



CITY OF MILES CITY AGENDA

*Regular Council Meeting
City Council Chambers*

*July 12, 2016
7:00 p.m.*

CALL TO ORDER PLEDGE OF ALLEGIANCE ROLL CALL

1. APPROVAL OF COUNCIL MINUTES/COMMITTEE MINUTES
 - A. Regular Council Meeting 6/28/2016
 - B. Finance Committee Meeting 6/23/2016
 - C. Public Safety Committee Meeting 7/05/2016
2. SCHEDULE MEETINGS
3. REQUEST OF CITIZENS & PUBLIC COMMENT
4. APPOINTMENTS
5. PROCLAMATIONS
6. STAFF REPORTS
7. CITY COUNCIL COMMENTS
8. MAYOR COMMENTS
9. COMMITTEE RECOMMENDATIONS

Use of City Property for use as a Police/Fire training facility
10. BID OPENINGS- Renovation on Florence Stacy Fountain
11. BID AWARDS
12. PUBLIC HEARINGS
 - A. **RESOLUTION NO. 3937- A Resolution Pursuant to §7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget for FY 2015-2016 for Unanticipated Expenditures and unanticipated Revenue in the Airport Capital Improvement Fund**
 - B. **RESOLUTION NO. 3938- A Resolution Pursuant to §7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget for FY 2015-2016 for Unanticipated Expenditures in the Tax Increment Financing District Fund**
13. UNFINISHED BUSINESS
 - A. **RESOLUTION NO. 3937- (Second Reading) A Resolution Pursuant to §7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget for FY 2015-2016 for Unanticipated Expenditures and unanticipated Revenue in the Airport Capital Improvement Fund**

- B. **RESOLUTION NO. 3938- (*Second Reading*) A Resolution Pursuant to §7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget for FY 2015-2016 for Unanticipated Expenditures in the Tax Increment Financing District Fund**

14. **NEW BUSINESS**

- A. **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**
- B. **RESOLUTION NO. 3936- (*First Reading*) A Resolution Pursuant to §7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget for FY 2015-2016 For Unanticipated Expenditures and Unanticipated Revenue in the Airport Fund**
- C. **RESOLUTION NO. 3941- A Resolution Authorizing the City of Miles City to Award A Downtown Façade Improvement Grant to Stein Chiropractic**
- D. **RESOLUTION NO. 3942- A Resolution Adopting Findings of Fact and Approving the Amended Plat For the Purpose of Boundary Line Relocation of Tracts B,E&F of the Lothspeich Minor Subdivision Within the City of Miles City**
- E. **RESOLUTION NO. 3943- A Resolution Adopting the Policy and Procedures of the Miles City Downtown Urban Renewal Board of Commissioners**
- F. **RESOLUTION NO. 3944- (*First Reading*) A Resolution Pursuant to §7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget For FY 2015-2016 to Appropriate Unanticipated Expenses to Lighting District No. 171 Fund 2430 For Control R&M Expenses**
- G. **Approval of Site Plan- (Transco Railcar Repair)**
- H. **Discussion on converting Council Chambers to a Court Room**
- I. **ADJOURNMENT**

Public comment on any public matter that is not on the agenda of this meeting can be presented under Request of Citizens, provided it is within the jurisdiction of the City to address. Public comment will be entered into the minutes of this meeting. The City Council cannot take any action on a matter unless notice of the matter has been made on an agenda and an opportunity for public comment has been allowed on the matter. Public matter does not include contested cases and other adjudicative proceedings

REGULAR COUNCIL MEETING **June 28, 2016**

7:00 p.m.

CALL TO ORDER

The Regular Council meeting was held Tuesday, June 28, 2016, in the City Hall Conference Room at City Hall, 17 S. 8th Street, Miles City, Montana. Mayor John Hollowell called the meeting to order. Council Members present were John Uden, Rachel Sloan, Susanne Galbraith, Brant Kassner, Jeff Erlenbusch, Ken Gardner and Kathy Wilcox. Council Member Dwayne Andrews was excused.

Also present were Police Chief Doug Colombik, Public Utilities Director Allen Kelm, Fire Chief Gary Warren, Public Works Director Scott Gray, Grant Writer/Planner in Training Dawn Colton, Grant Administrator/Historic Preservation Officer Connie Muggli and City Clerk/Minute Recorder Lorrie Pearce.

PLEDGE OF ALLEGIANCE

Mayor Hollowell led the Council in the Pledge of Allegiance.

APPROVAL OF COUNCIL & COMMITTEE MINUTES

Regular Council Minutes: 6/14/2016

** *Councilperson Uden moved to approve the minutes of the Regular Council Meeting of June 14, 2016 with correction if any, and seconded by Councilperson Sloan. The motion **passed** by unanimous consent, 7-0.*
The minutes were corrected as suggested by Councilperson Sloan.

Human Resource Meeting Minutes: 6/21/2016

** *Councilperson Sloan moved to approve the minutes of the Human Resource Committee Meeting of June 21, 2016, and seconded by Councilperson Erlenbusch. The motion **passed** by unanimous consent, 7-0*

SCHEDULE MEETINGS

2016/2017 Budget
Public Safety

7/11/2016 & 7/13/2016 at 6pm
7/5/2016 at 6pm

REQUEST OF CITIZENS & PUBLIC COMMENT

Bernice Cotton, 621 Felton Street said that this week it will be one full year since the trailer burnt in her area, and nothing has been done to clean it up. She said

the weeds are three to five feet tall, and there is a huge pile of rubble consisting of appliances, mattresses and probably rats. She felt it was a health issue. Also the residents at 613 Felton had been told to clean up their yard and nothing has happened. Their yard is dry and they are always smoking out there.

Bonnie Smith, owner of the property on 612 Wells, said that the rubbish is tearing her fence down and last year he cut a bunch of her trees without her permission.

Mayor Hollowell said that he is trying to work out the legality on 621 Felton. If nothing else the City could go in and cleanup the property and charge it to the property owner. For the property on 613 Felton, he will check with the progress and get back to Ms. Cotton.

Dallas Davidson, a Southgate resident said that the City had cleaned out an area by his home and the work was not completed. Now there is standing water and has caused a problem with mosquitoes, and was worried about malaria and west Nile virus. He asked the City if the mosquito sprayer could spray in that area.

Director Gray said the City had done extensive cleaning of the storm detention ponds this spring. That area was the last one that the City worked on, and couldn't finish adding gravel to it because of the rain. The City has all intention to complete the work when it dries out.

APPOINTMENTS

None

PROCLAMATIONS

None

STAFF REPORTS

Officer Muggli had recently spoken with BNSF representative Matt Jones on the NP depot, the following are the terms discussed for a new lease:

- Term lease is yet to be determined. Internal heads of departments have agreed to a 10 year lease, and maybe a longer term if the City thought it would be viable
- MMIA had agreed to place BNSF on the Cities policy as an additional named insured. BNSF legal is looking at MMIA's policy
- The City and Historic Preservation group insist on the lease containing a "buy back" clause, which would require BNSF to purchase the improvements on the building at a reasonable value when and if they wished to terminate the lease on the land. BNSF thought that buying it back at 80% of market value would be appropriate, she thought it should be market value to be acceptable

- BNSF would review terms for pass a through lease to a qualified non-profit. Custer County Historic Society has a strategic plan if it happens
- Any entity working in the building would need to carry Railroad Protective insurance and general liability insurance. BNSF offers RLPI for about \$500 a year
- Right of way behind the building would need to be determined
- A fence must be erected to prohibit access to the track and BNSF operations

Officer Muggli added that in the 2010 Brownfield assessment reported that the pigeon poo is not a hazardous material, and the building had no environment issues. She thought that a time line of this next Spring to get the lease in order should be sufficient. She added the BNSF would donate the building to the City and the City would donate the building to a non-profit business. The City leases the land from BNSF and the City would sublease the land to a non-profit business, which would probably be Custer County Historic Society.

Director Gray said his crew is in the middle of paving, and should be done within the next week. This will allow the City crew to get on with other maintenance.

Director Kelm said the utility crews are cutting up all the areas that need patched.

CITY COUNCIL COMMENTS

Councilperson Gardner said as a ward representative he felt he needed to speak up and ask the City to clean up the burnt trailer debris which is 60 feet long, 20 feet wide and 5-6 feet high. He suggested the City clean it up and put it on the property owner's taxes. Director Gray said if the burnt site had asbestos and the City cleans it up, the City would be responsible for disposal of the material, which could get very costly. Ingraham Environmental could test for the asbestos and complete the cleanup.

Councilperson Sloan said that last Monday the Flood Steering Committee met with Army Corp of Engineers and walked the levy. Then there was a meeting at City Hall after. Today the Committee met with Representative Zinke and he is very interested in Miles City and what is going on with the levy project and will be in contact.

Councilperson Wilcox thanked the police for following up on two suspicious men walking in her neighborhood.

MAYOR COMMENTS

- Thanked Officer Muggli for contacting BNSF representative Matt Jones on the depot
- Judge Homme would like to get an answer on remodeling the Chambers. He said there were four options at this time:
 1. A cost of \$2,000 to complete the remodeling
 2. Offer the conference room for court
 3. Rent a place outside City Hall
 4. Go to District Judge for decision

STANDING COMMITTEE RECOMMENDATIONS

Finance Committee- Approve the purchase of an ambulance for an amount of \$230,000

*** Councilperson Galbraith moved to postpone until budget is finalized, seconded by Councilperson Wilcox. On roll call vote, the motion passed 7-0*

Finance Committee- Compensate Ingraham Environment an amount of \$1,500 for pest control

*** Councilperson Galbraith moved to compensate Ingraham Environment for pest control in an amount of \$1,500, seconded by Councilperson Uden. On roll call vote, the motion passed 7-0*

Human Resource Committee- Recommend to City Council that from 6/15/16 human Resources corrects the vacation accrual rate for Firefighters and move forward since this was a clerical error in the past

Councilperson Sloan said the accrual rate is part of the union contract and no correction is needed.

BID OPENINGS

BID AWARDS- WWTP Phase II Construction

Director Kelm said three bids were received:

- Williams Brother Construction- \$3,585,000, with the additive alternate at \$225,000. This was the low bid about \$750,000 less and \$115,000 less on the alternate
- EDK Engineering and Construction- \$4,640,500, with the additive alternate at \$357,000
- Dick Anderson Construction- \$4,640,500, with the additive alternate at \$364,000

KLJ Engineer Koenig and associates reviewed the mathematical verification of the bid amounts, bid bonds, experience, etc. They said everything was in order.

Director Kelm said the morning after the bids were opened, a contractor called him and said that Section 13-400 was missed for an amount of \$150,000 Williams Brothers asked to add that amount to the bid. Director Kelm consulted with Engineer Brad Koenig and Attorney Rice and felt that the overlook was not intentional because Colstrip Electric missed that section in all bids they had sent to Williams Brothers, Dick Anderson, and EDK, which meant that all the bids were under bid by \$150,000.

Director Kelm recommended to award Williams Brothers Construction the bid of \$3,585,000, plus the \$225,000. Once signed, then do a \$150,000 change order.

*** Councilperson Uden moved to approve the phase II waste water plant upgrade bid from William Brothers for an amount of \$3,585,000 and the alternative of \$225,000, seconded by Councilperson Gardner. The motion passed on roll call vote 7-0*

PUBLIC HEARINGS

None

UNFINISHED BUSINESS

None

NEW BUSINESS

A. RESOLUTION NO. 3921-(Revisited) A Resolution Approving Amendment of the Interlocal Agreement Between the City of Miles City and the County of Custer for Provision of Health Services

*** Councilperson Galbraith moved to approve the Resolution, by title only, seconded by Councilperson Gardner. On roll call vote, the motion passed 7-0*

B. RESOLUTION NO. 3932- A Resolution Pursuant to 16-48 of the Miles City Code of Ordinances, Establishing Dates, Times and Locations for Discharge of Fireworks Within the City Limits for the Year 2016

*** Councilperson Galbraith moved to approve the Resolution, by title only, seconded by Councilperson Sloan. On roll call vote, the motion passed 7-0*

C. RESOLUTION NO. 3934- A Resolution Approving A Miscellaneous Professional Services Agreement With Kadrmas, Lee & Jackson, Inc., for On-Call Services Related to the Custer County Miles City Flood Protection Project

*** Councilperson Galbraith moved to approve the Resolution, by*

title only, seconded by Councilperson Sloan. On roll call vote, the motion passed 7-0

D. RESOLUTION NO. 3935- A Resolution Approving A Letter of Engagement With Kadrmas, Lee & Jackson, Inc., For Funding Assistance Related to the Custer County Miles City Flood Protection Project

*** Councilperson Uden moved to approve the Resolution, by title only, seconded by Councilperson Sloan. On roll call vote, the motion passed 7-0*

E. RESOLUTION NO. 3937- A Resolution Pursuant to 7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget for FY 2015-2016 for Unanticipated Expenditures and unanticipated Revenue in the Airport Capital Improvement Fund

*** Councilperson Gardner moved to approve the Resolution, by title only, seconded by Councilperson Galbraith. On roll call vote, the motion passed 7-0*

F. RESOLUTION NO. 3938- (First Reading) A Resolution Pursuant to 7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget for FY 2015-2016 for Unanticipated Expenditures in the Tax Increment Financing District Fund

*** Councilperson Galbraith moved to approve the Resolution, by title only, seconded by Councilperson Gardner. On roll call vote, the motion passed 7-0*

G. RESOLUTION NO. 3940- A Resolution Adopting Finding of Fact and Approving the Amended Plat for the Purpose of Boundary Line Relocation of Lots 9 and 10 of Block 58 in the Miles City Original Townsite Within the City of Miles City

*** Councilperson Gardner moved to approve the Resolution, by title only, seconded by Councilperson Sloan. On roll call vote, the motion passed 7-0*

ADJOURNMENT

*** Councilperson Galbraith moved to adjourn the meeting, seconded by Councilperson Uden, and passed unanimously.*

The meeting was adjourned at 8:20 p.m.

John Hollowell, Mayor

Lorrie Pearce, City Clerk

Finance Committee Meeting

June 23, 2016

The Finance Committee met Thursday, June 23, 2016 at 6:00 p.m. in the City Hall Conference Room. Present were Committee Chairperson Susanne Galbraith and Committee Members Rachel Sloan, Kathy Wilcox and Dwayne Andrews.

Also present were Floodplain Administrator/Auto Cad/Assistant PWPV Samantha Malenovsky and Recorder Lorrie Pearce

Committee Chairperson Galbraith called the meeting to order.

1. Request of Citizens:

None

2. Discussion and Recommendation on KLJ contracts

Administrator Malenovsky explained that there are two different contracts.

1. The Service Agreement which would be on the project management or engineering side of the contract
2. The Letter of Engagement which would be for PR government, money assistance, public education and coordination

The contracts are renewed annually, and in the past were billed to the County and then County would bill the City. There is not an agreement with the County at the present, so Council will have to figure out the percent paid by County and City.

KLJ Representative Becky Bey explained that last year their charge was \$2,500 a month, and if Council wanted it to be billed that way, it would still be \$2,500 a month. The Steering Committee requested the billing to be hourly, which it hoped would save the City some money because work was not completed every month. One change on the contract was that last year the amount to be billed was \$1,500 without prior permission, and it is changed this year to \$4,000 without prior permission. The Army Corp felt that more work will be completed this year because Section 205 will begin in the fall. Also, the money paid on this contract would be considered an "in kind" match.

*** Committee Member Wilcox moved to recommend to Council approval of KLJ contracts as presented, seconded by Committee Member Sloan. The motion passed 4-0*

3. Review bids received on phase II upgrade

Director Kelm said that the bid from Williams Brothers \$3,585,000 for construction and alternate/septic hauling station at \$225,000 was the lowest bid received. The bid for the construction came in under bid, so he added the alternate bid to the total. There was a problem with the bid received from Williams Brothers because there was a bid from subcontractor Colstrip Electric that was missed in Section 13-400 for an amount

of \$150,000. Williams Brothers asked to add that amount to the bid. Director Kelm had consulted with Engineer Brad Koenig and they both felt that the overlook was not intentional because Colstrip Electric missed that section in all their bids they had sent out to Williams Brothers, Dick Anderson, and EDK, which meant that all the bids were under bid by \$150,000.

Williams Brothers is not asking for a markup in the section that was missed.

*** Committee Member Andrews moved to recommend to Council approval of the Williams Brothers bid, seconded by Committee Member Wilcox. The motion passed 4-0*

4. Review and recommendation on compensation for Ingraham Environmental

Director Kelm said that Ingraham Environmental is asking reimbursement for material, which they thought was about \$3,000. They did not want to be reimbursed for their labor. Ingraham Environmental thought they could get \$1,500 from the Chamber of Commerce, so they were asking \$1,500 from the City. Director Kelm offered to pay half of the \$1,500 from the water fund, since the City got their water tower back.

*** Chairperson Galbraith moved to recommend to Council approval of paying \$1,500 to Ingraham Environmental for work completed, seconded by Chairperson Andrews. The motion passed 4-0*

5. Discussion and Recommendation on City Business Licenses

Chairperson Galbraith thought that the City should be charging for business licenses. She thought a certain dollar amount could be charged and that would help the fire and police know where and what the business is.

