

**RESOLUTION NO. 3645**

**A RESOLUTION REVISING CONDITIONS OF PLAT PP-2012-01, SOUTHGATE SUBDIVISION.**

*WHEREAS*, on June 12, 2012, the City Council of the City of Miles City approved the preliminary plat submitted by M&L Enterprises Inc., known as Plat PP-2012-01, subject to certain conditions.

*AND WHEREAS*, the Planner in Training for the City of Miles City, under the supervision of the City Planner, has made certain revisions to the previously approved conditions of plat, and has requested that the same be approved by the City Council.

**NOW THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA AS FOLLOWS:**

1. The Revised Conditions of Plat, attached hereto as Exhibit "A," are hereby approved. A markup of the revisions made are attached hereto as Exhibit "B."
2. The foregoing approved revisions to the conditions of plat do not impose any additional conditions as a prerequisite to final plat approval.
3. The effective date of the approval of the preliminary plat, known as Plat PP-2012-01, shall remain as June 12, 2012, and said approval shall remain in effect for three (3) years from the approval date, although said approval period may be extended if authorized by this Council.

**SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, THIS 24<sup>th</sup> DAY OF OCTOBER, 2013.**

  
\_\_\_\_\_  
C.A. Grenz, Mayor

ATTEST:

  
\_\_\_\_\_  
Lorrie Pearce, City Clerk

EXHIBIT "A"  
**REVISED CONDITIONS OF PLAT**  
**PP-2012-01, Southgate Subdivision**  
Revised Preliminary Plat

Standard Conditions:

1. All traffic signs shall be of the size, shape, height, and placement as to be in accordance with the Manual of Uniform traffic Control Devices. [Miles City Resolution #1173, Section 21-18 (I)(f)]
  2. If postal service will not be provided to each individual lot within the subdivision, the subdivider must provide an off-street area for mail delivery within the subdivision in cooperation with the United States Post Office. Responsibility for maintenance may be included as part of the public improvements agreement. [Resolution #1173, 21-18(H)(I)(h)(7)]
  3. All internal subdivision roads, curb and gutters; whether public or private shall be constructed in accordance to City engineering standards and shall be approved by a licensed engineer. [Resolution #1173, Sec 21-18(H)]
  4. All internal subdivision roads shall be dedicated to the City. [Resolution #1173, Sec 21-18(H)(IO)]
  5. All water supply lines shall be constructed using PVC. All water supply systems shall meet City engineering standards shall be approved by a licensed engineer prior to acceptance. Curb stamps shall indicate line locations. Water line connections shall be provided for each lot location and owners shall be required to use copper piping as a connection. [ Resolution #1173, Sec 21-18(J)(a through c)]
  6. All sanitary sewer systems shall meet City engineering standards shall be approved by a licensed engineer prior to acceptance. A stub out for connection shall be provided for each lot. A tracer wire or curb stamps shall indicate line locations. Resolution #1173, Sec 21-18(K)(a through b); Sec 23-103]
  7. Pipe sizing and system design for the sanitary sewer system leaving Southgate should be verified to handle this subdivision. If the design is deficient upgrades shall be required.
  8. All water, sewer, and storm water systems must have MDEQ approval. [Resolution #1173, Sec 21-14(B)(B-2)(a)(5); MCA 76-4]
  9. Where the aggregate total of disturbed area of any construction as defined in A.R.M. 17.30.1102(28) is equal to, or greater than one acre; or when combined with subsequent construction, such disturbed area is equal to, or greater than one acre, a Montana State Department of Environmental Quality MPDES Storm Water Construction General Permit shall be obtained and provided to the Miles City Planning Office prior to any site disturbance or construction. [ARM 17-30-1102(28)]
  10. All utilities shall be placed underground, provide for easements at least 15 feet wide unless otherwise specified by the utility firms serving the site and shall be centered along the rear and side lot lines wherever necessary for service to the lot. [Resolution #1173, Sec 21-18(M)(b) & (f)]
- II. The final plat shall be in substantial compliance with the plat and plans submitted for preliminary plat review, except as modified by these conditions. [MCA 76-3-611].

**REVISED CONDITIONS OF PLAT  
PP-2012-01, Southgate Subdivision**

Revised Preliminary Plat

12. The final plat shall comply with state surveying requirements. [MCA 76-3-608(b)(i)]
13. All required improvements shall be completed and in place or a Subdivision Improvement Agreement shall be provided by the subdivider prior to final approval by the City Council. [Miles City Code of Ordinances Sec 21-8(p)]

Site-Specific Conditions:

14. All roadways shall meet standards for minor roads.
15. An existing dam that is currently located across lots 10-12 shall be relocated approximately to the north boundary of lot 12 across the existing gully and shall be constructed with the same elevation from existing grade as currently exists such that it provides storm water protection from the existing upland drainage. [MCA 76-3-608]
16. Yield or stop signs will be placed at the intersections of Hillcrest Circle and Sunland Circle with Sunland Drive and at the intersection of Silver Sage Circle with Sage Drive so that the traffic exiting from the cul-de-sac would stop or yield. [MCA 76-3-608 and Resolution #1173, Sec 21-18(H)(II)(f)]
17. Yield or stop signs will Stop or yield signs need to be installed at both intersections of Sundland Drive and Silver Sage Drive to allow through access for Silver Sage Drive.
18. A stop sign needs to be placed at the intersection of Horizon Parkway and Silver Sage Drive so that traffic exiting the subdivision would stop.
19. A parkland dedication of 2.29 acres or lesser sized dedication with improvements that would have a similar value to be negotiated between the applicant and the City shall be required.
20. An additional hydrant shall be added on Sunland Drive or the repositioning of the hydrant near Hillcrest Circle and Sunland Drive shall occur, whichever accomplishes the 500 foot spacing between hydrants.
21. Phase I improvements shall include street improvements to a portion of Arrowhead Lane.
22. Phase II improvements shall include street improvements to the northerly portion of Silver Sage Drive, and a segment of Sunland Drive up to the edge of lot 3, Block 1/lot 24, Block 2 together with underlying water and sewer utilities.
23. Phase III improvements shall include street improvements to the southern portion of Silver Sage Drive, Silver Sage Circle, and a portion of Sunland Drive up to the edge of lot 13, Block 2/lot 28, Block 1 together with underlying water and sewer utilities.

The preliminary plat approval for Phase I is valid for three years. The final plat for Phase I shall be filed within three (3) years of preliminary approval for the whole subdivision. The final plat for Phase II shall be filed within one (1) year of the filing for final plat of Phase I and the final plat of Phase III shall be filed within two (2) years of the filing of Phase II. Phase IV shall be filed within three (3) years of the filing of the final plat of Phase III.

EXHIBIT "B"

CONDITIONS OF PLAT  
PP-2012-01, Southgate Subdivision  
Revised Preliminary Plat  
~~CONDITIONS OF PLAT~~  
~~PP-2012-01, Southgate Subdivision~~  
~~Revised Preliminary Plat~~

Standard Conditions:

1. All traffic signs shall be of the size, shape, height, and placement as to be in accordance with the Manual of Uniform traffic Control Devices. [Miles City Resolution #1173, Subdivision Regulation (MCSR), Section VI-H-6, Section 21-18 (11)(f)]
- ~~2. Centralized mail delivery site/s shall be provided with the design and location approved by the local postmaster of the USPS. A letter or other written confirmation from the postmaster stating the applicant has met their requirements shall be included with the application for final plat. [MCSR, Section VI-H-8]~~
2. If postal service will not be provided to each individual lot within the subdivision, the subdivider must provide an off-street area for mail delivery within the subdivision in cooperation with the United States Post Office. Responsibility for maintenance may be included as part of the public improvements agreement. [Resolution #1173, 21-18(H)(11)(h)(7)]
3. All internal subdivision roads, curb and gutters; whether public or private shall be constructed in accordance to City engineering standards and shall be approved by a licensed engineer. [MCSR, Section VI-H-8 Resolution #1173, Sec 21-18(H)]
4. All internal subdivision roads shall be dedicated to the City. [~~VI-H-1~~ Resolution #1173, Sec 21-18(H)(10)]
5. All water supply lines shall be constructed using PCV, PVC. All water supply systems shall meet City engineering standards shall be approved by a licensed engineer prior to acceptance. Curb stamps shall indicate line locations. Water line connections shall be provided for each lot location and owners shall be required to use copper piping as a connection. [MCSR, ~~Section VI~~ Resolution #1173, Sec 21-18(J)(a through c)]
6. All sanitary sewer systems shall meet City engineering standards shall be approved by a licensed engineer prior to acceptance. A stub out for connection shall be provided for each lot. A tracer wire or curb stamps shall indicate line locations. [~~MCSR, Section VI-K~~ Resolution #1173, Sec 21-18(K)(a through b); Sec 23-103]
7. Pipe sizing and system design for the sanitary sewer system leaving Southgate should be verified to handle this subdivision. If the design is deficient upgrades shall be required.
8. All water, sewer, and storm water systems must have MDEQ approval. [Resolution #1173, Sec 21-14(B)(B-2)(a)(5) MCSR Sections VI-I, VI-J, and VI-K; MCA 76-4]
9. Where the aggregate total of disturbed area of any construction as defined in A.R.M. 17.30.1102(28) is equal to, or greater than one acre; or ~~where~~ when combined with subsequent construction, such disturbed area is equal to, or greater than one acre, a Montana State Department of Environmental Quality MPDES Storm Water Construction General

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Permit shall be obtained and provided to the Miles City Planning Office prior to any site disturbance or construction. [ARM 17-30-1102(28)]

10. All utilities shall be placed underground, provide for easements at least 15 feet wide unless otherwise specified by the utility firms serving the site and shall be centered along the rear and side lot lines wherever necessary for service to the lot. [~~MCSR, Section VI-M~~ Resolution #1173, Sec 21-18(M)(b) & (t)]
11. The final plat shall be in substantial compliance with the plat and plans submitted for preliminary plat review, except as modified by these conditions. [MCA 76-3-611].
12. The final plat shall comply with state surveying requirements. [MCA 76-3-608(b)(i)]
13. All required improvements shall be completed and in place or a Subdivision Improvement Agreement shall be provided by the subdivider prior to final approval by the City Council. [~~MCSR, Section II-B-4~~Miles City Code of Ordinances Sec 21-8(p)]

Site-Specific Conditions:

14. All roadways shall meet standards for minor roads.
15. An existing dam that is currently located across lots 10-12 shall be relocated approximately to the north boundary of lot 12 across the existing gully and shall be constructed with the same elevation from existing grade as currently exists such that it provides storm water protection from the existing upland drainage. [MCA 76-3-608]
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