

RESOLUTION NO. 3933

A RESOLUTION ADOPTING FINDINGS OF FACT AND CONDITIONALLY APPROVING THE PRELIMINARY PLAT FOR THE VISION ENTERPRISES MAJOR SUBDIVISION WITHIN THE CITY OF MILES CITY.


WHEREAS, Vision Enterprises, LLC has requested that the City of Miles City approve the preliminary plat of the Vision Enterprises Major Subdivision within the City of Miles City, Custer County, Montana;

AND WHEREAS, the City of Miles City is reviewing and approving the same pursuant to Montana Subdivision and Platting Act, and in accordance with the procedure set for in the Code of Ordinances of the City of Miles City, Chapter 21.

NOW THEREFORE BE IT RESOLVED by the City Council of Miles City, Montana, as follows:

It does hereby adopt the Subdivision Administrator's Report completed July 1, 2016, attached hereto as Exhibit "A" as findings of fact, and based on such findings of fact, approves the Preliminary Plat of the Vision Enterprises Major Subdivision within the City of Miles City, Custer County, Montana, subject to the conditions set forth in the Subdivision Administrator's Report as "Proposed Conditions" 1-27.

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, AT A DULY CALLED MEETING THIS 12th DAY OF JULY, 2016.


John Hollowell, Mayor

ATTEST:


Lorrie Pearce, City Clerk



MILES CITY PLANNING DEPARTMENT

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Miles City, MT 59301

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Miles City Planning Board Agenda Item Miles City, Montana

Agenda Title:	Vision Enterprises Major Subdivision
Meeting Date:	Public Hearing on July 8, 2016 at 5:15 P.M. in the City Hall Conference Room.
Department:	Miles City Community Services and Planning Department
Presented By:	Dawn Colton, Miles City Subdivision Administrator
Report completed on July 1, 2016	Amended on _____

Subdivision Administrator's Report

I. Proposal:

Quinn Wright of Dowl, on behalf of Vision Enterprises, submitted a subdivision pre-application meeting request for the Vision Enterprises Major Subdivision on Feb 4, 2016. The applicant is proposing the creation of six parcels in Tract C of the Lothspeich Minor Subdivision, approximately 1/2 acre each. The property is located on S Haynes Ave, between the Lynam Subdivision and Frank's Body Shop. (See **Figure 1**).

The proposal is being reviewed in accordance with the 2014 Miles City Subdivision Regulations and the Montana Subdivision and Platting Act (MSPA). It is the responsibility of the Subdivision Administrator to forward a recommendation to the Miles City Planning Board. The Planning Board is responsible for reviewing the proposal and all relevant information, then forwarding a recommendation to the City Council of Miles City. The City Council is the final authority concerning all proposed subdivisions within the city limits of Miles City.

Staff Recommendation:

The Subdivision Administrator recommends conditional approval of the Vision Enterprises Major Subdivision by the Miles City Planning Board with the findings of fact and conditions proposed in this Subdivision Administrator's Report.

II. Background:

A. Site:

The proposed Vision Enterprises Major Subdivision is located in the SE1/4NE1/4 of Section 35, Township 8 North, Range 47 East, P.M.M. The property was originally subdivided into 5 tracts in 2012. A boundary line adjustment for Tract D was approved in 2015. The applicant is proposing to create six parcels, Tracts C-1 through C-6. (See drawing "**Vision Ent Major**" plat)

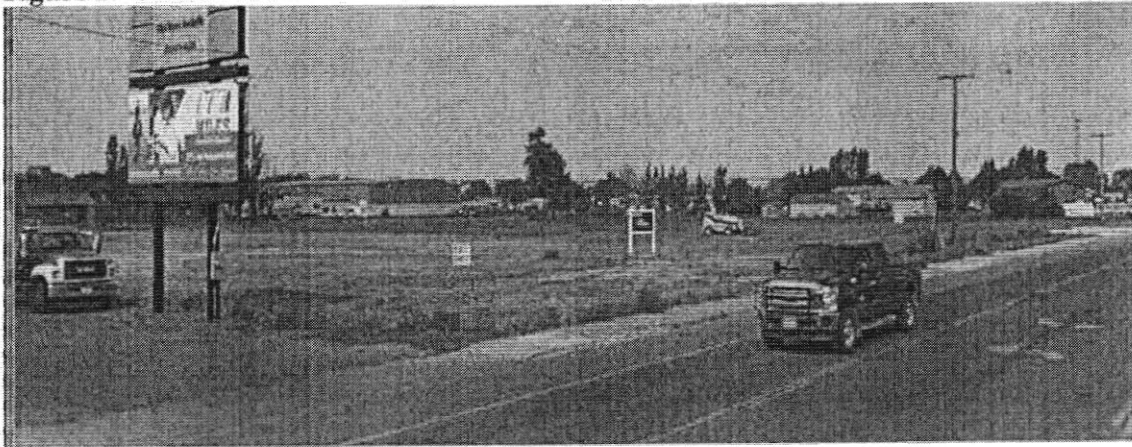
TRACT SIZES

Tract No.	Square Footage	Acreage
C-1	21,048	0.483
C-2	20,891	0.479
C-3	21,041	0.483
C-4	24,518	0.563
C-5	18,116	0.416
C-6	17,999	0.143
<i>Totals:</i>	<i>123,613</i>	<i>2.567</i>

Figure 1: Vicinity Map



Figure 2: Street View



B. Timing and Authority:

A pre-application meeting occurred on February 16, 2016 with Subdivision Administrator Dawn Colton, contract planner Joel Nelson with Quinn Wright of Dowl representing the applicant (Vision Enterprises).

- The preliminary plat application was submitted to the Miles City Planning Department March 18, 2016.
- Application was deemed to contain all required elements on April 25, 2016
- Application was deemed sufficient on May 11, 2016
- Given the 60 working day review period for this subdivision, the Vision Enterprises Major Subdivision shall be reviewed and acted on by the City Council of Miles City no later than August 4, 2016.
- A public hearing before the City Planning Board is scheduled for July 8, 2016 at 5:15 PM in the City Hall Conference Room.
- A public meeting before the City Council of Miles City is tentatively scheduled for July 12, 2016 at 7:00 PM in City Hall.

This subdivision application will be reviewed as a Major Subdivisions and evaluated by the criteria outlined in 21-16 of the 2014 Miles City Subdivision Regulations, as applicable. The Miles City Planning Board shall recommend approval, conditional approval, or denial of the proposed subdivision to the City Council of Miles City. The City Council is the final authority regarding all subdivisions within the city limits of Miles City.

III. Review Criteria (MCA 76-3-608) and Recommended Findings of Fact:

Effects on Agriculture

- No acreage for the *production of crops or livestock* will be removed from production with the approval of the proposed Vision Enterprises Major Subdivision. The 2.57-acre property was removed from production in 2012.
- *Agricultural production* at the nearby Pine Hills Youth Correctional Facility should not be adversely impacted by the proposed development given the distance, small size and existing development in the area. The Facility's agricultural property is 500+ feet from the nearest property corner.
- The proposed subdivision will not create *incompatible uses* such as interference with the movement of livestock or machinery, fence maintenance, weed proliferation, trespass or vandalism, and harassment of livestock by pets or humans.
- Future development must prevent the potential for the spread of *noxious weeds* on the property and the surrounding area. Section 7-22-2116, MCA states; "it is unlawful for any person to permit any noxious weeds to propagate on their property."

Finding #1: The proposed subdivision will have no significant impact on agriculture operations and resources as the subdivision is over 500 feet from agricultural lands, providing a sufficient buffer from the surrounding commercial and residential areas.

Effects on Agriculture Water User Facilities

- The Vision Enterprises Major Subdivision should have no effect on *Agricultural Water User Facilities*, as the proposed subdivision does not contain any agricultural water user facilities within the 2.57 acre parcel. The irrigation system (T&Y Canal) used for the nearby state lands is over 1000 feet from the subject properties.
- The proposed subdivision has development in progress south of the proposed lots. The Montana Dept of Environmental Quality (MDEQ) regulations require that *stormwater* be held on individual properties; therefore, little potential exists for property damage due to seeps, washouts, or flooding of neighboring lands.

- The project does not obstruct or interfere with nearby *water facility maintenance* activities or access to the *irrigation* facility.
- *Irrigation* for landscaping on the subject property will be provided by municipal water. There will be no use of irrigation waters.
- No *water rights* are being transferred to or from the proposed lots.

Finding #2: The proposed subdivision will have no significant impact on agricultural water user facilities as the irrigation infrastructure and easements will not be affected by this division of land.

Effects on Local Services

- The proposed subdivision will not affect the ability of the government to provide *solid waste* as the County provides solid waste services through the Miles City Area Solid Waste Disposal District. The City will not be providing any *education and recreation services* to businesses within the proposed site. *Electric and telecommunications services* will be provided by the appropriate private service providers. Easements for these services are shown on the plat as required. The service providers did not offer comment on the subdivision application.
- The proposed subdivision will not affect the ability of the service providers to expand the following services for the six proposed lots: *schools and school routes or landfill requirements*. No school age children will reside in this commercial development. The landfill has capacity to accept solid waste from the development.
- The proposed subdivision will not result in additional costs to the City or County for services such as *law enforcement, solid waste disposal, schools, and bussing*.
- The proposed subdivision will not increase the level of *emergency response times, fire protection services* necessary as this subdivision is in the City Limits, currently receives service and will not require additional personnel to cover. MCFR stated that they expect no affect to their operations.
- *Water and sewer services* will be provided by the City of Miles City, although the property will remain within the Custer County Water & Sewer District #2 boundary.
- The proposed subdivision has development in progress south of the proposed lots. The MDEQ regulations require that *stormwater* be held on individual properties in addition to an overflow pond located between Mallet Lane and S Haynes Ave; therefore, little potential exists for property damage due to seeps, washouts, or flooding of neighboring lands.
- The proposed subdivision will not create any *special or rural improvement districts* that would obligate the local government either administratively or financially.
- A new extension of Mallet Lane through the subdivision will be a private road; therefore, the proposed subdivision will *not* increase the amount of *roads currently being maintained* by the City.
- A Traffic Impact Study conducted by Dowl has concluded that the *transportation network* will experience some impact. The non-signalized Haynes Ave /Mallet Lane intersection currently operates at Level-Of-Service (LOS) B, with the anticipated LOS dropping to Level C by the planning horizon of 2021. Mallet Lane has an estimated Average Daily Traffic (ADT) of 94 vehicles. The current plans show Mallet Lane ending in a cul-de-sac to serve the proposed subdivision. Easements are in place to extend Mallet Lane for access to any future development on Tract B.

Finding #3: The proposed site-generated traffic can be adequately accommodated by the existing roadway network adjacent to the site through the proposed buildout year of 2021. Mallet Lane will be a private street, not to be dedicated to the public. It is to be classified as a Minor Street and constructed to those standards. The proposed subdivision will have no significant impact on other local services.

Effects on the Natural Environment

- The proposed Vision Enterprises Major Subdivision will have no impact on *natural stream channels, riparian areas, wetlands, groundwater supply, quantity, or quality*, as these elements don't exist on the property.
- The proposed subdivision lies in a commercial district, which does not allow industrial uses, limiting the types of uses that may affect air quality. Internal roads will be hard surfaced, reducing dust pollution. Therefore, *air quality* will not be affected by the proposed subdivision.
- *Flora, fauna, sights, sounds or smells* will not see significant impacts due to the property being vacant for many years. Development could improve the subject property and the surrounding area by reducing dust or the proliferation of weeds. The addition of landscaping will serve as a visual improvement and buffer zone to adjacent properties.
- Installation of *outside lighting* within the proposed subdivision will be visible from other areas. A residential zone is within 150 feet of the proposed subdivision and 24-hour exterior lighting may impact the neighbor's enjoyment of the night sky. Requiring dark-sky lighting could mitigate this impact. All development shall meet the setbacks established in the MCCO 24-59(c)(2)(b), providing a buffer zone between residential and commercial developments.
- The project is not located near any *cultural/historical/paleontological, scenic resources* or objects of *community significance*.
- The applicant has indicated no *mineral rights* will be transferred to any tract within the proposed subdivision.
- A small portion of the proposed division was mapped *within the special flood hazard area* (SFHA) of Miles City. A Letter of Map Amendment (LOMA) #13-08-0847A, was issued to remove the property from the SFHA. The floodplain administrator shall review any proposed development on Tracts C-5 and C-6 to ensure construction does not inadvertently place structures back into the SFHA.
- *Stormwater* runoff design will be reviewed and approved by MDEQ. A Certificate of Subdivision Approval (COSA) will be issued after City Council approval of the preliminary plat.

Finding #4: The proposed subdivision will have some impact on natural environment from outdoor lighting. The Planning Board and/or City Council may require mitigation measures to reduce the impact to the adjacent residential area and is included in the recommended Conditions of Approval. Additional activities are not expected to impact other elements of the natural environment. The SFHA will require further review with any future development on Tracts C-5 & C-6.

Effects on Wildlife

- The proposed Vision Enterprises Major Subdivision will not affect wildlife in the area due to ground disturbance, roads, increased traffic or access. The potential for adverse effects should be minimal considering the subject property is surrounded by development.
- The project area is surrounded by development so there is no loss of significant, important or critical habitat. There will be no impact on protected or endangered species wildlife.
- The proposed subdivision is surrounded by development and is within a commercial district. There will be no increased conflict between humans or pets with wildlife.

Finding #5: The proposed subdivision will have little to no impact on wildlife in the area.

Effects on Wildlife Habitat

- The proposed Vision Enterprises Major Subdivision is within a commercially developed district and does not infringe on any critical habitat according to the FWP Critical Habitat Map.
- The proposed subdivision location does not include the need for improvements or ground disturbance in areas that may impact wildlife habitat.
- The subject property is not within the *sage grouse* core area, general habitat area or the connectivity area. In addition, the Montana Sage Grouse Oversight Team (MSGOT) granted a programmatic exception from the consultation requirements and stipulations required by Executive Order 12-2015 for any project proposed wholly within the boundaries of incorporated cities and towns when a project proponent needs authorization from the state. This exception is limited in geographic scope to that area within the actual incorporated municipal boundaries, not exurban areas beyond the geographic limits of incorporation.

Finding #6: The proposed subdivision will have little to no impact on wildlife habitat in the area.

Effects on Public Health and Safety

- The proposed Vision Enterprises Major Subdivision will not create *unsafe roads* or the lack of *all-weather access* as it will be a hard surface and maintained per the requirements of the property covenants. Mallet Lane will be classified as a minor street, serving more than 20 but less 100 vehicles in a 24-hr period.
- The proposed subdivision is not located in a *high fire-hazard area* and includes no *natural hazards* such as steep slopes, poor soil conditions, flooding risk or wildfire. The subject property does not have septic systems, high-tension lines or high-pressure pipelines.
- The proposed subdivision will not adversely affect public health and safety in regards to *fire and police protection or emergency services* as the area currently receives these services. There is one fire hydrant to be located in the NW corner of Tract E (First Interstate Bank) of the original subdivision. A new fire hydrant will be located adjacent to Mallet Lane, near Tract C-4. Local service providers and state agencies were provided with a copy of the preliminary plat application for comment. No negative impacts on public health and safety have been identified.
- Water supply and wastewater collection will be provided and maintained by the City of Miles City. A requirement for tracer wires and/or curb stamps to identify the location of the water/wastewater infrastructure is included in the design drawings. The property will remain within the Custer County Water & Sewer District #2 boundary.

- The proposed tracts are accessed from a new private road, Mallet Lane. This new road will not cause a significant change to the *traffic circulation patterns* due to the relatively low ADT of 94.

Finding #7: The proposed project will have no significant impacts on Public Health and Safety.

Compliance with the survey requirements in Part Four of the Montana Subdivision and Platting Act (MSPA)

- The final plat shall be in substantial compliance the *Uniform Standards for Final Subdivision Plats* and shall be accompanied by the required certificates on the face of the plat.

