjacent developed or agricultural land. A weed management plan will be completed and a property inspection done prior to final plat approval **(Condition #4)**.

There are no apparent or known natural hazards on the property.

4. Effects on wildlife and wildlife habitat

There are no known endangered or threatened species on the property. Montana Fish, Wildlife, and Parks (FWP) responded to a request for review and comment on the proposed subdivision. It is suggested that future homeowners should be made aware that unless they take steps to deter animals such as fencing their yards they may experience damage problems. A paragraph to this effect is found within the SIA to help inform future landowners.

5. Effects on public health and safety

Plans and designs for use of the proposed connection to the Lockwood Water and Sewer District will be reviewed by the District and also meet all the requirements of the MDEQ. Fire and emergency services are provided for this proposed subdivision. There should be minimal effects on public health and safety as a result of this subdivision.

B. Was an environmental assessment required? If yes, what, if any, significant adverse impacts were identified? (76-3-616, MCA) (Chapter 9, YCSR)

An environmental assessment was not required for this subdivision as it is in the zoned area of Yellowstone County.

C. Does the subdivision conform to the Yellowstone County-City of Billings 2008 Growth Policy Update, the 2014 Billings Urban Area Long Range Transportation Plan, and the Billings Area Bikeway and Trail Master Plan? (Section 3.2 (H)(4), YCSR)

1. <u>Yellowstone County – City of Billings 2008 Growth Policy Update</u>

- **Goal: Predictable land use decisions that are consistent with neighborhood character and land use patterns. (p. 6)**

This subdivision will create additional spaces for residential uses, consistent with the immediately surrounding neighborhood.

- **Goal: New developments that are sensitive and compatible with the character of adjacent County townsites. (p. 6)**

There are similarly sized lots directly adjacent to the subject property.

- **Goal: Contiguous development focused in and around existing population centers separated by open space. (p. 6)**

The proposed subdivision for lease or rent will increase the development density on the subject property therefore concentrating development and potentially preserving the agricultural land and open space in the surrounding the area.

- **Goal: More housing and business choices within each neighborhood. (p. 6)**

The proposed subdivision will create additional housing options for people in the Lockwood area.

2. <u>2014 Billings Urban Area Long Range Transportation Plan</u>

The subject property is on the eastern boundary of the study area of the Transportation Plan. The subject property has frontage on Johnson Lane which is a principal arterial road. No additional right-of-way is needed with this plat.

3. <u>Billings Area Bikeway and Trail Master Plan (BABTMP)</u>

The subject property is outside of the study area of the BABTMP. No improvements are proposed or required with this plat. However, the development is providing sidewalks to connect t existing sidewalks in the neighborhood.

4. <u>2015 Lockwood Non-Motorized Transportation Plan</u>

The Lockwood Pedestrian Safety District prepared the Lockwood Non-Motorized Transportation Plan in 2015 and it was adopted by the Yellowstone County Board of County Commissioners. The Vision of the Plan is to make "Lockwood a vibrant community with thriving industrial, commercial and residential neighborhoods where people of all ages and physical abilities can travel safely and efficiently without the use of an automobile." While the current County Subdivision

Regulations do not require sidewalks in Lockwood, the Plan identifies both coordination with development to install sidewalks in the short term and adoption of an ordinance requiring the construction of sidewalks along all roads in Lockwood area in the next few years. Provision of sidewalks in this development meets the intent of the Plan.

D. Does the subdivision conform to the Montana Subdivision and Platting Act and to local subdivision regulations? [76-3-608(3)(b), MCA and Section 3.2(3)(a), YCSR]

The proposed subdivision meets the requirements of the MSPA and the YCSR. The subdivider and the local government have complied with the subdivision review and approval procedures that are set forth by local and state subdivision regulations.

E. Does the subdivision conform to sanitary requirements? [Section 4.8(C) and 4.9 (C), YCSR]

The subdivider will need to receive approval from LWSD and the MDEQ. The LWSD will review and approve the connections to the public water and sewer system for the new mobile home sites.

F. Does the proposed subdivision meet any applicable Zoning Requirements? [Section 3.2(H)(3)(e), YCSR]

The subdivision is in the County's zoning jurisdiction and is zoned RMH. The proposed lots sizes are in compliance with zoning, County Subdivision Regulations, and MDEQ. There is a paragraph within Section II of the SIA notifying future property owners that a Zoning Compliance Permit is required prior to any construction or placement of mobile home on the lot.

G. Does the subdivision provide for necessary planned utilities? [76-3-608(3)(c), MCA and Section 3.2 (H)(3)(b), YCSR]

Utility easements shall appear on the face of the final plat as requested by Yellowstone Valley Electric Cooperative and MDU.

H. Does the proposed subdivision provide for legal and physical access to all lots? [76-3-608 (3)(d), MCA and Section 3.2 (H)(3)(c)(d), YCSR]

Legal and physical access will be provided for the proposed lots from Rockwood Street and Silverton Street connecting to Johnson Lane.

CONCLUSIONS OF FINDINGS OF FACT

- The Emerald View Park Subdivision, Amended Lot 1A, Block 3 - Preliminary Subsequent Minor Subdivision for Rent or Lease does not create adverse impacts that warrant denial of the subdivision.

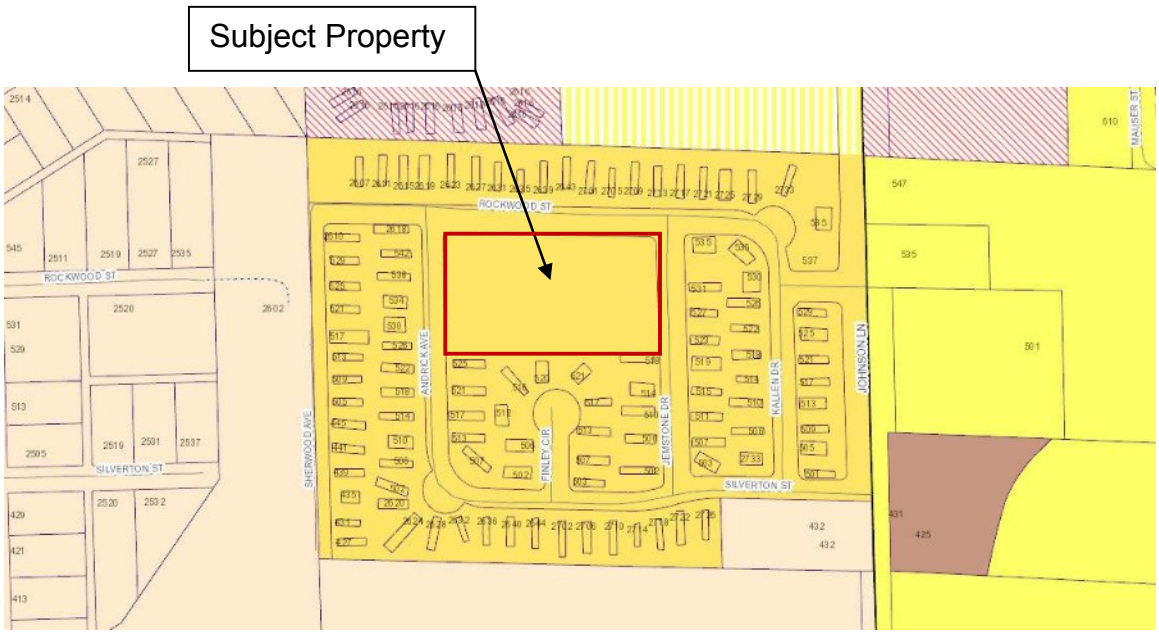
- Impacts to agriculture, agriculture water user facilities, local services, public health and safety, the natural environment, and wildlife should be minimal. Impacts identified can be mitigated by reasonable conditions of final plat approval.
- The subdivision conforms to some of the goals of the 2008 Growth Policy.
- The applicant has complied with the MSPA and YCSR processes and the subdivision conforms to the law requirements.

RECOMMENDATION

Staff recommends that the Planning Board recommend to the Board of County Commissioners conditional approval of the preliminary plat of Emerald View Park Subdivision, Amended Lot 1A, Block 3 and adoption of the Findings of Fact as presented in the staff report.

ATTACHMENTS

A: Zoning Map
B: Preliminary Plat and Associated Documents


Subject Property
ROCKWOOD ST
SILVERTON ST
SHERWOOD AVE
ANDRICK AVE
FINLEY CIR
JEWSTONE DR
KALIEN DR
JOHNSON LN
MAUSER ST



BUILDING ENVELOPE HAS 20-FT SETBACKS ALONG THE EAST, SOUTH, AND WEST OUTSIDE BOUNDARIES AND ALONG THE CUL-DE-SAC, AND A 10-FT SETBACK ALONG THE NORTH BOUNDARY.

EXISTING ZONING: RMH

UNIFIED ZONE REGULATIONS STATE:

REQUIRED 6,000 SQ. FT/DWELLING

EXISTING UNITS: 20
PROPOSED UNITS: 20
UNITS ALLOWED: 47

30% MAX. LOT COVERAGE
MAX. 85,176 SQ. FT OF DWELLING COVERAGE

THE DWELLINGS WILL HAVE A SIMILAR LAYOUT TO THE DWELLINGS LOCATED ON THE SOUTHERN HALF OF LOT 1-A, BLOCK 3.

CLIENT
DORN DEVELOPMENT
2680 OVERLAND AVE.
BILLINGS, MT 59102
(406) 652-8232

PROJECT TITLE
EMERALD VIEW PARK
SUBDIVISION EXPANSION

JMD DESIGNED BY	SEP-15 DATE	#ERA15 PROJECT NO.	
JMD DRAWN BY	#ERA15 DATE		
JAA CHECKED BY	2015-0025 PROJECT NO.		
REV BY	DATE	CHKD BY	

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PEC
PERFORMANCE ENGINEERING & CONSULTING

SHEET TITLE
PRELIMINARY LAYOUT PLAN

SHEET
EX 1

PEC STANDARD.CTB
10/7/2015 12:07:03 PM
C:\Users\JDirks\Dropbox\WORK\Dorn Development\2015-025 Emerald View Park Expansion\CAD\DWG\Exhibits\Preliminary Plat Application\Pre-App Meeting\Pre-App Meeting 9-17-15.dwg

Planning Board Meeting I (2nd Tuesday) **8. e.**

Meeting Date: 02/09/2016

Information

INTRODUCTION

PLAT REVIEW/DISCUSSION. Aspen Ridge Subdivision, 2nd Filing. On January 1, 2016, owner, Superior Builders, LLP, applied for preliminary major plat approval for Aspen Ridge Subdivision, 2nd Filing. This 2nd Filing was first reviewed and received a preliminary approval by the Board of County Commissioners in July 2015, but the applicant has resubmitted for a second preliminary plat review after making significant changes to the plat, including lot size increases to avoid construction of pedestrian facilities along San Marino Drive, and redesigning the storm water management system. The proposed plat creates 15 lots from a 28-acre parcel of land. Thirteen of the lots are for single-family residential development, one is for storm water management, and one is a large lot for future development. The subject property is generally located in Lockwood, on the south side of San Marino Drive, between Tanglewood Drive and Noblewood Drive. The property is zoned Residential-9,600 (R-96). The Yellowstone County Board of Planning will review the plat at this meeting and conduct a public hearing on Tuesday, February 23, 2016. The Board of County Commissioners is schedule to act on the proposal on March 15.

RECOMMENDATION

Staff recommends that the Planning Board recommend that the Yellowstone County Board of County Commissioners conditionally approve the preliminary plat of Aspen Ridge Subdivision, 2nd Filing, and adopt the Findings of Fact as presented in the staff report.

PROPOSED CONDITIONS OF APPROVAL

Planning staff recommends the following conditions of approval:

1. To minimize effects on local services, prior to final plat approval two storm water facilities easements shall be created for the storm water facilities on Lot 8. A County RSID for maintenance of the storm water facilities in the easements also shall be established or expanded prior to final plat approval. The final SIA must reflect these arrangement for the storm water management.
2. To minimize effects on local services and the natural environment, prior to final plat approval the subdivider will receive approval from MDEQ for the individual septic systems and the storm water management system on the subdivision.
3. To minimize the effects on the natural environment, a weed management plan and property inspection shall be approved by the County Weed Department, prior to final plat approval.
4. To minimize effects on local services, provide the pedestrian pathway connectivity required by Section 4.6 C. 15 of the County Subdivision Regulations, and meet the requirements of the Aspen Ridge Subdivision,1st Filing Subdivision Improvement Agreement, prior to final plat approval the

5-foot wide pedestrian walkway/trail shall be constructed along the east side of Tanglewood Drive and the north side of San Marino Drive in the existing walkway/trail easement in Aspen Ridge Subdivision, 1st Filing. The pathway shall be constructed of asphalt or concrete at the discretion of the developer.

5. Minor changes may be made in the SIA and final documents, as requested by the Planning and/or Public Works Departments to clarify the documents and bring them into the standard acceptable format.
6. The final plat shall comply with all requirements of the County Subdivision Regulations, rules, regulations, policies, and resolutions of the Yellowstone County, and the laws and Administrative Rules of the State of Montana.

VARIANCES REQUESTED

No variances have been requested from the Yellowstone County Subdivision Regulations for this proposal.

PROCEDURAL HISTORY

- The Board of County Commission first approved this preliminary plat on July 14, 2015.
- A new pre-application meeting was held on December 3, 2015 to discuss a revised preliminary plat proposal.
- The preliminary plat application was submitted to the Planning Division on January 4, 2016.
- A departmental review meeting was conducted on January 21, 2016.
- The preliminary plat was resubmitted with revisions based on department reviews on January 28, 2016.
- The Planning Board will review the plat on February 9, 2016.
- The Planning Board will conduct a public hearing on February 23, 2016, and forward a recommendation to the Board of County Commissioners.
- The Board of County Commission will consider the preliminary plat on March 15, 2016.
- The 60 working-day preliminary plat review period ends March 30, 2016.