The Committee discussed other Cities charges.

Committee Member Wilcox liked the idea and thought it was appropriate. She asked if a safety inspection would be needed, and thought it might be good to have in force before the legalization of marijuana is voted on this fall.

Director Kelm thought if the City charges for business licenses, the business should be getting something back. There were a couple of things that could be beneficial to the business and they were. making a directory on the Cities Website, and since the City would have an updated business license list, the information could be available in case of a fire, floods etc.

Committee Member Sloan thought it was a good idea, but thought it might push some business out and wondered who would enforce it and keep it up.

*** Committee Member Wilcox moved to have further discussion on the Cities business license in terms of all the details and amend the Ordinance to present to Council, seconded by Committee Member Galbraith.*

Committee Member Andrews thought it might be another way to nickel and dime people to death, but said he would go along with it for now.

Director Kelm said it would be nice to know how many businesses the City has and in categories'. If there was a disaster, we would have the contact information at hand and start making calls immediately

Clerk Pearce thought if the process was implemented that another person would need to be hired. At the moment the Treasurer is the person who writes the business license receipt, and he works part time. She thought the process should not be implemented for the revenue, but for the services.

Committee Member Sloan thought the City would need to charge a reasonable amount to everyone.

*** The motion passed 4-0*

6. Adjournment

*** Committee Member Wilcox moved to adjourn the meeting, seconded by Committee Member Sloan and passed unanimously, 4-0.*

The meeting was adjourned at 5:45 p.m.

Susanne Galbraith, Chairperson

Lorrie Pearce Recorder/City Clerk

Public Safety Committee Meeting July 5, 2016

The Public Safety Committee met Tuesday, July 5, 2016, at 6:00 pm in the City Hall Conference Room. Present were Committee Members John Uden, Kathy Wilcox, Jeff Erlenbusch, and Ken Gardner. Also present were Police Chief Doug Colombik, Fire Captain Mike Miller, Fire Chief Gary Warren, Program Administrator/Historic Preservation/Grant Writer Connie Muggli, Senior Patrol Officer Denise Bontrager and Committee Recorder Linda Wilkins.

Acting Chairperson Ken Gardner called the meeting to order. Chairman John Uden was absent when the meeting convened, but arrived later.

1. Request of Citizens

None

2. Committee Member Comments

None.

3. Review and consider joint request of Fire Dept. and Police Dept. for use of City Property for use as a Police/Fire Training facility.

Committee Member Ken Gardner asked for discussion. Committee Member Wilcox asked for the price of the facility. Fire Captain Miller state that there were currently no bids for constructing the actual facility, but has been working on finding land to be allocated by the City. Once they have the land allocated then the size of the facility can be determined. This project is not looking to the City for funding, but has been working with Senator Tester's to identify funds through Rural Economic Development. Mid-Rivers grant writer, Grant Writer Connie Muggli and Firefighter Sarah Lewin in addition with some MDU Grants for utilities are all being utilized to locate funding for the construction project. Captain Miller hopes that additional funding may also be obtained by working in conjunction with the college and the county

Captain Miller met with Public Utilities Director Kelm regarding possible sites. Sites were considered near the Water Treatment Plant building but building prohibited at some of these property sites as they are in the flood way or flood plain; however, the land that was formerly used as the lagoon settling ponds was identified, this land has a dike already in place and is neither in the flood way or flood plain. Construction would be allowed on this site. This land would also provide easy access for other communities in Eastern Montana wishing to use the training facility. There are currently no commitments by the City to lease out this land. The land is approximately 41 acres and would be provide adequate room for a building with three classrooms and a large paved area for driving practice.

Captain Miller stated that this is a joint project between the Fire Department, Police Department and the Custer County Sheriff Department.

Grant Writer Muggli asked what consideration had been given regarding fees for other communities to use the facility. Captain Miller stated that this subject would be looked into

further as the project continued in its development since currently since the project was in the preliminary stage. However, the fire department has instructors that would be willing to provide training. Other facilities in the State charge approximately \$1,500 for weekend training plus the City would benefit by providing training on site to the local department. The facility would have three classrooms, which would provide the potential for all three classrooms be used simultaneously by the Police Department or other organizations. He also stated that Rural Economic Development is very interested in the project due to the economic impact it provides to the community.

Officer Bontrager commented she had been in contact with Montana Law Enforcement Academy and they would be interested in coming to Miles City to provide training for this area of Montana. The use of the facility would be of economic benefit to the community by bringing in outlying communities to Miles City to use the training facility. Also the facility would aid in the decrease of liability to the community while training new officers. They would be trained at the facility instead of alarming citizens while training police officers on the streets, when staging stops using training "blue" pistols.

Committee Member Uden asked what the savings would be to the City. Captain Miller said it would be considerable in regards to liability, just from properly training firefighters to drive trucks and the opportunity to practice using live fire. There would also be a savings in travel costs. There is also the potential of providing fee based training to other communities. Officer Bontrager stated the savings for the police department would be much the same, decrease in liability, the ability to provide training to other communities, the economic impact to the community, and the ability to retain employees.

Committee Member Uden commented on the possibilities of other agencies using the facility, such as the FBI, Pine Hills, etc. Officer Bontrager thought the potential would be wide open for other agencies using the facility, including the BIA.

***Committee Member Wilcox moved to approve this stage of the planning process for a joint facility for Fire Department and Police Department for the use of city property presented and recommend to the full council on July 12; seconded by Committee Member Erlenbusch. Upon roll call vote the motion **passed** unanimously*

4. Adjournment

*** Committee Member Wilcox moved to adjourn the meeting, seconded by Committee Member Gardner and **passed** unanimously, 4-0.*

The meeting was adjourned at 6:40 p.m.

Respectfully Submitted:

Ken Gardner, Acting Chairperson

Linda Wilkins, Recorder

Public Hearing

RESOLUTION NO. 3937

A RESOLUTION PURSUANT TO §7-6-4006 OF THE MONTANA CODE ANNOTATED, AUTHORIZING AMENDMENT OF FINAL BUDGET FOR FY 2015-2016 FOR UNANTICIPATED EXPENDITURES AND UNANTICIPATED REVENUE IN THE AIRPORT CAPITAL IMPROVEMENT FUND.

WHEREAS, the City of Miles City wishes to amend the budget for Fiscal Year 2015-2016 for unanticipated expenditures and unanticipated revenues in the Airport Capital Improvement Fund, as permitted by §7-6-4006 MCA;

AND WHEREAS, such amendment of the final budget will result in an overall increase in appropriation authority within fund # 4056-87-430300-230, 4056-87-430300-360, and 4056-87-430300-940; and increased revenues in fund # 4056-343018, 4056-343065, and 4056-343067;

AND WHEREAS the provisions of §7-6-4006 MCA require public hearing upon any budget amendment resulting in an overall increase in appropriation authority,

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

The appropriations for the Final Budget for Fiscal Year 2015-2016 shall be increased in the following amount as the result of unanticipated expenditures:

Fund No. 4056-87-430300-230 in the amount of \$1,250.00;
Fund No. 4056-87-430300-360 in the amount of \$5,813.00;
Fund No. 4056-87-430300-940 in the amount of \$17,184.00;

The appropriations for Final Budget for Fiscal Year 2015-2016 shall be increased in the following amounts as the result of unanticipated revenues:

Fund No. 4056-343018 in the amount of \$31,725.00;
Fund No. 4056-343065 in the amount of \$10,810.00;
Fund No. 4056-343067 in the amount of \$49,120.00;

BE IT FURTHER RESOLVED that a public hearing shall be held on the above proposed amendment to the Final Budget for Fiscal Year 2015-2016 on the 12th day of July, 2016, at 7:00 p.m. in the City Council Chambers at City Hall, Miles City, Montana. The City Clerk shall cause notice of such hearing to be published in the Miles City Star, in accordance with §7-1-4128 MCA, at least 2 times with at least 6 days separating each publication.

SAID RESOLUTION READ AND PUT UPON ITS FINAL PASSAGE
THIS 28TH DAY OF JUNE, 2016.

JOHN HOLLOWELL, Mayor

ATTEST:

Lorrie Pearce, City Clerk

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

JOHN HOLLOWELL, Mayor

ATTEST:

Lorrie Pearce, City Clerk

RESOLUTION NO. 3938

A RESOLUTION PURSUANT TO §7-6-4006 OF THE MONTANA CODE ANNOTATED, AUTHORIZING AMENDMENT OF FINAL BUDGET FOR FY 2015-2016 FOR UNANTICIPATED EXPENDITURES IN THE TAX INCREMENT FINANCING DISTRICT FUND.

WHEREAS, the City of Miles City wishes to amend the budget for Fiscal Year 2015-2016 for unanticipated expenditures in the Tax Increment Financing District Fund, as permitted by §7-6-4006 MCA;

AND WHEREAS, such amendment of the final budget will result in an overall increase in appropriation authority within fund # 2310-11-460462-350;

AND WHEREAS the provisions of §7-6-4006 MCA require public hearing upon any budget amendment resulting in an overall increase in appropriation authority,

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

The appropriations for the Final Budget for Fiscal Year 2015-2016 shall be increased in the following amount as the result of unanticipated expenditures:

Fund No. 2310-11-460462-350 in the amount of \$750.00;

BE IT FURTHER RESOLVED that a public hearing shall be held on the above proposed amendment to the Final Budget for Fiscal Year 2015-2016 on the 12th day of July, 2016, at 7:00 p.m. in the City Council Chambers at City Hall, Miles City, Montana. The City Clerk shall cause notice of such hearing to be published in the Miles City Star, in accordance with §7-1-4128 MCA, at least 2 times with at least 6 days separating each publication.

SAID RESOLUTION READ AND PUT UPON ITS FINAL PASSAGE THIS 28TH DAY OF JUNE, 2016.

JOHN HOLLOWELL, Mayor

ATTEST:

Lorrie Pearce, City Clerk

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY

CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF
MILES CITY, MONTANA, THIS 12th DAY OF JULY, 2016.

JOHN HOLLOWELL, Mayor

ATTEST:

Lorrie Pearce, City Clerk

New Business

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

City Hall
17 S 8th Street
Miles City, MT 59301

Phone: 406-234-3493
Fax: 406-234-6392
www.milescity-mt.org

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

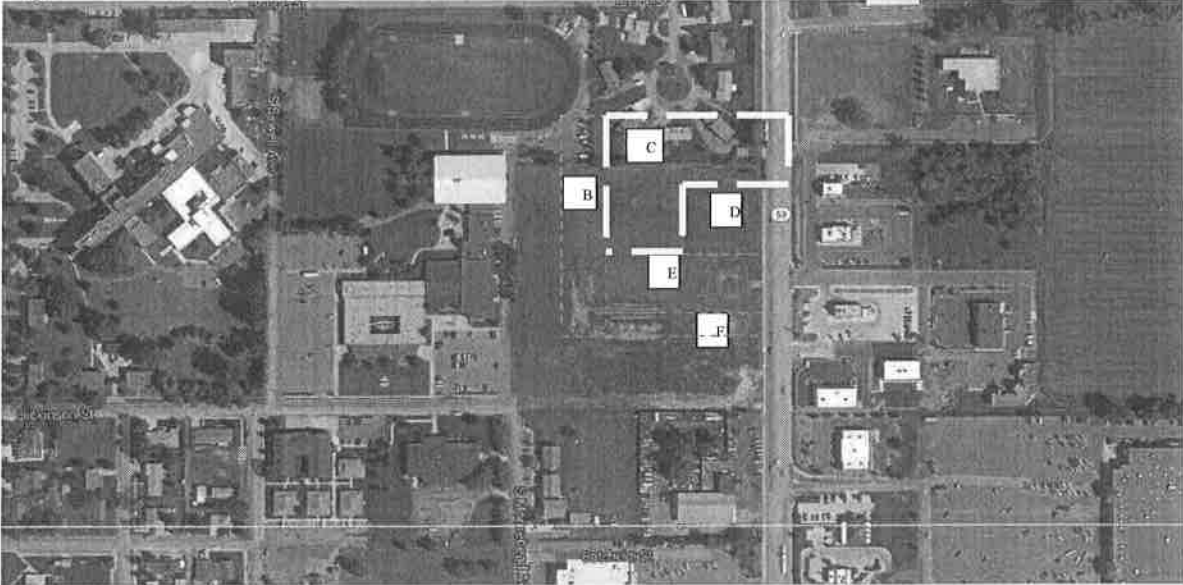


Figure 2: Street View



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 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 is 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 Lotzspeich 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. Amend of Lotzspeich 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 checked="" 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 1/2 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.

THIS PRE-APPLICATION FORM MAY BE RETURNED IF INCOMPLETE
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.

UB 4 012
UB 4 012

Signature of subdivider
Roger Lotz special

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

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.

Any rights of first refusal for the property.

Any special improvement districts.

Water rights, including location of agricultural water user facilities.

Existing covenants or deed restrictions.

For proposed minor subdivisions, a copy of each certificate of survey or subdivision plat(s) pertaining to the subject parcel since July 1, 1973.

Ownership information, such as a deed, option to buy or buy-sell agreement, including permission to subdivide.

2) Attach documentation on the current status of the site, including:

Documentation

Existing conservation easements.

Existing zoning or development regulation standards.

Existing easements and rights-of-way.

Existing utility lines and facilities serving the area to be subdivided.

Existing structures and improvements (roads, sidewalks, etc).

Natural features including water bodies, floodplains, geologic hazards, and soil types.

Description of general terrain, including any steep slopes (20% or more)

Approximate tract and lot boundaries of existing tracts of record.

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
 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
 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 _____

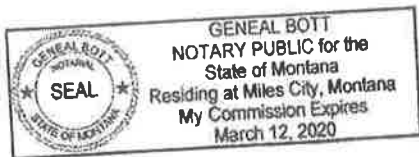
State of Montana,

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)



General Bott

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

Printed Name: General Bott

Notary Public for the state of Montana

Residing at Miles City

My Commission expires: March 12, 2020

Affix seal/stamp as close to signature as possible.

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 alternation.
 - 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 Administer

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 County: Custer County

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

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

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			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)	
			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 4?	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), 17.30.501-518	
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)(i), 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

PREPARED FOR:
VISION ENTERPRISES
ROGER LOTHSPREICH
2323 S. HAYNES AVE.
MILES CITY, MT 59001

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

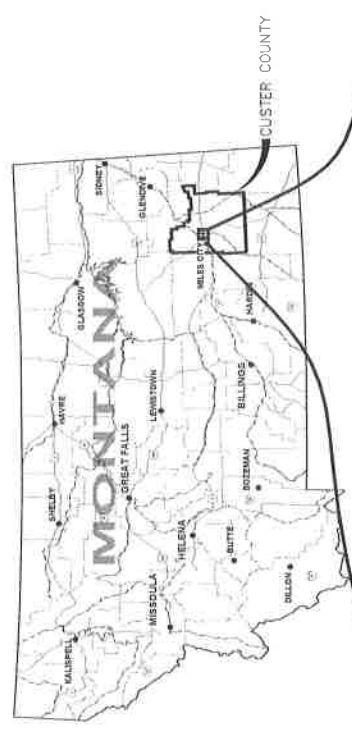
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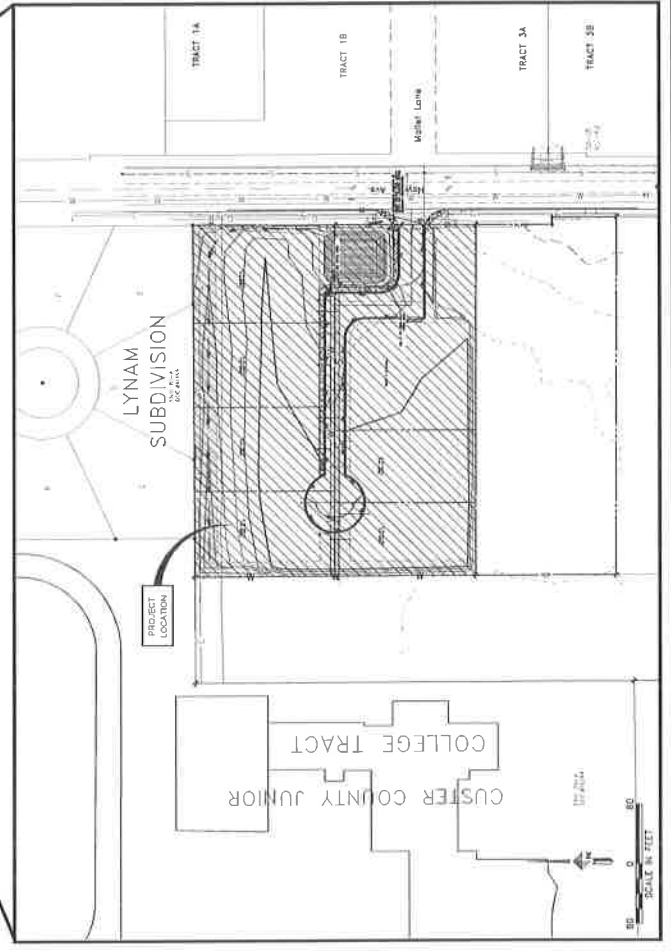
PROJECT NUMBER	
DATE	MARCH 2016
SHEET	C100