Finding #8: The preliminary plat appears to comply with the MSPA and the *Uniform Standards for Final Subdivision Plats*.

Compliance with the Miles City Subdivision Regulations

- Subdivisions that do not comply with the 2014 Miles City Subdivision Regulations, *Section 21-18—Design and Improvement Standards* may adversely affect the primary criteria under Section 76-3-608, MCA.
- The applicant is proposing a *Declaration of Covenants, Conditions and Restrictions* document be recorded with the amended plat. These covenants include the following clause: "Wherever conflicts exist between these covenants and any such standard imposed by local ordinances or regulations or state statutes, the higher or more restrictive standards shall govern". Staff recommends that The City of Miles City not require this document for subdivision approval or be a party to the restrictions or enforcement of said covenants. [MCSR 21-14(b)(3)]
- The applicant is proposing a *Declaration of Covenants, Conditions and Restrictions* document be recorded with the amended plat.
- The 2014 Miles City Subdivision Regulations require that a certificate of a title abstractor or title report showing the names of the owners of record of the subdivision and the names of any lien-holders or claimants of record against the land be submitted along with a signed, dated and notarized statement from each landowner, if different from the subdivider, and each lien holder or claimant of record consenting to the platting of the subdivision dated no older than 30 calendar days prior to the date of submittal. The subdivision administrator is authorized to provide for the review of the abstract or certificate of title of the land in question by the City Attorney. [MCCO 21-14(b)(2)(a)(5)]
- Eight percent (8%) of the net area available on each tract shall be landscaped, per MCSR 21-18(a)(18)(f). This requirement shall be met as each tract is developed.
- Parkland dedication is not be required for commercial subdivisions. (MCA 76-3-621(3)(b)).
- The Subdivider is required to comply with all other standards and procedures of the 2014 *Miles City Subdivision Regulations*, which are applicable to all subdivisions prior to receiving final plat approval. Any unmet regulations, procedures, or provisions that are not specifically listed as conditions of approval, do not create a waiver, variance, or other relaxation of the lawful requirements of the 2014 *Miles City Subdivision Regulations* or state law.
- The 2014 Miles City Subdivision Regulations, *Section 21-14(a)(6)(b)(2)(a)* requires a subdivider(s) to complete all conditions of preliminary plat approval and apply for final

plat approval prior to the expiration of the three year approval period, unless an extension is requested by the subdivider(s). Any changes made to the original application or preliminary plat, other than changes made to meet the required conditions of final plat approval, may substantially alter the information used to evaluate the proposed subdivision under the primary review criteria (Section 76-3-608, MCA) and requirements of this subdivision. Further review may be required for any such changes.

Finding #9: The preliminary plat appears to be in substantial compliance with the Miles City Subdivision Regulations and the final plat will need to comply with by the recommended conditions of approval.

Compliance with the provisions of Physical and Legal Access to each parcel within the subdivision and the required notation of that access on the applicable plat and any instrument of transfer concerning the parcel

- Physical and legal access to the proposed Vision Enterprises Major Subdivision is provided off S. Haynes Ave and Mallet Lane, a private road. Mallet Lane is being extended from the east side of Haynes Ave, through the subdivision with provisions to continue west to Tract B of the Lothspeich Minor Subdivision.

Finding #10: The proposed project provides legal and physical access and all easements are noted on the face of the preliminary plat.

Growth policy considerations for this subdivision are as follows:

- The proposed Vision Enterprises Major Subdivision is consistent with the following Miles City Growth Policy objectives:
 - Land Use Goal #1 - Provide a Predictable Development Environment
 - Land Use Goal #2 - Promote Citizen Involvement in Land Use Issues
 - Land Use Goal #3 - Balance Property Rights with the Common Interests of the Community
 - Economy Goal #1 - Foster Sustained Economic Growth in Miles City
 - Economy Goal #3 - Support Industrial and Commercial Development
 - Public Facilities and Local Services #4 - Maintain Public Safety
 - Natural Resources Goal #3 - Ensure Future Development does not Negatively Impact the Natural Environment
- Subdivision review and zoning are implementation tools listed in the Growth Policy. Therefore, the following should be considered:
 - The proposed subdivision is required to be in substantial compliance with the 2014 Miles City Subdivision Regulations.
 - The proposed subdivision is required to be in substantial compliance with the 2014 Miles City Zoning Regulations.

Finding #11: The proposed project is consistent with the guidelines of the 2015 Miles City Growth Policy.

Compliance with the provisions of easements for the location and installation of any planned utilities

- Public Utility Easements are provided adjacent to property lines and within Easement B to accommodate water, wastewater, power, natural gas and communication services.

Finding #12: The proposed project includes easements for the location and installation of planned utilities.

Compliance with applicable zoning regulations

- The proposed Vision Enterprises Major Subdivision is zoned appropriately in the General Commercial district. The GC zone does require a 25 ft setback from property lines to Residential zoning districts that will apply to Tracts C-1 through C-5. These tracts share a boundary line with the Lynam residential subdivision and Tract B which is currently zoned as Residential B.

Finding #13: The proposed project complies with the current zoning regulations.

Compliance with sanitation requirements

- The proposed subdivision should not adversely impact groundwater quality and quantity as the proposal will be reviewed and approved by MDEQ for stormwater runoff, water supply and sanitation facilities.

Finding #14: The application is being reviewed by the MDEQ for compliance with sanitation requirements. However, MDEQ will not issue the COSA EQ# 16-1798 letter until public comment gathered at the Public Hearing is incorporated into the approval statement and the City Council grants approval of the preliminary plat.

IV. RECOMMENDED CONDITIONS

The proposed Vision Enterprises Major Subdivision and submitted supplements have been reviewed to determine compliance with the *Montana Subdivision and Platting Act* and the *2014 Miles City Subdivision Regulations*. Staff recommends approval of the preliminary plat application for the subdivision, subject to the conditions below. The regulations and statutes used as a basis for the imposition of the conditions is listed after each condition in parentheses. All conditions are based on the findings identified in this report and are recommended to reasonably minimize potentially significant adverse impacts according to 76-3-608, MCA.

Proposed Conditions:

1. The proposed Vision Enterprises Major Subdivision shall conform to the Sections 76-3-401 through 406 MCA of the Montana Subdivision and Platting Act and Montana's Uniform Standards for Final Subdivision Plats. (76-3-401 – 411, MCA and Administrative Rules of Montana (ARM) 24.183.1107))
2. The final plat must conform to the 2014 Miles City Subdivision Regulations (MCSR) and the Miles City Code of Ordinances. (MCCO)
3. 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].
4. The final plat shall comply with state surveying requirements. [MCA 76-3-608(3)(b)(i)]

5. The subdivision must conform to all the rules and regulations set out in *MCCO* and *MCA* in effect as of May 11, 2016. [*MCA 76-3-604(9)(a)*]
6. All traffic signs shall be installed by the subdivider. Traffic signs shall be of the size, shape, height, and placement as to be in accordance with the Manual of Uniform traffic Control Devices. [*MCCO Section 21-18 (8)(f)*]
7. The proposed subdivision application, and/or any proposed exemption(s) from sanitation review, shall be reviewed and approved by the Montana Department of Environmental Quality (MDEQ) and/or the Custer County Sanitarian prior to final plat approval. (*MCA 76-4*)
8. The applicant(s) shall comply with all standards and procedures of the *2014 Miles City Subdivision Regulations* that are applicable to this subdivision prior to receiving final plat approval. The applicant(s) for this proposed subdivision is hereby informed that any unmet regulations, procedures, or provisions that are not specifically listed as conditions of approval, does not, in any way, create a waiver, variance, or other relaxation of the lawful requirements of the *2014 Miles City Subdivision Regulations* or State law. (*MCCO Section 21 and MCA 76-3*)
9. The applicant(s) shall have three years from the date of preliminary approval to complete these conditions and obtain final plat approval. Application for final plat shall be submitted at least thirty days prior to the expiration of the preliminary plat approval period, unless the applicant(s) requests an extension in accordance with Montana Code Annotated. Failure to comply with the final plat provisions or the conditions of final plat thirty calendar days prior to the expiration of the preliminary plat approval period will render the governing body's approval null and void. [(*MCSR 21-16(a)(8)(e)* and (*76-3-610, MCA*)]
10. Any changes made to the original application or preliminary plat, other than changes made to meet the required conditions of final plat approval, may require the subdivider(s) to resubmit the application for subdivision review pursuant to state law and sections 21-14(b)(5) and 21-16(a)(9) of the *2014 Miles City Subdivision Regulations*.
11. All water supply systems shall meet MDEQ & City Code requirements. The water supply systems shall be approved by a licensed engineer. Design specifications, including the requirement for tracer wire or curb stamps to indicate line locations, and capacity shall be confirmed by the Public Utilities Director prior to acceptance. [*MCCO Sec 23; Sec 21-18(a)(10)*]
12. All sanitary sewer systems shall meet MDEQ & City Code requirements. The sanitary sewer system shall be approved by a licensed engineer. Design specifications, including the requirement for tracer wire or curb stamps to indicate line locations, and capacity shall be confirmed by the Public Utilities Director prior to acceptance. A stub out for connection shall be provided for each lot. [*MCCO Sec 23; Sec 21-18(a)(10)*]
13. 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 SWPPP Storm Water Construction General Permit shall be obtained and provided to the Miles City Planning Office prior to any site disturbance or construction. [*ARM 17-30-1115*]

14. 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 practical for service to the lot. *[MCCO Sec 21-18(a)(13)(f)]*
15. Future maintenance must prevent the potential for the spread of noxious weeds on the property and the surrounding area. Section 7-22-2116, MCA states; "it is unlawful for any person to permit any noxious weeds to propagate on their property." *(76-3-608(3)(a) and 7-22-2116, MCA)*
16. All street intersection and address number signs shall be installed by the subdivider. The addressing plan shall be approved by the Planning Department. *[MCCO 21-18(a)(8)(g)]*
17. Stormwater runoff design shall be approved by the MDEQ prior to construction. *(MDEQ Circular 8) [MCCO 21-18(a)(9)]*
18. Mallet Lane shall be constructed to the Montana Public Works Standard Specifications (MPWSS) and the MCSR as a Minor Street. Roadway design shall include curb, gutter and sidewalk constructed to the MPWSS. All sidewalk ramps shall comply with the Americans with Disabilities Act (ADA) design standards. *[MCSR 21-18(a)(8)(h)(1)]* Maintenance of Mallet Lane is to be governed by the Declaration of Covenants that will run with the land. *[MCCO 21-14(b)(3)(e)]*
19. The diameter of the driving surface of the cul-de-sac shall be a minimum of 96 feet to accommodate emergency vehicles. *[International Fire Code, Appendix D, Section D103.1]*
20. Stop signs shall be installed at each driveway on Mallet Lane and at the intersection of Mallet Lane and S. Haynes Ave. *(Traffic Impact Study – Dowl 4/2016) [MCCO 21-18(a)(8)(g)]*
21. All future development within the subdivision shall utilize dark-sky lighting to reduce the impact of the residential neighbor's enjoyment of the night sky. *[MCA 76-3-608(3)(a)]*
22. Site visibility zones at the development approach and driveways shall be maintained and kept clear of any obstacles or obstructions to preserve adequate vision left and right for exiting vehicles, including the use of low-level landscaping treatments, set-back signing, and set-back fencing. *(Traffic Impact Study – Dowl 4/2016)*
23. Landscaping for each tract shall be 8% of the net area (total area of the site minus the area occupied by all building). *[MCCO 21-18(a)(18)]*
24. 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 is included as part of the *Declaration of Covenants, Conditions and Restrictions*. *[MCCO 21-18(a)(8)(h)(7)]*
25. All future development must comply with the *MCCO* effective as of the date of the applicable applications. *(Building, Floodplain, Planning, Zoning, and other relevant permits)*
26. All development on Tracts C-1 through C-5 must comply with the zoning code setbacks for commercial districts adjacent to residential districts. *[MCCO Chapter 24, Article II]*

27. Development on Tract C-5 and C-6 will require further review by the Floodplain Administrator per comment letter. *[MCCO Chapter 12, Article II, Sec 12 - 18]*

V. Conclusion:

The proposed Vision Enterprises Major Subdivision, with the inclusion of the recommended findings and conditions identified in this Subdivision Administrator Report, has no significant adverse effects on the review criteria of Section 76-3-608(3), MCA and brings the subdivision in to compliance with the applicable requirements of the Miles City Subdivision Regulations. Agency comments revealed no significant issues or concerns from the respondents.

VI. Public Comment to Date

Carter Miller of Ferdinand Dirt spoke in favor of the project via phone conversation.

VI. Miles City Planning Board Role and Options:

The Miles City Planning Board shall consider the application, preliminary plat, supplements, public testimony, and this Subdivision Administrator's Report before forwarding a recommendation to the City Council of Miles City. The Planning Board shall base its recommendation on compliance of the subdivision application with the items listed in MCCO 21-16(a)(4)(b) and the evidence listed in MCCO 21-16(a)(4)(c).

The Miles City Planning Board shall make one of the following recommendations regarding the Vision Enterprises Major Subdivision preliminary plat application:

1. Recommend approval or conditional approval of the Vision Enterprises Major Subdivision with findings and conditions as identified in the Subdivision Administrator Report;
2. Recommend approval or conditional approval of the Vision Enterprises Major Subdivision with findings and conditions as identified and amended by the Miles City Planning Board.
3. Recommend denial of the Vision Enterprises Major Subdivision based upon specific findings of fact.



PRE-APPLICATION MEETING REQUEST FORM

SUBMIT TO:

Miles City Planning & Community Services
17 South 8th Street
Miles City, MT 59301

Application Date FEB 4 2016

For Official Use Only

Meeting Date FEB 16 2016

Within 30 days of submission

Received: FEB 4 REC'D 2016

Contacts: VISION Enterprises, LLC
PROPERTY OWNER: Roger Lothspeich Phone: 951-1254
SUBDIVIDER (if different): _____ Phone: _____
TECHNICAL ASSISTANCE: Dowl / Quinn Wright Phone: 234-6666
 Firm/Person to Contact: _____ Property Owner _____ Subdivider ☒ Technical Assistance
Contact Address: 713 Pleasant ST Phone: 234-6666
Miles City, MT 59301 Email: qwright@dowl.com

Property Information:

Location of Project/Legal Description: Tract/s _____ in Section _____ Township _____ Range _____ or
 Lot/s Tract C Amended of Lothspeich Minor Sub. in Section 34 Township 8N Range 47E
 Subdivision Name

No. of Acres 2.84 Zoning Commercial School District _____ Fire District _____

Existing Use/Structures on Property NONE

Project Information:

Proposed Name of Subdivision: VISION Major Subdivision No. Lots 6

Check One: ☐ 1st Minor ☐ Subsequent Minor ☒ Major

Check All that Apply

<input type="checkbox"/>	Single Family	<input type="checkbox"/>	Townhouse	<input type="checkbox"/>	Duplex	<input type="checkbox"/>	Multi-family
<input type="checkbox"/>	Industrial	<input type="checkbox"/>	Condominiums	<input checked="" type="checkbox"/>	Commercial	<input type="checkbox"/>	RV Park
<input type="checkbox"/>	Workcamp	<input type="checkbox"/>	Campground	<input type="checkbox"/>	Mobile Home Park	<input type="checkbox"/>	

Attachments to be submitted with this application (please check (✓) each item to ensure each requirement has been met):

☒ **Vicinity Map** (showing location of proposed project, may be hand sketched) (8 ½ x 11)

☒ **Topographic Map** (USGS or equivalent, scale 1" = 400' or larger) of the area proposed for division that is adequate to show the property and to show relevant information including:

1) Information on the current status of the site:

☐ Site location.

- ☒ Approximate tract and lot boundaries of existing tracts of record.
- ☒ Description of general terrain, including any steep slopes (20% or more)
- ☒ Natural features including water bodies, floodplains, geologic hazards, and soil types.
- ☒ Existing structures and improvements (roads, sidewalks, etc).
- ☒ Existing utility lines and facilities serving the area to be subdivided.
- ☒ Existing easements and rights-of-way.
- ☒ Existing zoning or development regulation standards.
- ☒ Existing conservation easements.