PLAT INFORMATION

General location:	San Marino Drive, west of Noblewood Drive, in Lockwood.
Legal Description:	Lot 5, Block 3, Aspen Ridge Subdivision, 1st Filing
Subdivider/Owner:	Superior Builders, LLP
Engineer and Surveyor:	Blueline Engineering
Existing Zoning:	R-96
Existing land use:	Vacant
Proposed land use:	Single-Family Residential
Gross area:	28.9 acres
Net area:	27.1
Proposed number of lots:	15

Lot size:	Max: 18.5 acres Min.: 0.506 acre
Parkland requirements:	Parkland dedication is required in the amount of 0.578 acres. A cash contribution in lieu of land dedication is proposed.

Attachments

Findings of Fact
Preliminary Plat
SIA
DEQ Preliminary Application
Storm Water Summary

YELLOWSTONE COUNTY BOARD OF PLANNING
FINDINGS OF FACT

The City-County Planning staff has prepared the Findings of Fact for the Aspen Ridge Subdivision, 2nd Filing. These findings are based on the preliminary plat application and address the review criteria required by the Montana Subdivision and Platting Act (76-3-608, MCA) and the Yellowstone County Subdivision Regulations (YCSR).

A. What are the effects on agriculture, local services, the natural environment, wildlife, wildlife habitat, and public health and safety (76-3-608(3)(a), MCA) (Section 3.2(H)(2), YCSR)

1. Effect on agriculture and agricultural water users' facilities

The subject property is not currently used for agricultural purposes and does not have water rights. The subdivision should not affect agricultural water users' facilities or take land out of agricultural production.

2. Effect on local services

a. **Water and Sewer** –Lockwood Water and Sewer District shall be used to supply water to the individual lots. A service line will be extended from its current terminus in San Marino Drive, and connect to the existing line in Noblewood Drive, completing a necessary loop for water pressure and quality needs. Individual septic systems are proposed for each of the lots. Locations and design of the septic systems will be reviewed and approved by the Montana Department of Environmental Quality (MDEQ) prior to final plat approval. These systems will be constructed as approved by the MDEQ and as shown on approved plans (**Condition 2**).

b. **Streets and roads** – The proposed subdivision is located at the east terminus of San Marino Drive, a local paved street, south of Tanglewood Drive in Lockwood. San Marino will be extended to serve the new proposed lots. It will be built to a County paved road standard.

   Additionally, right-of-way for the future continuation of Noblewood Drive fronts the east side of property. Noblewood Drive is classified as a future Collector Street, according to the Billings Urban Area Transportation Classification map, therefore, a 40-foot half width right-of-way is being dedicated with this plat. Construction of Noblewood Drive as it fronts the subject property will be limited to a 20-foot wide gravel surface to the south side of Lot 8 with this filing. In the future, when Lot 15 is developed as shown on the master plan, the entire Noblewood frontage will be constructed to a County paved road standard. This requirement is specified in the Subdivision Improvements Agreement (SIA).

c. **Fire and Police Services** – The property is within the Lockwood Fire Department's jurisdiction. It is the subdivider's responsibility to ensure provisions of a water source and adequate access to the proposed lots for emergency service's needs. A pressurized

fire hydrant shall be installed at the end of San Marino Drive to meet the requirements for water supply specified in the County Subdivision Regulations and the Fire Department has indicated that the proposal meets its needs for access.

The Yellowstone County Sheriff's Department will provide law enforcement services.

d. **Solid Waste disposal** – The Billings Landfill has capacity for solid waste disposal. Solid waste will be collected and disposed of by a private garbage collection company. Each lot owner will be responsible for arranging for collection.

e. **Storm water drainage** – The management of storm water runoff shall be designed to satisfy storm water management requirements and specifications of MDEQ. As was required with the 1st Filing of Aspen Ridge Subdivision, the subdivider shall provide a storm water master plan for this filing and any future development of Lot 15. The preliminary plat shows that storm water will be absorbed on-site in the ditches along the paved road and also within two storm retention areas. The existing retention pond at the north end of Lots 2 and 3, will be maintained in an easement on those lots and two additional ponds will be constructed on Lot 8. Prior to final plat approval, the subdivider must receive approval from MDEQ for the storm water management plan for the subdivision (**See Condition# 2**).

   The two storm water facilities are shown on Lot 8. Lot 8 is intended to remain in private ownership and function as public storm water facilities. To do this, two storm water facility easements must be created and easement documents filed with the final plat specifying the areas of the easements are for storm water management only and are maintained through a Rural Special Improvement District (RSID) created for the purpose of maintaining the facilities (**See Condition #1**). Lot 8 may not be developed in the future for anything except the storm water management without first providing the County with alternate storm water facilities to serve the subdivision. A controlled access easement also has been placed along the eastern edge of Lot 8 on Noblewod Drive to ensure future development of the lot is properly reviewed for an approach on Noblewood Drive. An RSID for maintenance of the storm water facilities on Lot 8 must be created or expanded prior to final plat approval (**See Condition #1**). These details must be updated in the SIA.

   Prior to final plat approval, the subdivider also must receive approval from MDEQ for the storm water management plan for the subdivision (**See Condition# 2**).

f. **School facilities** – The proposed subdivision is located in the Lockwood School District for elementary and middle school, and Billings School District #2 for high school (Senior High). Both Senior High and Lockwood School administrators commented that the subdivision is located on a current bus route, and that the schools have capacity for more students.

g. **Parks and recreation** – This subdivision is required to provide parkland dedication. As the lots are between 0.5 and one acre, a dedication equal to 7.5% of the net lot area is require; this equates to 0.596 acres. The subdivision is near Harris Park, a developed

County park, and the developer has proposed to provide cash in lieu of land dedication for this filing. The developer will also be required to expand the existing Park Maintenance District for Harris Park prior to final plat approval. These details are noted in the SIA.

h. **Historic features** – No known historical or cultural assets exist on the site.

3. Effects on the natural environment

The development will use noxious weed control measures to prevent the spread of noxious weeds to adjacent developed or agricultural land. A weed management plan will be completed and a property inspection done prior to final plat approval **(Condition #3)**.

MDEQ will review and approve the new proposed septic systems and storm water management facilities to ensure any impacts of the development are mitigated (**Condition 2**). There are no apparent or known natural hazards on the property.

4. Effects on wildlife and wildlife habitat

There are no known endangered or threatened species on the property. Montana Fish, Wildlife, and Parks (FWP) responded to a request for review and comment on the proposed subdivision. It is suggested that future homeowners should be made aware that unless they take steps to deter animals such as fencing their yards they may experience damage problems. A note to this effect is found within the SIA to help inform future landowners.

5. Effects on public health and safety

Plans and designs for use of the proposed septic systems and public water supply will be reviewed and approved by MDEQ prior to final plat approval. Fire and emergency services are provided for this proposed subdivision.

The original preliminary approval of this 2nd Filing required a pedestrian walkway along one side of San Marino Drive, as is still required in the 1st Filing. This requirement was triggered by Section 4.6 (C) (15) of the County Subdivision Regulations based on the majority of the lots being less than 25,000 square feet. However, this resubmitted preliminary plat has a majority of lots sizes that are greater than 25,000 square feet, so the pedestrian pathway requirement is not triggered. The subdivider is providing a 6-foot-wide pedestrian pathway from the end of the cul-de-sac on San Marino to Noblewood Drive right-of-way. While this is a benefit for connectivity for the neighborhoods in this area of Lockwood, lack of pedestrian facilities within this filing of the subdivision and no facilities on Noblewood until the road is constructed in the future makes pedestrian circulation challenging in this area.

B. Was an environmental assessment required? If yes, what, if any, significant adverse impacts were identified? (76-3-616, MCA) (Chapter 9, YCSR)

An environmental assessment was not required for this subdivision.

C. Does the subdivision conform to the Yellowstone County-City of Billings 2008 Growth Policy Update, the 2014 Billings Urban Area Long Range Transportation Plan, and the Billings Area Bikeway and Trail Master Plan? (Section 3.2 (H)(4), YCSR)

1. <u>Yellowstone County – City of Billings 2008 Growth Policy Update</u>

- **Goal: Predictable land use decisions that are consistent with neighborhood character and land use patterns. (p. 6)**

This subdivision will create 13 lots for single family residences, consistent with the immediately surrounding neighborhood.

- **Goal: New developments that are sensitive and compatible with the character of adjacent County townsites. (p. 6)**

There are similarly sized lots containing single-family homes directly adjacent to the subject property.

- **Goal: Contiguous development focused in and around existing population centers separated by open space. (p. 6)**

The proposed subdivision is within the Lockwood water service area. Because it is able to be served with public water, development can be of higher density and more concentrated around the existing population center of Lockwood.

- **Goal: More housing and business choices within each neighborhood. (p. 6)**

The proposed subdivision will create 13 additional single family residential lots in this area.

2. <u>2014 Billings Urban Area Long Range Transportation Plan</u>

The subject property is within the boundary of the study area of the Transportation Plan. Although the new lots will be served by an internal local street, the subject property has frontage on Noblewood Drive which is identified as a future collector road on the Functional Classification Map. The appropriate amount of right-of-way is being preserved for this future collector with this plat and the roadway will be constructed to a County Collector Road standard when any additional development occurs south of Lot 8.

3. <u>Billings Area Bikeway and Trail Master Plan (BABTMP)</u>

The subject property is not within the jurisdiction of the BABTMP.

However, to provide for the pedestrian pathway connectivity required by Section 4.6 C. 15 of the County Subdivision Regulations, and meet the requirements of the Aspen Ridge Subdivision, 1st Filing Subdivision Improvement Agreement, prior to final plat approval the 5-foot wide pedestrian walkway/trail shall be constructed along the east side of Tanglewood Drive and the north side of San Marino Drive in the existing walkway/trail easement in Aspen Ridge Subdivision, 1st Filing. The pathway shall be constructed of asphalt or concrete (**See Condition #4**).

4. 2015 Lockwood Non-Motorized Transportation Plan

The Lockwood Pedestrian Safety District prepared the Lockwood Non-Motorized Transportation Plan in 2015 and it was adopted by the Yellowstone County Board of County Commissioners. The Vision of the Plan is to make "Lockwood a vibrant community with thriving industrial, commercial and residential neighborhoods where people of all ages and physical abilities can travel safely and efficiently without the use of an automobile." While the current County Subdivision Regulations do not require sidewalks in Lockwood, aside from the language in Section 4.6 C. 15 of the County Subdivision Regulations discussed in Item 3 above, the Plan identifies both coordination with development to install sidewalks in the short term and adoption of an ordinance requiring the construction of sidewalks along all roads in Lockwood area in the next few years. Provision of a sidewalk in the 1st Filing of this development and between the San Marino cul-de-sac end and Noblewood Drive meets the intent of the Plan, while lack of provision of a sidewalk between these walkways through the 2nd Filing does not meet the intent of the Plan.

D. Does the subdivision conform to the Montana Subdivision and Platting Act and to local subdivision regulations? [76-3-608(3)(b), MCA and Section 3.2(3)(a), YCSR]

The proposed subdivision meets the requirements of the MSPA and the YCSR. The subdivider and the local government have complied with the subdivision review and approval procedures that are set forth by local and state subdivision regulations.

E. Does the subdivision conform to sanitary requirements? [Section 4.8(C) and 4.9 (C), YCSR]

The subdivider shall receive approval from MDEQ for the proposal to make use of the public water and individual septic systems for the new lots (**Condition 2**).

F. Does the proposed subdivision meet any applicable Zoning Requirements? [Section 3.2(H)(3)(e), YCSR]

The subdivision is in the County's zoning jurisdiction and is zoned R-96. The proposed lots sizes are in compliance with zoning, County Subdivision Regulations, and MDEQ. A note is found in the SIA notifying future property owners that a Zoning Compliance Permit is required prior to any construction on the lots.

G. Does the subdivision provide for necessary planned utilities? [76-3-608(3)(c), MCA and Section 3.2 (H)(3)(b), YCSR]

Utility easements shall appear on the face of the final plat as requested by Northwestern Energy and MDU.

H. Does the proposed subdivision provide for legal and physical access to all lots? [76-3-608 (3)(d), MCA and Section 3.2 (H)(3)(c)(d), YCSR]

Legal and physical access will be provided for the proposed lots from San Marino Drive.

CONCLUSIONS OF FINDINGS OF FACT

- The Aspen Ridge Subdivision, 2nd Filing does not create adverse impacts that warrant denial of the subdivision.
- Impacts to agriculture, agriculture water user facilities, local services, public health and safety, the natural environment, and wildlife should be minimal. Impacts identified can be mitigated by reasonable conditions of final plat approval.
- The subdivision conforms to some of the goals of the 2008 Growth Policy.
- The applicant has complied with the MSPA and YCSR processes and the subdivision conforms to the law requirements.

RECOMMENDATION

The Yellowstone County Board of Planning recommends that the Yellowstone County Board of County Commissioners conditionally approve the preliminary plat of Aspen Ridge Subdivision, 2nd Filing, and adopt the Findings of Fact as presented in the staff report.