Brandon William Duffey, P.E. 22230 PE
Project Engineer
DOWL

DEQ REVIEW SET



VICINITY MAP
NOT TO SCALE
MILES CITY, MONTANA



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. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING THE LATEST EDITION OF THE 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 FIELD VERIFY INVERT ELEVATION, PIPE SIZES, LENGTHS, CORRUGATIONS, AND MATERIAL BEFORE ORDERING.
13. CONTRACTOR SHALL REPLACE EXISTING FENCING AND ROADSIDE APPURTENANCES DISPLACED OR DAMAGED BY CONSTRUCTION.
14. 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 CUTTER
EXISTING TRAFFIC SIGNAL	NEW FENCING - CHAIN LINK
EXISTING SIGN	NEW SANI. SEWER MAIN
EXISTING GAS LINE	NEW SANI. 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	OHP	OVERHEAD POWER
PP	POWER POLE	UNK	UNKNOWN LOCATION
GA	GUY ANCHOR	I.E.	INVERT ELEVATION
EOP	EDGE OF PAVEMENT	INV. EL.	INVERT ELEVATION
L.F.	LINEAL FEET	UGP	UNDERGROUND POWER
EL.	ELEVATION	TEL	UNDERGROUND TELEPHONE
(TYP)	TYPICAL	CMP	CORRUGATED METAL PIPE
INV.	INVERT	RCP	REINFORCED CONCRETE PIPE
S=	SLOPE	CP	CONTROL POINT
CB	CATCH BASIN	FL	FLOWLINE
MH	MANHOLE	CL	CENTERLINE

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

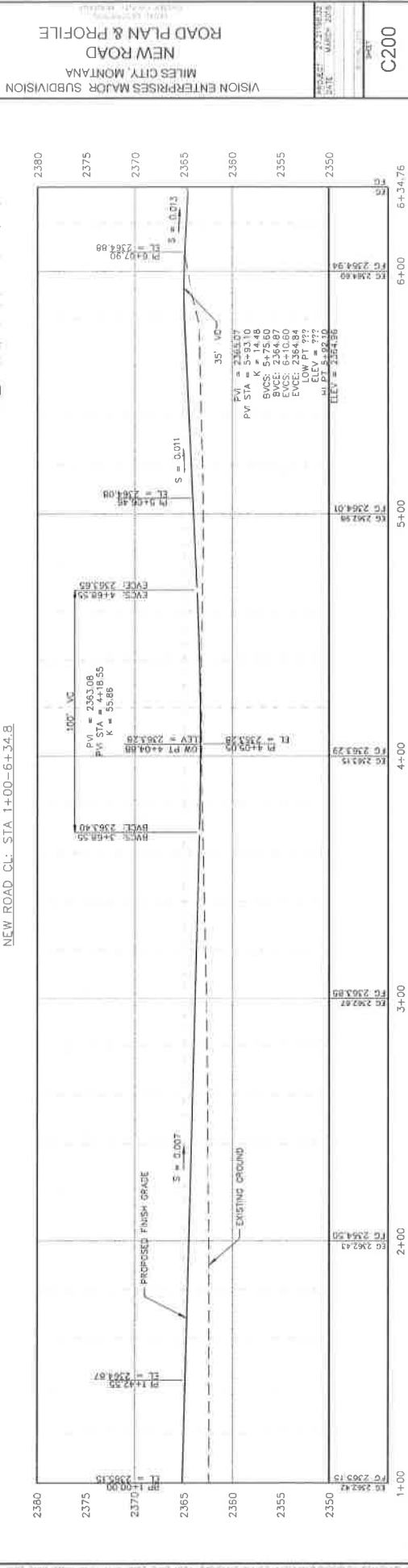
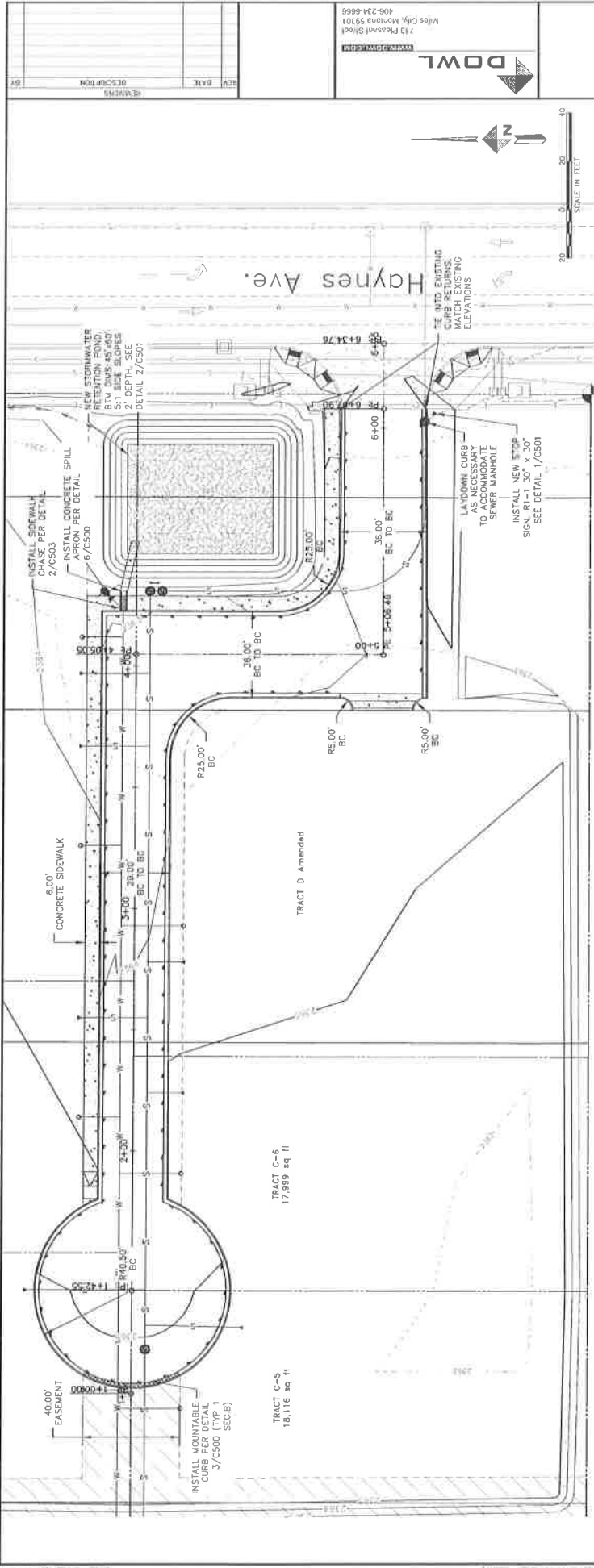
NO.	DATE	REVISIONS

713 Pleasant Street
Missoula, Montana 59801
406-294-6668
WWW.MPWS.COM



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

DATE: 12/15/2016
TIME: 10:00 AM
SHEET: 1
C101



VISION ENTERPRISES MAJOR SUBDIVISION
 MILES CITY, MONTANA
 NEW ROAD
 ROAD PLAN & PROFILE

713 Pleasant Street
 Miles City, Montana 59701
 406-234-6666

DATE: 04/27/2016
 TIME: 09:58:30
 SHEET: 2 OF 2
 C200

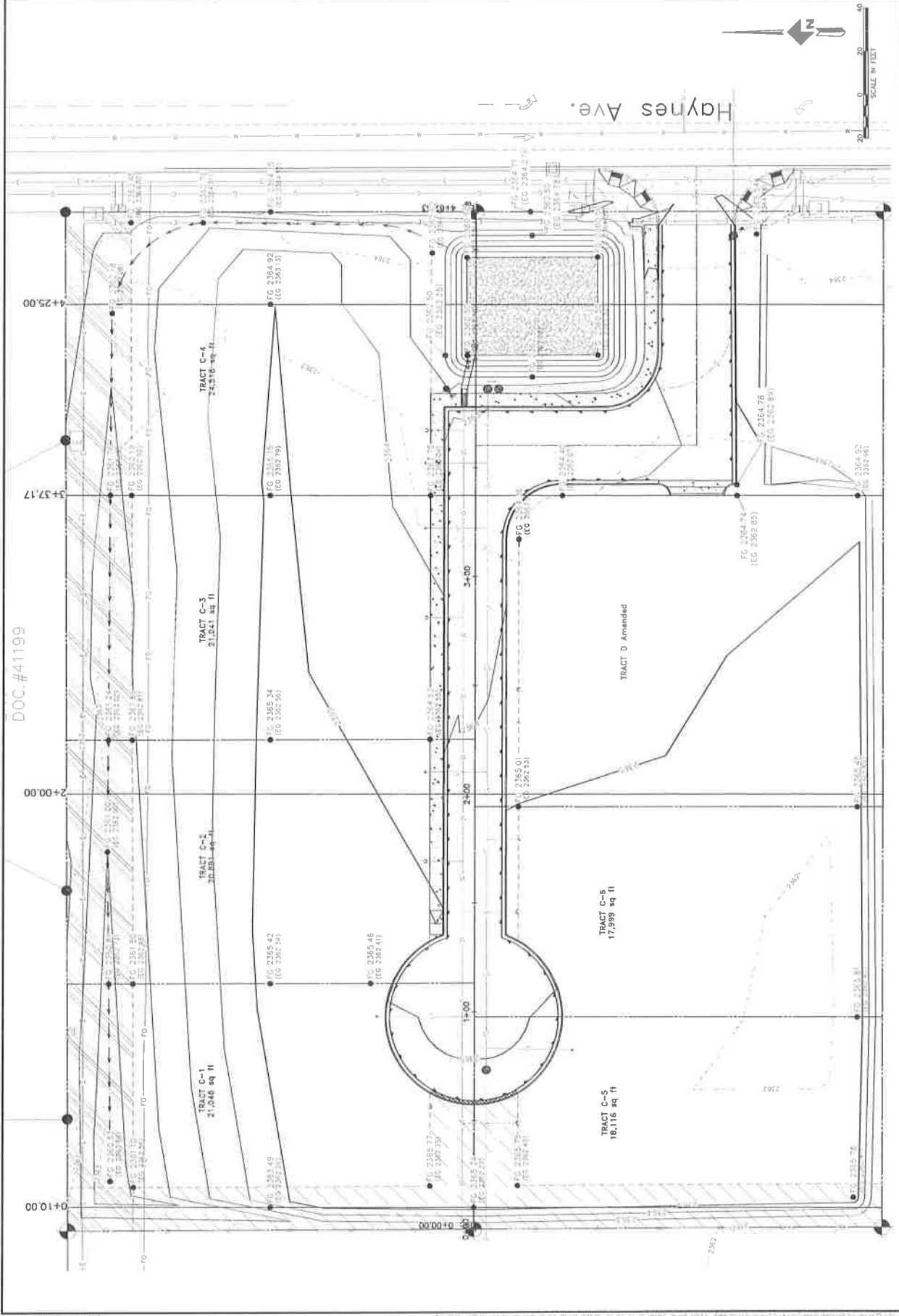
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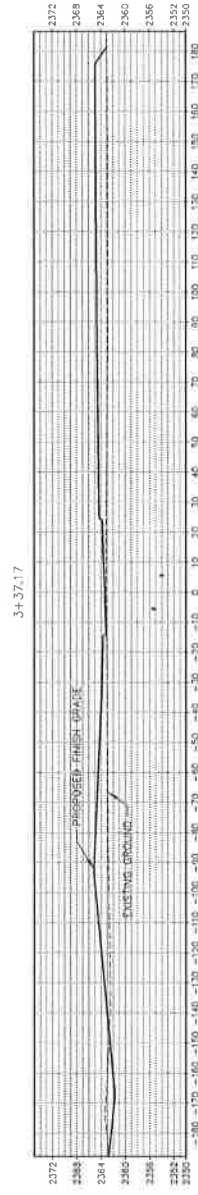
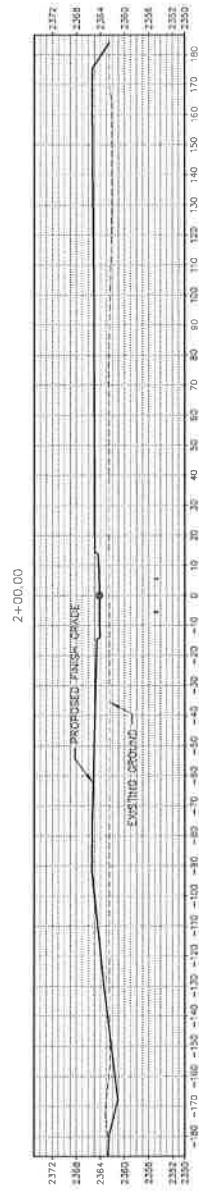
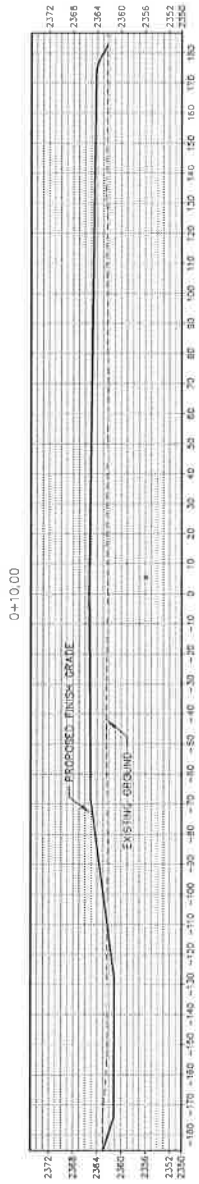
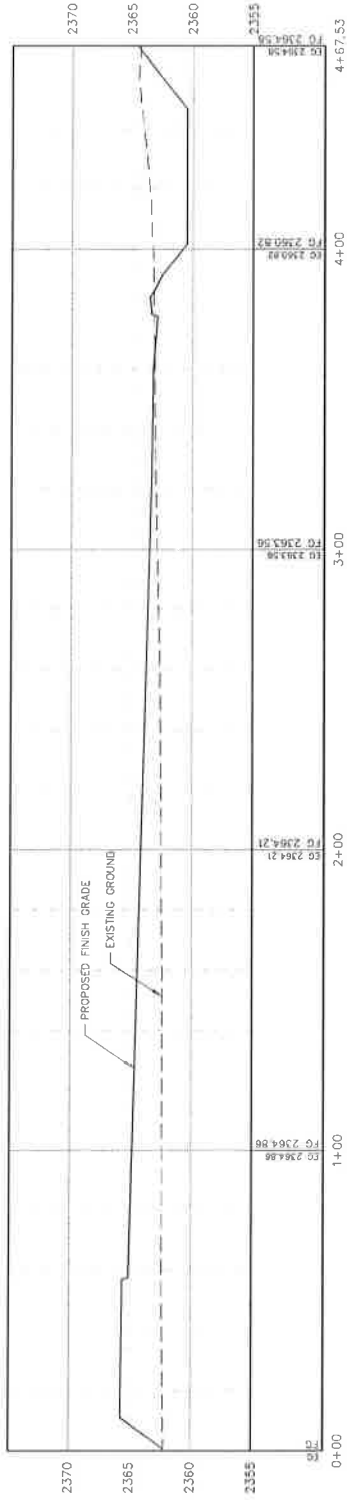
713 Pleasant Street
Missoula, Montana 59801
406-224-0000