Documentation

- 2) Attach documentation on the current status of the site, including:
- ☒ Ownership information, such as a deed, option to buy or buy-sell agreement, including permission to subdivide.
 - ☒ For proposed minor subdivisions, a copy of each certificate of survey or subdivision plat(s) pertaining to the subject parcel since July 1, 1973.
 - ☒ Existing covenants or deed restrictions.
 - ☒ Water rights, including location of agricultural water user facilities.
 - ☒ Any special improvement districts.
 - ☒ Any rights of first refusal for the property.

The submission of a subdivision pre-application form constitutes a grant of permission by the subdivider for the governing body of Miles City, City staff, any agents of Miles City, and affected agencies to enter the subject property.

The subdivider, Roger Lottspeich (print name), hereby grants the above personnel permission to enter the subject property and conduct a pre-application review.

Devin Wright for Roger Lottspeich
Signature of subdivider

LED 8 14 14

THIS PRE-APPLICATION FORM MAY BE RETURNED IF INCOMPLETE

LED 8 14 14

IF COMPLETE, THE MILES CITY COMMUNITY SERVICES AND PLANNING DEPARTMENT WILL CONTACT YOU TO SET UP A PRE-APPLICATION CONFERENCE WITHIN 30 DAYS OF SUBMITTING THIS FORM.

Vision Enterprises Major Subdivision

Traffic Impact Study
April 2016

Conclusions & Recommendations Page

If you would like to see the entire report, contact Dawn Colton

The intersection of South Haynes Avenue and Mallet Lane is currently operating at a satisfactory LOS B and is expected to continue operating at a satisfactory LOS C by 2021. With the addition of site trips, the intersection is anticipated to continue operating at a satisfactory LOS C. The level-of-service at this intersection is driven by the left turning vehicles at the west leg (eastbound movement) due to the anticipated site trip additions from the development.

IV. CONCLUSIONS AND RECOMMENDATIONS

CONCLUSIONS

The analysis presented herein indicates that the proposed development site-generated traffic can be adequately accommodated by the existing roadway network adjacent to the site through the proposed buildout year of the development (2021).

The worst approach for the unsignalized intersection of South Haynes Avenue and Mallet Lane is presently operating at a satisfactory LOS B. The intersection will continue to operate at a satisfactory LOS C upon the full completion of the shopping center by the year 2021. As such, no additional improvements are considered necessary to accommodate the anticipated background traffic growth and trip generation from the development.

RECOMMENDATIONS

- ❖ No intersection or roadway improvements are considered necessary to accommodate traffic generated by the proposed site development.
- ❖ A stop sign should be installed at each driveway on the minor roadway.
- ❖ Pedestrian accommodations should be considered, as appropriate. Sidewalk ramps should be installed to meet current ADA requirements, as necessary.
- ❖ Site visibility zones at the development approach should be maintained and kept clear of any obstacles or obstructions to preserve adequate vision left and right for exiting vehicles, including the use of low-level landscaping treatments, set-back signing, and set-back fencing.

SUBDIVISION REVIEW JOINT APPLICATION FORM

MAR 18 2016

**Montana Department of Environmental Quality
Local Government Joint Application Form
Parts I, II, III, IV, and Checklist**

Section 76-4-129, Montana Code Annotated (MCA), provides that this Subdivision Review Joint Application Form may be used to apply for Montana Department of Environmental Quality (DEQ) approval of subdivisions under the Sanitation in Subdivision laws and for subdivision approval by local governments under the Subdivision and Platting Act. The form replaces DEQ Form E.S. 91 and local preliminary plat approval forms. Landowners thus are relieved from the burden of providing similar information on different forms under two separate laws. Please consult with your local planning board, health department, or DEQ regarding the proper submittal of this application and supporting materials.

- A. When applying for subdivision review by the planning board and local governing body, the following parts of this form must be completed and submitted to the governing body or its designated agent.
1. Part I must be completed for all subdivisions required to be reviewed and approved by the local governing body.
 2. Parts I, II, and III must be completed for all subdivisions for which local subdivision regulations require submittal of an environmental assessment.
- B. When applying for review of subdivisions by DEQ, Parts I and II of this form must be completed and submitted to DEQ. If the proposed subdivision is located in a county contracted to perform the review of subdivisions, the application must be submitted to the local health department.
- C. When applying for concurrent review of the subdivision by the local governing body and by DEQ, the following parts of this form must be completed and submitted to the local governing body or its designated agent, or to DEQ:
1. Parts I and II must be completed for all subdivisions for which concurrent review is requested.
 2. Parts I, II and III must be completed for all subdivisions for which local subdivision regulations require submittal of an environmental assessment.
- D. Although not a requirement of this Joint Application, it is highly recommended that the applicant complete Part IV - Subdivision Checklist and submit the checklist with Part I and the information required by Part II. The checklist identifies the application items (with references to applicable rules and technical circulars) that are typically required by the reviewing authority. Depending on the technical complexity of the proposed subdivision, the checklist may not necessarily identify all of the required application items. However, it does provide general guidance to assist the applicant in preparing a more complete application so as to expedite the review/approval process by the reviewing authority.

Copies of this Joint Application Form are available from:

- Montana Department of Environmental Quality, Permitting and Compliance Division;
- Montana Department of Commerce, Economic and Community Development Division;
- Local health departments and sanitarians; and
- Local planning offices.

**MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY/
LOCAL GOVERNMENT JOINT APPLICATION FORM**

PART I. GENERAL DESCRIPTION AND INFORMATION

1. Name of proposed development Vision Enterprises Major Subdivision
2. Location: City and/or county Miles City, Custer County
Legal description: SE 1/4 NE 1/4 of Section 34 Township 8 N. Range 47 E.
3. Is concurrent review by local governing body and DEQ requested? Yes X No
4. Type of water supply system
 Individual well
 Individual cistern
 Individual surface water supply or spring
 Shared well (2 connections)
 Multiple-user water supply system (3-14 connections and fewer than 25 people)
 Service connection to multiple-user system
 Service connection to public system
 X Extension of public main
 New public system (15 or more connections or serving 25 or more people)
5. Type of wastewater treatment system
 Individual wastewater treatment system
 Number of bedrooms (3 bedrooms will be used if unknown)
 Shared wastewater treatment system (2 connections)
 Multiple-user system (3-14 connections and fewer than 25 people)
 Service connection to multiple-user system
 Service connection to public system
 X Extension of public main
 New public system (15 or more connections or serving 25 or more people)
6. Name of solid waste (garbage) disposal site Miles City Solid Waste
7. Nondegradation
Yes No X Is information included which substantiates that there will be no degradation of
state waters or that degradation will be nonsignificant?
Yes No X If not, have you enclosed an Application to Degrade?
8. Descriptive Data
 6 Number of lots or rental spaces
123,613 sq.ft. Total acreage in lots being reviewed
43,855 sq.ft. Total acreage in streets or roads
 Total acreage in parks, open space, and/or common facilities
123,613 sq.ft. Total gross acreage of subdivision
17,999 sq.ft. Minimum size of lots or spaces
24,518 sq.ft. Maximum size of lots or spaces
9. Indicate the proposed use(s) and number of lots or spaces in each.
 Residential, single family
 Residential, multiple family Number of units
 Type of multiple family structure (e.g. duplex) Number of units
 Planned unit development Number of units
 Condominium Number of units
 Mobile home park Number of units
 Recreational vehicle park Number of units
 6 Commercial or industrial
 Other (please describe)

10. Provide the following information regarding the development.

Current land use Vacant Land
Depth to ground water at the time of year when water table is nearest to the natural ground surface within the drainfield area N/A
Depth to bedrock or other impervious material in the drainfield area N/A
Existing zoning or other regulations General Commercial

11. Include the following attachments, if applicable.

Yes ☐ NA ☒ An overall development plan indicating the intent for the development of the remainder of the tract, if a tract of land is to be subdivided in phases.

Yes ☐ NA ☒ Drafts of any covenants and restrictions to be included in deeds or contracts for sale.

Yes ☒ NA ☐ Drafts of homeowners' association bylaws and articles of incorporation, if applicable.

(Submitting a draft copy of a homeowners' association bylaws and articles of incorporation is adequate for DEQ to initiate and complete its review of sanitary facilities, but a copy of the fully executed documents must be submitted before DEQ can issue final approval.)

I understand that a person may not dispose of any lot within a subdivision, erect any facility for the supply of water or disposal of sewage or solid waste, erect any building or shelter in a subdivision that requires facilities for the supply of water or disposal of sewage or solid waste, or occupy any permanent buildings in a subdivision until the reviewing authority under the Sanitation in Subdivisions Act has issued a certificate of subdivision approval indicating that the subdivision is not subject to sanitary restriction, unless the subdivision is exempt from the Sanitation in Subdivisions Act under 76-4-125, MCA. I understand that a person may not construct or use a facility that deviates from the certificate of subdivision approval until the reviewing authority has approved the deviation.

I designate DOWL as my representative for purposes of this application.

Designated representative, if any (e.g., engineer, surveyor)

Name: Quinn Wright, PLS Phone: 406-234-6666

Address: P.O. Box 1518, 713 Pleasant St, Miles City, MT 59301
Company, Street or P.O. Box, City, State, Zip Code

Owner

Name:  Roger Lothspeich
Signature of owner Print name of owner

Address: 2323 South Haynes Avenue, Miles City, Montana, 59301
Street or P.O. Box, City, State, Zip Code

Date: 3/17/16 Phone: 406-951-1254

(The statement must be signed by the owner of the land proposed for subdivision or the responsible officer of the corporation offering the same for sale.)

Notice: The statutory time frame for each review is 60 days. Resubmittal of denied or incomplete applications restarts the time frame. The estimated time for the DEQ to act on a complete subdivision application is 10 days for subdivisions reviewed by a local department of health under contract to the DEQ. Local health departments review subdivisions within 50 days of receipt of a complete application. During non-peak times, a review may take 25 to 45 days. For peak times, the review may take 45 to 60 days.

CONSENT TO PLAT BY LIENHOLDER(s)

Pursuant to 76-3-612, M.C.A, the undersigned Mortgagee, Stockman Bank of Montana
(insert name of financial institution or other lienholder)
under the following Mortgage:

Date: 12/30/11

Mortgagor: Vision Enterprises LLC

Document Number: 153065

Stanley A. Markuson
Signature and Title President - Miles City Market

Stanley A. Markuson 3/17/16
Printed Name Date

does hereby acknowledge, join in and consent to the platting of the following described lands located in the City of Miles City, Custer County, Montana, which lands are subject to the lien of the above referenced Mortgagee:

LEGAL DESCRIPTION:

Tract C AMENDED, Lothspeich Minor Subdivision lying in Sec 34, T. 8 North, R.47 East, P.M.M, Miles City, Custer County, MT _____

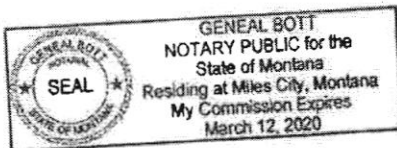
State of Montana,

County of Custer

This instrument was acknowledged before me on March 17, 2016

by Stanley A Markuson
print name of signer(s)

print name of signer(s)



Affix seal/stamp as close to signature as possible.

Geneal Bott
Notary Signature

[Montana notaries must complete the following, if not part of the stamp.]

Printed Name: Geneal Bott

Notary Public for the state of Montana

Residing at Miles City

My Commission expires: March 12, 2020

**PART II REQUIRED INFORMATION FOR APPROVAL OF SUBDIVISIONS UNDER SANITATION
IN SUBDIVISIONS LAWS (e.g., parcels less than 20 acres, trailer courts, RV parks,
condominiums)**

All applications must include the information required in ARM 17.36.101-805 and the appropriate circulars. In order to facilitate review, the application should be organized in the same manner as this application form and follow closely the submittal requirements in the rules and circulars.

A. Physical Conditions

Provide the following attachments.

1. A vicinity map showing the location of the proposed subdivision in relation to the nearest town, highway(s).
2. Soils survey map and most recent interpretations of soil suitability for the proposed land uses.
3. Topographic map of the development with contour intervals meeting the preliminary plat requirements of the local subdivision regulations.
4. A copy of a preliminary plat* (a minor subdivision plat if applicable) prepared in accordance with local subdivision regulations, or a final plat, show the location of:
 - a. Any rock outcroppings.
 - b. Any areas subject to flood hazard or, if available, 100 year floodplain studies. (The local floodplain administrator or the Floodplain Management Section of the Water Resources Division of the Department of Natural Resources and Conservation may be contracted for assistance in determining flood hazard locations.)
 - c. Any natural water systems such as streams, rivers, intermittent streams, lakes or wetlands (also indicate the names and sizes of each).
 - d. Any man-made water systems such as wells, ponds, canals, ditches, aqueducts, reservoirs and irrigation systems (also indicate the names, sizes and present use of each).
 - e. Any existing or proposed utilities located within or adjacent to the subdivision, including electrical power, natural gas, telephone service, water and sewer pipelines or facilities.

*Submit a preliminary plat or certificate of survey with complete and accurate legal description adequate for DEQ to initiate and complete its review of the subdivision.

B. Water Supply

1. Where an individual water supply system is proposed or existing for each parcel
 - a. For a proposed system, provide all information required in ARM 17.36.328 – 336. Indicate the distance to the nearest public water system.
 - b. If an existing system will be used, provide all information required in ARM 17.36.335.
 - c. Attach four copies of the lot layout showing the proposed or existing location of each water supply source (spring, well or cistern) and indicating the distance to existing or proposed wastewater treatment systems.
2. Where a multiple user water system is proposed or existing
 - a. If an existing system will be used:
 - 1) Identify the system and the person, firm or agency responsible for its operation and maintenance.
 - 2) Indicate the system's capacity to handle additional use and its distance from the development.
 - 3) Provide evidence that permission to connect has been granted.
 - 4) Provide three copies of the following attachments:
 - a) Map or plat showing location, size, and depth of any existing water supply lines and facilities that may directly serve parcels within the proposed development.
 - b) Provide plans and specifications for all proposed extensions and additional lines and facilities as required by ARM 17.36.335 and DEQ-3.
 - b. If a new system will be used:

- 1) Indicate who will install the system, who will bear the costs, when it will be completed and who will own it.
 - 2) Provide all information required in ARM 17.36.330 - 336 and DEQ-3.
3. Where a public water system is proposed or existing
 - a. If an existing system will be used:
 - 1) Identify the system and the person, firm or agency responsible for its operation and maintenance.
 - 2) Provide evidence that the system is approved by DEQ and is in compliance with the regulations.
 - 3) Provide evidence that the managing entity has authorized the connections, the system has adequate capacity to meet the needs of the subdivision, the system is in compliance with department regulations, and the appropriate water rights exist or have been applied for the connections.
 - 4) Provide three copies of the following as attachments.
 - a) A map or plat showing the location, sizes and depth of any existing water lines and facilities which will directly serve parcels within the proposed development.
 - b) Plans and specifications for all proposed extensions and additional lines and facilities as required by ARM 17.36.328 - 330 and DEQ-1 or DEQ-3.
 - b. If a new system will be used:
 - 1) Indicate who will install the system, who will bear the costs, when it will be completed and who will own it.
 - 2) Provide plans and specifications for all proposed extensions and additional lines and facilities as required by ARM 17.36.328 - 330 and DEQ-1 or DEQ-3.