ATTACHMENTS

A: Zoning Map
B: Plat and associated documents

PRELIMINARY PLAT OF

ASPEN RIDGE SUBDIVISION, 2ND FILING

BEING LOT 5, BLOCK 3, ASPEN RIDGE SUBDIVISION, 1ST FILING,
SITUATED IN THE SE 1/4, SW 1/4, SECTION 29, T. 1 N., R. 27 E., P.M.M.
YELLOWSTONE COUNTY, MONTANA

PREPARED FOR: SUPERIOR BUILDERS LLP
SURVEYOR: NORTH STAR LAND SERVICES, P.C.
ENGINEER: BLUELINE ENGINEERING LLC
JANUARY, 2016
BILLINGS, MONTANA



VICINITY MAP
NOT TO SCALE

Scale 1" = 80'

Return to:
Blueline Engineering
2110 Overland Avenue, Suite 119B
Billings, MT 59102

SUBDIVISION IMPROVEMENTS AGREEMENT
Aspen Ridge Subdivision, 2nd Filing
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(Yellowstone County)

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SUBDIVISION IMPROVEMENTS AGREEMENT

Aspen Ridge Subdivision, 2nd Filing

This agreement is made and entered into this ____ day of _____, 2016, by and between *Superior Builders, LLP*, whose address for the purpose of this agreement is **832 Granite Estates Ln, Billings, MT 59101-6888**, hereinafter referred to as "Subdivider," and YELLOWSTONE COUNTY, Montana, hereinafter referred to as "County."

WITNESSETH:

WHEREAS, the plat of *Aspen Ridge Subdivision, 2nd Filing*, located in Yellowstone County, Montana, was submitted to the Yellowstone County Board of Planning; and

WHEREAS, at a regular meeting conducted on _____ day of _____, 2016, the Board of Planning recommended conditional approval of a preliminary plat of *Aspen Ridge Subdivision, 2nd Filing*; and

WHEREAS, at a regular meeting conducted on _____ day of _____, 2016, the Yellowstone County Board of County Commissioners conditionally approved a preliminary plat of *Aspen Ridge Subdivision, 2nd Filing*; and

WHEREAS, a Subdivision Improvements Agreement is required by the County prior to the approval of the final plat.

WHEREAS, the provisions of this agreement shall be effective and applicable to *Aspen Ridge Subdivision, 2nd Filing* upon the filing of the final plat thereof in the office of the Clerk and Recorder of Yellowstone County, Montana. The Subdivision shall comply with all requirements of the Yellowstone County Subdivision Regulations, the rules, regulations, policies, and resolutions of Yellowstone County, and the laws and administrative rules of the State of Montana.

THEREFORE, THE PARTIES TO THIS AGREEMENT, for and in consideration of the mutual promises herein contained and for other good and valuable consideration, do hereby agree as follows:

I. VARIANCES

A. No Variances are requested.

II. CONDITIONS THAT RUN WITH THE LAND

A. Lot owners should be aware that this subdivision is being built in close proximity to prime deer and antelope habitat and it is likely that homeowners will experience problems with damage to landscaped shrubs, flowers, and

gardens. The Montana Fish, Wildlife, and Parks Department does not provide damage assistance unless there is damage to commercial crops and/or a threat to public health and safety.

B. Lot owners should be aware that soil characteristics within the area of this subdivision, as described in the 1972 Yellowstone County Soil Survey, indicate that there could be potential limitations for proposed construction on the lots, which may require a geotechnical survey prior to construction.

C. There is attached hereto a Waiver waiving the right to protest the creation of the special improvement district or districts which by this reference is expressly incorporated herein and made as much a part hereof as though fully and completely set forth herein at this point. The Waiver will be filed with the plat, shall run with the land, and shall constitute the guarantee by the Subdivider and property owner or owners of the developments described herein. Said Waiver is effective upon filing and is not conditioned on the completion of the conditions set forth in this Agreement. The Subdivider and owner specifically agree that they are waiving valuable rights and do so voluntarily.

D. Culverts and associated drainage swales shall not be filled in or altered by the subdivider or subsequent lot owners. Storm drainage swales will be located along San Marino Drive to collect and channel stormwater to the stormwater ponds, as shown on the plat. Driveway culverts shall be at a minimum 21 inches in diameter.

E. When required by road improvements, all fences and irrigation ditches in the public right-of-way adjacent to this subdivision shall be removed or relocated outside of the public right-of-way at no cost to the County and any relocation outside of the public right-of-way shall be subject to securing and recording easements.

F. Subdivider will be required to expand the existing RSID #698 for the maintenance of the extension of San Marino Drive. A new RSID will be created for the maintenance of the storm water facilities and walkway from the cul-de-sac in San Marino to Noblewood Drive.

G. The lots within this subdivision will be assessed for the maintenance of the parkland through the expansion of the Harris Park 'Park Maintenance District' #634 which will be expanded prior to final plat approval.

H. A Master Plan of Lot 11, Block 3, Aspen Ridge Subdivision, 2nd Filing has been provided. The water main will be connected to the existing main at the intersection of Noblewood Drive and Brookwood Drive. These are conditions of approval from the Aspen Ridge Subdivision, 1st Filing SIA.

I. A zoning compliance permit is required prior to home construction to ensure full compliance with setbacks, lot coverage, height, and use allowances within the Residential-9600 zoning district.

J. Lot 9 is not buildable at this time. If the use ever changes, proper access must be provided. Therefore, a 1'-wide controlled access easement has been provided adjacent to Noblewood Drive.

III. TRANSPORTATION

The subdivider agrees to guarantee all improvements for a period of one (1) year from the date of final acceptance by Yellowstone County.

A. Streets. Tanglewood Drive and San Marino Drive shall serve as primary legal and physical access for all proposed lots. San Marino Drive shall be extended as shown on the plat and shall be a 60-foot right-of-way dedicated road with 24-foot paved surfaces and 2-foot gravel shoulders. Utility easements adjacent to the right-of-way are shown on the plat.

The 40-foot half right-of-way for Noblewood Drive shall be dedicated at this time. Noblewood Drive shall be extended to the southern edge of Lot 8 with a 20-foot wide gravel surface and will meet Yellowstone County Gravel Road Standards. Noblewood Drive will be constructed to Yellowstone County paved road standards with any subsequent filings, as shown on the master plan.

County RSID #698 for maintenance of the extension of San Marino Drive and Tanglewood Drive will be expanded before the final subdivision plat is filed.

B. Traffic Control Devices

1. The Subdivider shall furnish and install all necessary traffic control devices in accordance with the Manual of Uniform Traffic Control Devices. No traffic signals are required for this subdivision.

2. A 'No Outlet' sign shall be installed at the intersection of San Marino Drive and Tanglewood Drive.

C. Access. All improvements in the public road right-of-way, including driveways and culverts will be in accordance with the plans and specifications as approved by the Yellowstone County Public Works Department.

D. Billings Area Bikeway and Trail Master Plan. This development is not within the BABTMP. A 5-foot wide pedestrian walkway/trail easement was provided with Aspen Ridge Subdivision, 1st Filing along the North side of San Marino Drive and on the East side of Tanglewood Drive. The path within

Aspen Ridge Subdivision, 1st Filing will be completed prior to filing of final plat. That 5-foot wide pedestrian walking/trail easement will not be extended to the east along the North side of San Marino Drive, as the majority of the lots are greater than 25,000 sf. A 20-foot wide utility and pedestrian access easement will be provided from the cul-de-sac on San Marino Drive, through Lot 8 between the two stormwater ponds and connect to Noblewood Drive, as shown on the plat. A 6-foot wide concrete path shall be installed within the easement. The walkway is required to be built prior to final plat approval and shall be designed and built in accordance with BABTMP specifications. In accordance with Lockwood Fire Department regulations, bollards or a chain gate will be installed to prevent vehicular access through said 20'-wide easement.

IV. EMERGENCY SERVICE

Fire hydrants shall be provided in accordance with the Lockwood Water and Sewer District specifications.

V. STORM DRAINAGE

All drainage improvements shall comply with the provisions of the Section 4.7, Yellowstone County Subdivision Regulations, and a stormwater management plan shall be submitted to and approved by the Montana Department of Environmental Quality (MDEQ), or its designee. Copies of the stormwater management plan will be provided to both the City-County Planning Division and the County Public Works Department.

There is an existing detention facility at the northern end of the subdivision. This pond shall not be altered with the subdivision.

The existing berm on Lot 5, Block 3, Aspen Ridge Subdivision, 1st Filing within the subdivision was built at some time in the past. This berm will be removed with the subdivision. To replace the storm water detention volume, new ponds will be constructed at the east end of San Marino Drive and adjacent to Noblewood Drive. This facility will intercept the historical runoff and provide for additional storage for future phases of the subdivision.

Lot 8 has been created for the pond areas and will continue to be owned by the Subdivider. An easement over the entire lot shall be granted to the County for maintenance. A County RSID for maintenance of ponds and swales will be created or expanded before the final subdivision plat is approved.

Storm drainage swales will be located along San Marino Drive to collect and channel stormwater to the stormwater ponds, as shown on the plat. Driveway culverts shall be at a minimum 21 inches in diameter.

VI. UTILITIES

A. Water

In accordance with Section 4.9 Yellowstone County Subdivision Regulations, all proposed water systems must obtain approval by the MDEQ, or its designee.

Water shall be provided to the subdivision from the existing Lockwood water mains located in the right-of-way of San Marino Drive and Noblewood Drive. A new 8-inch water main and pressure reducing valve (PRV) shall be installed in San Marino Drive. A new 10-inch water main shall be extended south approximately 500' from the intersection of Brookwood Drive and Noblewood Drive. A 20-foot wide utility and pedestrian access easement will be provided from the cul-de-sac on San Marino Drive, through Lot 9 between the two stormwater ponds and connect to Noblewood Drive, as shown on the plat. Installation of the water lines shall be in accordance with plans and specifications approved by the Lockwood Water and Sewer District and the MDEQ.

B. Septic System

In accordance with Section 4.8 Yellowstone County Subdivision Regulations, all proposed sanitary sewer systems must obtain approval by the MDEQ, or its designee.

The individual on-site sewer systems will be installed as approved by the MDEQ.

C. Power, Telephone, Gas, and Cable Television

Existing utilities have been installed in the utility easements adjacent to the right-of-way. The new extensions for this subdivision shall also be placed in 8-foot wide utility easements. Each lot owner shall coordinate installation of facilities with the various utility companies. All utilities shall be placed underground.

VII. PARKS/OPEN SPACE

The parkland requirement for this subdivision is 7.5% of the net lot area of Lots 1-7 and Lots 9-14. A total of 0.596 acres of parkland will be required.

The property owner has agreed to meet this requirement through a cash payment in lieu of land dedication.

The lots within this subdivision will be assessed for the maintenance of the parkland through the expansion of the Harris Park 'Park Maintenance District' #634 which will be expanded prior to final plat approval.

VIII. WEED MANAGEMENT

All noxious weeds on the latest Yellowstone County Noxious Weed List shall be controlled on all properties in the subdivision.

A. A Weed Management Plan must be filed and updated as needed for approval by the Yellowstone County Weed Department. Said weed management plan shall contain the noxious weeds being addressed and the plan for the control of those weeds. All associated cost for noxious weed control is the responsibility of the owner of record.

B. A revegetation plan shall be submitted as part of the management plan. A seeding recommendation can be obtained from the Yellowstone County Weed Department pursuant to Section 7-22-2152, MCA. The Yellowstone County Weed Department reserves the right to revise these recommendations based on the required site inspection.

IX. SOILS/GEOTECHNICAL STUDY

A geotechnical study was not completed for this subdivision. Lot owners should be aware that soil characteristics within the area of this subdivision, as described in the 1972 Yellowstone County Soil Survey, indicate that there could be potential limitations for proposed construction on the lots, which may require a geotechnical survey prior to construction.

X. FINANCIAL GUARANTEES

Except as otherwise provided, Subdivider shall install and construct said required improvements by private contracts secured by bonds, irrevocable letters of credit, sequential development, or any other method that may be acceptable to the Planning Board and Board of County Commissioners. All engineering and legal work in connection with such improvements shall be paid by the contracting parties pursuant to said private contract, and the improvements shall be designed by and constructed under the supervision of a professional engineer competent in civil engineering, licensed in the state of Montana. Upon completion of the improvements, the consulting Engineer shall file with the Public Works Department, a statement certifying that the improvements have been completed in accordance with approved, seal stamped, record drawings, along with all required post-construction certification per Section 4.6.C. of the Yellowstone County Subdivision Regulations.

XI. LEGAL PROVISIONS

A. Subdivider agrees to guarantee all public improvements for a period of one year from the date of final acceptance by Yellowstone County.

B. The owners of the properties involved in this proposed Subdivision by signature subscribed herein below agree, consent, and shall be bound by the provisions of this Agreement.

C. The covenants, agreements, and all statements in this Agreement apply to and shall be binding on the heirs, personal representatives, successors and assigns of the respective parties.

D. In the event it becomes necessary for either party to this Agreement to retain an attorney to enforce any of the terms or conditions of this Agreement or to give any notice required herein, then the prevailing party or the party giving notice shall be entitled to reasonable attorney fees and costs.

E. Any amendments or modifications of this Agreement or any provisions herein shall be made in writing and executed in the same manner as this original document and shall after execution become a part of this Agreement.

F. Subdivider shall comply with all applicable federal, state, and local statutes, ordinances, and administrative regulations during the performance and discharge of its obligations. Subdivider acknowledges and agrees that nothing contained herein shall relieve or exempt it from such compliance.

G. Subdivider agrees to create any required (or expansion of existing) RSID(s) for future maintenance of all public (or common) constructed improvements prior to final plat approval.

IN WITNESS WHEREOF, the parties hereto have set their hands and official seals on the date first above written.

"SUBDIVIDER" *Superior Builders LLP*

_____

STATE OF MONTANA)
: ss
County of Yellowstone)

On this _____ day of _____, 2016, before me, a Notary Public in and for the State of Montana, personally appeared _____, as _____ of Superior Builders LLP, who executed the foregoing instrument and acknowledged to me that he/she executed the same.

_____
Notary Public in and for the State of Montana
Printed Name: _____
Residing at: _____
My commission expires: _____

This agreement is hereby approved and accepted by Yellowstone County, this ____ day of _____, 2016.