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

PROJECT: 20170102
DATE: 04/27/18
SHEET: C201



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



C202

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

DLWL
713 Pleasant Street
Miles City, Montana 59701
406-234-6666

REV	DATE	DESCRIPTION

C203

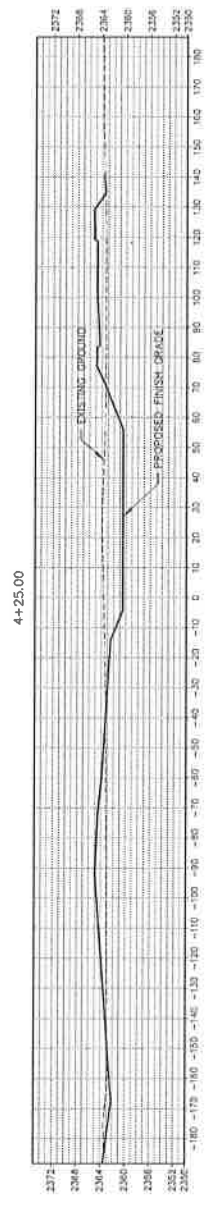


PROJECT: VISION ENTERPRISES MAJOR SUBDIVISION
 DATE: MARCH 2016

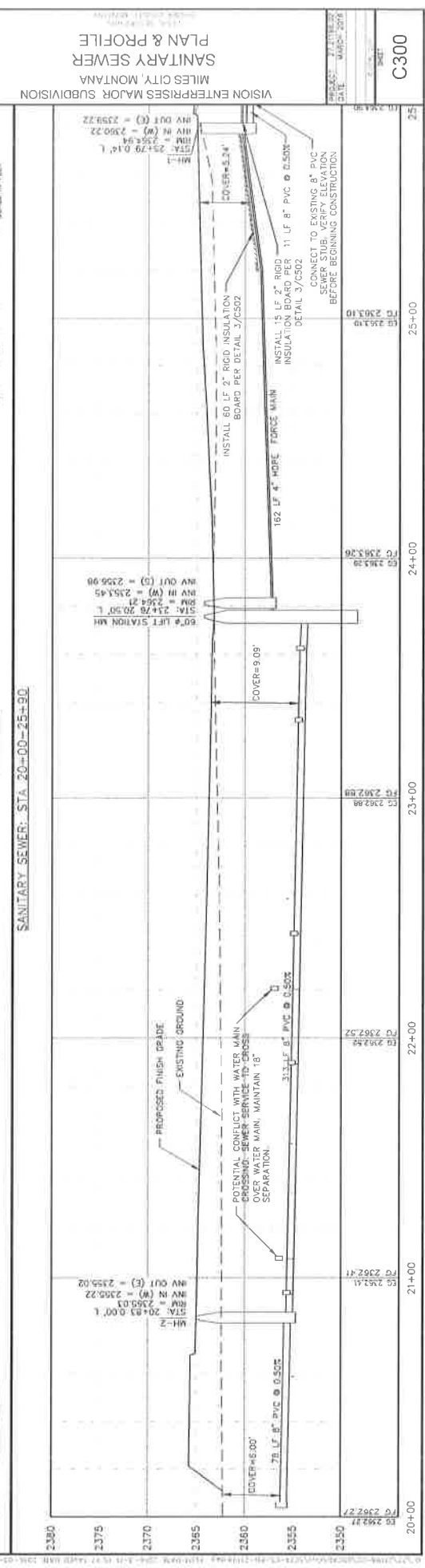
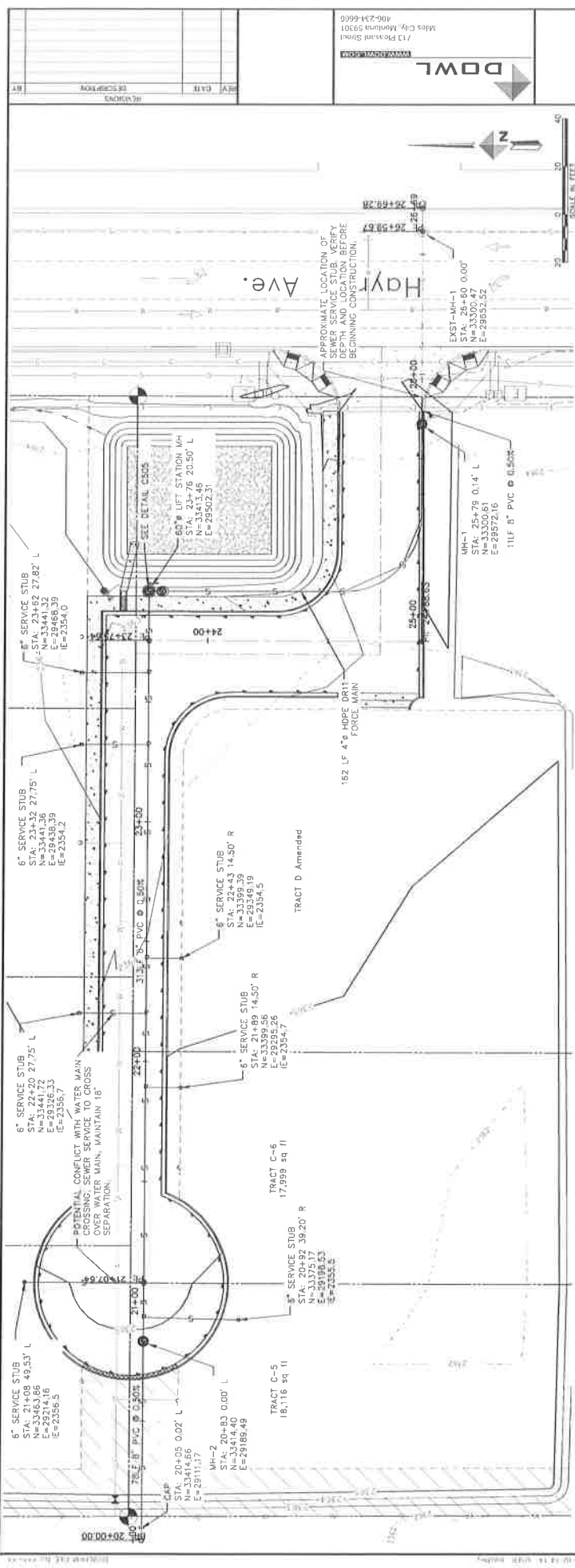
VISION ENTERPRISES MAJOR SUBDIVISION
 MILES CITY, MONTANA
 OVERALL SITE
 GRADING PLAN - CROSS SECTIONS

LEGAL DESCRIPTION
 SEE PLAT 100-234-0000

713 Pleasant Street
 Miles City, Montana 59001
 406-234-0000



REV	DATE	DESCRIPTION



SANITARY SEWER: STA. 20+00-26+50

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

Miles City, Montana 59701
406-231-6600
VISION ENTERPRISES



C300

DATE: MARCH 2018
SHEET: 1 OF 1

REV	DATE	DESCRIPTION

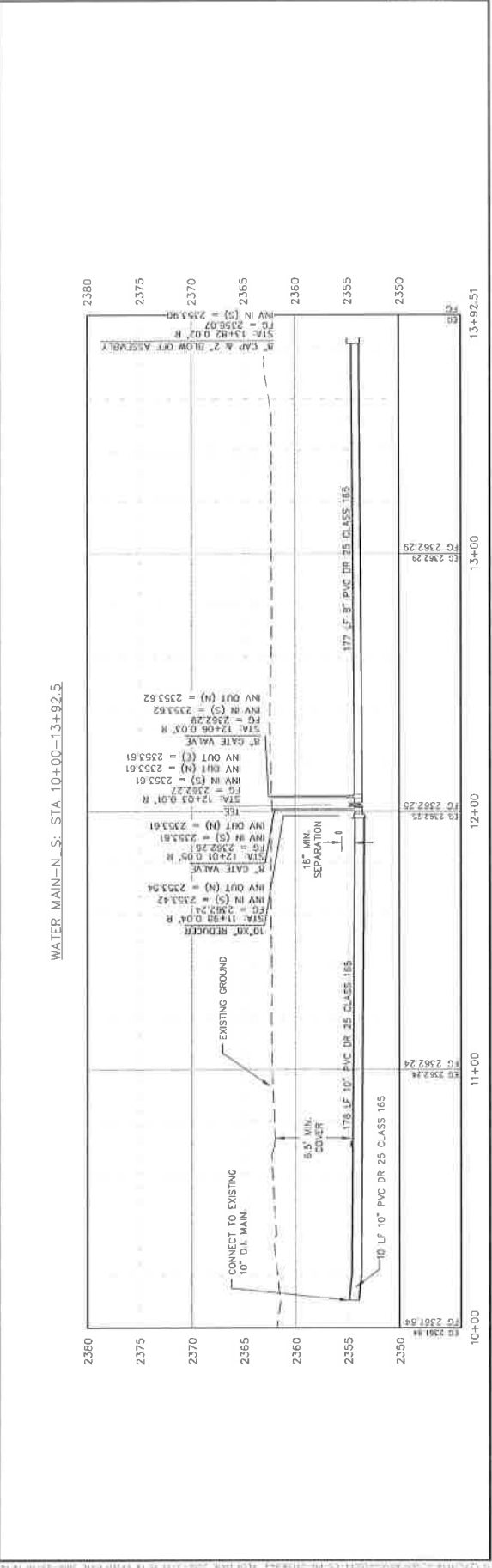
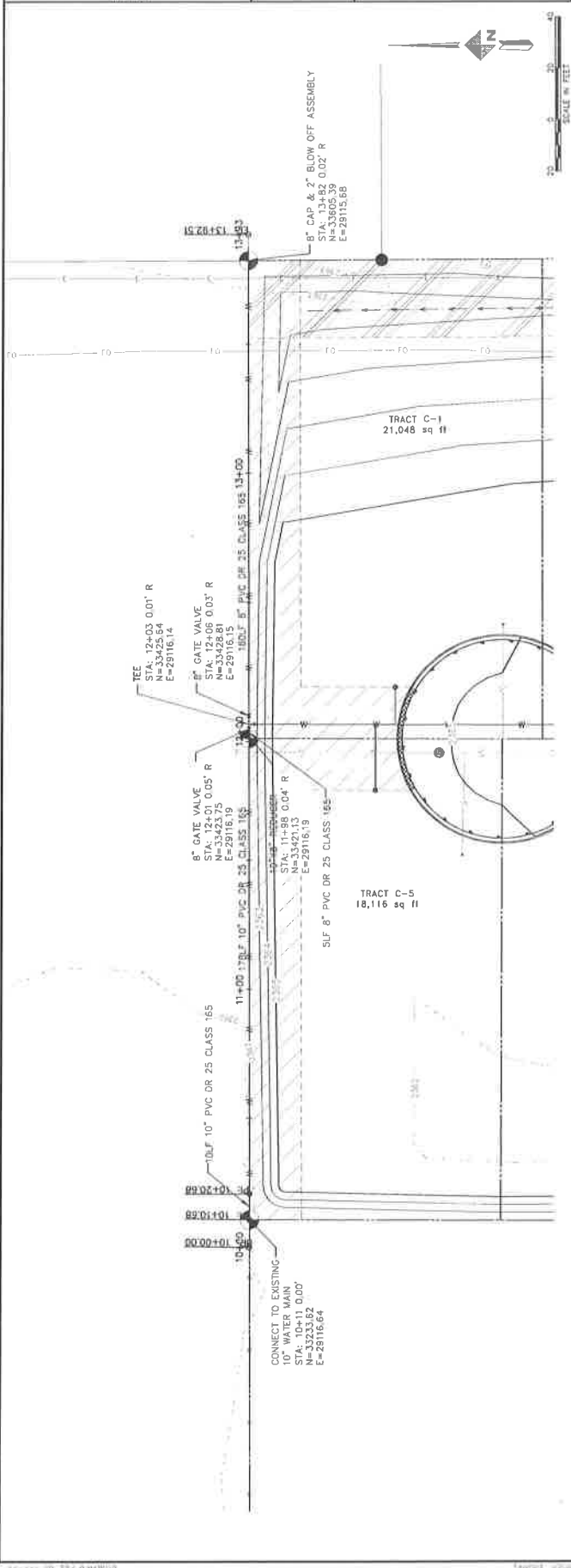
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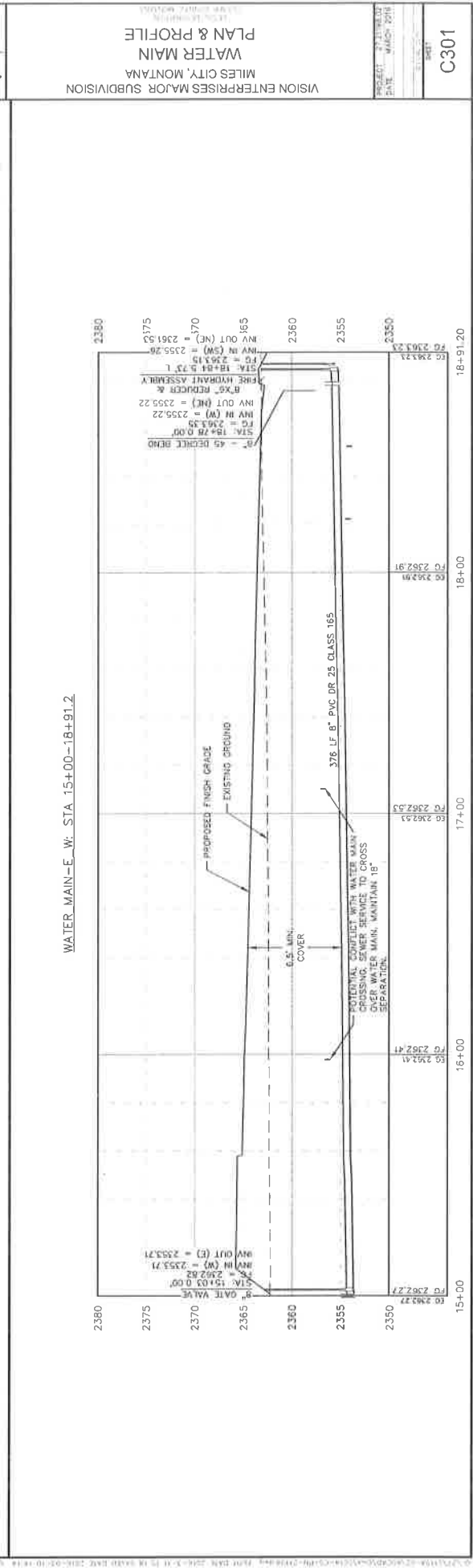
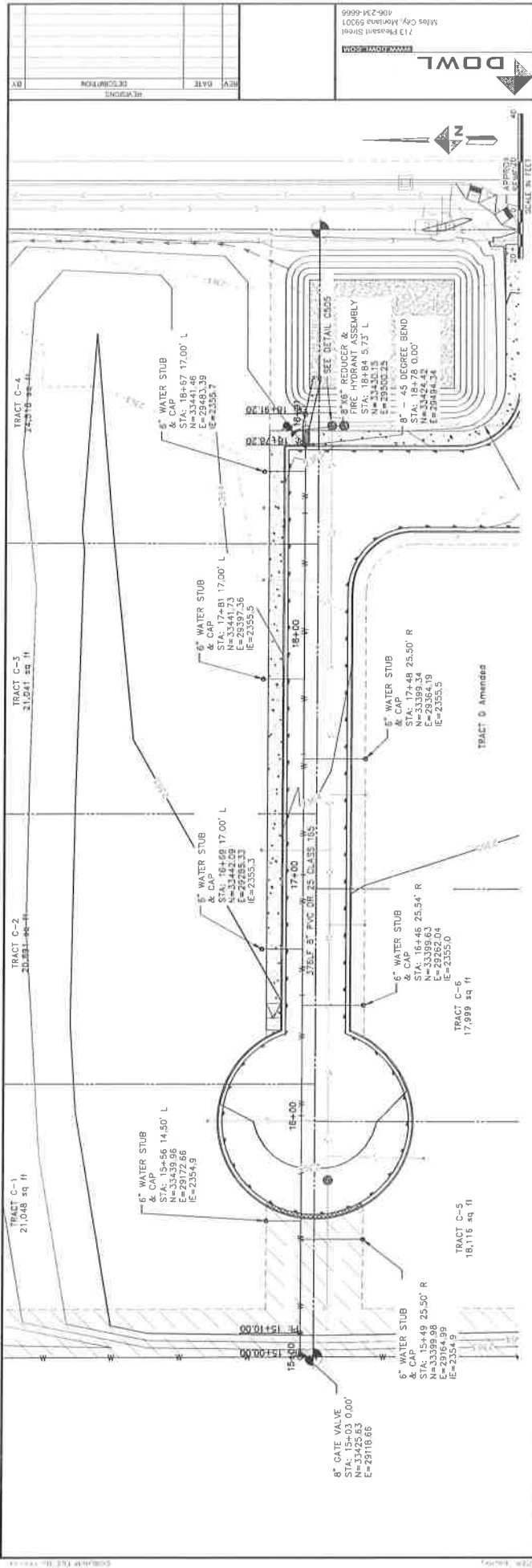
713 Pleasant Street
 Miles City, Montana 59701
 (406) 231-6666
 WWW.DOWL.COM



VISION ENTERPRISES MAJOR SUBDIVISION
 MILES CITY, MONTANA
 WATER MAIN
 PLAN & PROFILE

PROJECT 221194.02
 DATE MARCH 2016
 SHEET C-301
 C-301





WATER MAIN-E-W STA 15+00-18+91.2



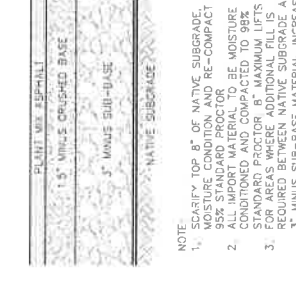
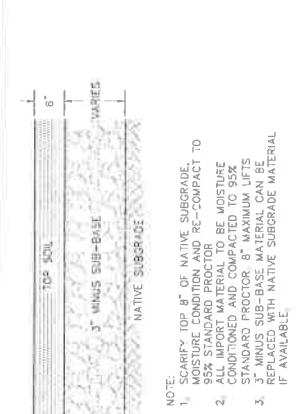
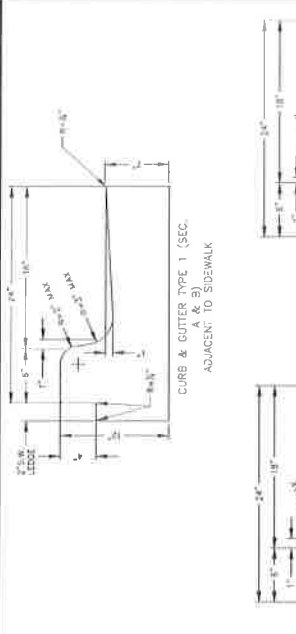
713 Pleasant Street
Missoula, Montana 59701
406-234-6666
WWW.DOWL.COM

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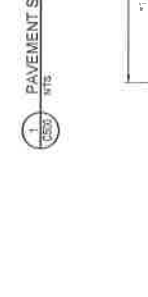
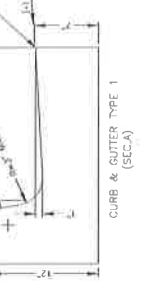
REVISION	DATE	BY

713 Pleasant Street
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406-224-6666
DOWL

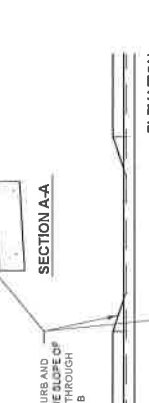
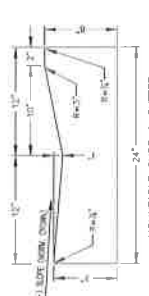
VISION ENTERPRISES MAJOR SUBDIVISION
MILES CITY, MONTANA
DETAILS
PROJECT: 27318E-02
DATE: MARCH 2016
SHEET: C500



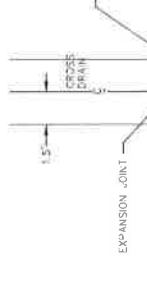
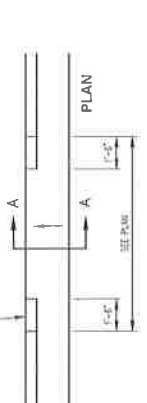
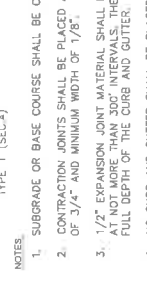
NOTE:
1. SCASIFY TOP 8" OF NATIVE SUBGRADE TO MOISTURE CONDITION AND RE-COMPACT TO 95% STANDARD PROCTOR
2. ALL IMPORT MATERIAL TO BE MOISTURE CONDITIONED AND COMPACTED TO 95% STANDARD PROCTOR
3. 3" MINUS SUB-BASE MATERIAL CAN BE REPLACED WITH NATIVE SUBGRADE MATERIAL IF AVAILABLE.