C. Wastewater Treatment

1. Where individual wastewater treatment systems are proposed for each parcel:
 - a. Indicate the distance to the nearest public wastewater treatment system.
 - b. Provide all information required in ARM 17.36.320 - 345 and in DEQ-4.
2. For a proposed multiple user wastewater treatment system:
 - a. Where an existing system is to be used:
 - 1) Identify the system and the person, firm or agency responsible for its operation and maintenance.
 - 2) Indicate the system's capacity to handle additional use and its distance from the development.
 - 3) Provide evidence that permission to connect has been granted.
 - 4) Provide two copies of the following attachments.
 - a) A map or plat showing the location, sizes and depth of any existing sewer lines and facilities which will directly serve parcels within the proposed development.
 - b) Provide plans and specifications for all proposed extensions and additional lines and facilities as required by ARM 17.36.320 - 345 and DEQ-4.
 - b. Where a new system is proposed:
 - 1) Indicate who will install the system, who will bear the costs, when it will be completed and who will own it.
 - 2) Provide all information required in ARM 17.36.320 - 326 and DEQ-4.
3. For a proposed public wastewater treatment system:
 - a. Where an existing system is to be used:
 - 1) identify the system and the person, firm or agency responsible for its operation and maintenance.
 - 2) provide evidence that the system is approved by DEQ and is in compliance with the regulations.

- 3) provide evidence that the managing entity has authorized the connections, the system has adequate capacity to meet the needs of the subdivision, and the system is in compliance with department regulations.
- 4) provide three copies of the following as attachments:
 - a) a map or plat showing the location, sizes and depth of any existing sewer lines and facilities which will directly serve parcels within the proposed development.
 - b) plans and specifications for all proposed extensions and additional lines and facilities as required by ARM 17.36.328 and DEQ-2 or DEQ-4.
- b. Where a new system is proposed:
 - 1) indicate who will install the system, who will bear the costs, when it will be completed and who will own it.
 - 2) provide plans and specifications for all proposed extensions and additional lines and facilities as required by ARM 17.36.320 - 326 and DEQ-2 or DEQ-4 (also see ARM 17.38.101).

D. Solid Waste

1. Describe the proposed method of collecting and disposing of solid waste.
2. Indicate the name and location of the department-licensed or appropriate out-of-state solid waste disposal site where solid waste will be disposed in accordance with ARM 17.36.309.

E. Drainage

1. Streets, roads, and unvegetated areas.
 - a. Describe measures for disposing of storm run-off from streets, roads, parking lots, and other unvegetated areas within the subdivision or onto adjacent property.
 - b. Indicate type of road surface proposed.
 - c. Describe facilities for stream or drainage crossing (e.g., culverts, bridges).
 - d. Describe how surface run-off will be drained or channeled from parcels.
 - e. Indicate if storm run-off will enter state waters and describe any proposed treatment measures. (A storm-water discharge permit may be required)
 - f. Describe any existing or proposed streambank or shoreline alteration, any proposed construction or modification of lakebeds or stream channels. Provide information on location, extent, type and purpose of alteration.
 - g. Provide storm drainage plans and specifications as required by ARM 17.36.310 and DEQ-8.

F. Other Permits That May Be Necessary

1. WATER USE PERMIT (WATER RIGHTS)

The Montana Water Law requires new water developments (after July 1, 1973) to be filed with the Department of Natural Resources and Conservation to receive a water right. For groundwater developments, wells and developed springs, the amount of water to be used will determine which form to file with the department.

Form 602 – Notice of Completion of Groundwater Development: This form is to be filed when the groundwater development is a well, developed spring or a groundwater pit. The amount of water to be used cannot exceed 35 gallons per minute or 10 acre-feet per year. The form is to be filed within 60 days after the well or spring development is completed and the water has been put to the intended beneficial use. Do not file until the well is hooked up and being used.

Form 600 – Application for Beneficial Water Use Permit: When the groundwater development is a well, developed spring or groundwater pit and the intended use will be over 35 gallons per minute and 10 acre-feet per year, a water use permit must be issued before water can be appropriated. A correct and complete application with the criteria supplement and filing fee must be filed with the Department.

Forms are available at the Water Resources Regional Office at the following addresses:

Helena: Water Resources Regional Office, 1424 9th Avenue, PO Box 201601, Helena, MT 59620-1601, (406) 444-6999, or the regional office in your area,

Billings: Water Resources Regional Office, Airport Industrial Park, 1371 Rimtop Dr., Billings, MT, 59105-1978, (406) 247-4415

Bozeman: Water Resources Regional Office, 151 Evergreen Dr., Suite C, Bozeman, MT 59715, (406) 586-3136

Glasgow: Water Resources Regional Office, 222 6th St South, Glasgow, MT 59230, (406) 228-2561

Havre: Water Resources Regional Office, 210 6th Ave., Havre, MT 59501, (406) 265-5516

Kalispell: Water Resources Regional Office, 109 Cooperative Way, Suite 110, Kalispell, MT 59901, (406) 752-2288

Lewistown: Water Resources Regional Office, 613 NE Main St., Suite E, Lewistown, MT 59457, (406) 538-7459

Missoula: Water Resources Regional Office, Town & Country Shopping Center, 1610 S. Third St. West, Suite 103, Missoula, MT 59806, (406) 721-4284

2. For a complete listing of environmental permits required by the state, please reference the Montana Index of Environmental Permits from the Environmental Quality Council at (406) 444-3742 or visit the EQC Web site: http://www.leg.state.mt.us/css/publications/lepo/permit_index/permit_tofc.asp. In addition, there may be other permits required by the federal government or local government agencies.

— Montana Department of Environmental Quality (DEQ), Water Quality web site (deq.state.mt.us/wqinfo)

— MPDES Wastewater Discharge - All discharges to surface water, including those related to construction dewatering. Contact DEQ, Water Protection Bureau (406) 444-3080.

— Storm Water Discharge - Construction activity greater than 1 acre disturbance. Contact DEQ, Water Protection Bureau 444-3080.

— MGWPCS Discharge - All construction and/or operation of wastewater impoundments or conveyances which may cause pollution of groundwater. Also, includes land application of wastewater on a case-by-case basis. Contact DEQ, Water Protection Bureau (406) 444-3080.

- 318 Authorization - Any activity in any state water that will cause unavoidable short-term violations of water quality standards. Contact DEQ, Water Protection Bureau (406) 444-3080.
- 310 Permit/SPA (124) - Any activity that physically alters or modifies the bed or banks of a stream. Contact the local Conservation District.
- 404 Permit - Any activity resulting in the discharge or placement of dredged or fill material into waters of the U.S., including wetlands. Contact U.S. Army Corp of Engineers at (406) 441-1375.
- Montana Land-Use License or Navigable Waters Easement - The construction, placement, or modification of a structure or improvement on land below the low water mark of navigable streams. Contact DNRC (406) 444-2074.
- Water Right Permit - Required before constructing new or additional diversion, withdrawal, impoundment, or distribution works for appropriation of ground water or surface water. Contact DNRC (406) 444-6614.
- Lakeshore Protection Act - Any project in or near a body of water within a county's jurisdictional area. Contact County Government Offices.
- Public Water Supply - New construction, alteration, extension or operation of a public water supply or non-State Revolving Fund (SRF) public sewage systems requires approval from the Department of Environmental Quality. Contact DEQ, Public Water and Subdivisions Bureau 444-4400.
- Shoreline Protection - Any work in, over, or near any stream, river, lake, or wetland on the Flathead Reservation. Contact the Shoreline Protection Office at (406) 883-2888 or (406) 675-2700 ext. 7201.
- UST Permits - Activities involving any type of work related to underground storage tanks (petroleum and hazardous substances). Contact DEQ, Technical Services Bureau (406) 444-1420.
- RW-20 Permit - A permit is required when work is to be done within a Montana Department of Transportation (MDT) right of way. Contact the local MDT District Office.
- Floodplain Development Permit - Anyone planning new construction within a designated 100-year floodplain. Contact DNRC, Water Operation Bureau, Floodplain Management, (406) 444-0860 or local Floodplain Administrator.

PART III INFORMATION REQUIRED FOR ENVIRONMENTAL ASSESSMENT UNDER THE SUBDIVISION AND PLATTING ACT

Information specified in this Part must be provided in addition to that required in Parts I and II of this application form, when the preparation of an environmental assessment is required by the Montana Subdivision and Platting Act.

A. Geology

1. Locate on a copy of the preliminary plat, or on a plat overlay, any known hazards affecting the development which could result in property damage or personal injury due to:
 - a. Falls, slides or slumps — soil, rock, mud, snow; or
 - b. Seismic activity.
2. Describe any proposed measures to prevent or reduce the danger of property damage or personal injury from any of the hazards referenced above.
3. Identify any geological conditions that might affect development, such as areas of bedrock, unsuitable soils, or high ground water. Describe any measures proposed to minimize the problems presented by the identified conditions.

B. Vegetation

1. Locate on a copy of the preliminary plat, or on a plat overlay, the location of the major vegetation types such as marsh, grassland, shrub, forest.
2. Describe measures to be taken to protect trees and vegetative cover (e.g., design and location of lots, roads, and open spaces).
3. Identify areas containing noxious weed growth. Describe proposed means of weed control, especially to prevent weed growth on areas disturbed by construction.

C. Wildlife

1. Identify any major species of fish and wildlife use the area to be affected by the proposed subdivision.
2. Locate on a copy of the preliminary plat, or on a plat overlay, any known important wildlife areas, such as big game winter range, waterfowl nesting areas, habitat for rare or endangered species, and wetlands.
3. Describe any proposed measures to protect wildlife habitat or to minimize degradation (e.g., keeping buildings and roads away from shorelines or setting aside marshland as undeveloped open space).

D. Historical Features

1. Describe and locate on a copy of the preliminary plat, or on a plat overlay, any known or possible historic, archaeological, or cultural sites that may be affected by the proposed subdivision.
2. Describe any plans to protect such sites or properties.

E. Roads

1. Describe any required construction of new public or private access roads or substantial improvements to existing public or private access roads.
2. Describe the proposed closure or modification of any existing roads.

3. If any of the individual lots is accessed directly from an arterial street or road, explain why access was not provided by means of a frontage road or a road within the subdivision.
4. Indicate who will pay the costs of installing and maintaining dedicated or private roadways.
 - a. Estimate how much daily traffic the subdivision, when fully developed, will generate on existing streets and arterials.
 - b. Discuss the capability of existing and proposed roads to safely accommodate this increased traffic.
 - c. Describe any increased maintenance problems and cost that will be caused by this increase in volume.
5. Describe any potential year-round accessibility concerns for conventional automobiles over legal rights-of-way available to the subdivision and to all lots and common facilities within the subdivision

Identify the owners of any private property over which access to the subdivision will be provided and indicate whether easements for access have been obtained from those landowners.

F. Utilities

1. Identify the utility companies involved in providing electrical power, natural gas, and telephone service. Indicate whether utility lines will be placed underground.
2. Identify on the preliminary plat or overlay the locations of any needed utility easements [as required by 76-3-608(3)(c), MCA].
3. Indicate whether the preliminary plat has been submitted to affected utilities for review.
4. Estimate the completion date of each utility installation.

G. Emergency Services

1. Describe the emergency services available to the residents of the proposed subdivision, including number of personnel and number of vehicles or type of facilities and road distance to facilities for:
 - a. Fire protection – indicate whether the proposed subdivision is in an urban or rural fire district. If not, describe plans to form or extend an existing fire district, or describe other fire protection procedures.
 - b. Where applicable, information regarding subdivisions planned in areas of high fire hazards as provided in IV-A-18 of these regulations.
 - c. Police protection.
 - d. Ambulance service.
 - e. Medical services.
2. Indicate whether the needs of the proposed subdivision for each of the above services will be met by present personnel and facilities.
 - a. If not, describe the additional expenses necessary to make these services adequate.
 - b. Explain who will pay for the necessary improvements.

H. Schools

1. Describe the available educational facilities that would serve this subdivision and the road distance to each.
2. Estimate the number of school children that will be added by the proposed subdivision. Provide a statement from the administrator of the appropriate school system indicating whether the increased enrollment can be accommodated by the present personnel and facilities and by the existing school bus system.

I. Land Use

1. Describe land uses on lands adjacent to the subdivision.
2. Describe any comprehensive plan or other land use regulations covering the area proposed for subdivision or adjacent land. If the subdivision is located near an incorporated city or town, describe any plans for annexation.
3. Where public lands are adjacent to or near the proposed development, describe the present and anticipated uses of those lands (e.g., grazing, logging, and recreation). Describe how the subdivision will affect access to any public lands.
4. Describe any health or safety hazards on or near the subdivision, such as mining activity, high-pressure gas lines, dilapidated structures, high-voltage power lines or irrigation ditches. Any such conditions should be accurately described and their origin and location identified.
5. Describe any on-site or off-site uses creating a nuisance such as unpleasant odor, unusual noises, dust or smoke. Any such conditions should be accurately described and their origin and location identified.

J. Parks and Recreation Facilities

Describe park and recreation facilities to be provided within the proposed subdivision and other recreational facilities which will serve the subdivision.

POSSIBLE SOURCES OF INFORMATION TO CONTACT WHEN COMPLETING THE FORM

Local Agencies

City or County Health Department
City Engineer or County Surveyor
County Road Supervisor
Conservation District
County Extension Service
Planning Board Staff
Floodplain Administrator

School District
Fire District or Department
Police or Sheriff's Department
Hospital or Ambulance Service
Chamber of Commerce
Telephone, Electrical Power, Gas, and
Cable Companies

State Agencies	Information	Location
Dept of Fish, Wildlife, and Parks	Fisheries, vegetation and wildlife	Helena and regional offices
Dept of Environmental Quality	Water quality	Helena
Dept of Transportation	Access to state highways traffic data maps, aerial photographs	Helena
Dept of Natural Resources and Conservation	Surface and ground water, floodplains, well logs, water rights, fire hazards	Helena and regional offices
Bureau of Mines and Geology	Geology, ground water, water quality well logs, topographic maps	Butte and Billings

Federal Agencies	Information	Location
Farm Service Agency	Aerial photographs	County offices
Bureau of Land Management	Vegetation, maps, topography	Billings and district offices
Forest Service	Topography, surface water, soil maps, vegetation, wildlife fire hazards, maps	Missoula regional, national forest and district offices
Geological Survey	Geology, surface and ground water, water quality, floodways, topographic maps	Helena
Natural Resources Conservation Service	Soils, surface water, flood hazards, erosion	Bozeman and county offices

Part IV SUBDIVISION CHECKLIST

Subdivision: _____ Vision Major Subdivision

E.Q. Number (provided by DEQ): _____

County: _____

Custer County

Please complete the checklist with your initials or N/A.