"COUNTY"
COUNTY OF YELLOWSTONE
MONTANA

County of Yellowstone
Board of County Commissioners

By: _____
Chairman

_____
Commissioner

_____
Commissioner

Attest: _____
County Clerk and Recorder

STATE OF MONTANA)
: ss
County of Yellowstone)

On this ____ day of _____, 2016, before me, a Notary Public in and for the State of Montana, personally appeared _____, _____, and _____, known to me to be the Board of County Commissioners and the County Clerk and Recorder, respectively, of Yellowstone County, Montana, whose names are subscribed to the foregoing instrument in such capacity and acknowledged to me that they executed the same on behalf of Yellowstone County, Montana.

_____
Notary Public in and for the State of Montana
Printed Name: _____
Residing at: _____
My commission expires: _____

Waiver of Right to Protest

FOR VALUABLE CONSIDERATION, the undersigned, being the Subdivider and all of the owners of the hereinafter described real property, do hereby waive the right to protest the formation of one or more Rural Special Improvement Districts (RSID's), which Yellowstone County may require for a period of twenty year from the date of this document's recording.

This Waiver and Agreement is independent from all other agreements and is supported by sufficient independent consideration to which the undersigned are parties, and shall run with the land and shall be binding upon the undersigned, their successors and assigns, and the same shall be recorded in the office of the County Clerk and Recorder of Yellowstone County, Montana.

The real property hereinabove mentioned is more particularly described as follows:

Aspen Ridge Subdivision, 2nd Filing

Signed and dated this _____ day of _____, 2016.

Subdivider/Owner, Superior Builders LLP

_____

By:

_____

Its:

STATE OF MONTANA)
: ss
County of Yellowstone)

On this ____ day of _____, 2016, before me, a Notary Public in and for the State of Montana, personally appeared _____, as _____ of Superior Builders LLP, the person who executed the forgoing instrument and acknowledged to me that he/she executed the same.

IN WITNESS WHEROF, I have hereunto set my hand and affixed my Notarial Seal the day and year hereinabove written.

_____

Notary Public in and for the State of Montana

Printed name:_____
Residing in Billings, Montana
My commission expires:_____

Aspen Ridge Subdivision – Second Filing

Yellowstone County / DEQ Septic Application

May 4, 2015

Job# 14080

Maps

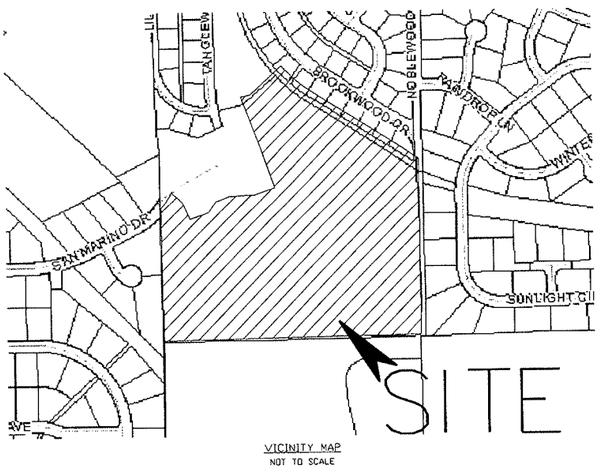
Site Layout
GWIC Well Location Map

PRELIMINARY PLAT OF

ASPEN RIDGE SUBDIVISION, 2ND FILING

SITUATED IN THE SE 1/4, SW 1/4, SECTION 29, T. 1 N., R. 27 E., P.M.M.
YELLOWSTONE COUNTY, MONTANA

Scale 1" = 80'



VICINITY MAP
NOT TO SCALE

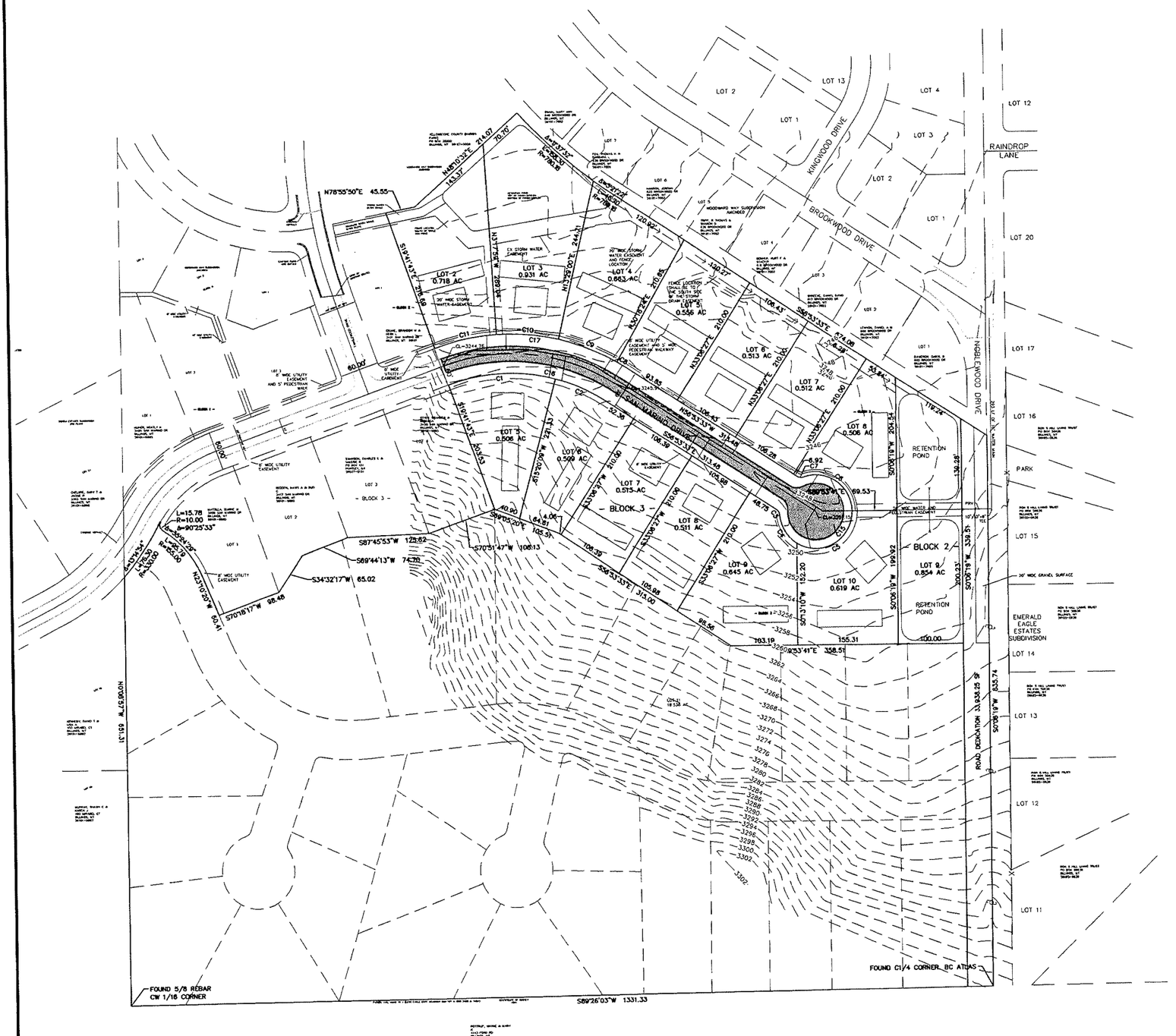
PREPARED FOR: SUPERIOR BUILDERS LLP
SURVEYOR: NORTH STAR LAND SERVICES, P.C.
ENGINEER: BLUELINE ENGINEERING LLC
MAY, 2015
BILLINGS, MONTANA

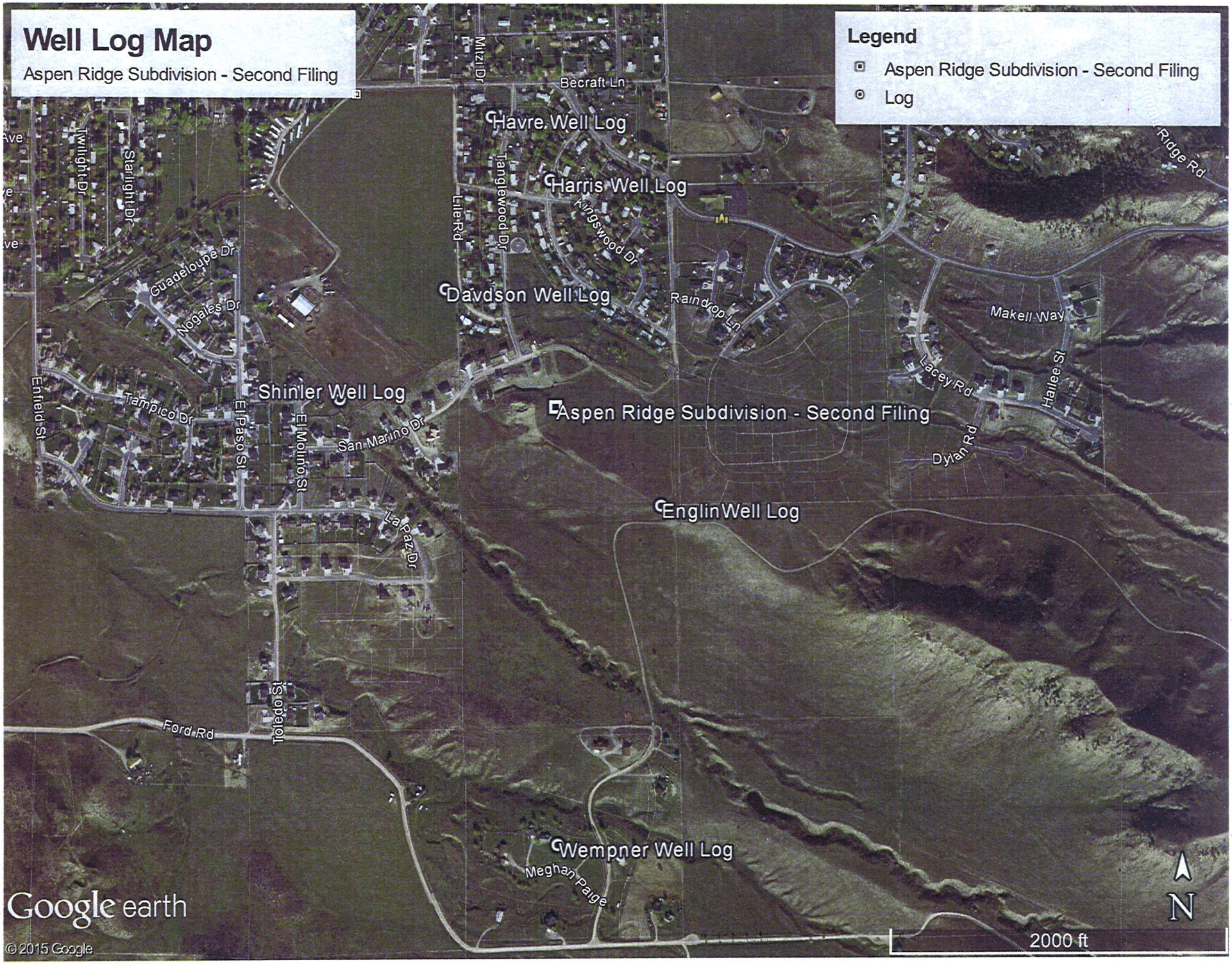
SUBDIVISION DETAILS:

GROSS AREA	=	28.191 ACRES
NET AREA	=	25.541 ACRES
ROAD AREA	=	2.650 ACRES
PARK LAND	=	0.355 ACRES
NUMBER OF LOTS	=	15
MINIMUM LOT SIZE	=	0.506 ACRES
MAXIMUM LOT SIZE	=	18.538 ACRES
EXISTING ZONING	=	R-9600
SURROUNDING ZONING		
NORTH	=	R-9600
SOUTH	=	AG SUBURBAN
EAST	=	R-9600
WEST	=	R-9600
EXISTING LAND USE	=	VACANT
PROPOSED LAND USE	=	RESIDENTIAL

CURVE TABLE

CURVE #	ARC LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	168.08	270.08	35.66	S87°30'38"W	165.38
C2	83.75	270.00	17.77	N65°46'42"W	83.41
C3	9.20	10.00	52.69	N30°32'42"W	8.88
C4	52.72	56.00	53.94	S31°09'56"E	50.79
C5	119.11	56.00	121.87	N60°56'00"E	97.89
C6	107.11	56.00	109.59	N54°47'37"W	91.51
C7	9.20	10.00	52.69	S83°14'24"E	8.88
C8	16.13	330.00	2.80	N58°17'35"W	16.13
C9	96.89	330.00	16.82	N68°06'18"W	96.55
C10	96.66	330.00	16.78	N84°54'30"W	96.32
C11	97.54	330.00	16.94	S78°13'57"W	97.19
C15	279.02	56.00	285.48	N33°09'08"E	67.81
C16	251.82	270.08	53.42	N83°36'29"W	242.80
C17	287.99	330.00	50.00	N84°41'40"W	278.94




Well Log Map
Aspen Ridge Subdivision - Second Filing
Legend
Aspen Ridge Subdivision - Second Filing
Log
Havre Well Log
Harris Well Log
Davdson Well Log
Shinler Well Log
Aspen Ridge Subdivision - Second Filing
Englin Well Log
Wempner Well Log
Mitzi Dr
Becraft Ln
Twilight Dr
Starlight Dr
Guadeloupe Dr
Nogales Dr
Tanglewood Dr
Lile Rd
Kingswood Dr
Raindrop Ln
Ridge Rd
Makell Way
Lacey Rd
Hailee St
Dylan Rd
Enfield St
Tampico Dr
El Paso St
El Molino St
San Marino Dr
La Paz Dr
Toledo St
Ford Rd
Meghan Paige
Google earth
© 2015 Google
N
2000 ft

Soils

Test Pits

Percolation Test Data

USDA Soils Map

Soil Map—Yellowstone County, Montana
(Aspen Ridge Subdivision- Second Filing)



Map Scale: 1:3,570 if printed on A landscape (11" x 8.5") sheet.