NOTE:
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.C.S. P.T.S. CURB RETURNS AND ALL CURB AND GUTTER JOINTS. 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



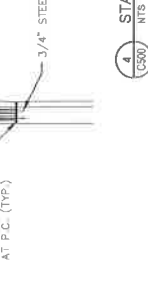
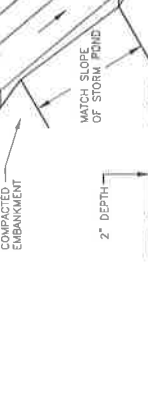
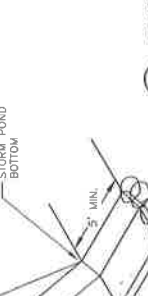
NOTE:
1. GEOTEXTILE STABILIZATION FABRIC PROPEX 350 ST WOVEN OR EQUAL
2. SCASIFY TOP 8" OF NATIVE SUBGRADE TO MOISTURE CONDITION AND RE-COMPACT TO 95% STANDARD PROCTOR
3. 1.5" MINUS CRUSHED BASE
4. 3" MINUS SUB-BASE
5. NATIVE SUBGRADE

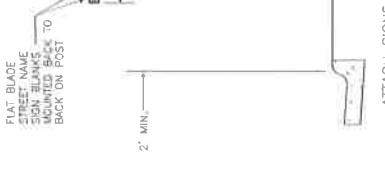
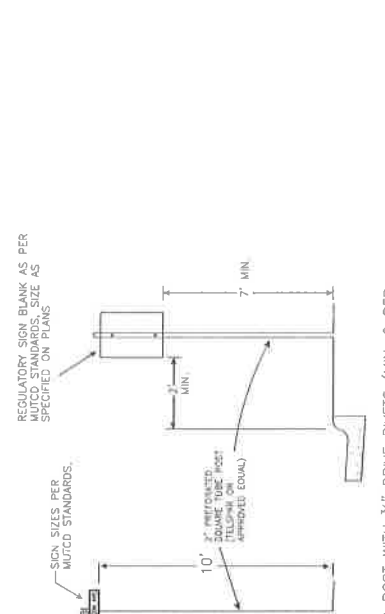
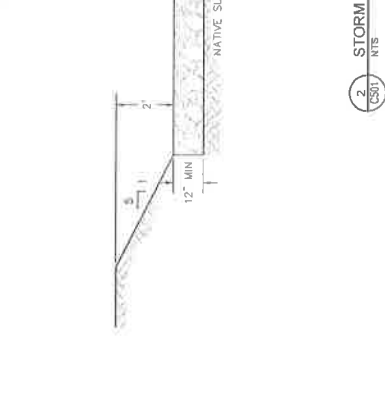
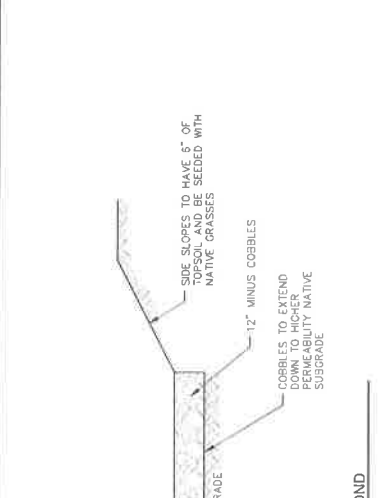


NOTE:
1. CONTROL JOINT - SEAL WITH BITUMINOUS JOINT SEALER
2. EXTERIOR EXPANSION TUBES 1/4" PAST EXTERIOR CURB FACE FOR EXPANSION (IF DOWELS ARE USED)
3. FILLET TO BE PLACED ON 1" MINUS SUB-BASE AT ALL CURB AND STREET BASE, WHICHEVER IS GREATER



NOTE:
1. COMPACTED EMBANKMENT WITH 3" MIN. DEPTH
2. MATCH SLOPE OF STORM POND
3. STORM POND BOTTOM
4. 4" MIN. DEPTH OF COMPACTED EMBANKMENT WITH 4" GRAVEL BASE MATERIAL





REGULATORY SIGN BLANK AS PER MUTCD STANDARDS. SIZE AS SPECIFIED ON PLANS.

SIGN SIZES PER MUTCD STANDARDS.

FLAT BLADE SIGN BLANK MOUNTED BACK TO BACK ON POST.

2" MIN.

10'

7" MIN.

3" DIA. FINISHED SQUARE TUBE POST (APPROVED EQUAL)

3/8" DRIVE RIVETS (MIN. 2 PER SIGN)

REGULATORY SIGN

ATTACH SIGNS TO POST WITH 3/8" DRIVE RIVETS (MIN. 2 PER SIGN)

STREET MARKER SIGN

2" PRE-FABRICATED SQUARE TUBE POST (1/4 GAUGE)

FASTEN POST TO SLEEVE WITH 3/4" CORNER BOLT (A325) 1/2" ABOVE FINISH GRADE. INSERT BOLT THROUGH POST INTO SLEEVE. INSERT DRIVE RIVET INTO OPPOSITE SIDE.

2 1/2" x 30" 12 GAUGE NON-PRE-FABRICATED SQUARE TUBE SIGN POST SLEEVE (TULSPAR QUIK PUNCH OR APPROVED EQUAL)

INSERT SIGN POST 18" INTO SLEEVE

M-4000 CONCRETE ANCHOR

9"

24"

FINISH GRADE

ALL SLEEVES AND SIGN POSTS SHALL BE INSTALLED PLUMB.

REGULATORY SIGN

1 C501 NTS

STREET MARKER SIGN

1 C501 NTS

STORM POND

2 C501 NTS

INSTALL DETECTABLE WARNING TAPE 18" MAXIMUM DEPTH (OPTIONAL)

TRENCH WIDTH=O.D. OF PIPE PLUS 2 FEET MINIMUM TRENCH WIDTH= 3.5 FEET

3'-6" MAXIMUM

EXCAVATED MATERIAL

12" MIN.

EXISTING STREET SURFACE

12" MIN.

PREPARE OF SLOPING SURFACE

NOTE 1: EXCAVATION DEPTHS OVER 20 FEET MUST HAVE SLIDING OR BRACING SYSTEM DESIGNED BY A REGISTERED PROFESSIONAL ENGINEER.

NOTE 2: WHERE TRENCH PASSES THROUGH EXISTING PAVEMENT, THE PAVEMENT SHALL BE CUT ALONG A NEAT VERTICAL LINE. A MINIMUM 12" WIDE OPENING SHALL BE MAINTAINED ON BOTH SIDES OF THE TRENCH. THE OPENING SHALL BE CUT ALONG A NEAT VERTICAL LINE. A MINIMUM 12" WIDE OPENING SHALL BE MAINTAINED ON BOTH SIDES OF THE TRENCH. THE OPENING SHALL BE CUT ALONG A NEAT VERTICAL LINE. A MINIMUM 12" WIDE OPENING SHALL BE MAINTAINED ON BOTH SIDES OF THE TRENCH.

NOTE 3: THE TRENCH SHALL BE BACKFILLED WITH A MINIMUM DRY DENSITY OF 95% OF OPTIMUM MOISTURE CONTENT PER ASTM D698.

NOTE 4: TRENCH BACKFILL, SEE NOTE 4.

TYPE 1" PIPE BEDDING

IMBEDDED 3/4" MINUS SELECT MAXIMUM LAYERS AND THOROUGHLY COMPACTED.

TYPE 2" BEDDING WHERE TRENCH IS LOCATED ON UNSTABLE FOUNDATION.

COMPACT SUBGRADE TO 95% OF PLACEMENT OF PIPE BEDDING.

* SEE OSHA SAFETY AND HEALTH REGULATIONS FOR CONSTRUCTION SECTIONS 1928.651 AND 1926.652.

STORM POND

2 C501 NTS

TYPICAL UTILITY TRENCH

3 C501 NTS

REGULATORY SIGN

1 C501 NTS

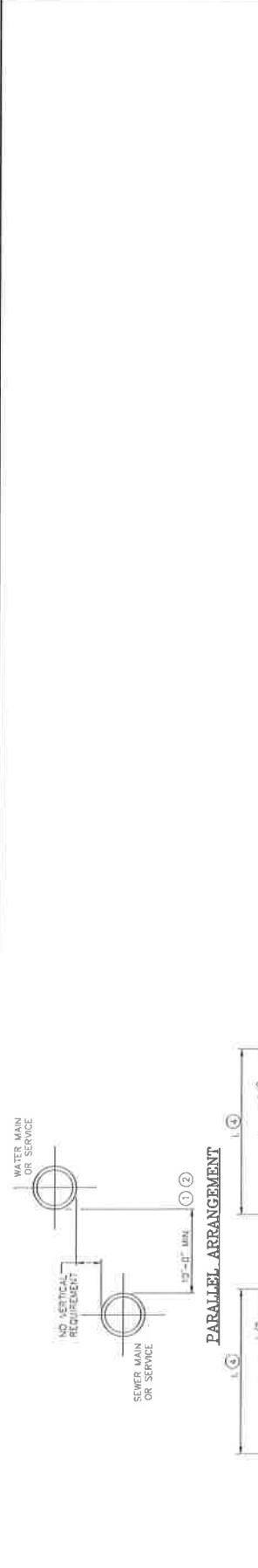
STREET MARKER SIGN

1 C501 NTS

NO.	DATE	DESCRIPTION

713 Pleasant Street
Miles City, Montana 59201
406-231-6668
WWW.MONTANASCI.COM

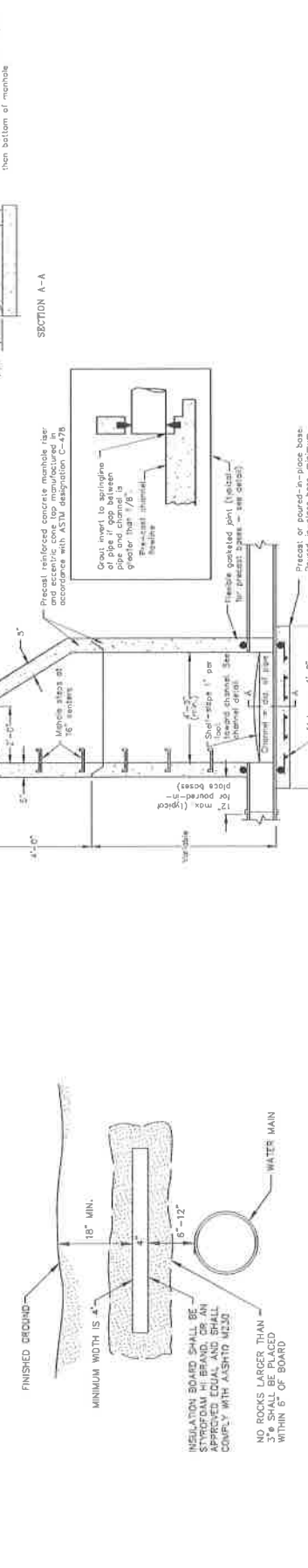
VISION ENTERPRISES MAJOR SUBDIVISION
MILES CITY, MONTANA
DETAILS
SHEET
C502



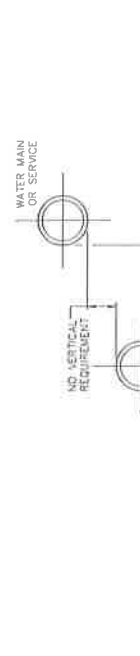
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- NOTES:
1. SPECIFIC MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY APPROVAL IS REQUIRED FOR A DISTANCE LESS THAN 10 FEET BETWEEN WATER MAIN AND GRAVITY SEWER. THIS SEPARATION SHALL ALSO APPLY TO WATER AND SEWER SERVICES.
 2. NO EXCEPTION TO THE MIN. SEPARATION REQUIREMENT IS PERMITTED WHEN THE SEWAGE CARRYING PIPE IS A FORCE MAIN.
 3. THE MINIMUM LENGTH OF WATER MAIN PIPE SHALL BE LOCATED SO THAT BOTH JOINTS WILL BE AS FAR FROM THE FORCE MAIN AS POSSIBLE.
 4. 1" IS A STANDARD LENGTH OF PIPE AS SUPPLIED BY A PIPE MANUFACTURER.
 5. AFFILIATE STRUCTURAL SUPPORT FOR PIPES AT CROSSINGS SHALL BE PROVIDED.

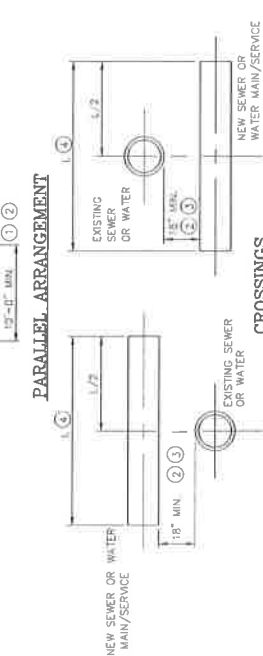
1 WATER/SEWER SEPARATION
NTS



3 PIPE INSULATION
NTS



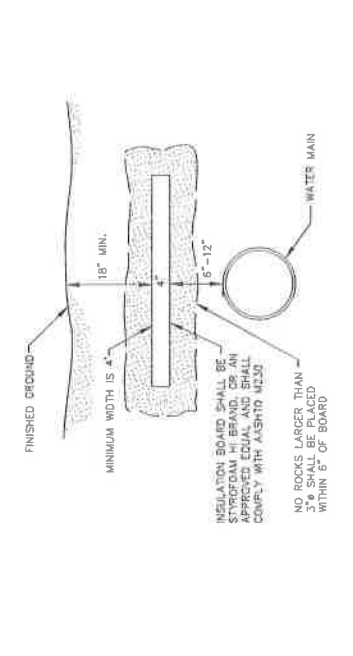
2 INTENTIONALLY LEFT BLANK
NTS



4 SEWER MANHOLE
NTS

- NOTE: Storm drain manholes shall be constructed with a minimum invert height of 6" higher than bottom of manhole.
- NOTE: Storm drain manholes shall be constructed with a minimum invert height of 6" higher than bottom of manhole.
- NOTE: Storm drain manholes shall be constructed with a minimum invert height of 6" higher than bottom of manhole.