Applicant or Representative Initial or N/A	County N/A	DEQ Initial or N/A	Question	Refer to ARM 17.36 Subsections	Reviewer's Comments
N/A			1. Have deviation or waiver requests been submitted with appropriate fees?	17.36.601	
yes, QW			2. Is check included with correct fee?	17.36.103(1)(a)	
yes, QW			3. Is application included with owner's signature/address/phone/date?	17.36.102(1)&(2)	
yes, QW			4. Is legible copy of Preliminary Plat or COS included?	17.36.103(1)(m)	
yes, QW			5. Is legal description included on the Preliminary Plat or COS?	17.36.103(1)(m)	
yes, QW			6. Are all lots described on survey being reviewed and any exclusions clearly stated on Preliminary Plat or COS?	17.36.103(1)(m), 17.36.605	
yes, QW			7. Are lots at least 1 acre in size or otherwise meet minimum lot size requirements?	17.36.340, 17.36.322(4)	
yes, QW			8. Is local health officer approval included?	17.36.102(3)&(6), 17.36.103(1)(n), 17.36.108(2)	
			9. Are Planning Board or County Commissioner comments included?	17.36.103(1)(n)	
yes, QW			10. Is a clear copy of USGS or other topo map included to show ground slope of property?	17.36.103(1)(h), 17.36.310, 17.36.322	
yes, QW			11. Are 4 copies of lot layout included with the subdivision name on each?	17.36.103(1)(d), 17.36.104	
yes, QW			12. Is all required information (e.g., scale, legend, north arrow, etc.) included on the lot layout?	17.36.103(1)(d), 17.36.104	
yes, QW			13. Are locations of water and sewer mains shown?	17.36.103(1)(d), 17.36.104	
yes, QW			14. Are on-site sewer systems designed in conformance with DEQ 47?	17.36.320	
N/A			15. Is the slope given for drainfield areas?	17.36.103(1)(h), 17.36.322	
N/A			16. Are drainfields orientated along land contours to meet depth requirements?	17.36.322, DEQ 4, Chap. 8	
N/A			17. Are drainfield replacement areas shown?	17.36.104(2), Table 1	
yes, QW			18. Are minimum setback requirements met?	17.36.323	
N/A			19. Is adequate test pit (8 ft. excavation) data provided?	17.36.103(1)(h), 17.36.325	
N/A			20. Is SCS/NRCS soils data provided?	17.36.325(3)	
N/A			21. Is information to verify depth to seasonal high ground water or bedrock provided?	17.36.103(1)(h), 17.36.106(2), 17.36.325(2)	
N/A			22. If conducted, does perc test value(s) correspond to soil type?	17.36.103(1)(h)	
N/A			23. Are wells, 100 ft. well isolation zone, mixing zones, and ground water flow direction (verified by wells or other documentation) shown?	17.36.103(1)(e), 17.36.501-518	
yes, QW			24. Is adequate water supply substantiated?	17.36.103(1)(f)	

Applicant or Representative Initial or N/A	County Initial or N/A	DEQ Initial or N/A	Question	Refer to ARM 17.36 Subsections	Reviewer's Comments
N/A			25. Are water quality analyses (nitrate, specific conductivity, and bac-T (for existing wells) provided, along with well log and well location?	17.36.103(1)(f), 17.36.330, 17.36.335	
N/A			26. Is existing well over 25 ft. in depth?	17.36.335, 17.36.331(1)(e)	
N/A			27. Will surface water, spring or cistern system be disinfected and filtered?	17.36.336	
N/A			28. Is nondegradation addressed and supporting data to determine background water quality, hydraulic conductivity and hydraulic gradient provided?	17.36.103(1)(i), 17.30.501-518, 17.30.715	
N/A			29. Is nitrate level at end of mixing zone < 5 ppm (< 7.5 ppm, if level 2 provided), and phosphorous breakthrough > 50 years?	17.36.103(1)(l), 17.30.715	
N/A			30. Are shared users agreements included for shared well, drainfields and/or easements?	17.36.103(1)(o), 17.36.326(3)	
N/A			31. Is a copy of the local septic permit (if issued) for an existing septic system provided?	17.36.327	
N/A			32. Is a septic pumper's report stating an existing septic tank has been pumped within the last 3 years provided?	17.36.327	
N/A			33. Is evidence demonstrating proper hydraulic functioning of an existing septic system provided?	17.36.327	
N/A			34. Are wells, drainfields and/or mixing zones within 100 ft. perimeter outside of subdivision boundaries shown?	17.36.103(1)(e), 17.30.501-518, 17.30.706	
Yes, QW			35. Is proposed subdivision within 500 feet of public water supply and/or sewer system?	17.36.328(1)	
N/A			36. Is authorized statement to connect to existing public water and/or sewer system and statement of adequate capacity provided?	17.36.103(1)(g), 17.36.328(2)(b)	
N/A			37. Is existing public water system approved by DEQ and PWS # provided?	17.36.328(2)(b) & (c)	
Yes, QW			38. Do appropriate water rights exist for the public water connection?	17.36.328(2)(b)	
Yes, QW			39. If needed, are easements for water and/or sewer systems/lines shown?	17.36.103(1)(m) & (o)	
Yes, QW			40. Are plans and specs (3 copies) stamped and signed by PE?	17.36.103 (1)(b) & (c)	
Yes, QW			41. Are 100-year floodplain requirements met, and floodplains and drainages shown?	17.36.104, 17.36.106(2)(c), 17.36.324	
Yes, QW			42. Is solid waste disposal addressed?	17.36.103(1)(k), 17.36.309	
Yes, QW			43. Has storm water drainage been addressed?	17.36.103(j), 17.36.104(2), 17.36.310, DEQ 8	

Applicant/representative: Name Quinn Wright, PLS Signature Quinn Wright Date 3/15/16
County reviewer: Name _____ Signature _____ Date / /

Environmental Assessment

General instructions

MCA requires the submittal of an environmental assessment for major subdivisions unless exempt under section 76-3-616. The purpose of the assessment is to assist the administrator and the deciding bodies in identifying the potential environmental impacts and also to determine what actions may reduce or avoid such impacts.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply" and indicate the reason why the question "does not apply". It is not adequate to submit responses such as "N/A" or "does not apply"; without providing a reason why the specific section does not relate or cause an impact. If available, note sources used to document the discussion of the impact.

Environmental Assessment Contents

Contents of an environmental assessment are governed by MCA 76-3-603 and 76-3-608, MCA which cover impacts to both the natural environment and to the community. This form is designed to help ensure that you address all of these areas.

Section 1. Natural Environment

Surface Water

1. Are there any natural water systems such as perennial or intermittent streams, lakes, ponds, rivers or marshes/wetlands? Are any surface water withdrawals or diversions? **No.**

If so please describe any proposed mitigation measures such as setbacks/protection zones and any proposed bank or shoreline modifications, any proposed withdrawals, and any proposed construction mitigation.

2. Is there a FEMA delineated 100 year floodplain on site?

Yes.

If so please describe any proposed mitigation.

Dowl has done a Letter of Map Amendment on the property and no longer lies in the 100 year floodplain.

3. Check if any of the following permits are required and describe the reason it is required.

Check	AGENCY	PERMIT
	Floodplain Permit	City Floodplain Administrator
	SPA 124 Permit	Dept. of Fish, Wildlife & Parks
	310 Permit	Local Conservation District
	Section 404 Permit, Section 10 Permit	U.S..Army Corp of Engineers
	318 Authorization	Dept. of Environmental Quality
	Navigable Rivers Land Use License or Easement	Department of Natural Resources and Conservation

Ground Water

4. Will any ground water be withdrawn?

No.

If so give a general description, purpose, and indicate approximate quantities.

5. Describe any waste material that will be discharged into the ground from septic tanks, or other sources (for example a dry well). Describe the number of systems, type of system, and the general size (for example how many houses served). Describe any steps to avoid probable impacts and avoid degradation of ground water.

There will be no discharge of sewer into the ground. All the sewage is being pumped from a lift station to the public sewer main.

Geology/Soils

6. Explain any unusual soil, topographic or geologic conditions on the property which limit the capability for building or excavation using ordinary and reasonable construction techniques. The explanation should address conditions such as shallow bedrock, high water table, unstable or expansive soil conditions, and slope. On the preliminary plat identify any slopes in excess of 30 percent.
None.

For any known geologic hazards show locations on the preliminary plat and describe what measures have been taken to prevent or lessen the danger and probable impact to future property damage or personal injury from such hazards.

7. Describe the location and amount of any cut or fill three or more feet in depth. These cuts and fills should be indicated on a plat overlay or sketch map. Where cuts and fills are necessary, describe any plans to prevent erosion and to promote re-vegetation such as replacement of topsoil and grading.
None.

Vegetation

8. Describe the types of vegetation on site such as marsh, coniferous forest, deciduous forest grassland, or shrub grassland. If more than one vegetative type is located on the site, provide a sketch map or aerial photo indication the distribution of major vegetative types.

Native Rural Grass.

9. Are there any known threatened or endangered plant species on or near the site? If so explain probable impacts and any measures to preserve such species. (for example road locations, preserved open space)
No.

10. Identify any locations of noxious weeds and explain measures to control weed invasion.
None.

Wildlife & Wildlife Habitat

11. List species of fish and wildlife which use the area affected by the proposed subdivision.

Birds—**None.**

Mammals—**None.**

Fish—**None.**

Reptiles—**None.**

12. Are any known threatened or endangered species on site?

No.

If so explain probable impacts and any measures to prevent impact or minimize impact. For endangering species explain why no impact is anticipated.

13. Identify any critical or key habitat areas for wildlife such as big game winter range, waterfowl nesting areas or migratory routes.

None.

Section 2. Community Impact

Agriculture & Agriculture Water Facilities

14. Will the site be taken out of agricultural production?

Yes. Property was used as hay ground.

If so how many acres and is the property as a whole or as a portion of an active agricultural use being removed from production.

2.54 acres and the entire property is being removed from production.

15. Describe the historical and current agricultural uses which occur adjacent to the proposed subdivision and explain any probable impacts and measures which will be taken to avoid or limit development conflicts with adjacent agricultural uses.

There are no adjacent agricultural uses.

16. Describe existing irrigation rights on the property and whether the rights will be transferred, retained by the owner, or severed.

There are no irrigation rights on the property.

17. Explain any modifications or relocations of ditches, impact to any agricultural water facilities, or any irrigation easements to be provided with the subdivision. It is recommended that the subdivider discuss any impact of the proposed development on agricultural water users facilities with the irrigation company or organization controlling the facility and incorporate any recommendations from the agency to mitigate agricultural water users impacts.

There is none.

Local Services

A. Water

18. Describe how water will be provided for domestic use and fire protection and indicate the number of gallons needed to meet the anticipated population of the subdivision.

Water will be provided from connecting to the existing 10" PVC waterline lying in the northwest corner of Tract E, currently owned by First Interstate Bank. The water line will run northerly down the west line of the subdivision with a 10" PVC to a tee. An 8" PVC line will continue northerly to the end of the subdivision and a 8" PVC will also run easterly down the proposed private road lying in the center of the subdivision.

19. Based on available information, specify whether the proposed water supply satisfies the standards set forth by MDEQ for quality, quantity and construction criteria.

Yes it meets the standards.

20. If connection to an existing public, community, or shared water system is proposed, identify and describe the following:

None.

Describe the existing system and approximate distance to the connection from the proposed subdivision.

The existing waterline is 10" PVC and lies just outside the southwest corner of the subdivision lying in Tract E, currently owned by First Interstate Bank.

Whether the capacity of the existing water system is adequate to serve the proposed subdivision. (a "Will Serve" letter will be considered evidence of adequacy.)

See City Planner (Dawn Colton).

Provide a "Will Serve" or other evidence that permission has been given to connect to that system.

21. If a new community or shared water system is proposed, identify who will install that system, and how the system will be maintained.

The installation will be contracted out by the current owner of the subdivision. Either the City of Miles City will take over the maintenance of the line or the Custer County Water and Sewer District.

22. If individual water systems are proposed, describe the adequacy of supply of groundwater for individual wells or cisterns and the method used to determine adequacy.

None.

B. Wastewater

23. Describe the proposed method of sewage disposal. Indicate the number of gallons of effluent per day that will be generated by the proposed subdivision at full occupancy, whether the proposed method of sewage disposal is sufficient to meet the anticipated needs of the subdivision, and whether it meets the standards of MDEQ.

The sewer line will connect to an existing 8" PVC line stubbed out from the existing manhole lying in Haynes Avenue. The proposed line will run westerly and then follow the proposed private road to the end of the cul-de-sac where there will be a lift station installed. The sewage disposal will meet the requirements of MDEQ and be approved by MDEQ which will satisfy the needs of the subdivision.

24. If connection to an existing public, community, or shared sewer system is proposed, identify and describe the following:

Provide a description of the existing system and the approximate distance from proposed subdivision.

The existing sewer system lies in Haynes Avenue approximately 80 feet easterly of the subdivision with an 8" PVC stubbed out from the main line.

Whether the capacity of the existing sewer system is adequate to serve the proposed subdivision. (a "Will Serve" letter will be considered evidence of adequacy.)

See City Planner (Dawn Colton).

Provide a "Will Serve" or other evidence that permission has been given to connect to that system.

25. If a new community or shared sewer system is proposed, identify who will install that system, and how the system will be maintained.

The installation will be contracted out by the developer of the subdivision. Either the City of Miles City will take over the maintenance of the line or the Custer County Water and Sewer District.

26. If individual septic systems are proposed, describe the location and specifications of septic systems.

None.

C. Storm Water

27. Describe the proposed methods of storm water drainage for roads and other anticipated impervious surfaces.

Retention ponds located near the road is being used for storm water. See engineering plans.

D. Solid Waste

28. Is solid waste collection available?

Yes, Miles City Solid Waste Disposal.

If not explain the proposed method of solid waste collection and disposal.

E. Roads

29. Describe any proposed new access roads or substantial improvements to existing public or private access roads.
A private road will connect to the existing approach on Haynes Avenue with a 6 foot sidewalk on the northerly side of the road. See engineering plans.
30. If connections to any existing roads are proposed, identify all access permits that are necessary from the City, County or State.
An approach permit is required by the state for access to Haynes Avenue. This permit was approved on 4/30/2015. See attached permit in booklet.
31. Discuss whether any of the individual lots or tracts have access directly to arterial roads.
None of the lots have direct access.
32. Explain any proposed closure or modification of existing roads.
None.
33. Describe provisions considered for dust control on roads if gravel roads are proposed.
All roads will be asphalt or concrete.
34. Explain how road maintenance will be provided to meet MDEQ guidelines for prevention of water pollution and erosion.
The road is being designed and submitted for MDEQ approval. It is all surface drainage leading to a storm pond on the outside bend of the road.
35. Indicate who will pay the cost of installing and maintaining the roads.
The developer of the subdivision will be responsible for the cost of installation of the road. A homeowners association will be established for responsible for the maintenance of the road.
36. Discuss how much daily traffic will be generated on existing local and neighborhood roads and main arterials when the subdivision is fully developed.
Not much information is known at this time, since the developer doesn't know who will be purchasing these parcels yet. The MDT has approved the approach into South Haynes Avenue for future commercial development . See approved approach permit.

37. Indicate the capacity of existing and proposed roads and if they are capable of safely handling the increased traffic resulting from the proposed subdivision.

See the traffic study provided in the booklet.

38. Describe any additional maintenance that will be necessary due to increased traffic and who will pay the cost of maintenance.

The homeowners association will be in charge of maintenance of the private road in the subdivision.

39. Indicate ownership of any private access to the subdivision, including private driveway easements.

See easements on the preliminary plat.

F. Utilities

40. Indicate what utilities will be provided, which utility companies are proposed to serve the subdivision, and indicate which utilities will be placed underground.

**Montana Dakota Utilities will provide underground electric and natural gas.
Mid-rivers Communications will provide underground phone, internet, and television.**

G. Emergency Services

41. Describe the emergency services available to the subdivision including fire, police and ambulance. Give the estimated response times.

**City of Miles City Fire Rescue-5 minutes
City of Miles City Police Department-5 minutes
City of Miles City Ambulance-5 minutes**

H. Schools

42. Identify which schools would serve the subdivision.

None, this is a commercial site.

43. Provide an estimate of the number of schools children that will be generated from the proposed subdivision.

None.

I. Land Use

44. Describe any land use regulations that cover the proposed subdivision (for example, zoning or floodplain) and indicate how the subdivision is consistent with those regulations.

The subdivision is currently zoned as General Commercial and all parcels will remain General Commercial at this time.

The subdivision was located in the 100 Year Floodplain but was removed on 7/9/2013 with a LOMA for the parcel. Case No. 13-08-0847A

45. Describe how the subdivision will affect access to any public lands.

There will be no affect to access of public lands, since there are none located close to the subdivision.

46. Are there any existing major electric high-voltage transmission lines, high pressure gas pipelines, mining or other potential health or safety hazards on or near the site?

Gas and Electric are buried in the right-of-way of Haynes Avenue lying east of the subdivision.

If so what measures are proposed to ensure safety and mitigate these hazards.

Locates have been done and shown on this preliminary plat. Locates will also be called before any construction in the area.

47. Are there any known cultural or historic features, structures or objects on the site?

No, see attached historical and cultural report in the provided booklet.

If so please identify plans for inventory, study and/or preservation to mitigate any adverse impacts.