N

Meters: 0 50 100 200 300

Feet: 0 150 300 600 900

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 12N WGS84

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: http://websoilsurvey.nrcs.usda.gov
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Yellowstone County, Montana
Survey Area Data: Version 13, Sep 3, 2014

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jul 29, 2011—Aug 17, 2011

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Yellowstone County, Montana (MT111)			
Map Unit Symbol	**Map Unit Name**	**Acres in AOI**	**Percent of AOI**
Ft	Fort Collins and Thurlow clay loams, 1 to 4 percent slopes	20.8	36.3%
Hl	Haverson and Lohmiller soils, 0 to 4 percent slopes	3.4	6.0%
Hm	Haverson and Lohmiller soils, channeled, 0 to 35 percent slopes	2.1	3.7%
Pc	Pierre clay, 4 to 7 percent slopes	30.9	54.0%
Totals for Area of Interest		**57.2**	**100.0%**

#1
LTS

MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY
PERCOLATION TEST FORM

Owner Name _____

Project Name Aspen Ridge

Lot of Tract Number L 5 Test Number _____

Diameter of Test Hole _____ Depth of Test Hole _____

Date and Time Soak Period Began 13:53 Ended 13:53

Date Test Began _____

Distance of the reference point above the bottom of the hole _____

Test Results

Start Time of Day	End Time of Day	Time Interval (minutes)	Initial Distance Below Reference Point	Final Distance Below Reference Point	Drop in Water Level (inches)	Percolation Rate (mpi)
~~13:53~~						
13:57	14:12	15	0	.75 3/4		
14:13	14:28	15	0	.75 3/4		
14:29	14:44	15	0	.50 1/2		
14:45	1500	15	0	.50 1/2		

I certify that this percolation test was done by a qualified site evaluator in accordance with DEQ-4 Section 1.2.68 and Appendix A.

Name (printed) _____ Signature _____ Date _____

Company _____

#2

2002
mon well
Test Pit

MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY
PERCOLATION TEST FORM

Owner Name _____

Project Name _____

Lot of Tract Number Lt 7 Test Number _____

Diameter of Test Hole _____ Depth of Test Hole _____

Date and Time Soak Period Began 12:14 Ended 14:14

Date Test Began _____

Distance of the reference point above the bottom of the hole _____

Test Results

Start Time of Day	End Time of Day	Time Interval (minutes)	Initial Distance Below Reference Point	Final Distance Below Reference Point	Drop in Water Level (inches)	Percolation Rate (mpi)
14:15	14:30	15	0	.25 1/4		
14:31	14:46	15	0	.25 1/4		
14:47	15:02	15	0	.25 1/4		
15:03	15:18	15	0	0 1/8		

I certify that this percolation test was done by a qualified site evaluator in accordance with DEQ-4 Section 1.2.68 and Appendix A.

Name (printed) _____ Signature _____ Date _____

Company _____

MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY
PERCOLATION TEST FORM

Owner Name _____

Project Name _____

Lot of Tract Number _____ Test Number #3

Diameter of Test Hole _____ Depth of Test Hole _____

Date and Time Soak Period Began 1045 Ended 1245

Date Test Began _____

Distance of the reference point above the bottom of the hole _____

Test Results

Start Time of Day	End Time of Day	Time Interval (minutes)	Initial Distance Below Reference Point	Final Distance Below Reference Point	Drop in Water Level (inches)	Percolation Rate (mpi)
1250	1305	15	0	1 1/4		
1306	1321			1 1/4		
1322	1337			1		
1334	1353			1		

I certify that this percolation test was done by a qualified site evaluator in accordance with DEQ-4 Section 1.2.68 and Appendix A.

_____ _____ _____
Name (printed) Signature Date

_____
Company

MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY
PERCOLATION TEST FORM

Owner Name _____

Project Name _____

Lot of Tract Number _____ Test Number 4

Diameter of Test Hole _____ Depth of Test Hole _____

Date and Time Soak Period Began 1100 Ended 1300

Date Test Began _____

Distance of the reference point above the bottom of the hole _____

Test Results

Start Time of Day	End Time of Day	Time Interval (minutes)	Initial Distance Below Reference Point	Final Distance Below Reference Point	Drop in Water Level (inches)	Percolation Rate (mpi)
1301	13:16	15	0	1 1/4		
1317	13:32		0	1 1/8		
1333	1348		0	1 1/8		
1349	14:04		0	1		

I certify that this percolation test was done by a qualified site evaluator in accordance with DEQ-4 Section 1.2.68 and Appendix A.

_____ _____ _____
Name (printed) Signature Date

_____
Company

MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY
PERCOLATION TEST FORM

Owner Name _____

Project Name _____

Lot of Tract Number _____ Test Number 5

Diameter of Test Hole _____ Depth of Test Hole _____

Date and Time Soak Period Began 1120 Ended 1320

Date Test Began _____

Distance of the reference point above the bottom of the hole _____

Test Results

Start Time of Day	End Time of Day	Time Interval (minutes)	Initial Distance Below Reference Point	Final Distance Below Reference Point	Drop in Water Level (inches)	Percolation Rate (mpi)
1325	1340	15	0	1/4		
1341	1356	15	0	3/4		
1356	1413	15	0	3/4		
1414	1430	16	0	1/2		

I certify that this percolation test was done by a qualified site evaluator in accordance with DEQ-4 Section 1.2.68 and Appendix A.

Name (printed) _____ Signature _____ Date _____

Company _____

PARK DEDICATION 15,440 SF

WOODWARD WAY SUBDIVISION AMENDED

- BLOCK 2 -

- BLOCK 3 -

NEW ROAD

KINGWOOD DRIVE

RAINDROP LANE

EDGE OF EXISTING GRAVEL

60' RIGHT OF WAY

FIRE HYDRANT

NEW 1" WATER SERVIE (TYP)

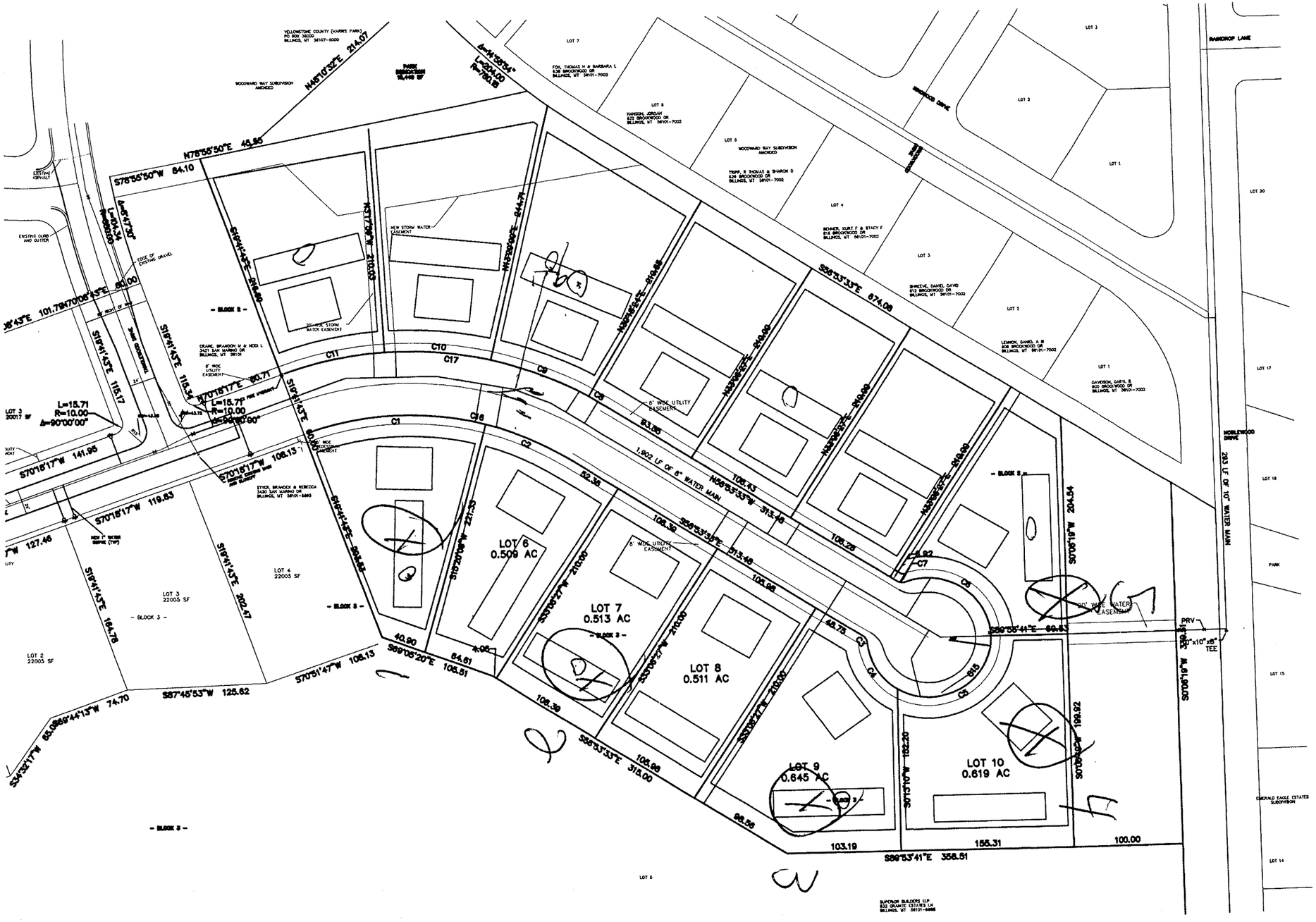
LOT 4 22005 SF

LOT 8 22005 SF

EMERALD EAGLE ESTATES SUBDIVISION

Line Table		
Line #	Length	Direction

Aspen RIDGE
4/22/15



	Test Pit		
Project Name:	Aspen Ridge Subdivision		
Project Number:	14080		
Legal Description:	Lot 5, Block 3, Aspen Ridge Subdivision		
County	Yellowstone		
Date:	4/22/2015		
By:	TML	**Checked:**	

Objective: To describe the Test Pit for septic system design

Observations:

Test Pit Number: 2000

Location: See Site Layout

0" GROUND SURFACE

Texture: Top Soil
H_2O State: Dry
Color: Brown

28"

Texture: Decomposed Shale
H_2O State: Dry
Color: Dark Brown

96" Bottom of Trench

References:

Montana Department of Environmental Quality. *Circular DEQ 4.* 2013 ed.

blueline ENGINEERING	Test Pit			
	Project Name:	Aspen Ridge Subdivision		
	Project Number:	14080		
	Legal Description:	Lot 5, Block 3, Aspen Ridge Subdivision		
	County	Yellowstone		
	Date:	4/22/2015		
	By:	TML	**Checked:**	

Objective: To describe the Test Pit for septic system design

Observations:

Test Pit Number:	**2001**

Location: See Site Layout

0"	GROUND SURFACE
Texture:	Top Soil
H_2O State:	Dry
Color:	Brown
20"	
Texture:	Sandy Clay Loam
H_2O State:	Dry
Color:	Dark Brown
96"	Bottom of Trench

References:

Montana Department of Environmental Quality. *Circular DEQ 4.* 2013 ed.

blueline ENGINEERING	Test Pit			
	Project Name:	Aspen Ridge Subdivision		
	Project Number:	14080		
	Legal Description:	Lot 5, Block 3, Aspen Ridge Subdivision		
	County	Yellowstone		
	Date:	4/22/2015		
	By:	TML	**Checked:**	

Objective: To describe the Test Pit for septic system design

Observations:

Test Pit Number: 2002

Location: See Site Layout

0" GROUND SURFACE

Texture: Top Soil
H_2O State: Dry
Color: Brown

24"

Texture: Decomposed Shale
H_2O State: Dry
Color: Dark Brown

96" Bottom of Trench

References:

Montana Department of Environmental Quality. *Circular DEQ 4.* 2013 ed.

blueline ENGINEERING	Test Pit		
	Project Name:	Aspen Ridge Subdivision	
	Project Number:	14080	
	Legal Description:	Lot 5, Block 3, Aspen Ridge Subdivision	
	County	Yellowstone	
	Date:	4/22/2015	
	By:	TML	**Checked:**

Objective: To describe the Test Pit for septic system design

Observations:

Test Pit Number:	**2003**

Location: See Site Layout

0"	GROUND SURFACE
Texture:	Top Soil
H_2O State:	Dry
Color:	Brown
24"	
Texture:	Sandy Clay Loam
H_2O State:	Dry
Color:	Dark Brown
96"	Bottom of Trench

References:

Montana Department of Environmental Quality. *Circular DEQ 4.* 2013 ed.

blueline ENGINEERING	Test Pit		
	Project Name:	Aspen Ridge Subdivision	
	Project Number:	14080	
	Legal Description:	Lot 5, Block 3, Aspen Ridge Subdivision	
	County	Yellowstone	
	Date:	4/22/2015	
	By:	TML	**Checked:**

Objective: To describe the Test Pit for septic system design

Observations:

Test Pit Number:	**2004**

Location: See Site Layout

0"	GROUND SURFACE
Texture:	Top Soil
H_2O State:	Dry
Color:	Brown
27"	
Texture:	Sandy Clay Loam
H_2O State:	Dry
Color:	Dark Brown
96"	Bottom of Trench

References:

Montana Department of Environmental Quality. *Circular DEQ 4.* 2013 ed.

blueline ENGINEERING	Test Pit		
	Project Name:	Aspen Ridge Subdivision	
	Project Number:	14080	
	Legal Description:	Lot 5, Block 3, Aspen Ridge Subdivision	
	County	Yellowstone	
	Date:	4/22/2015	
	By:	TML	**Checked:**

Objective: To describe the Test Pit for septic system design

Observations:

Test Pit Number:	**2005**

Location: See Site Layout

0"	GROUND SURFACE
Texture:	Top Soil
H_2O State:	Dry
Color:	Brown
24"	
Texture:	Sandy Clay Loam
H_2O State:	Moist
Color:	Dark Brown
96"	Bottom of Trench

References:

Montana Department of Environmental Quality. *Circular DEQ 4.* 2013 ed.

blueline ENGINEERING	Test Pit		
	Project Name:	Aspen Ridge Subdivision	
	Project Number:	14080	
	Legal Description:	Lot 5, Block 3, Aspen Ridge Subdivision	
	County	Yellowstone	
	Date:	4/22/2015	
	By:	TML	**Checked:**

Objective: To describe the Test Pit for septic system design

Observations:

Test Pit Number:	**2006**

Location: See Site Layout

0"	GROUND SURFACE
Texture: Top Soil	
H_2O State: Dry	
Color: Brown	
10"	
Texture: Sandy Clay Loam	
H_2O State: Dry	
Color: Light Brown	
96"	Bottom of Trench

References:

Montana Department of Environmental Quality. *Circular DEQ 4.* 2013 ed.

blueline ENGINEERING	Test Pit			
	Project Name:	Aspen Ridge Subdivision		
	Project Number:	14080		
	Legal Description:	Lot 5, Block 3, Aspen Ridge Subdivision		
	County	Yellowstone		
	Date:	4/22/2015		
	By:	TML	**Checked:**	

Objective: To describe the Test Pit for septic system design

Observations:

Test Pit Number:	**2007**

Location: See Site Layout

0"	GROUND SURFACE
Texture:	Top Soil
H_2O State:	Dry
Color:	Brown
10"	
Texture:	Sandy Clay Loam
H_2O State:	Dry
Color:	Light Brown
96"	Bottom of Trench

References:

Montana Department of Environmental Quality. *Circular DEQ 4.* 2013 ed.

blueline ENGINEERING	Test Pit		
	Project Name:	Aspen Ridge Subdivision	
	Project Number:	14080	
	Legal Description:	Lot 5, Block 3, Aspen Ridge Subdivision	
	County	Yellowstone	
	Date:	4/22/2015	
	By:	TML	**Checked:**

Objective: To describe the Test Pit for septic system design

Observations:

Test Pit Number:	**2008**

Location: See Site Layout

0"	GROUND SURFACE
Texture: Top Soil	
H_2O State: Dry	
Color: Brown	
10"	
Texture: Sandy Clay Loam	
H_2O State: Dry	
Color: Light Brown	
72"	
Texture: Sandy Clay Loam with gravel	
H_2O State: Moist	
Color: Light Brown	
96"	Bottom of Trench

References:

Montana Department of Environmental Quality. *Circular DEQ 4.* 2013 ed.

blueline ENGINEERING

Test Pit			
Project Name:	Aspen Ridge Subdivision		
Project Number:	14080		
Legal Description:	Lot 5, Block 3, Aspen Ridge Subdivision		
County	Yellowstone		
Date:	4/22/2015		
By:	TML	**Checked:**	

Objective: To describe the Test Pit for septic system design

Observations:

Test Pit Number:	**2009**

Location: See Site Layout

0"	GROUND SURFACE
Texture:	Top Soil
H_2O State:	Dry
Color:	Brown
10"	
Texture:	Sandy Clay Loam
H_2O State:	Dry
Color:	Light Brown
72"	
Texture:	Sandy Clay Loam with gravel
H_2O State:	Moist
Color:	Light Brown
96"	Bottom of Trench

References:

Montana Department of Environmental Quality. *Circular DEQ 4.* 2013 ed.

blueline ENGINEERING	Test Pit			
	Project Name:	Aspen Ridge Subdivision		
	Project Number:	14080		
	Legal Description:	Lot 5, Block 3, Aspen Ridge Subdivision		
	County	Yellowstone		
	Date:	4/22/2015		
	By:	TML	**Checked:**	

Objective: To describe the Test Pit for septic system design

Observations:

Test Pit Number:	**2010**

Location: See Site Layout

0" GROUND SURFACE

Texture: Top Soil
H_2O State: Dry
Color: Brown

10"

Texture: Sandy Clay Loam
H_2O State: Dry
Color: Light Brown

96" Bottom of Trench

References:

Montana Department of Environmental Quality. *Circular DEQ 4.* 2013 ed.

blueline ENGINEERING	Test Pit		
	Project Name:	Aspen Ridge Subdivision	
	Project Number:	14080	
	Legal Description:	Lot 5, Block 3, Aspen Ridge Subdivision	
	County	Yellowstone	
	Date:	4/22/2015	
	By:	TML	**Checked:**

Objective: To describe the Test Pit for septic system design

Observations:

Test Pit Number:	**2011**

Location: See Site Layout

0"	GROUND SURFACE
Texture:	Top Soil
H_2O State:	Dry
Color:	Brown
10"	
Texture:	Sandy Clay Loam
H_2O State:	Dry
Color:	Light Brown
96"	Bottom of Trench

References:

Montana Department of Environmental Quality. *Circular DEQ 4.* 2013 ed.

	Test Pit		
Project Name:	Aspen Ridge Subdivision		
Project Number:	14080		
Legal Description:	Lot 5, Block 3, Aspen Ridge Subdivision		
County	Yellowstone		
Date:	4/22/2015		
By:	TML	**Checked:**	

Objective: To describe the Test Pit for septic system design

Observations:

Test Pit Number:	**2012**

Location: See Site Layout

0"	GROUND SURFACE
Texture:	Sandy Clay Loam
H_2O State:	Dry
Color:	Brown
54"	
Texture:	Decomposed Shale
H_2O State:	Dry
Color:	Dark Brown
96"	Bottom of Trench

References:

Montana Department of Environmental Quality. *Circular DEQ 4.* 2013 ed.

Water Analysis

Nitrate Analysis
Specific Conductance Analysis

ANALYTICAL SUMMARY REPORT

June 03, 2015

Blueline Engineering
2110 Overland Ave Ste 119B
Billings, MT 59102

Work Order: B15060166

Project Name: Aspen Ridge

Energy Laboratories Inc Billings MT received the following 1 sample for Blueline Engineering on 6/2/2015 for analysis.

Lab ID	Client Sample ID	Collect Date	Receive Date	Matrix	Test
B15060166-001	Weupner Well	06/02/15 11:00	06/02/15	Aqueous	Conductivity Nitrogen, Nitrate + Nitrite

The analyses presented in this report were performed by Energy Laboratories, Inc., 1120 S 27th St., Billings, MT 59101, unless otherwise noted. Any exceptions or problems with the analyses are noted in the Laboratory Analytical Report, the QA/QC Summary Report, or the Case Narrative.

The results as reported relate only to the item(s) submitted for testing.

If you have any questions regarding these test results, please call.

Report Approved By: Jillian Miller
Analyst

Digitally signed by
Jillian B. Miller
Date: 2015.06.03 14:17:03 -06:00

LABORATORY ANALYTICAL REPORT

Prepared by Billings, MT Branch

Client: Blueline Engineering
Project: Aspen Ridge
Lab ID: B15060166-001
Client Sample ID: Weupner Well

Report Date: 06/03/15
Collection Date: 06/02/15 11:00
DateReceived: 06/02/15
Matrix: Aqueous

Analyses	Result	Units	Qualifiers	RL	MCL/ QCL	Method	Analysis Date / By
PHYSICAL PROPERTIES							
Conductivity @ 25 C	4990	umhos/cm		5		A2510 B	06/02/15 14:14 / cnm
NUTRIENTS							
Nitrogen, Nitrate+Nitrite as N	ND	mg/L		0.01		E353.2	06/03/15 10:28 / bas

Report Definitions:
RL - Analyte reporting limit.
QCL - Quality control limit.
MCL - Maximum contaminant level.
ND - Not detected at the reporting limit.

QA/QC Summary Report

Prepared by Billings, MT Branch

Client: Blueline Engineering
Project: Aspen Ridge

Report Date: 06/03/15
Work Order: B15060166

Analyte	Result	Units	RL	%REC	Low Limit	High Limit	RPD	RPDLimit	Qual
Method: **A2510 B**									Batch: R243802
Lab ID: **SC 2nd 1413**	Laboratory Control Sample				Run: PHSC _101-B_150602A				06/02/15 08:50
Conductivity @ 25 C	1420	umhos/cm	5.0	101	90	110			
Lab ID: **MBLK**	Method Blank				Run: PHSC _101-B_150602A				06/02/15 14:06
Conductivity @ 25 C	2	umhos/cm	1						
Lab ID: **B15060163-002ADUP**	Sample Duplicate				Run: PHSC _101-B_150602A				06/02/15 14:11
Conductivity @ 25 C	4770	umhos/cm	5.0				0.3	10	

Qualifiers:

RL - Analyte reporting limit.

ND - Not detected at the reporting limit.

QA/QC Summary Report

Prepared by Billings, MT Branch

Client: Blueline Engineering
Project: Aspen Ridge

Report Date: 06/03/15
Work Order: B15060166

Analyte	Result	Units	RL	%REC	Low Limit	High Limit	RPD	RPDLimit	Qual
Method: E353.2								Analytical Run: FIA203-B_150603A	
Lab ID: ICV	Initial Calibration Verification Standard							06/03/15 09:40	
Nitrogen, Nitrate+Nitrite as N	0.553	mg/L	0.010	98	90	110			
Method: E353.2								Batch: R243889	
Lab ID: MBLK	Method Blank				Run: FIA203-B_150603A			06/03/15 09:41	
Nitrogen, Nitrate+Nitrite as N	ND	mg/L	0.010						
Lab ID: LFB	Laboratory Fortified Blank				Run: FIA203-B_150603A			06/03/15 09:42	
Nitrogen, Nitrate+Nitrite as N	0.992	mg/L	0.010	99	90	110			
Lab ID: B15060210-005CMS	Sample Matrix Spike				Run: FIA203-B_150603A			06/03/15 10:51	
Nitrogen, Nitrate+Nitrite as N	1.17	mg/L	0.010	96	90	110			
Lab ID: B15060210-005CMSD	Sample Matrix Spike Duplicate				Run: FIA203-B_150603A			06/03/15 10:52	
Nitrogen, Nitrate+Nitrite as N	1.16	mg/L	0.010	94	90	110	1.4	10	
Lab ID: B15060163-001CMS	Sample Matrix Spike				Run: FIA203-B_150603A			06/03/15 11:16	
Nitrogen, Nitrate+Nitrite as N	0.549	mg/L	0.020	19	90	110			S
Lab ID: B15060163-001CMSD	Sample Matrix Spike Duplicate				Run: FIA203-B_150603A			06/03/15 11:17	
Nitrogen, Nitrate+Nitrite as N	0.562	mg/L	0.020	20	90	110	2.2	10	S

Qualifiers:

RL - Analyte reporting limit.
ND - Not detected at the reporting limit.
S - Spike recovery outside of advisory limits.

Work Order Receipt Checklist

Blueline Engineering

B15060166

Login completed by: Randa Nees
Date Received: 6/2/2015
Reviewed by: BL2000\jmueller
Received by: jrz
Reviewed Date: 6/3/2015
Carrier name: Hand Del

Shipping container/cooler in good condition?	Yes ☑	No ☐	Not Present ☐
Custody seals intact on all shipping container(s)/cooler(s)?	Yes ☐	No ☐	Not Present ☑
Custody seals intact on all sample bottles?	Yes ☐	No ☐	Not Present ☑
Chain of custody present?	Yes ☑	No ☐	
Chain of custody signed when relinquished and received?	Yes ☑	No ☐	
Chain of custody agrees with sample labels?	Yes ☑	No ☐	
Samples in proper container/bottle?	Yes ☑	No ☐	
Sample containers intact?	Yes ☑	No ☐	
Sufficient sample volume for indicated test?	Yes ☑	No ☐	
All samples received within holding time? (Exclude analyses that are considered field parameters such as pH, DO, Res Cl, Sulfite, Ferrous Iron, etc.)	Yes ☑	No ☐	
Temp Blank received in all shipping container(s)/cooler(s)?	Yes ☑	No ☐	Not Applicable ☐
Container/Temp Blank temperature:	22.1°C No Ice		
Water - VOA vials have zero headspace?	Yes ☐	No ☐	No VOA vials submitted ☑
Water - pH acceptable upon receipt?	Yes ☑	No ☐	Not Applicable ☐

Standard Reporting Procedures:

Lab measurement of analytes considered field parameters that require analysis within 15 minutes of sampling such as pH, Dissolved Oxygen and Residual Chlorine, are qualified as being analyzed outside of recommended holding time.

Solid/soil samples are reported on a wet weight basis (as received) unless specifically indicated. If moisture corrected, data units are typically noted as –dry. For agricultural and mining soil parameters/characteristics, all samples are dried and ground prior to sample analysis.

Contact and Corrective Action Comments:

None

ENERGY LABORATORIES

Chain of Custody and Analytical Request Record

PLEASE PRINT (Provide as much information as possible.)