4 SEWER MANHOLE
NTS



4 SEWER MANHOLE
NTS

NO.	REVISION	DATE

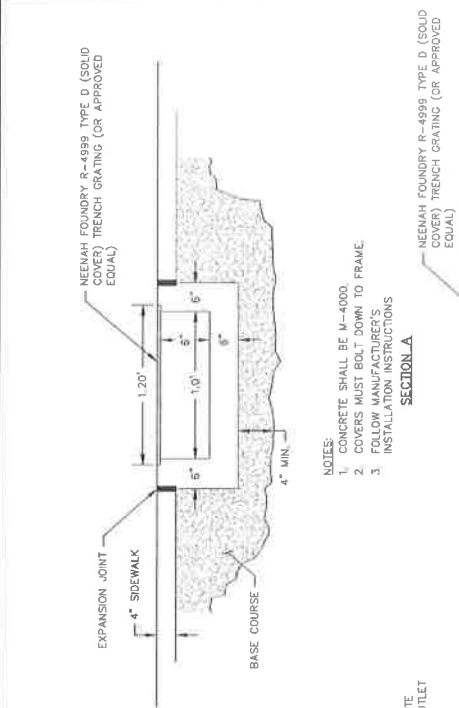
713 Pleasant Street
Missoula, Montana 59801
406-224-6668
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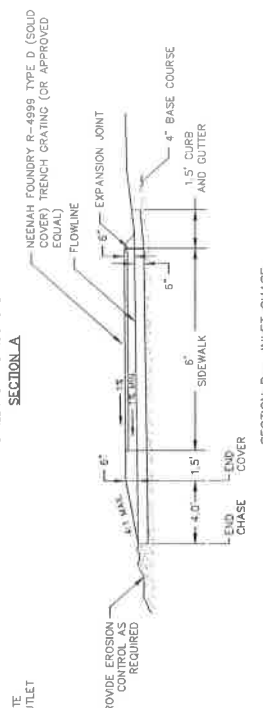
VISION ENTERPRISES MAJOR SUBDIVISION
MILES CITY, MONTANA

PROJECT	2-111111-01
DATE	MARCH 2016

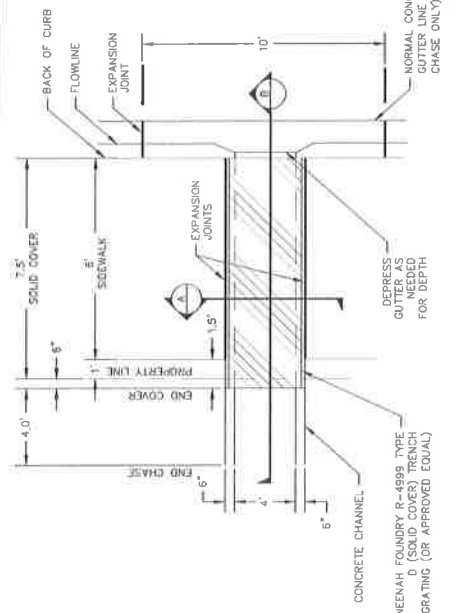
SHEET
C503



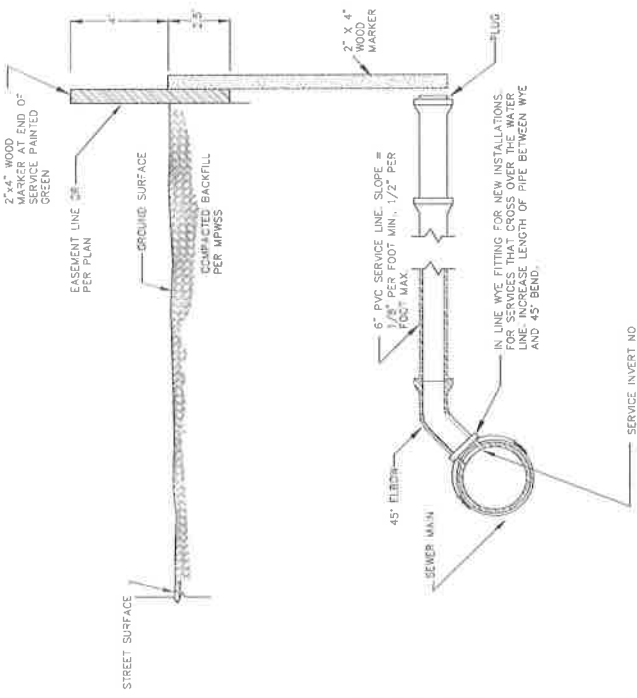
- NOTES:**
1. CONCRETE SHALL BE M-4000
 2. COVERS MUST BOLT DOWN TO FRAME.
 3. SEE ALL APPLICABLE SPECIFICATIONS AND INSTALLATION INSTRUCTIONS.



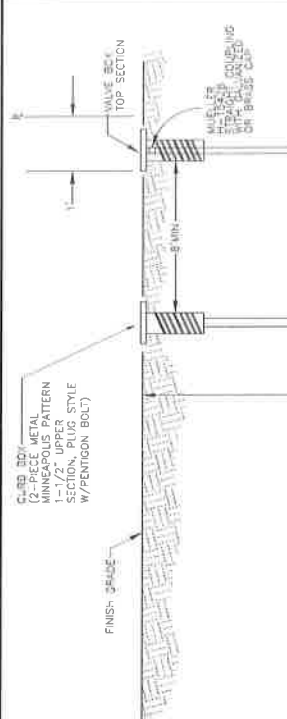
2 **SIDEWALK CHASE**
NTS



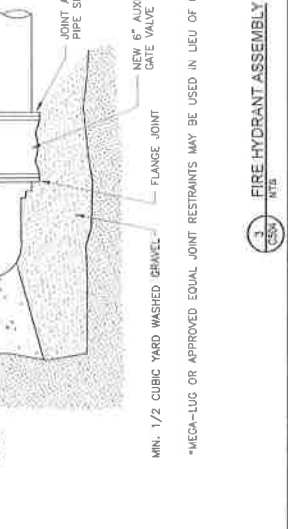
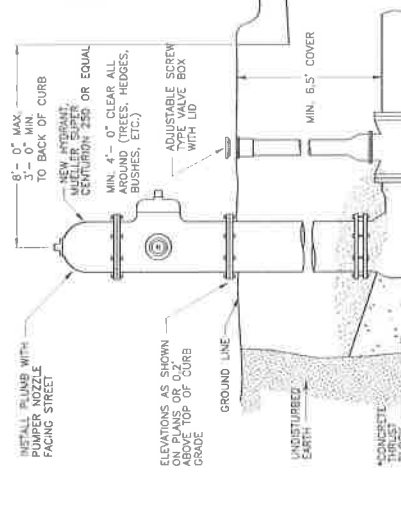
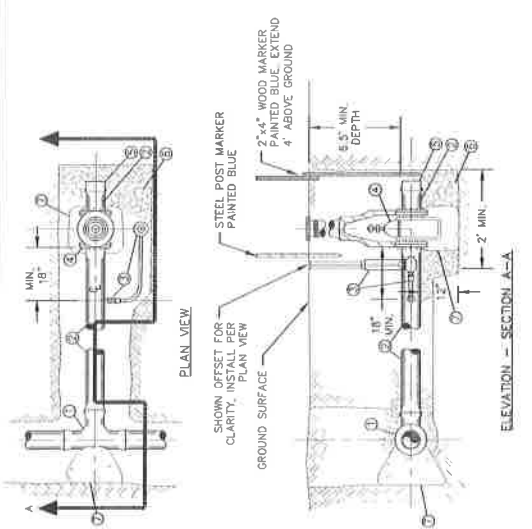
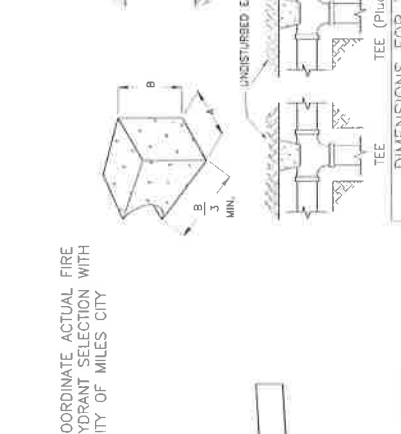
PLAN VIEW



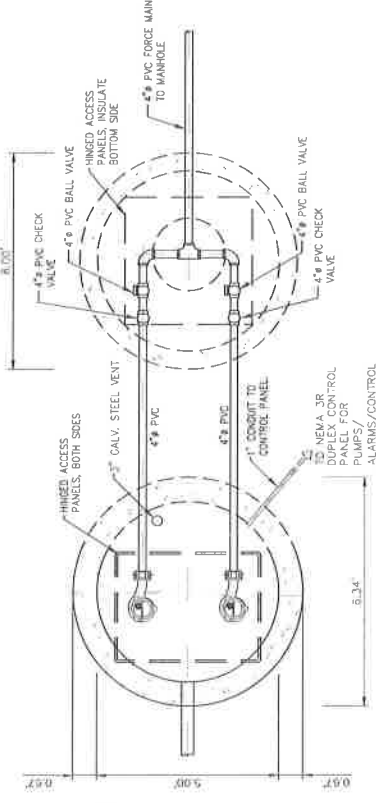
1 **SEWER SERVICE**
NTS



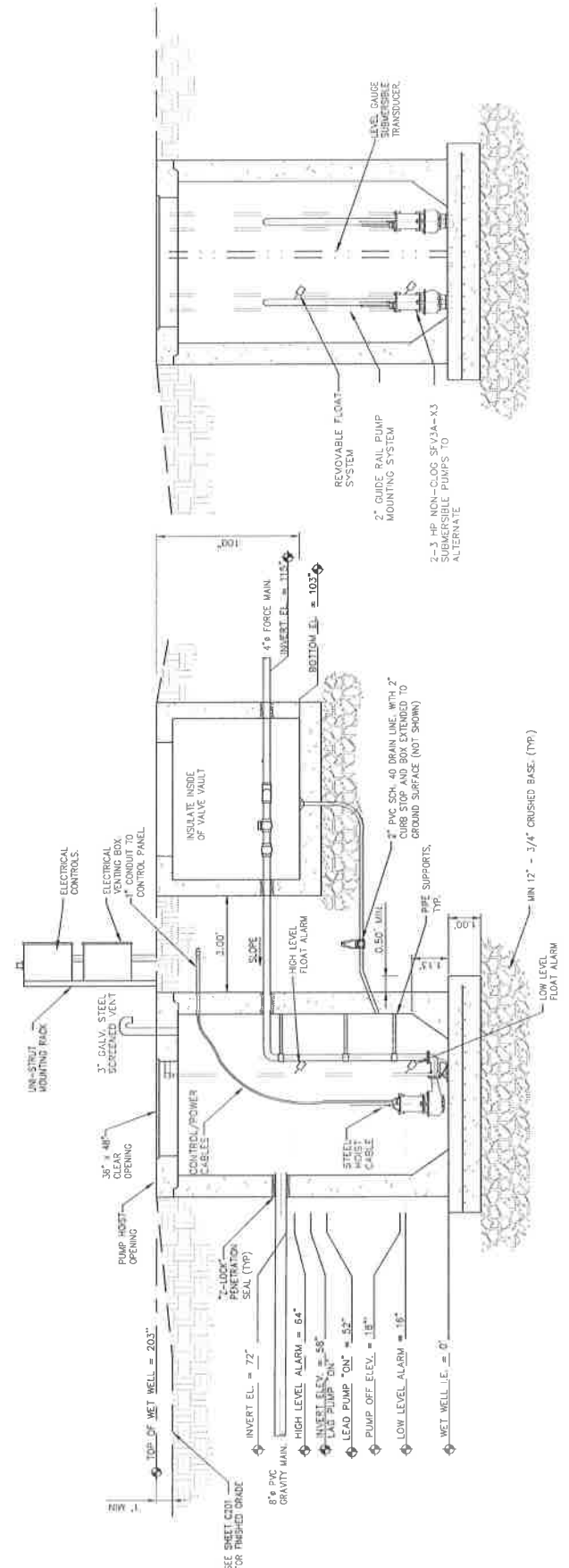
ITEM	QUANTITY	DESCRIPTION
1.	1	6" x 6" C900 PVC TEE, DR-25
2.	1	6" C900 PVC, DR-25
3.	1	2" WATER SERVICE ASSEMBLY
4.	1	ADAPTER, 2" MPT x P.E.
5.	1	2" P.E. PIPE, IPS, SDR-7, MIN 200 PSI
6.	1	2" CURB STOP, RPT x FIPT, STATIONARY ROD AND CURB BOX PER MPWS
7.	1	6" GATE VALVE ASSEMBLY
8.	1	6" M.I. GATE VALVE
9.	1	GATE VALVE BOX, 5 1/4" W. CAST IRON LID
10.	1	6" C900 PVC CAP, DR-25
11.	1	PIPE BEDDING MATERIAL PER MPWS
12.	1	CONCRETE THRUST BLOCK PER DETAIL 47C504



- NOTES:
- ALL MECHANICAL PIPING TO BE FACTORY PRIMEWASHED AND FIELD PAINTED.
 - NOT ALL ITEMS ARE INCLUDED IN MANUFACTURE SUPPLIED LIFT STATION, CONSULT MANUFACTURE.
 - LIFT STATION AND COMPONENTS WILL MEET OR EXCEED ALL DESIGN CRITERIA OUTLINED IN VIDEO CIRCULAR DEC-2, CHAPTER 40.
 - 60" WET WELL APPROX. 145 GALLONS PER FOOT
 - ALL JOINTS BETWEEN CONCRETE SECTIONS ARE TO BE SEALED WITH RAM-NECK, OR O-RING GASKET FOR WATER-TIGHT SEAL.
 - PIPE PENETRATIONS ARE TO BE SEALED WITH A WATERTIGHT RUBBER BOOT. GROUT SPACE BETWEEN PIPE AND CONCRETE WALL.
 - BASE OF MANHOLES ARE TO BE MONOLITHIC WITH BOTTOM WALL SECTIONS.
 - PRECAST COVER TO BE AT LEAST 8" THICK, AND HAVE 2 LAYERS OF REBAR, PER ASTM D478. MANHOLES TO BE SET PLUMB.
 - PROVIDE FIVE PIPE SUPPORTS IN VALVE VAULT, ONE FOR EACH VALVE, AND ONE AT THE TEE.
 - ALL BOLTS, NUTS, WASHERS, AND BRACKETS IN WET WELL OR VAULT TO BE SERIES 316 STAINLESS STEEL.
 - VALVES, COUPLINGS, AND FLANGE ADAPTORS TO BE FUSION BONDED EPOXY COATED (12 MILS MIN) INSIDE AND OUT.
 - INFLUENT SEWERS TO PENETRATE 4-6 INCHES INTO MANHOLE, CUT OFF TOP 1/2" OF PIPE.
 - RE-GRADE SITE TO SLOPE AWAY FROM VAULT AND WET WELL.
 - PROVIDE ELECTRICAL INSULATION BETWEEN PRECAST CONCRETE LID AND ALUMINUM HATCH.



DESIGN CRITERIA:
CAPACITY: 150 GPM @ 15' TDH
NUMBER/TYP. OF PUMPS: 2 SUBMERSIBLE
PUMP HORSEPOWER: 3.0 HP
PUMP RPM: 1750
VOLTAGE/PHASE: 230 V/1P
PUMP SHALL BE A CORMAN-RUPP SEV3A-X3 OR APPROVED EQUAL.



LIFT STATION
KIT

RESOLUTION NO. 3936

A RESOLUTION PURSUANT TO §7-6-4006 OF THE MONTANA CODE ANNOTATED, AUTHORIZING AMENDMENT OF FINAL BUDGET FOR FY 2015-2016 FOR UNANTICIPATED EXPENDITURES AND UNANTICIPATED REVENUE IN THE AIRPORT FUND.

WHEREAS, the City of Miles City wishes to amend the budget for Fiscal Year 2015-2016 for unanticipated expenditures and unanticipated revenues in the Airport Fund, as permitted by §7-6-4006 MCA;

AND WHEREAS, such amendment of the final budget will result in an overall increase in appropriation authority within fund # 5610-87-430300-939:and increased revenues in fund # 5610-331129:

AND WHEREAS the provisions of §7-6-4006 MCA require public hearing upon any budget amendment resulting in an overall increase in appropriation authority,

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

The appropriations for the Final Budget for Fiscal Year 2015-2016 shall be increased in the following amount as the result of unanticipated expenditures:

Fund No. 5610-87-430300-939 in the amount of \$650,000.00;

The appropriations for Final Budget for Fiscal Year 2015-2016 shall be increased in the following amounts as the result of unanticipated revenues:

Fund No. 5610-331129 in the amount of \$386,200.00;

BE IT FURTHER RESOLVED that a public hearing shall be held on the above proposed amendment to the Final Budget for Fiscal Year 2015-2016 on the 26th day of July, 2016, at 7:00 p.m. in the City Council Chambers at City Hall, Miles City, Montana. The City Clerk shall cause notice of such hearing to be published in the Miles City Star, in accordance with §7-1-4128 MCA, at least 2 times with at least 6 days separating each publication.

SAID RESOLUTION READ AND PUT UPON ITS FINAL PASSAGE THIS 12TH DAY OF JULY, 2016.

JOHN HOLLOWELL, Mayor

ATTEST:

Lorrie Pearce, City Clerk

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY
CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF
MILES CITY, MONTANA, THIS 26th DAY OF JULY, 2016.

JOHN HOLLOWELL, Mayor

ATTEST:

Lorrie Pearce, City Clerk

RESOLUTION NO. 3941

**A RESOLUTION AUTHORIZING THE CITY OF MILES CITY TO AWARD A
DOWNTOWN FAÇADE IMPROVEMENT GRANT TO STEIN CHIROPRACTIC**

WHEREAS, the City has established a Façade Improvement Grant for qualified applicants within the Miles City Downtown Urban Renewal District, *and*

WHEREAS, the City has adopted Guidelines for said grant program, and

WHEREAS, Stein Chiropractic has applied for a Downtown Façade Improvement Grant and has met all program criteria set forth in said Guidelines,

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

1. The City hereby awards a Downtown Façade Improvement Grant to Stein Chiropractic in the amount of \$1,000 to assist with repair and painting of the facade on their building at 511 Main Street, Miles City Montana.
2. The Mayor of the City of Miles City is hereby empowered and authorized to execute such further documents as may be necessary to facilitate the delivery said award.