J. Parks and Recreation

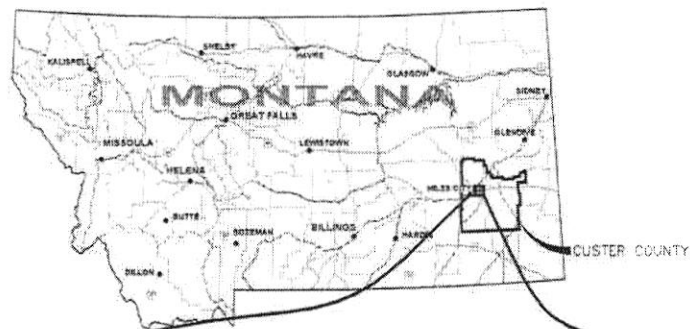
48. Describe any parks, trails or other recreation facilities to be provided within the subdivision.

None.

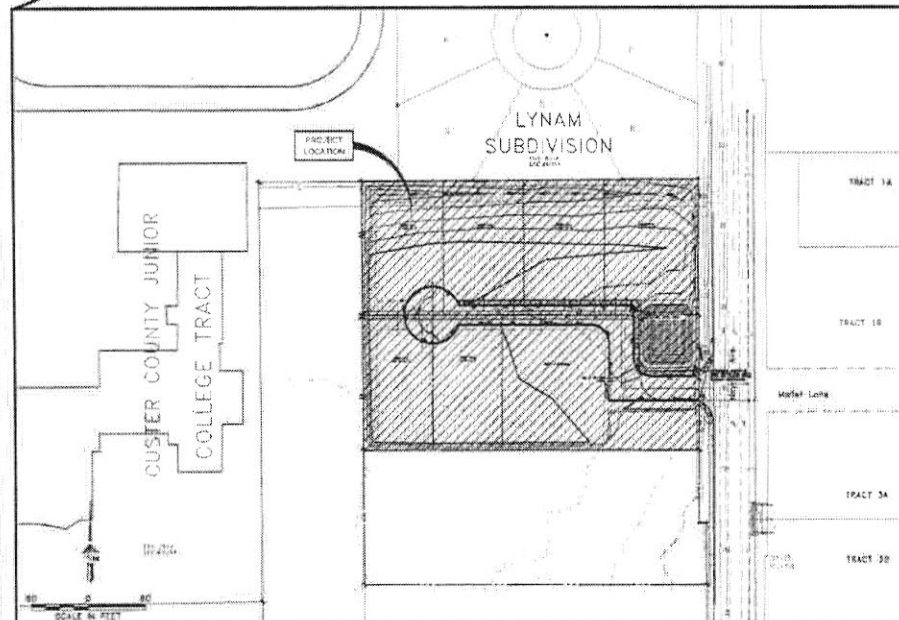
What other recreational facilities may serve the subdivision?

None.

VISION ENTERPRISES MAJOR SUBDIVISION MILES CITY, MONTANA



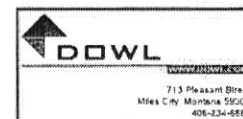
VICINITY MAP
NOT TO SCALE
MILES CITY, MONTANA



PREPARED FOR:

VISION ENTERPRISES
ROGER LOTHSPICH
2323 S. HAYNES AVE.
MILES CITY, MT 59301

PREPARED BY:



SHEET INDEX

SHEET NO.	TITLE
C100	COVER SHEET
C101	LEGEND, ABBREVIATIONS, NOTES
C200	NEW ROAD PLAN & PROFILE
C201	OVERALL GRADING PLAN
C202	OVERALL GRADING PLAN - CROSS SECTIONS
C203	OVERALL GRADING PLAN - CROSS SECTIONS
C300	SANITARY SEWER PLAN & PROFILE
C301	WATER PLAN & PROFILE
C302	WATER PLAN & PROFILE
C500-C504	DETAILS

Brandon William Dufley, P.E. 32830 PE
Project Engineer
DOWL

DEQ REVIEW SET

PROJECT: 27-27-00-00
DATE: MARCH 2016
SHEET: C100

GENERAL NOTES:

1. THE LOCATION OF EXISTING UTILITIES SHOWN IS APPROXIMATE AND THE CONTRACTOR SHALL FIELD VERIFY PRIOR TO CONSTRUCTION. THE CONTRACTOR IS REQUIRED TO TAKE ALL PRECAUTIONARY MEANS TO PROTECT EXISTING UTILITIES.
2. WHERE CONDITIONS ARE ENCOUNTERED WHICH APPEAR DIFFERENT FROM THOSE INDICATED ON THE PLANS, THE CONTRACTOR SHALL NOTIFY THE REPRESENTATIVE IN WRITING PRIOR TO THE PERFORMANCE OF WORK.
3. ALL WORK AND MATERIALS SHALL CONFORM TO THE LATEST EDITION OF THE MONTANA PUBLIC WORKS STANDARD SPECIFICATIONS (MPWSS) SIXTH EDITION, UNLESS INDICATED OTHERWISE ON THE CONTRACT DOCUMENTS. ORDER OF PRECEDENCE SHALL BE THESE PLANS FOLLOWED BY MONTANA PUBLIC WORKS. IN CASE OF A CONFLICT BETWEEN REGULATORY OR STANDARD SPECIFICATIONS, THE MORE STRINGENT REQUIREMENT WILL PREVAIL.
4. CONSTRUCTION SAFETY AND SANITATION FACILITIES SHALL BE PROVIDED BY THE CONTRACTOR AND MAINTAINED PER THE REQUIREMENTS OF AUTHORITIES HAVING JURISDICTION.
5. THE CONTRACTOR SHALL PROTECT ADJACENT PRIVATE AND PUBLIC PROPERTY FROM DAMAGE DURING CONSTRUCTION.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CONTACTING ANY AND ALL UTILITIES IN THE AREA PRIOR TO BEGINNING ANY WORK ON THIS PROJECT.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL TRAFFIC CONTROL INCLUDING BUT NOT LIMITED TO DETOURS, SIGNAGE AND FLAGGING PERSONNEL. THE CONTRACTOR SHALL SUBMIT TRAFFIC CONTROL PLANS IN ACCORDANCE WITH THE PROJECT SPECIFICATIONS.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CITY AND STATE PERMITS BEFORE BEGINNING CONSTRUCTION.
9. ALL EXCAVATION SHALL BE PERFORMED UTILIZING TRADITIONAL EXCAVATION MEANS (BULLDOZER, EXCAVATOR, ETC).
10. ANY REMOVED STRUCTURES SHALL BE DISPOSED OF OFF THE SITE IN A LAWFUL MANNER.
11. THE CONTRACTOR SHALL PROVIDE A SET OF AS-BUILT DRAWINGS TO THE REPRESENTATIVE PRIOR TO THE FINAL ACCEPTANCE.
12. CONTRACTOR SHALL BE RESPONSIBLE FOR DUST CONTROL USING WATER OR OTHER METHODS APPROVED BY THE REPRESENTATIVE.
13. CONTRACTOR SHALL FIELD VERIFY INVERT ELEVATION, PIPE SIZES, LENGTHS, CORRUGATIONS, AND MATERIAL BEFORE ORDERING.
14. THE CONTRACTOR SHALL REPLACE EXISTING FENCING AND ROADSIDE APPURTENANCES DISPLACED OR DAMAGED BY CONSTRUCTION.
15. WATER, SEWER, AND STORM MAINS SHALL BE INSTALLED AND TESTED PER MPWSS LATEST EDITION.

GENERAL PROJECT LEGEND

EXISTING ITEMS		NEW ITEMS	
	EXISTING CONTOUR (1.00' INTERVAL)		NEW MAJOR CONTOUR
	EXISTING CURB & GUTTER		NEW MINOR CONTOUR
	EXISTING EDGE OF ASPHALT		NEW BUILDING FOOTPRINT
	EXISTING EDGE OF GRAVEL		NEW EDGE OF ASPHALT
	EXISTING FENCE-BARBWIRE		NEW CURB AND GUTTER
	EXISTING TRAFFIC SIGNAL		NEW FENCING - CHAIN LINK
	EXISTING SIGN		NEW SAN. SEWER MAIN
	EXISTING GAS LINE		NEW SAN. SEWER MANHOLE
	EXISTING FIBER OPTICS LINE		NEW STORM SEWER MAIN
	EXISTING TELE/COMMUNICATION LINE		NEW STORM SEWER MANHOLE
	EXISTING PEDESTAL		NEW STORM CATCH BASIN
	EXISTING OVERHEAD POWER		NEW WATER MAIN
	EXISTING BURIED POWER		NEW GATE VALVE
	EXISTING UTILITY POLE		NEW FIRE HYDRANT
	EXISTING UTILITY ANCHOR		NEW CURB STOP
	EXISTING STREET LIGHT		

COMMON ABBREVIATIONS

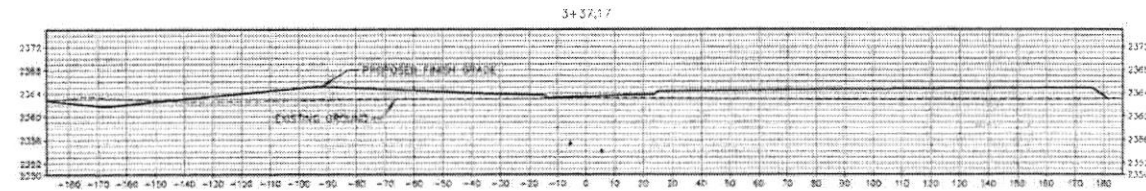
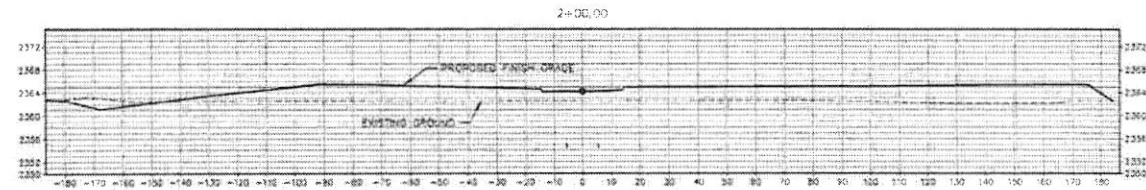
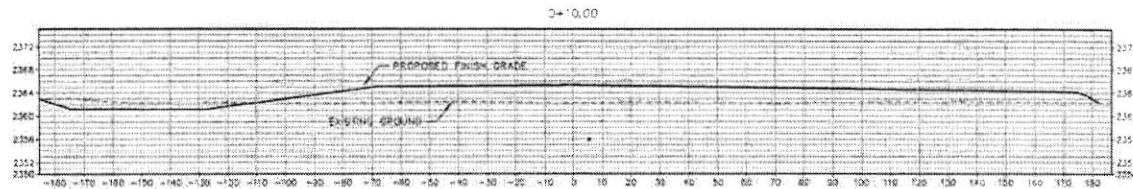
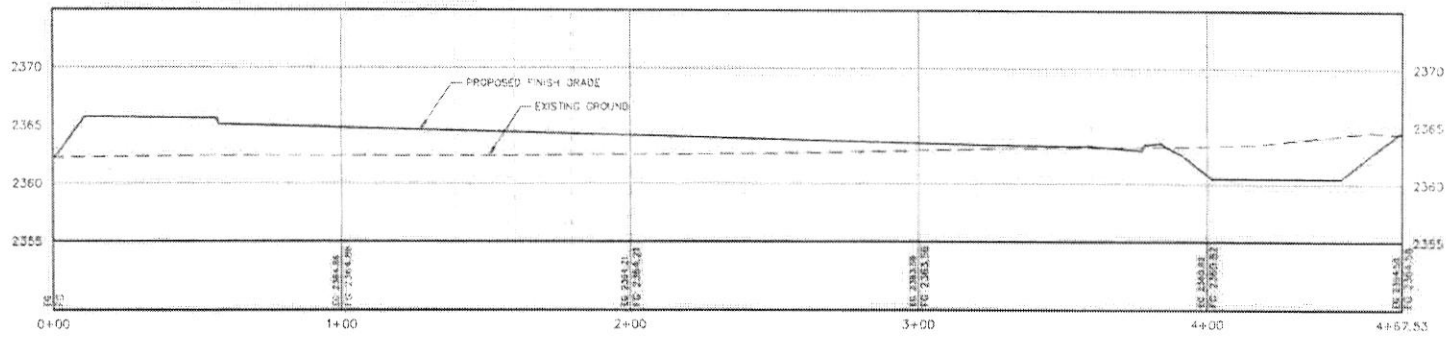
SD	STORM DRAIN	DHP	OVERHEAD POWER
PP	POWER POLE	UNK	UNKNOWN LOCATION
GA	GUY ANCHOR	IE	INVERT ELEVATION
EOP	EDGE OF PAVEMENT	INV. EL.	INVERT ELEVATION
L.F.	LINEAL FEET	UCP	UNDERGROUND POWER
EL.	ELEVATION	TEL	UNDERGROUND TELEPHONE
(TYP)	TYPICAL	CMP	CORRUGATED METAL PIPE
INV.	INVERT	RCP	REINFORCED CONCRETE PIPE
S=	SLOPE	CP	CONTROL POINT
C.B.	CATCH BASIN	FL	FLOWLINE
MH	MANHOLE	CL	CENTERLINE

CAUTION !!!
EXISTING UTILITIES IN AREA
CONTRACTOR RESPONSIBLE FOR
UTILITY LOCATES PRIOR TO
AND DURING CONSTRUCTION

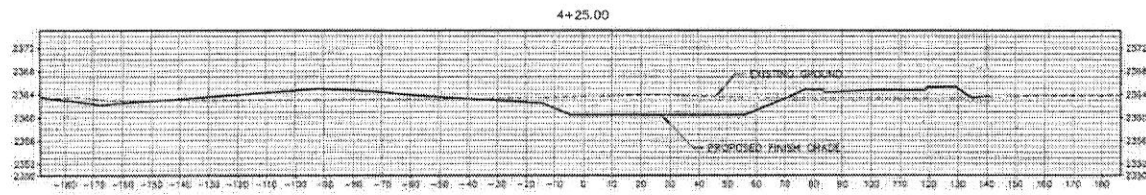
VISION ENTERPRISES MAJOR SUBDIVISION
MILES CITY, MONTANA
LEGEND, ABBREVIATIONS
GENERAL NOTES

C101

SITE CROSS SECTIONS: STA 0+00-4+67.5



<p>VISION ENTERPRISES MAJOR SUBDIVISION MILES CITY, MONTANA OVERALL SITE GRADING PLAN - CROSS SECTIONS</p>	
<p>DOWL DESIGN & CONSTRUCTION 1110 Park Street Billings, MT 59101 Phone: (406) 243-4444</p>	<p>DATE: 11/11/11 BY: J. J. JENSEN CHECKED: J. J. JENSEN APPROVED: J. J. JENSEN</p>
<p>C202</p>	