Page ____ of ____

Company Name: Blueline Engineering, LLC

Report Mail Address (Required): 2110 Overland Ave. Suite 112B, Billings, MT 59102

☐ No Hard Copy Email: mplw@blueline-eng.com

Invoice Address (Required): Same

☐ No Hard Copy Email:

Special Report/Formats:
☐ DW ☐ EDD/EDT (Electronic Data)
☐ POTW/WWTP Format:
☐ State: ☐ LEVEL IV
☐ Other: ☐ NELAC

Project Name, PWS, Permit, Etc.: Aspen Ridge

Sample Origin State:

EPA/State Compliance: Yes ☐ No ☐

Contact Name: Marshall PLN Phone/Fax: (406)294-2294

Cell:

Sampler: (Please Print)

Invoice Contact & Phone:

Purchase Order:

Quote/Bottle Order:

ANALYSIS REQUESTED

Number of Containers
Sample Type: A W S V B O DW
Air Water Soils/Solids
Vegetation Bioassay Other
DW - Drinking Water

SAMPLE IDENTIFICATION (Name, Location, Interval, etc.)	Collection Date	Collection Time	MATRIX	2	2	SEE ATTACHED
1 Wenner Well	6/2/15	11am		X	X	
2						
3						
4						
5						
6						
7						
8						
9						
10						

Standard Turnaround (TAT)

R U S H

➡ Contact ELI prior to **RUSH** sample submittal for charges and scheduling – See Instruction Page

Comments:

Shipped by: HAND

Cooler ID(s): TB

Receipt Temp: 22.1°C

On Ice: Y (N)

Custody Seal: On Bottle Y (N) On Cooler Y (N)

Intact: Y N

Signature Match: Y N

LABORATORY USE ONLY: L15060166-001

Custody Record MUST be Signed

Relinquished by (print): Nicholas McInerney Date/Time: 6/2/15 Signature:

Relinquished by (print): Date/Time: Signature:

Sample Disposal: Return to Client: ____ Lab Disposal: ____

Received by (print): Date/Time: Signature:

Received by (print): Date/Time: Signature:

Received by Laboratory: Brooke Date/Time: 6/2/15 1120 Signature:

In certain circumstances, samples submitted to Energy Laboratories, Inc. may be subcontracted to other certified laboratories in order to complete the analysis requested. This serves as notice of this possibility. All sub-contract data will be clearly notated on your analytical report.
Visit our web site at www.energylab.com for additional information, downloadable fee schedule, forms, and links.

Non-Degradation Calculations

Neighboring Wells

Hydraulic Gradient

Hydraulic Conductivity

Phosphorous Breakthrough Analysis

Nitrate Sensitivity Analysis

Well Logs

Ground Water Information Center
Montana Bureau of Mines and Geology
Montana Tech of The University of Montana
1300 West Park Street - Natural Resources Building Room 329
Butte Montana 59701-8997
Ph: (406) 496-4336 Fx: (406) 496-4343

GWIC Data > Well Construction Data > Township: 01N Range: 27E Sec: 29

The following data were returned from the GWIC databases for the area you requested. For a more detailed description of the data view the GWIC Metadata report. If you notice data entry errors or have questions please let us know by sending us an Email at **GWIC@mtech.edu**. If you wish to view a one page report for a particular site, click the hyperlinked **Gwic Id** for that well. Scroll to the right of your screen to view all the data. All data displayed on the screen may not show up when printed.

Retrieval Statistics*

Field	Max	Min	Avg
Total Depth (ft)	540.00	60.00	199.73
Static Water Level (ft)	97.00	25.00	67.58
Yield (gpm)	50.00	0.00	11.86

* These statistics do not take any geographic, topographic, or geologic factors into consideration. Negative swl values are reported for water levels that are above land surface.

Did you know about...

Other GWIC data

GWIC has 4 field visit(s) for this request area.
GWIC has 3 water level(s) for this request area.

Thanks, Just take me back to the menu.

Other MBMG data

MBMG has 427 publications available for YELLOWSTONE county.
MBMG has 2 abandoned mine record(s) for this request area.

Gwic Id	PDF	DNRC WR	Site Name	Twn	Rng	Sec	Q Sec	Ver?	Type	Td	Swl	Pwl	Rwl	Yield	Test	Date	Use
11722		C009317-00	ENGLIN, HAROLD	01N	27E	29		No	WELL	136.00	40.00	90.00		10.00	PUMP	7/30/1976	DOMESTIC
11724			DARBY, VOS C.	01N	27E	29	AB	No	WELL	60.00	25.00			25.00	OTHER	1/1/1935	STOCKWATER
11723			YELLOWSTONE CO	01N	27E	29	AB	No	WELL	125.00				0.00	OTHER	1/8/1987	
247567			SUN MT LLC	01N	27E	29	AD	No	WELL	180.00						1/17/2008	UNKNOWN
11725			DAVIDSON, SCOTT	01N	27E	29	B	No	WELL	118.00	81.00	113.00		3.00	BAILER	8/14/1985	DOMESTIC
201577			LANDON, JIM	01N	27E	29	BA	No	WELL	540.00	75.00		75.00	4.00	AIR	11/27/2000	IRRIGATION
94289			YELLOWSTONE COUNTY PARK BOARD	01N	27E	29	BA	No	WELL	133.00	68.00	105.00		50.00	AIR	3/25/1987	IRRIGATION
11726			HARVE, BILL	01N	27E	29	BABC	Yes	WELL	128.00	67.00	120.00		18.00	PUMP	5/14/1987	IRRIGATION
259779			ROGERS, BUTCH	01N	27E	29	BB	No	WELL	120.00	71.00		71.00	30.00	AIR	8/4/2010	STOCKWATER
259779			ROGERS, BUTCH	01N	27E	29	BB	No	WELL	120.00	71.00		71.00	14.00	PUMP	8/4/2010	STOCKWATER
11727			SHINLER, ART	01N	27E	29	BC	No	WELL	166.00	70.00	70.00		1.00	BAILER	6/1/1973	DOMESTIC
11728		C018531-00	WEMPNER, JAMES A.	01N	27E	29	CD	No	WELL	85.00	66.00	81.00		1.00	BAILER	4/14/1978	DOMESTIC
170804			WEMPNER, JIM A.	01N	27E	29	CD	No	WELL	340.00			82.00	5.00	AIR	8/26/1998	DOMESTIC
150479		C090948-00	SORLIE, JIM AND KITTY	01N	27E	29	CDAB	Yes	WELL	500.00	80.00			2.50	AIR	6/14/1994	DOMESTIC
145050			MCDONALD, JEAN E.	01N	27E	29	CDC	No	WELL	245.00	97.00		97.00	2.50	AIR	6/24/1992	DOMESTIC
188767			KIRBY CLINT	01N	27E	29	DDDD	Yes	WELL								

End of Report.
16 record(s) listed.

Items of Note:
1This report is restricted to site types of **WELL, BOREHOLE, SPRING, COAL BED METHANE WELL, PETWELL, PIEZOMETER**

MONTANA WELL LOG REPORT

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Other Options

Return to menu
Plot this site on a topographic map
View scanned well log (6/1/2010 1:35:51 PM)

Site Name: ENGLIN, HAROLD
GWIC Id: 11722
DNRC Water Right: C009317-00

Section 1: Well Owner(s)

1) ENGLIN, HAROLD (MAIL)
3412 BECRAFT LN
BILLINGS MT 59101 [07/30/1976]

Section 2: Location

Township	Range	Section	Quarter Sections
01N	27E	29	

County: YELLOWSTONE
Geocode:

Latitude	Longitude	Geomethod	Datum
45.80495879505	108.393354258	TRS-SEC	NAD83

Ground Surface Altitude	Method	Datum	Date

Addition	Block	Lot
LILE ACRES	1	1

Section 3: Proposed Use of Water

DOMESTIC (1)

Section 4: Type of Work

Drilling Method: FORWARD ROTARY
Status: NEW WELL

Section 5: Well Completion Date

Date well completed: Friday, July 30, 1976

Section 6: Well Construction Details

Borehole dimensions

From	To	Diameter
0	136	7

Casing

From	To	Diameter	Wall Thickness	Pressure Rating	Joint	Type
-1	136	4				STEEL

Completion (Perf/Screen)

From	To	Diameter	# of Openings	Size of Openings	Description
125	136	4		1/4	SLOTS

Annular Space (Seal/Grout/Packer)

From	To	Description	Cont. Fed?
0	25	BENTONITE	
0	0	BUTYL	

Section 7: Well Test Data

Total Depth: 136
Static Water Level: 40
Water Temperature:

Pump Test *

Depth pump set for test _ feet.
10 gpm pump rate with _ feet of drawdown after 1 hours of pumping.
Time of recovery _ hours.
Recovery water level _ feet.
Pumping water level 90 feet.

** During the well test the discharge rate shall be as uniform as possible. This rate may or may not be the sustainable yield of the well. Sustainable yield does not include the reservoir of the well casing.*

Section 8: Remarks

Section 9: Well Log

Geologic Source

111TRRC - TERRACE DEPOSITS (HOLOCENE)

From	To	Description
0	7	TOPSOIL
7	25	SAND
25	136	GRAVEL

Driller Certification

All work performed and reported in this well log is in compliance with the Montana well construction standards. This report is true to the best of my knowledge.

Name: T. J. BENES
Company: DIGGER DRILLING

MONTANA WELL LOG REPORT

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Other Options

Return to menu
Plot this site on a topographic map
View scanned well log (6/2/2006 4:48:04 PM)

Site Name: YELLOWSTONE COUNTY PARK BOARD
GWIC Id: 94289

Section 1: Well Owner(s)

1) HARRIS, PARK (MAIL)
PO BOX 3500
BILLINGS MT 59107 [03/25/1987]

Section 2: Location

Township	Range	Section	Quarter Sections
01N	27E	29	NE¼ NW¼

County
YELLOWSTONE

Geocode

Latitude	Longitude	Geomethod	Datum
45.81051254505	108.395956508	TRS-SEC	NAD83

Ground Surface Altitude **Method** **Datum** **Date**

Addition **Block** **Lot**

Section 3: Proposed Use of Water

IRRIGATION (1)

Section 4: Type of Work

Drilling Method: FORWARD ROTARY
Status: NEW WELL

Section 5: Well Completion Date

Date well completed: Wednesday, March 25, 1987

Section 6: Well Construction Details

Borehole dimensions

From	To	Diameter
0	133	10

Casing

From	To	Diameter	Wall Thickness	Pressure Rating	Joint	Type
0	131	6	0.25			STEEL

Completion (Perf/Screen)

From	To	Diameter	# of Openings	Size of Openings	Description
121	131	6		.30	SCREEN-CONTINUOUS-STAINLESS

Annular Space (Seal/Grout/Packer)

From	To	Description	Cont. Fed?
0	30	BENTONITE	
0	0	K. PACKER	

Section 7: Well Test Data

Total Depth: 133
Static Water Level: 68
Water Temperature:

Air Test *

50 gpm with drill stem set at _ feet for 4 hours.
Time of recovery _ hours.
Recovery water level _ feet.
Pumping water level 105 feet.

** During the well test the discharge rate shall be as uniform as possible. This rate may or may not be the sustainable yield of the well. Sustainable yield does not include the reservoir of the well casing.*

Section 8: Remarks

Section 9: Well Log

Geologic Source
111ALVM - ALLUVIUM (HOLOCENE)

From	To	Description
0	2	FILL DIRT
2	4	TOPSOIL
4	33	BROWN CLAY
33	38	BROCKEN UP SAND ROCK
38	57	BROWN CLAY
57	65	SMALL GRAVEL BROCKEN UP SAND ROCK
65	114	STICKY BROWN CLAY
114	119	SMALL GRAVEL MIX WITH CLAY
119	132	RIVER GRAVEL AND SAND MIX
132	133	BLUE SHALE

Driller Certification

All work performed and reported in this well log is in compliance with the Montana well construction standards. This report is true to the best of my knowledge.

Name: CURTIS SCHELLE
Company: AMERICAN DRILLING & SUPPLY
License No: WWC-344
Date

MONTANA WELL LOG REPORT

This well log reports the activities of a licensed Montana well driller, serves as the official record of work done within the borehole and casing, and describes the amount of water encountered. This report is compiled electronically from the contents of the Ground Water Information Center (GWIC) database for this site. Acquiring water rights is the well owner's responsibility and is NOT accomplished by the filing of this report.

Other Options

Return to menu
Plot this site on a topographic map
View scanned well log (6/15/2011 9:07:09 AM)

Site Name: SHINLER, ART
GWIC Id: 11727

Section 1: Well Owner(s)

1) SHINLER, ART (MAIL)
N/A
BILLINGS MT N/A [06/01/1973]

Section 2: Location

Township	Range	Section	Quarter Sections
01N	27E	29	SW¼ NW¼

County: YELLOWSTONE
Geocode:

Latitude	Longitude	Geomethod	Datum
45.80681004505	108.401161008	TRS-SEC	NAD83

Ground Surface Altitude: Method: Datum: Date:

Addition: Block: Lot:

Section 3: Proposed Use of Water

DOMESTIC (1)
STOCKWATER (2)

Section 4: Type of Work

Drilling Method: CHURN
Status: NEW WELL

Section 5: Well Completion Date

Date well completed: Friday, June 01, 1973

Section 6: Well Construction Details

Borehole dimensions

From	To	Diameter
0	166	6.625

Casing

From	To	Diameter	Wall Thickness	Pressure Rating	Joint	Type
0	115	6				
6	165	5.5				PVC

Completion (Perf/Screen)

From	To	Diameter	# of Openings	Size of Openings	Description
135	140	5.5		1/4	PERFORATED CASING
150	155	5.5		1/4	PERFORATED CASING

Annular Space (Seal/Grout/Packer)

There are no annular space records assigned to this well.

Section 7: Well Test Data

Total Depth: 166
Static Water Level: 70
Water Temperature:

Bailer Test *

1 gpm with _ feet of drawdown after 5 hours.
Time of recovery _ hours.
Recovery water level _ feet.
Pumping water level 70 feet.