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

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

Return To:
City of Miles City
Box 728
Miles City MT 59301

RESOLUTION NO. 3942

A RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING THE AMENDED PLAT FOR THE PURPOSE OF BOUNDARY LINE RELOCATION OF TRACTS B, E & F OF THE LOTH SPEICH MINOR SUBDIVISION WITHIN THE CITY OF MILES CITY.

WHEREAS, First Interstate Bank, Miles Community College, and Landmark Land Company LLC, all through CTA Architects Engineering, have requested that the City of Miles City approve a boundary line relocation involving Tracts B, E & F of the Lothspeich Minor Subdivision within the City of Miles City, Custer County, Montana;

AND WHEREAS, the City of Miles City is authorized to approve the relocation of common boundary lines for five or fewer lots within a platted subdivision pursuant to Section 76-3-207(1)(d) and (f), MCA.

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

It does hereby adopt the Staff Report to City Council, File #BLA 2016-01, attached hereto as Exhibit "A" as findings of fact, and based on such findings of fact, approves the "AMENDED PLAT Lothspeich Minor Subdivision Tracts B, E, AND F of the Lothspeich Minor Subdivision Plat, Located in the SE1/4NE1/4 of Section 34, Township 8 North, Range 47 East, P.M.M., City of Miles City, Custer County, Montana," said amended plat being attached hereto as Exhibit "B."

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.

ATTEST: _____ John Hollowell, Mayor
Lorrie Pearce, City Clerk

EXHIBIT A

**Report for City Council
Meeting Date July 12, 2016
File #BLA-2016-01 - Boundary Line Adjustment
Amended Plat of the Lothspeich Minor Subdivision**

The subject property is Tracts B, E & F of the Lothspeich Minor Subdivision in Miles City, MT. The applicant, CTA Architects Engineering and First Interstate Bank, is submitting this application on behalf of Miles Community College. The applicant is proposing a boundary line adjustment of Tracts B, E & F to accommodate the extension of Dickinson Street from Moorhead Ave to S. Haynes Ave.

The proposed Tracts B-1, E-1 & F-1 of the Lothspeich Minor Subdivision is a small modification of the property lines of Tracts B, E & F. This amended plat is exempt from Subdivision Review per MCA section 76-3-201(1)(h) but is subject to the survey requirements in MCA 76-3-401.

76-3-201. Exemption for certain divisions of land -- fees for examination of division. (1) *Unless the method of disposition is adopted for the purpose of evading this chapter, the requirements of this chapter may not apply to any division of land that:*

(h) is created for rights-of-way or utility sites. A subsequent change in the use of the land to a residential, commercial, or industrial use is subject to the requirements of this chapter.

This review is being conducted according to the Miles City Code of Ordinances (MCCO) effective May 2015.

The Amended Plat of the Lothspeich Minor Subdivision does not create new tracts of record. The path of the extension of Dickinson Street must curve slightly to the north to meet the requirements of spacing between approaches on the controlled-access S. Haynes Ave. See Page C100. The boundary line adjustment removes enough land from Tracts B and E to account for this alignment. The amended tracts will be identified as Tracts B-1, E-1 and F-1.

Previous existing easements are also being revised on this plat. Easements 1, 2, 3, 4 and 5 are being extinguished. The newly created Tract F-1 is being dedicated to the public for use as a public road thereby extinguishing easements 1 & 2. With the construction of Dickinson St, easements 3, 4, & 5 are no longer necessary for the benefit of Tracts B, C, & D. New easements "Public Underground Utility Easement", "Water Line Easement", "Sidewalk and Curb Easement" are being created with this plat.

Proposed Tracts E-1 and F-1 are appropriately zoned General Commercial (GC). Tract B-1 is zoned Residential B (RB). The subject property is bordered by RB districts to the north and west and General Commercial to the north and south. No change in land use is proposed.

With approval of this Amended Plat, the City will accept the dedication of Dickinson Street. The City will add maintenance of this street to the schedule.

A detailed analysis of traffic at the intersection of S. Haynes and Dickinson has never been commissioned. CTA Architects & Engineers conducted a limited analysis, concluding that the intersection will function at a minimum Level of Service C (15 – 35 second delay) at the time the bank opens.

This proposal is to accommodate construction of the extension of Dickinson Street. Therefore, this boundary line adjustment will not:

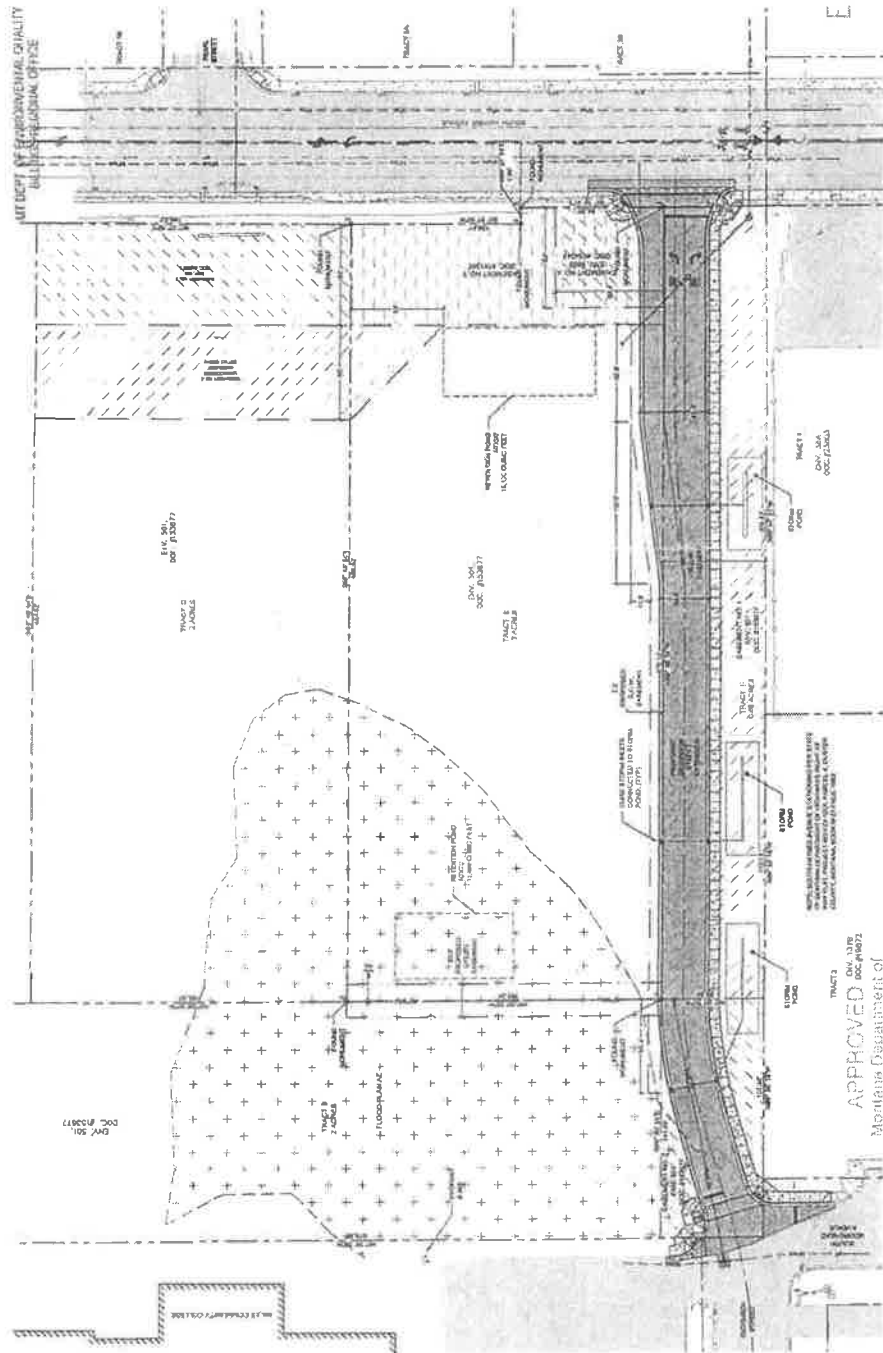
- create additional lots or tracks of land
- impact the ability of the government to provide local services
- endanger public health and safety
- create or expand a non-conforming use
- significantly increase the expansion or cost of services

- significantly increase the amount of roads currently being maintained by the City
- increase emergency response times, fire protection levels, schools and school routes, or landfill requirements
- create any special or rural improvement districts that would obligate the local government either administratively or financially.
- significantly increase traffic loads in the next five years

Per MCA 76-3-207, the proposed amended plat is not a subdivision, is not subject to subdivision review and does not appear to be an attempt to evade subdivision review. This plat will be reviewed by Custer County's Examining Land Surveyor for compliance with surveying requirements of 76-3-401. Therefore, staff recommends approval of the amended plat as proposed.

FIRST INTERSTATE BANK
 TRACT E, LOTHSPREICH MINOR SUBDIVISION, S94, T08 N, R47
 E, TR E, COS 153677, ENV 501A, COS 154243, ENV 503B
 CITY OF MILES CITY, CUSTER COUNTY, MONTANA

RECEIVED
 JAN 22 2016



E016-1591

NOTE:
 LOT LAYOUT PROVIDED BY:
 411 EAST MAIN STREET
 SUITE 101
 MONTANA 59715
 PHONE: 406-555-1100

WATER SUPPLY INFORMATION
 PROJECT: 153677, 154243, 501A, 503B
 ALL CITY OF MILES CITY WATER SUPPLY SYSTEMS
 WATER SUPPLY INFORMATION
 ALL CITY OF MILES CITY WATER SUPPLY SYSTEMS
 WATER SUPPLY INFORMATION

165341 Fee: \$31.00
 Custer County Recorded 3/28/2016 At 2:05 PM

APPROVED
 Montana Department of
 Environmental Quality
 Permitting and Compliance Division
 M. Decker
 2/2/2016

LOT LAYOUT
 PROPOSED

SCALE: 1" = 20'



REC-1000

FIRST INTERSTATE BANK
 NEW BRANCH
 MILES CITY, MONTANA

CONSTRUCTION DOCUMENTS

CTA INC.
 411 EAST MAIN STREET
 SUITE 101
 MONTANA 59715
 PHONE: 406-555-1100

LOT LAYOUT
 PROPOSED

SHEET
 C100A

LEGEND

○	Survey Point
○	Lot Boundary
○	Proposed Structure
○	Proposed Driveway
○	Proposed Utility
○	Proposed Easement
○	Proposed Right-of-Way
○	Proposed Access
○	Proposed Enclosure
○	Proposed Fencing
○	Proposed Landscaping
○	Proposed Paving
○	Proposed Grading
○	Proposed Retention Wall
○	Proposed Stormwater Management
○	Proposed Other

Return to:

Security Abstract & Title Company
510 Main St., PO Box 1588
Miles City, MT 59301
Phone - 406-234-3415

154304 Fee: \$14.00

Custer County Recorded 6/12/2012 At 1:20 PM
Linda Corbett, Clk & Rcdr By Linda Corbett
Return to: Security Abstract In Person

Document 154304
6/12/2012
W.D.
VISION ENTERPRISES
TO
LANDMARK LAND CO
Tract B
501A

WARRANTY DEED

THIS INDENTURE, made the 12 day of June, 2012 between **VISION ENTERPRISES, LLC**, a limited liability company of 2323 S. Haynes, Miles City, Montana 59301, Party of the FIRST PART, and **LANDMARK LAND COMPANY, LLC**, a North Dakota limited liability company registered to do business in Montana, of P. O. Box 1881, Dickinson, North Dakota 58602, Party of the SECOND PART;

WITNESSETH, that the said Party of the FIRST PART, for and in consideration of the sum of One Dollar and Other Valuable Consideration (\$1.0VC), lawful money of the United States of America to Party of the FIRST PART in hand paid by said Party of the SECOND PART, the receipt whereof is hereby acknowledged; does by these presents grant, bargain, sell, convey, warrant and confirm unto the said Party of the SECOND PART, and to its successors and assigns forever, the hereinafter described real estate situated in the County of CUSTER, and State of Montana, to-wit:

TOWNSHIP 8 NORTH, RANGE 47 EAST, M.P.M.

Section 34: Tract B of the Lothspeich Minor Subdivision, being a tract of land located in the SE1/4NE1/4 of said Section 34, Township 8 North, Range 47 East, M.P.M., according to Certificate of Survey, filed for record on March 15, 2012, as Document No. 153677, in Envelope No. 501A of the Plat Cabinet in the office of the County Clerk and Recorder in and for Custer County, Montana.

SUBJECT TO all visible easements and rights-of-way, and easements, reservations and exceptions of record.

TOGETHER with all and singular the hereinbefore described premises together with all tenements, hereditaments, and appurtenances thereto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof; and also all the estate, right, title, interest, right of dower and right of homestead, possession, claim and demand whatsoever, as well in law as in equity, of the said Party of the FIRST PART, of, in or to the said premises, and every part and parcel thereof, with the appurtenances thereto belonging, TO HAVE AND TO HOLD, all and singular the above mentioned and described premises unto the said Party of the SECOND PART, and to its successors and assigns forever.

And the said Party of the FIRST PART, and its successors and assigns, does hereby covenant that Party of the FIRST PART will forever WARRANT and DEFEND all right, title and interest in and to the said premises and the quiet and peaceable possession thereof, unto the said Party of the SECOND PART, its successors and assigns, against all acts and deeds of the said Party of the FIRST PART, and all and every person and persons whomsoever lawfully claiming or to claim the same.

IN WITNESS WHEREOF, the said Party of the FIRST PART has hereunto set its hand and seal the day and year first hereinbefore written.

VISION ENTERPRISES, LLC

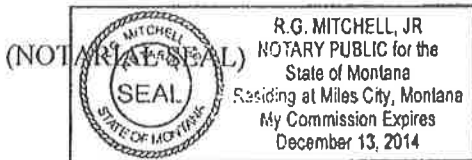
By: _____

[Signature]
Its Managing Member

STATE OF MONTANA)
) ss
COUNTY OF CUSTER)

On this 12 day of June, 2012, before me, the undersigned, a Notary Public for the State of Montana, personally appeared ROBER LOTH SPEICH, known to me to a managing member of VISION ENTERPRISES, LLC, and the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.



[Signature]
Printed Name of Notary: RG Mitchell Jr
Notary Public for the State of Montana
Residing at Miles City, Montana
My Commission Expires: 12/13/2014

154304 Fee: \$14.00
Custer County Recorded 6/12/2012 At 1:20 PM

Return to:
KRUTZFELDT & JONES, LLP
1200 Pleasant Street
Miles City, Montana 59301

155932
12/27/2012
WID.
VISION ENTERPRISES, LLC
TO
MILES COMMUNITY
COLLEGE
TRACT F
ENV 501A

155932 Fee: \$14.00

Custer County Recorded 12/27/2012 At 3:01 PM
Linda Corbett, Clk & Rcdr By *[Signature]*
Return to: Krutzfeldt & Jones 1200 Pleasant Street
Miles City MT 59301

WARRANTY DEED

FOR VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged, the undersigned, ROGER LOTH SPEICH, in his capacity as member agent for VISION ENTERPRISES LLC, a Montana limited liability company, with a business address of 2323 South Haynes Avenue, Miles City, Montana 59301, referred to as "GRANTOR," whether one or more, does hereby grant, sell and convey unto MILES COMMUNITY COLLEGE, of 2715 Dickinson Street, Miles City, Montana 59301, referred to as "GRANTEE," whether one or more, the real property which is more particularly described as follows:

REAL PROPERTY LOCATED IN CUSTER COUNTY, MONTANA:

TOWNSHIP 8 NORTH, RANGE 47 EAST, M.P.M., in Custer County, Montana
Section 34: Tract F of the Lothspeich Minor Subdivision, being a tract of land located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 34, Township 8 North, Range 47 East, M.P.M., according to Certificate of Survey, filed for record on March 15, 2012, as Document No. 153677, in Envelope No. 501A of the Plat Cabinet in the office of the County Clerk and Recorder in and for Custer County, Montana.

Together with all water rights, buildings and improvements, tenements, hereditaments, and appurtenances, thereon and thereto.

SUBJECT TO the following:

- a. All prior oil, mineral and royalty reservations and conveyances of records;
- b. Recorded and visible easements and rights-of-way;
- c. Easement Agreement for non-exclusive private road and utility easements and matters incidental thereto granted to Landmark Land Company, LLC, a

- North Dakota limited liability company, registered to do business in Montana, and Grantor recorded June 12, 2012, as Document No. 154305;
- d. Reservations and exceptions in patents and other conveyances of record;
 - e. Any unpaid or unmatured installments and any interest thereon, for any special improvements or purposes of a like nature, from and after the date set forth below;
 - f. Federal, state and local laws and regulations affecting this property, including zoning and land use regulations;
 - g. Questions of boundary or fence lines dependent upon actual survey for determination;
 - h. Adjudications, re-adjudications or determinations in accordance with Montana law regarding any water rights appurtenant to the property which are currently before the Montana Water Courts or may be brought before the Montana Water Courts at some future time; and,
 - i. General real estate taxes from and after the date set forth below.