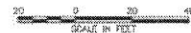


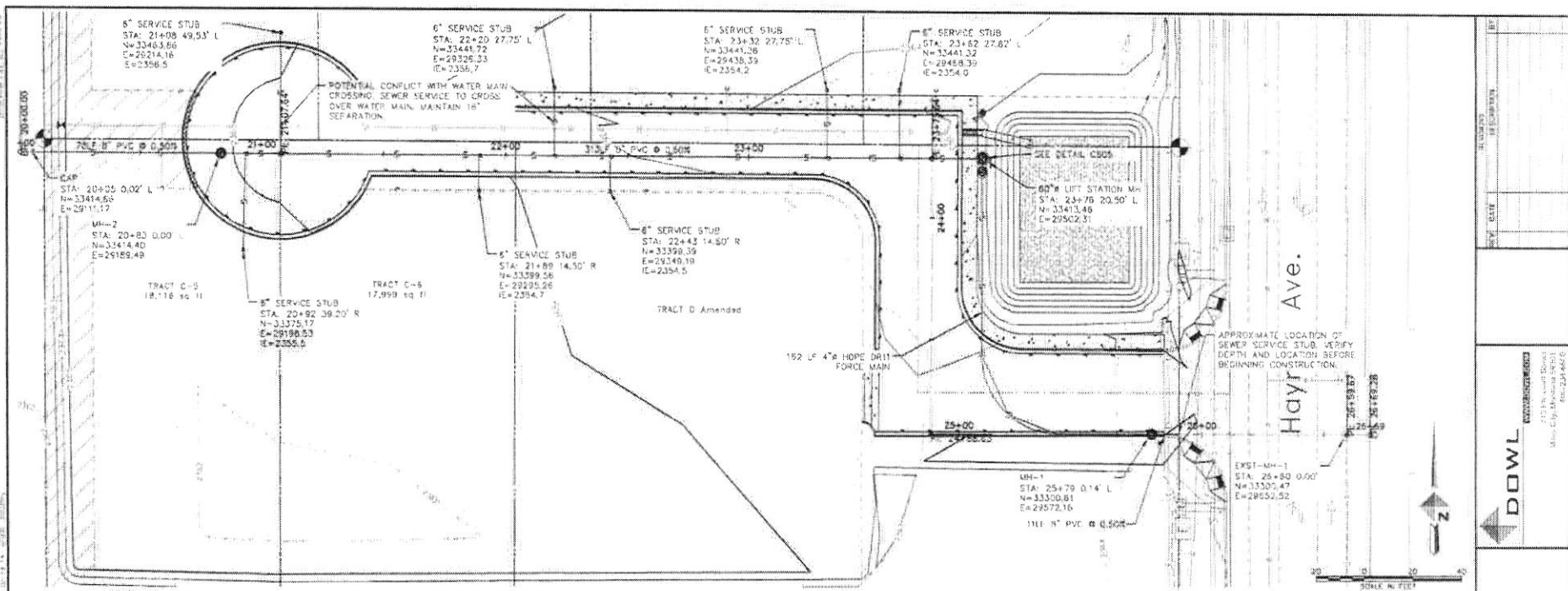
753 • Newborn Street
Miami City, Montana 59001
406-234-0000

VISION ENTERPRISES MAJOR SUBDIVISION
MILES CITY, MONTANA
OVERALL SITE
GRADING PLAN - CROSS SECTIONS

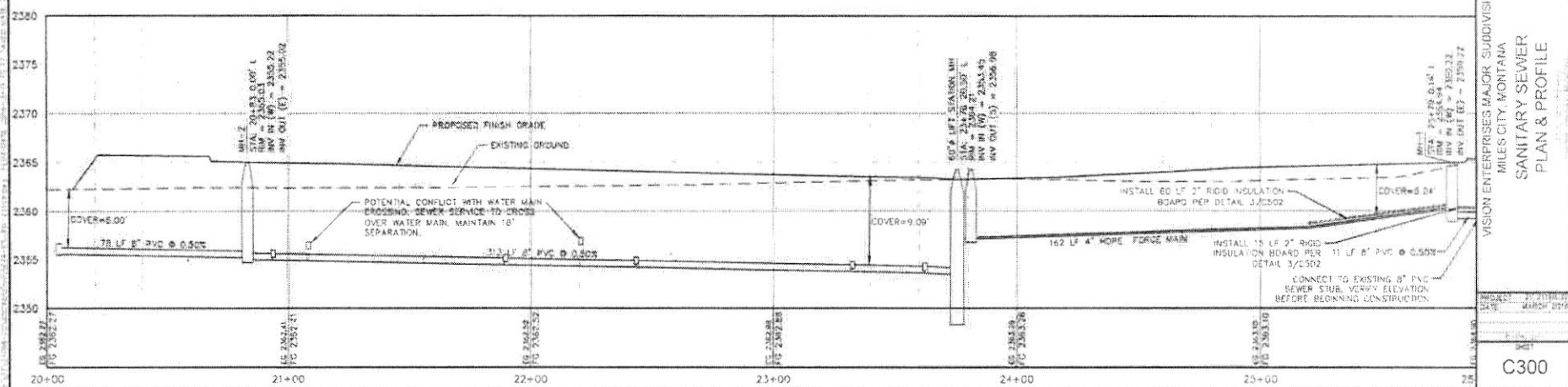
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C203



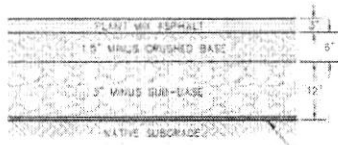


SANITARY SEWER: STA 20+00-25+00



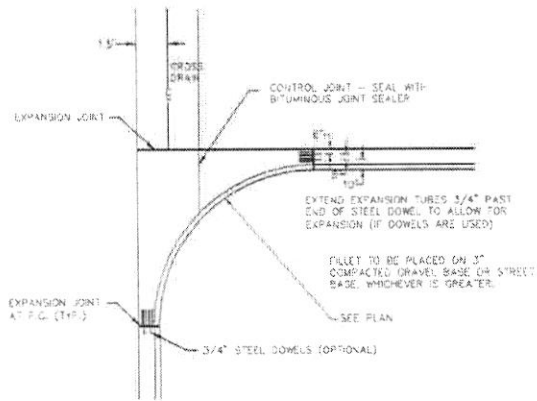
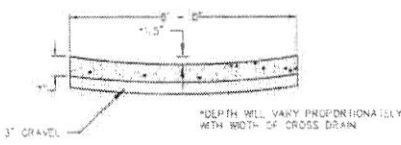
VISION ENTERPRISES MAJOR SUBDIVISION
MILES CITY MONTANA
SANITARY SEWER
PLAN & PROFILE

C300

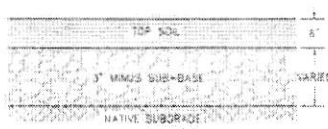


- NOTE:
1. SCARIFY TOP 8" OF NATIVE SUBGRADE, MOISTURE CONDITION AND RE-COMPACT TO 95% STANDARD PROCTOR
 2. ALL IMPORT MATERIAL TO BE MOISTURE CONDITIONED AND COMPACTED TO 95% STANDARD PROCTOR 8" MAXIMUM LIFTS
 3. FOR AREAS WHERE ADDITIONAL FILL IS REQUIRED BETWEEN NATIVE SUBGRADE AND 3" MINUS SUB-BASE MATERIAL, INCREASE THE DEPTH OF 3" MINUS MATERIAL
- GEOTEXTILE STABILIZATION FABRIC PROPER 350 ST WOVEN OR EQUAL

1 PAVEMENT SECTION
NTS

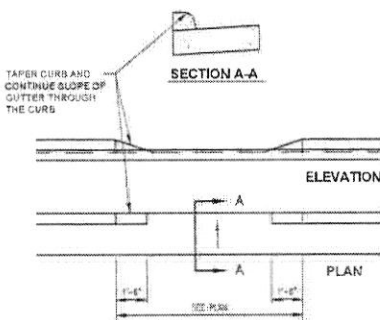


4 STANDARD FILLET
NTS

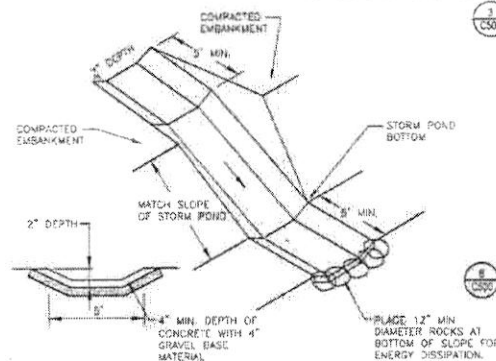


- NOTE:
1. SCARIFY TOP 8" OF NATIVE SUBGRADE, MOISTURE CONDITION AND RE-COMPACT TO 95% STANDARD PROCTOR
 2. ALL IMPORT MATERIAL TO BE MOISTURE CONDITIONED AND COMPACTED TO 95% STANDARD PROCTOR 8" MAXIMUM LIFTS
 3. 3" MINUS SUB-BASE MATERIAL CAN BE REPLACED WITH NATIVE SUBGRADE MATERIAL IF AVAILABLE

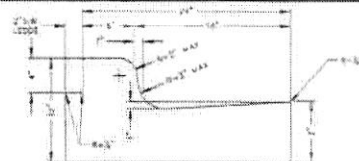
2 TYPICAL LOT FILL SECTION
NTS



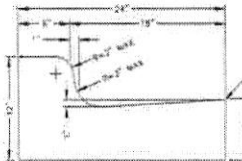
5 LAY DOWN CURB
NTS



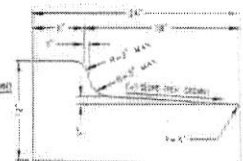
6 CONCRETE SPILL APRON
NTS



CURB & GUTTER TYPE 1 (SEC. A & B)
ADJACENT TO SIDEWALK



CURB & GUTTER TYPE 1 (SEC. A)



CURB & GUTTER TYPE 1 (SEC. B)



MOUNTABLE CURB & GUTTER TYPE 1 (SEC. A)



MOUNTABLE CURB & GUTTER TYPE 1 (SEC. B)

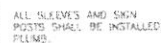
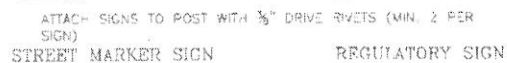
- NOTES:
1. SUBGRADE OR BASE COURSE SHALL BE CL 5 COMPACTED PER MPWSS
 2. CONTRACTION JOINTS SHALL BE PLACED AT 10' INTERVALS AND SHALL HAVE A MINIMUM DEPTH OF 3/4" AND MINIMUM WIDTH OF 1/8"
 3. 1/2" EXPANSION JOINT MATERIAL SHALL BE PLACED AT ALL P.O.B. P.T.S. CURB RETURNS AND AT NOT MORE THAN 300' INTERVALS, THE EXPANSION MATERIAL SHALL EXTEND THROUGH THE FULL DEPTH OF THE CURB AND GUTTER
 4. NO CURB AND GUTTER SHALL BE PLACED WITHOUT A FINAL FORM INSPECTION BY THE CITY ENGINEER OR HIS REPRESENTATIVE
 5. CONCRETE SHALL BE 4000 PSI

3 CURB & GUTTER
NTS

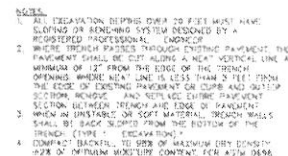
VISION ENTERPRISES MAJOR SUBDIVISION
MILES CITY, MONTANA
DETAILS

PROJECT: 17-0142-23
DATE: MARCH 2016

C500



1 SIGN POST
NTS



3
C501

TYPICAL UTILITY TRENCH

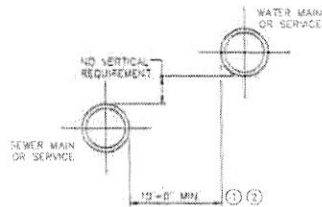
WTE

VISION ENTERPRISES MAJOR SUBDIVISION
MILES CITY, MONTANA

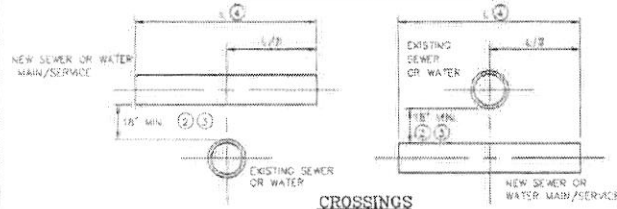
CITY, MONTH
DETAILS

4008-75-100 100% 100% 100% 100%

C501



PARALLEL ARRANGEMENT



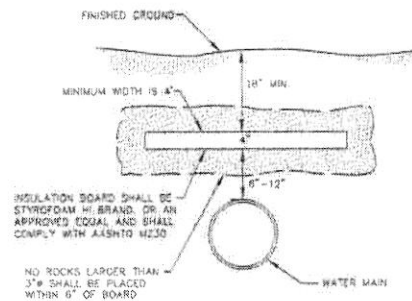
CROSSINGS

2
C502
NTS
INTENTIONALLY LEFT BLANK

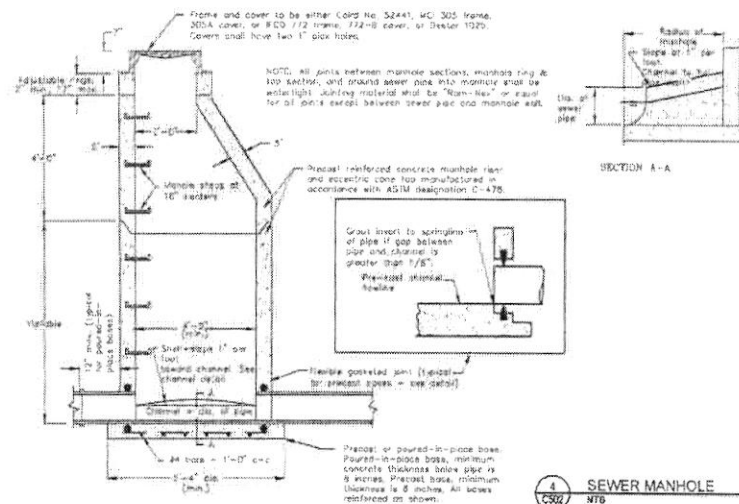
NOTES:

1. SPECIFIC MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY APPROVAL IS REQUIRED FOR A DISTANCE LESS THAN 10 FEET BETWEEN WATER MAIN AND GRAVITY SEWER. THIS SEPARATION SHALL ALSO APPLY TO WATER AND SEWER SERVICES.
2. NO EXCEPTION TO THE MIN. SEPARATION REQUIREMENT IS PERMITTED WHEN THE SEWAGE CARRYING PIPE IS A FORCE MAIN.
3. LESS THAN 18 INCHES OF SEPARATION IS PERMITTED WHEN THE GRAVITY SEWER AT THE CROSSING IS MADE FROM A SINGLE 20 FOOT LENGTH OF ANNA PRESSURE PIPE AND THE CROSSING ANGLE IS APPROXIMATELY 90 DEGREES.
4. SPECIFIC MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY APPROVAL IS REQUIRED FOR A VERTICAL SEPARATION OF LESS THAN 18 INCHES BETWEEN WATER MAIN AND SANITARY SEWER.
5. 1' IS A STANDARD LENGTH OF PIPE AS SUPPLIED BY A PIPE MANUFACTURER.
6. ADEQUATE STRUCTURAL SUPPORT FOR PIPES AT CROSSINGS SHALL BE PROVIDED.