** During the well test the discharge rate shall be as uniform as possible. This rate may or may not be the sustainable yield of the well. Sustainable yield does not include the reservoir of the well casing.*

Section 8: Remarks

Section 9: Well Log

Geologic Source

211CLGT - CLAGGETT SHALE OR FORMATION

From	To	Description
0	25	DIRT
25	115	GRAY SHALE
115	125	GRAY SANDSTONE
125	130	GRAY SANDY SHALE
130	166	GRAY SANDSTONE

Driller Certification

All work performed and reported in this well log is in compliance with the Montana well construction standards. This report is true to the best of my knowledge.

Name: RUSSELL D. TOLAND
Company: TOLAND DRILLING
License No: WWC-139
Date

MONTANA WELL LOG REPORT

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Other Options

Return to menu
Plot this site on a topographic map
View scanned well log (6/15/2011 9:07:20 AM)

Site Name: WEMPNER, JAMES A.
GWIC Id: 11728
DNRC Water Right: C018531-00

Section 1: Well Owner(s)

1) WEMPNER, JAMES (MAIL)
RT 2 FORD RD
BILLINGS MT 59101 [04/14/1978]

Section 2: Location

Township	Range	Section	Quarter Sections
01N	27E	29	SE¼ SW¼

County: YELLOWSTONE
Geocode:

Latitude	Longitude	Geomethod	Datum
45.79940504505	108.395956508	TRS-SEC	NAD83

Ground Surface Altitude: Method: Datum: Date:

Addition: Block: Lot:

Section 3: Proposed Use of Water

DOMESTIC (1)

Section 4: Type of Work

Drilling Method: FORWARD ROTARY
Status: NEW WELL

Section 5: Well Completion Date

Date well completed: Friday, April 14, 1978

Section 6: Well Construction Details

Borehole dimensions

From	To	Diameter
0	85	7.875

Casing

From	To	Diameter	Wall Thickness	Pressure Rating	Joint	Type
0	15	6				
15	85	5				

Completion (Perf/Screen)

From	To	Diameter	# of Openings	Size of Openings	Description
65	75	5		1/8	SLOTS
85	85	5			OPEN BOTTOM

Annular Space (Seal/Grout/Packer)

From	To	Description	Cont. Fed?
0	63	BENTONITE	

Section 7: Well Test Data

Total Depth: 85
Static Water Level: 66
Water Temperature:

Bailer Test *

1 gpm with _ feet of drawdown after 1 hours.
Time of recovery _ hours.
Recovery water level _ feet.
Pumping water level 81 feet.

** During the well test the discharge rate shall be as uniform as possible. This rate may or may not be the sustainable yield of the well. Sustainable yield does not include the reservoir of the well casing.*

Section 8: Remarks

Section 9: Well Log

Geologic Source

111CLVM - COLLUVIUM (HOLOCENE)

From	To	Description
0	3	TOPSOIL
3	9	SAND
9	24	GRAVEL
24	60	SAND W/DIRT
60	75	GRAVEL
75	85	BLUE SHALE

Driller Certification

All work performed and reported in this well log is in compliance with the Montana well construction standards. This report is true to the best of my knowledge.

Name: JACK DAVIS
Company: DAVIS DRILLING
License No: WWC-308
Date

MONTANA WELL LOG REPORT

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Other Options

Return to menu
Plot this site on a topographic map
View hydrograph for this site
View field visits for this site
View scanned well log (2/1/2010 9:25:59 AM)

Site Name: HARVE, BILL
GWIC Id: 11726

Section 1: Well Owner(s)

1) HARVE, BILL (MAIL)
727 LILE ROAD
BILLINGS MT 59101 [05/14/1987]

Section 2: Location

Township	Range	Section	Quarter Sections
01N	27E	29	SW¼ NW¼ NE¼ NW¼

County	Geocode
YELLOWSTONE	

Latitude	Longitude	Geomethod	Datum
45.8116	108.3974	NAV-GPS	NAD27

Ground Surface Altitude	Method	Datum	Date
3169			6/16/2003

Measuring Point Altitude	Method	Datum	Date Applies
3169.4			6/16/2003

Addition	Block	Lot
WOODWARD WAY	3	4

Section 3: Proposed Use of Water

IRRIGATION (1)

Section 4: Type of Work

Drilling Method: FORWARD ROTARY
Status: NEW WELL

Section 5: Well Completion Date

Date well completed: Thursday, May 14, 1987

Section 6: Well Construction Details

Borehole dimensions

From	To	Diameter
0	20	10
20	128	9

Casing

From	To	Diameter	Wall Thickness	Pressure Rating	Joint	Type
0	20	6	0.25			STEEL
1.6	138	6		160.00		PVC

Completion (Perf/Screen)

From	To	Diameter	# of Openings	Size of Openings	Description
126	128	6		1/8	TORCH OR PLASMA CUTS
128	128	6			OPEN BOTTOM

Annular Space (Seal/Grout/Packer)

Section 7: Well Test Data

Total Depth: 128
Static Water Level: 67
Water Temperature:

Pump Test *

Depth pump set for test _ feet.
18 gpm pump rate with _ feet of drawdown after 3 hours of pumping.
Time of recovery _ hours.
Recovery water level _ feet.
Pumping water level 120 feet.

** During the well test the discharge rate shall be as uniform as possible. This rate may or may not be the sustainable yield of the well. Sustainable yield does not include the reservoir of the well casing.*

Section 8: Remarks

Section 9: Well Log

Geologic Source

111CLVM - COLLUVIUM (HOLOCENE)

From	To	Description
0	2	TOPSOIL
2	35	SANDY CLAY
35	42	WASHED GRAVEL
42	116	BROWN CLAY
116	125	SAND
125	128	GRAVEL AND SAND MIXED SHALE

Driller Certification

All work performed and reported in this well log is in compliance with the Montana well construction standards. This report is true to the best of my knowledge.

Name: CURTIS SCHELLE
Company: AMERICAN DRILLING & SUPPLY

MONTANA WELL LOG REPORT

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Other Options

Return to menu
Plot this site on a topographic map
View scanned well log (6/1/2010 1:38:38 PM)

Site Name: DAVIDSON, SCOTT
GWIC Id: 11725

Section 1: Well Owner(s)

1) DAVIDSON, SCOTT (MAIL)
646 BROCKWOOD
BILLINGS MT 59101 [08/14/1985]

Section 2: Location

Township	Range	Section	Quarter Sections
01N	27E	29	NW¼

County
YELLOWSTONE

Geocode

Latitude	Longitude	Geomethod	Datum
45.80866129505	108.398558758	TRS-SEC	NAD83

Ground Surface Altitude **Method** **Datum** **Date**

Addition	Block	Lot
WOODWARD WAY	5	8

Section 3: Proposed Use of Water

DOMESTIC (1)

Section 4: Type of Work

Drilling Method: FORWARD ROTARY
Status: NEW WELL

Section 5: Well Completion Date

Date well completed: Wednesday, August 14, 1985

Section 6: Well Construction Details

Borehole dimensions

From	To	Diameter
0	118	7.875

Casing

From	To	Diameter	Wall Thickness	Pressure Rating	Joint	Type
0	10	6	0.25			STEEL
0	115	5		160.00		PVC

Completion (Perf/Screen)

From	To	Diameter	# of Openings	Size of Openings	Description
65	115	5		1/8	SLOTS
115	118	7.875			OPEN BOTTOM

Annular Space (Seal/Grout/Packer)

From	To	Description	Cont. Fed?
0	18	BENTONITE	

Section 7: Well Test Data

Total Depth: 118
Static Water Level: 81
Water Temperature:

Bailer Test *

3 gpm with _ feet of drawdown after 1 hours.
Time of recovery _ hours.
Recovery water level _ feet.
Pumping water level 113 feet.

** During the well test the discharge rate shall be as uniform as possible. This rate may or may not be the sustainable yield of the well. Sustainable yield does not include the reservoir of the well casing.*

Section 8: Remarks

Section 9: Well Log

Geologic Source
211CLGT - CLAGGETT SHALE OR FORMATION

From	To	Description
0	2	TOPSOIL
2	60	CLAY
60	85	BROKEN UP SAND ROCK AND CLAY
85	118	SHALE

Driller Certification

All work performed and reported in this well log is in compliance with the Montana well construction standards. This report is true to the best of my knowledge.

Name: CURTIS SCHELLE
Company: BILLINGS DRILLING
License No: WWC-344
Date

blueline ENGINEERING	On-Site Wastewater Treatment System Design		
	Project Name:	Aspen Ridge Subdivision - Second Filing	
	Project Number:	14080	
	Legal Description:	Lot 5, Block 3, Aspen Ridge Subdivision	
	County:	Yellowstone	
	Date:	4/22/2015	
	By:	TML	**Checked:**

Objective: Determine the Hydraulic Gradient using 1/3 of the site topography

Calculations:

Ground Slope across drainfield and mixing zone area

Elevation above drainfield:	3260	ft
Elevation below drainfield:	3247	ft
Change in elevation:	13	ft

Horizontal distance perpendicular to elevation contours:	147.00	ft

Ground Slope:	0.088
Hydraulic Gradient:	0.029

Equations:

Ground Slope = Change in Elevation / Distance between contours
Hydraulic Gradient = Ground Slope / 3

References:

Montana Department of Environmental Quality. *Circular DEQ 4.* 2013 ed.
Montana Department of Environmental Quality. *How to Perform a Nondegredation Analysis for Subsurface Wastewater Treatment Systems (SWTS) Under the Subddivision Review Process.* March 2005 (Revised February 2009)

blueline ENGINEERING	On-Site Wastewater Treatment System Design		
	Project Name:	Aspen Ridge Subdivision - Second Filing	
	Project Number:	14080	
	Legal Description:	Lot 5, Block 3, Aspen Ridge Subdivision - 1st Filing	
	County:	Yellowstone	
	Date:	4/22/2015	
	By:	TML	**Checked:**

Objective: Determine the Hydraulic Conductivity using the Razack and Huntley Equation

Calculations:

GWIC ID	Q Pumping Rate (gpm)	S Drawdown (ft)	T Transmitivity (ft^2/day)	b Aquifer Thickness (ft)	K Hydraulic Conductivity (ft/day)
11722	10	50	387.79	11.00	35.25
11725	3	32	233.41	53.00	4.40
94289	50	37	1394.83	10.00	139.48
11726	18	53	552.94	12.00	46.08
11727	1	1	1140.01	20.00	57.00
11728	1	15	185.75	20.00	9.29

Average K =	36.90

Note: Not included in Average K

Equations:

Razack and Huntley Equation (Fetter, 1994)

T=33.6*(Q/S)^0.67

References:

Montana Department of Environmental Quality. *Circular DEQ 4.* 2013 ed.

Montana Department of Environmental Quality. *How to Perform a Nondegredation Analysis for Subsurface Wastewater Treatment Systems (SWTS) Under the Subddivision Review Process.* March 2005 (Revised February 2009)

Septic System

Drainfield System Plans & Specifications

blueline ENGINEERING	On-Site Wastewater Treatment System Design			
	Project Name:	Aspen Ridge Subdivision - Second Filing		
	Project Number:	14080		
	Legal Description:	Lot 5, Block 3, Aspen Ridge Subdivision		
	County	Yellowstone		
	Date:	4/22/2015		
	By:	TML	**Checked:**	

Objective: To design an on-site underground wastewater treatment system.

Calculations:

Design Wastewater Flow (DEQ #4)

4 Bedroom House	=	350	gpd
Design wastewater flow	=	350	gpd

Soil Classification

Soil: Sandy Clay Loam

Application Rate: 0.20 gpd/ft2

Absorption System Sizing (DEQ #4)

Absorption System Size	=	1750.00	ft^2	Pressure Dose
Trench Width	=	2	ft	
Standard Trench Length	=	875.00	LF	

Septic Tank Sizing, Residential (DEQ#4)

Number of Bedrooms	=	4	
Minimum Tank Capacity	=	1500	gallons
Design Tank Size	=	1500	gallons

Reduction for installation utilizing Leaching Chambers is 25%

Standard Trench Length	=	875.00	LF
Reduced Trench Length	=	656.25	LF

Trench Configuation

Trenches:	7	
Ind. Trench Length:	94.00	LF
Total Trench Length	658.00	LF

References:

Montana Department of Environmental Quality. *Circular DEQ 4.* 2013 ed.

Storm Water Drainage Calculations & Report

Rational Method
DEQ Circular #8

January 4, 2016
#14080

STORM DRAINAGE REPORT

Aspen Ridge Subdivision, 2nd Filing
Yellowstone County, Montana

The proposed subdivision is approximately 28.977 acres, of which 19.077 acres will be exempt from review due to this area remaining un-developed at this time. The proposed subdivision is located in an area with pre-construction conditions consisting of open, poor condition range land with slopes ranging from 1.5% to 10%. The proposed development would consist of constructing an internal road, driveways and single-family homes on a roughly ½ acre lot. The area to be developed will have an average area of imperviousness of 25%.

The 2-year, 24-hour return period storm for Billings, MT has a rainfall depth of 1.57 inches. Pre-development conditions produce 0.457 inches of runoff (0.69 acre-ft). Post-development conditions produce 0.291 inches of runoff (0.44 acre-ft). The increase in impervious area due to construction of the building and asphalt drive combined with the installation of lawns on each lot to improve infiltration results in a net decrease in peak-flow and runoff amount.

To handle runoff generated from the portion of the subdivision that will be developed at a later time, stormwater ponds will be constructed to hold the additional runoff generated by the subdivision. Runoff will generally flow from south to north and will be captured either by drainage swale or pond. This flow will be directed to the northern retention pond. Driveway culverts may need to be larger than the Yellowstone County standard of 15" CMP to handle the conveyance of the stormwater runoff towards the northern pond.