1
C502
NTS
WATER/SEWER SEPARATION



3
C502
NTS
PIPE INSULATION

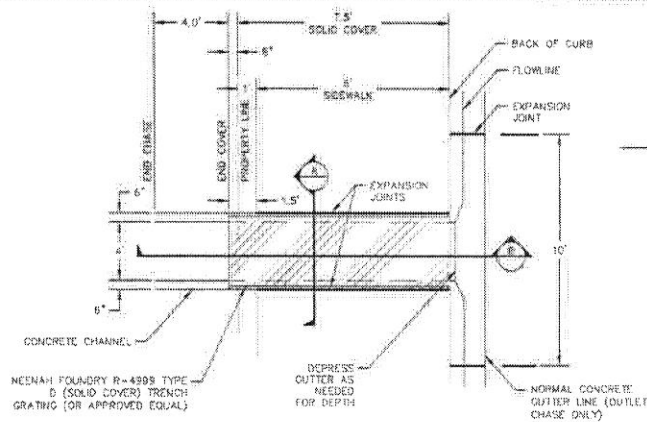


SECTION A-A

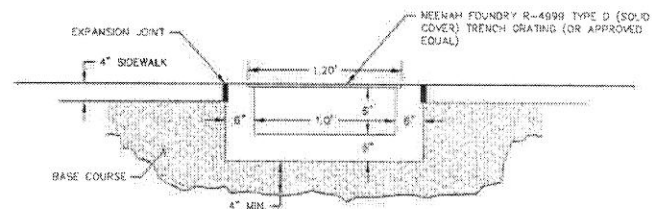
4
C502
NTS
SEWER MANHOLE

VISION ENTERPRISES MAJOR SUBDIVISION
MILES CITY, MONTANA
DETAILS

C502

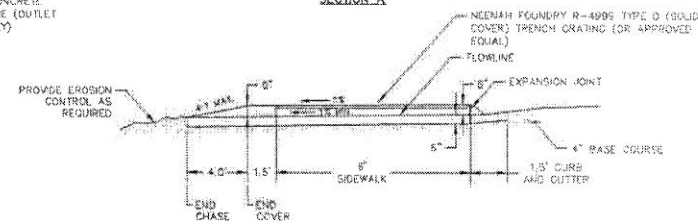


PLAN VIEW



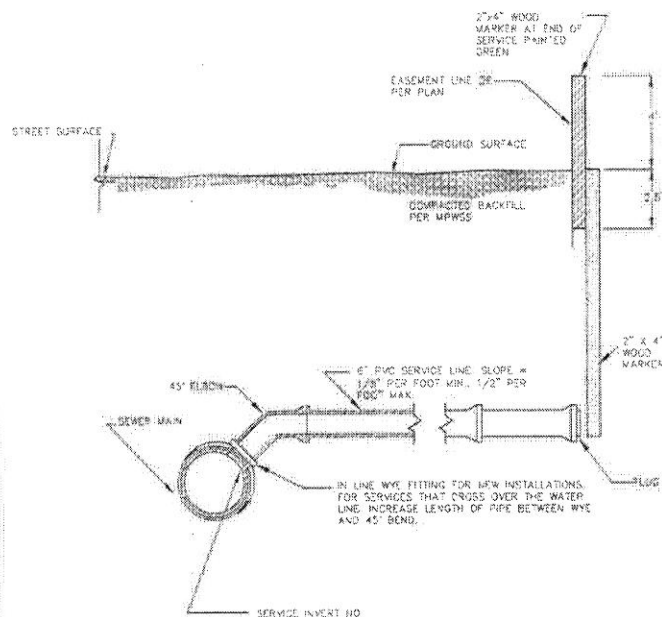
- NOTES:
1. CONCRETE SHALL BE M-4000.
 2. COVERS MUST BOLT DOWN TO FRAME.
 3. FOLLOW MANUFACTURER'S INSTALLATION INSTRUCTIONS.

SECTION A



SECTION B - INLET CHASE

7
C501
NTD

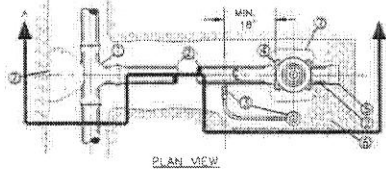


1
C503
NTD

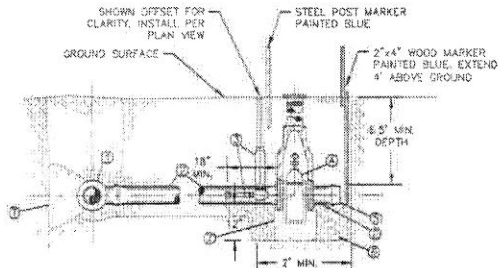
SEWER SERVICE

VISION ENTERPRISES MAJOR SUBDIVISION
MILES CITY, MONTANA
DETAILS

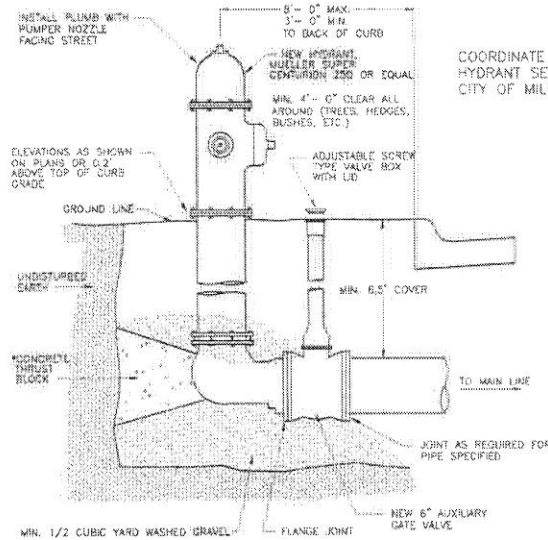
C503



PLAN VIEW



ELEVATION - SECTION A-A



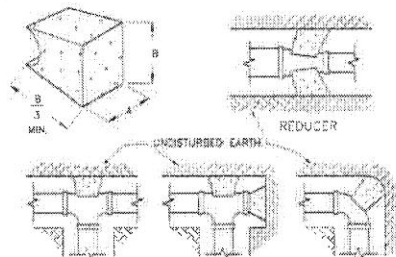
*WEGA-LUG OR APPROVED EQUAL JOINT RESTRAINTS MAY BE USED IN LIEU OF CONCRETE THRUST BLOCK

3 FIRE HYDRANT ASSEMBLY
NTS

ITEM	QUANTITY	DESCRIPTION
1.	1	8" x 5" C900 PVC TEE, DR-25
2.	LGTH	6" C900 PVC, DR-25
3.		2" WATER SERVICE ASSEMBLY
	1	CORPORATION STOP, 2" MPT-FPT
	2	ADAPTER, 2" MPT x P.E.
	LGTH	2" P.E. PIPE, IPS, SDR-7, MIN 200 PSI
	1	2" CURB STOP, FPT x FPT, STATIONARY ROD AND
		CURB BOX FOR MPWSS
4.		6" GATE VALVE ASSEMBLY
	1	5" W.L. GATE VALVE
	1	GATE VALVE BOX, 5 1/4" W. CAST IRON LID
5.	1	8" C900 PVC CAP, DR-25
6.	-	PIPE BEDDING MATERIAL PER MPWSS
7.	-	CONCRETE THRUST BLOCK PER DETAIL, 4/C504

WATER SERVICE CONNECTION
NTS

COORDINATE ACTUAL FIRE HYDRANT SELECTION WITH CITY OF MILES CITY

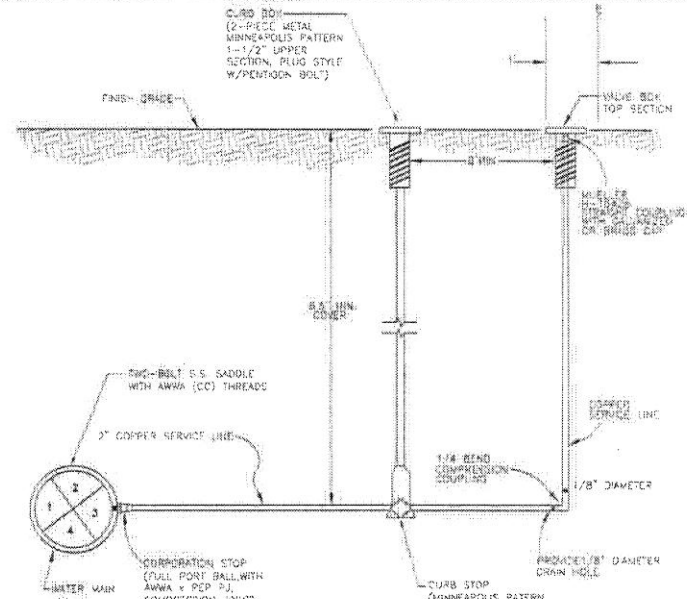


TEE (Plugged) BEND

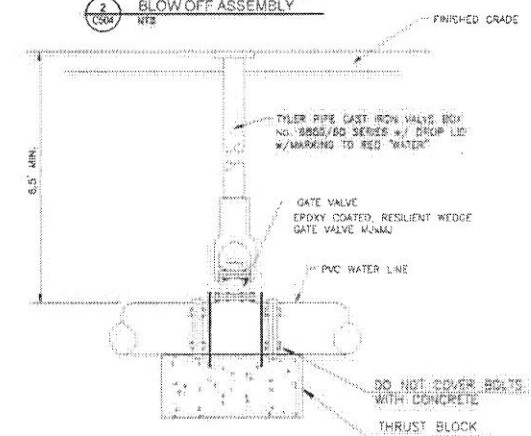
FITTING SIZES	TEES & PLUGS	90° BEND	45° BEND	REDUCERS & 45°/90° BEND
1"	1-10"	1-10"	1-8"	1-8"
2"	2-10"	2-10"	2-8"	2-8"
3"	3-10"	3-10"	3-8"	3-8"
4"	4-10"	4-10"	4-8"	4-8"
6"	6-10"	6-10"	6-8"	6-8"
8"	8-10"	8-10"	8-8"	8-8"
10"	10-10"	10-10"	10-8"	10-8"
12"	12-10"	12-10"	12-8"	12-8"
14"	14-10"	14-10"	14-8"	14-8"
16"	16-10"	16-10"	16-8"	16-8"

NOTE: THIS TABLE IS BASED ON 150 PSI MAIN PRESSURE
1500 PSF SOIL BEARING PRESSURE
DOUBLE WRAP ALL FITTINGS WITH POLYETHYLENE.

4 THRUST BLOCK
NTS



2 BLOW OFF ASSEMBLY
NTS



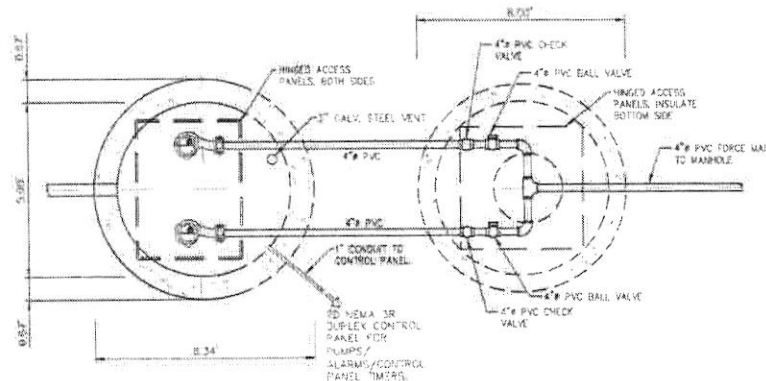
NOTE: SEE PLANS FOR VALVE LOCATIONS
THRUST BLOCK REQUIRED ON ALL VALVES 6" & LARGER.

5 WATER MAIN VALVE & BOX
NTS

VISION ENTERPRISES MAJOR SUBDIVISION
MILES CITY, MONTANA
DETAILS

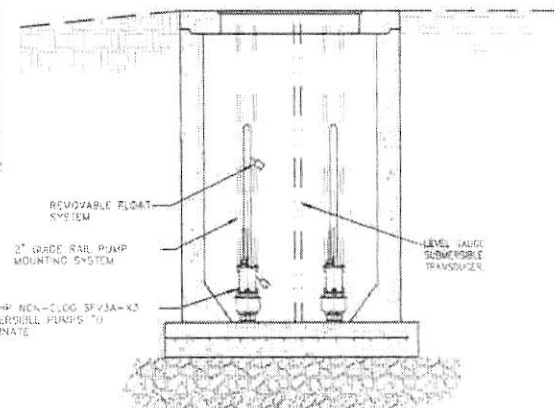
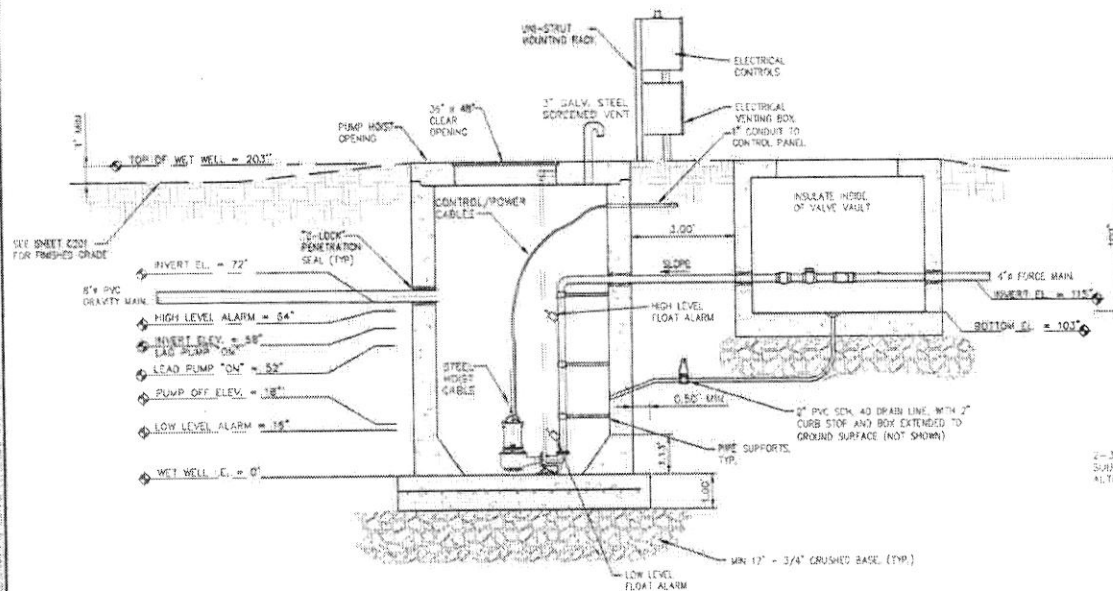
C504

DESIGN CRITERIA:
 DESIGN PUMP CAPACITY: 81 GPM @ 15' TDH
 NUMBER/TYPE OF PUMPS: 2 SUBMERSIBLE
 PUMP HORSEPOWER: 1/2 HP
 PUMP RPM: 1750
 VOLTAGE/PHASE: 230 V/1P
 PUMP SHALL BE A CORWAN-RUPP SFV3A-K3 OR APPROVED
 EQUAL.



NOTES:

1. ALL MECHANICAL PIPING TO BE FACTORY PRIMED AND FIELD PAINTED.
2. NOT ALL ITEMS ARE INCLUDED IN MANUFACTURE SUPPLIED LIFT STATION, CONSULT MANUFACTURE.
3. LIFT STATION AND COMPONENTS WILL MEET OR EXCEED ALL DESIGN CRITERIA OUTLINED IN VIDEO CIRCULAR DEC-2, CHAPTER 40.
4. 60" WET WELL APPROX. 145 GALLONS PER FOOT.
5. ALL JOINTS BETWEEN CONCRETE SECTIONS ARE TO BE SEALED WITH RAM-NECK, OR O-RING GASKET FOR WATER-TIGHT SEAL.
6. PIPE PENETRATIONS ARE TO BE SEALED WITH A WATER-TIGHT RUBBER BOOT, GROUT SPACE BETWEEN PIPE AND CONCRETE WALL.
7. BASE OF MANHOLES ARE TO BE MONOLITHIC WITH BOTTOM WALL SECTIONS.
8. COAT OUTSIDE CONCRETE WETWELL AND VALVE VAULT WITH 20 MILS BITUMASTIC COATING.
9. PRECAST COVER TO BE AT LEAST 8" THICK, AND HAVE 2 LAYERS OF REBAR, PER ASTM C478.
10. MANHOLES TO BE SET PLUMB.
11. PROVIDE FIVE PIPE SUPPORTS IN VALVE VAULT, ONE FOR EACH VALVE, AND ONE AT THE TEE.
12. ALL BOLTS, NUTS, WASHERS, AND BRACKETS IN WET WELL OR VAULT TO BE SERIES 316 STAINLESS STEEL.
13. VALVES, COUPLINGS, AND FLANGE ADAPTORS TO BE FUSION BONDED EPOXY COATED (12 MILS MIN) INSIDE AND OUT.
14. INFLUENT SEWERS TO PENETRATE 4-6 INCHES INTO MANHOLE, CUT OFF TOP 1/2 OF PIPE.
15. RE-GRADE SITE TO SLOPE AWAY FROM VAULT AND WET WELL.
16. PROVIDE ELECTRICAL INSULATION BETWEEN PRECAST CONCRETE LID AND ALUMINUM HATCH.



1 LIFT STATION
 475

VISION ENTERPRISES MAJOR SUBDIVISION
 MILES CITY, MONTANA
 DETAILS

C505