EXCEPT with reference to the exceptions stated above, this Deed is given with the covenants expressed in Mont. Code Ann. § 30.11.110.

TO HAVE AND TO HOLD unto Grantee, and Grantee's heirs and assigns forever.


DATED: December 21, 2012

VISION ENTERPRISES LLC, A
Montana Limited Liability Company

By: x 
ROGER LOTH SPEICH, Member
Agent

STATE OF MONTANA)
 :SS
COUNTY OF CUSTER)

THE FOREGOING DOCUMENT was signed before me on December 21, 2012 by ROGER LOTH SPEICH, in his capacity as member agent for VISION ENTERPRISES LLC, a Montana limited liability company.

 _____ Signature
Name Printed/Typed
Notary Public for the State of: Montana
Residing at: _____
My Commission expires: _____

~ SEAL ~

Return to:
KRUTZFELDT & JONES, LLP
507 Pleasant Street
Miles City, Montana 59301

RETURN TO:
Security Abstract & Title Co.
PO Box 1588
Miles City, MT 59301

163132 Fee: \$14.00

Custer County Recorded 5/4/2025 At 4:00 PM

Linda Corbett, Clk & Rcdr By Lisa Wagner
Return to: Security Abstract In Person

WARRANTY DEED

FOR VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged, the undersigned, VISION ENTERPRISES LLC, a Montana limited liability company, of 2323 South Haynes Avenue, Miles City, Montana 59301, referred to as "GRANTOR," whether one or more, does hereby grant, sell and convey unto FIRST INTERSTATE BANK, a Montana corporation, of 401 North 31st Street, Billings, Montana 59101, referred to as "GRANTEE," whether one or more, the interest of Grantor in the real property which is more particularly described as follows:

REAL PROPERTY LOCATED IN CUSTER COUNTY, MONTANA:

TOWNSHIP 8 NORTH, RANGE 47 EAST, M.P.M.

Section 34: Tract E of the Lothspeich Minor Subdivision, being a tract of land located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 34, Township 8 North, Range 47 East, M.P.M., according to Certificate of Survey of the Lothspeich Minor Subdivision, filed for record on March 15, 2012, as Document No. 153677, in Envelope No. 501A and the Amended Plat of the Lothspeich Minor Subdivision, filed for record June 6, 2012 as Document No. 154243 in Envelope No. 503B of the plat cabinet in the office of the County Clerk and Recorder in and for Custer County, Montana.

Together with all water rights, buildings and improvements, tenements, hereditaments, and appurtenances, thereon and thereto.

SUBJECT TO the following:

- a. All prior oil, mineral and royalty reservations and conveyances of records;


- b. Recorded and visible easements and rights-of-way;
- c. Reservations and exceptions in patents and other conveyances of record;
- d. Any unpaid or unmatured installments and any interest thereon, for any special improvements or purposes of a like nature, from and after the date set forth below;
- e. Federal, state and local laws and regulations affecting this property, including zoning and land use regulations;
- f. Questions of boundary or fence lines dependent upon actual survey for determination;
- g. Adjudications, re-adjudications or determinations in accordance with Montana law regarding any water rights appurtenant to the property which are currently before the Montana Water Courts or may be brought before the Montana Water Courts at some future time; and,
- h. General real estate taxes from the date set forth below.

EXCEPT with reference to the exceptions stated above, this Deed is given with the covenants expressed in Mont. Code Ann. § 30.11.110.

TO HAVE AND TO HOLD unto Grantee, and Grantee's successors and assigns forever.

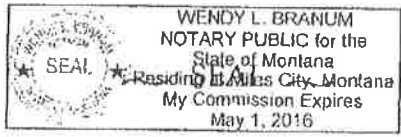
DATED: May 1, 2015


VISION ENTERPRISES LLC, A
Montana Limited Liability Company

BY: 
 Its: Sole member

STATE OF Montana)
) SS
 COUNTY OF Custer)

THE FOREGOING DOCUMENT was signed before me on May 1, 2015, by Roger L. Lottspeich, in his capacity as Sole member, of VISION ENTERPRISES LLC, a Montana limited liability company



 Signature
 Name Printed/Typed
 Notary Public for the State of: Montana
 Residing at: _____
 My Commission expires: _____



File No. _____
(for official use only)

SUBDIVISION EXEMPTION CLAIM APPLICATION

Miles City Community Services & Planning
17 South 8th Street, PO Box 910
Miles City, MT 59301

Date Received: JUN 22 2016
(for official use only)

Attach a check payable to the City of Miles City for \$200.00 and submit the application materials (Original, plus 2 copies) to the City of Miles City Community Services and Planning Department, 17 S. 8th Street, Miles City, MT, 59301.

1. Property owner(s): (If more than 2, please attach additional sheets)

a. Name: First Interstate Bank Occupation: Bank

Address: 401 N. 31st Street Phone: 406-896-4627

City, State, Zip: Billings, MT 59101-1200 Email: MAMonson@hollandhart.com

b. Name: Miles Community College Occupation: Education

Address: 2715 Dickinson Street Phone: 406-874-6181

City, State, Zip: Miles City, MT 59301-4774 Email: smithl@milescc.edu

c. Name: Landmark Land Company LLC Occupation: Development

Address: PO Box 1881 Phone: 406-232-4766

City, State, Zip: Dickinson, ND 58602-1881 Email: scathey@whchampionoil.com

2. Surveyor/Representative:

Name: George Bornemann Firm: CTA Architects Engineers

Address: 121 S. Main Street Phone: 406-222-0104

City, State, Zip: Livingston, MT 59047 Email: georgeb@ctagroup.com

3. Parcel Description(s) of Existing Tract(s): (If more than 2, please attach additional sheets)

a. Address: Tract E, Lothspeich Minor Sub. Env. 501A, COS 153677

Tax ID Number: RFC2184 Geocode: 14-1740-34-1-06-04-0000

Section: 34 Township: 8N Range: 47E

Other legal description: _____

Zoning District: General Commercial Minimum Lot Size: _____

How and when was the parcel was created (example: Subdivision: X Addition, 10/3/92):

Lothspeich Minor Sub. Env. 501A, COS 153677 3/15/2012

b. Address: Tract F Lothspeich Minor Sub. Env. 501A, COS 153677

Tax ID Number: RFC2185 Geocode: 14-1740-34-1-06-05-0000

Section: 34 Township: 8N Range: 47E

Other legal description: _____

Zoning District: General Commercial Minimum Lot Size: _____

How and when the existing parcel was created (example: Subdivision: X Addition, 10/3/92):

Lothspeich Minor Sub. Env. 501A, COS 153677 3/15/2012

c. Address: Tract B Lothspeich Minor Sub. Env. 501A, COS 153677

Tax ID Number: RFC2186 Geocode: 14-1740-34-1-06-06-0000

Section: 34 Township: 8N Range: 47E

Other legal description: _____

Zoning District: C Residential, RC Minimum Lot Size: _____

How and when the existing parcel was created (example: Subdivision: X Addition, 10/3/92):

Lothspeich Minor Sub. Env. 501A, COS 153677 3/15/2012

4. Proposed Exemption(s):

This application is used for proposals to relocate common boundaries between adjoining properties, and/or the aggregation of lots, or miscellaneous exemptions (MCA 76-3-. Please indicate which exemptions apply to this proposal by checking the appropriate box(es):

- A division made outside of platted subdivisions for the purpose of relocating common boundary line(s) between adjoining properties. [76-3-207(1)(a), MCA]
- For five or fewer lots within a platted subdivision, the relocation of common boundaries. [76-3-207(1)(d), MCA]
- A division made for the purpose of relocating a common boundary line between a single lot within a platted subdivision and adjoining land outside a platted subdivision. A restriction or requirement on the original platted lot or original unplatted parcel continues to apply to those areas. [76-3-207(1)(e), MCA]

- Aggregation of parcels or lots when a certificate of survey or subdivision plat shows that the boundaries of the original parcels have been eliminated and the boundaries of a larger aggregate parcel are established. A restriction or requirement on the original platted lot or original unplatted parcel continues to apply to those areas. [76-3-207(1)(f), MCA]
- A division of land that is created for rights-of-way or utility sites. A subsequent change in the use of the land to a residential, commercial, or industrial use is subject to the requirements of this chapter [76-3-201(1)(h), MCA]
- Other (please describe) _____

a. Reasons/justification for use of the exemption:
Relocate Boundary Lines to Create a Tract (F-1) for use for Public Road

b. Intentions for uses of the property (List or discuss the property owners' intentions for the use of each resulting parcel. For example, will the parcel(s) be used for agriculture, commercial, residences, etc.):
Tract E-1 to be used for commercial bank property. Tract B-1 to remain undeveloped at this time. Tract F-1 to be dedicated to the Public for road purposes

c. Intentions for disposition (For example, is the intent to correct a building or fence encroachment, to bring the property into compliance with zoning requirements, to prepare tracts for sale, etc.):
To create a Tract for use for right-of-way purposes

5. Required attachments:

- Submit the original, signed application, along with two additional copies of the completed application and the information listed below.
- a. Copies of recorded deeds documenting present ownership of affected parcels.
 - b. Copies of all deeds, contracts, restrictions, and covenants related to this property recorded or entered into within the past year.

- c. Site plan (or draft certificate of survey or subdivision/amended plat) showing the approximate gross and net lot sizes (in acreage or square feet), proposed property lines, and all existing and proposed structures. The site plan should also identify property line setbacks, parking spaces, and any other information necessary to demonstrate compliance with the zoning code.
- d. Documentation of approved variances from zoning requirements related to the affected parcels.
- e. Copies of existing and proposed deed restrictions or covenants, if any.
- f. All documentation in support of the sanitation exemption(s), if applicable.
- g. Copies of any existing permits for the development on the property (building permits, floodplain permits, etc.), as applicable.

6. Acknowledgments:

I/We, the undersigned landowner(s) and exemption claimant(s) understand that the State of Montana provides that certain divisions of land, which would otherwise constitute subdivisions, are exempt from local subdivision review and approval, unless the transactions are an attempt to evade the Montana Subdivision and Platting Act or local subdivision regulations.

I/We affirm that this exemption claim is not an attempt to evade the Montana Subdivision and Platting Act or the Miles City Subdivision Regulations.

I/We recognize that I/We may be subject to penalties if my actions are deemed to be an effort to evade subdivision review, as set forth in Montana law:

- 76-3-301(3), MCA: If transfers not in accordance with the Montana Subdivision and Platting Act are made, the City Attorney shall commence action to enjoin further sales or transfers and complete compliance with all provision of the Montana Subdivision and Platting Act. The cost of such action shall be imposed against the party not prevailing.
- Violations: Any person who violates any provision of the Montana Subdivision and Platting Act or any local regulations adopted pursuant thereto shall be guilty of a misdemeanor and punishable by a fine of not less than \$100 or more than \$500 or by imprisonment in a county jail for not more than 3 months or by both fine and imprisonment. Each sale, lease, or transfer of each separate parcel of land in violation of any provision of this chapter or any local regulation adopted pursuant thereto shall be deemed a separate and distinct offense.
- I/We also recognize that making false statements on this form could subject me to criminal prosecution for False Swearing (per MCA 45-7-202) and Perjury (per MCA 45-7-201).
- I/We also recognize that per 45-7-203(1), MCA (Unsworn falsification to authorities), A person commits an offense under 45-7-203 if, with the purpose to mislead a public servant in performing an official function, the person:
 - (a) makes any written false statement that the person does not believe to be true;
 - (b) purposely creates a false impression in a written application for any pecuniary or other benefit by omitting information necessary to prevent statements from being misleading;
 - (c) submits or invites reliance on any writing that the person knows to be forged, altered, or otherwise lacking in authenticity; or
 - (d) submits or invites reliance on any sample, specimen, map, boundary mark, or other object that the person knows to be false.

7. Signatures:

I/We, as Claimant(s), has/have read the foregoing Exemption Claim Application, and affirm that my/our statements and information are true and correct to the best of my/our knowledge.

FIRST INTERSTATE BANK

Date: _____

By: _____
Jeff Rodenbaugh, President, First Interstate Bank, Miles City

MILES COMMUNITY COLLEGE

Date: _____

By: _____
Stacy Klippenstein, President

LANDMARK LAND COMPANY, LLC

Date: 6/17/16

By: Sheryl J. Cathey
Sheryl J. Cathey, Manager

7. Signatures:

I/We, as Claimant(s), has/have read the foregoing Exemption Claim Application, and affirm that my/our statements and information are true and correct to the best of my/our knowledge.

FIRST INTERSTATE BANK

Date: _____

By: _____
Jeff Rodenbaugh, President, First Interstate Bank, Miles City

MILES COMMUNITY COLLEGE

Date: 6/20/16

By:  _____
Stacy Klippenstein, President

LANDMARK LAND COMPANY, LLC

Date: _____

By: _____
Sherri J. Cathet, Manager

7. Signatures:

I/We, as Claimant(s), has/have read the foregoing Exemption Claim Application, and affirm that my/our statements and information are true and correct to the best of my/our knowledge.

FIRST INTERSTATE BANK
By: 
Jeff Reichenbach, President, First Interstate Bank, Miles City

Date: 6.17.16

MILES COMMUNITY COLLEGE
By: _____
Stacy Klippenstein, President

Date: _____

LANDMARK LAND COMPANY, LLC
By: _____
Sheryl J. Cathey, Manager

Date: _____



Steve Bullock, Governor

Airport Business Park • 1371 Rimtop Dr. • Billings, MT 59105-9702 • Website: www.deq.mt.gov

Kris Desper, PE
CTA
411 East Main Street, Suite 101
Bozeman, Montana 59715

February 2, 2016

Re: Lothspeich Minor Subdivision Tract E – Custer County

EQ# 16-1591

Dear Consultant:

The plans and supplemental information relating to the water supply, sewage, solid waste disposal, and storm drainage (if any) for the above referenced division of land have been reviewed as required by ARM Title 17 Chapter 36 (101-805) and have been found to be in compliance with those rules.

Two copies of the Certificate of Subdivision Plat Approval are enclosed. The original is to be filed at the office of the county clerk and recorder.

Development of the approved subdivision may require coverage under the Department's General Permit for Storm Water Discharges Associated with Construction Activity, if your development has construction-related disturbance of one or more acre. If so, please contact the Storm Water Program at (406) 444-3080 for more information or visit the Department's storm water construction website at <http://www.deq.state.mt.us/wqinfo/MPDES/StormwaterConstruction.asp>. Failure to obtain this permit (if required) prior to development can result in significant penalties.

Your copy is to inform you of the conditions of the approval. Please note that you have specific responsibilities according to the plat approval statement primarily with regard to informing any new owner as to any conditions that have been imposed.

If you wish to challenge the conditions of this Certificate of Subdivision Plat Approval, you may request a hearing before the Board of Environmental Review or the Department, pursuant to Section 76-4-126, MCA and the Montana Administrative Procedures Act.

If you have any questions, please contact this office.

Sincerely,

for Barbara Kingery, PE, Supervisor
Subdivision Review Section

cc: Custer County Sanitarian
Custer County Planning
First Interstate Bank, Owner
File

BK/MWW

STATE OF MONTANA
DEPARTMENT OF ENVIRONMENTAL QUALITY
CERTIFICATE OF SUBDIVISION PLAT APPROVAL
(Section 76-4-101 et seq., MCA)

TO: County Clerk and Recorder
Custer County
Miles City, Montana

EQ # 16-1591

THIS IS TO CERTIFY THAT the plans and supplemental information relating to the subdivision known as **Tract E, Lothspeich Minor Subdivision**;

A tract of land located in the northeast ¼ of Section 34, Township 8 North, Range 47 East, PMM, Custer County, Montana

consisting of one (1) existing parcel, have been reviewed by personnel of the Permitting and Compliance Division, and,

THAT the documents and data required by ARM Title 17, Chapter 36 have been submitted and found to be in compliance therewith, and,

THAT the approval of Tract E is made with the understanding that the following conditions shall be met:

THAT the tract size as indicated on the plat filed with the county clerk and recorder will not be further altered without approval, and,

THAT Tract E shall be used for one commercial unit, and,

THAT water supply and wastewater treatment will be provided by extension of and service connection to water and sewer mains owned by either the **Custer County Water & Sewer District (PWSID MT0003041)** or the **City of Miles City (PWSID MT0000291)**, and,

THAT the extension to the water supply system shall be in accordance with the plans and specifications approved by the Department under EQ 16-1484, approved February 2, 2016, and,

THAT construction of the storm drainage system will be completed within three years of the date of this approval; if more than three years pass before completing construction, it shall be necessary to resubmit the plans and specifications, and,

THAT prior to placing the storm drainage system into service, a professional engineer shall certify by letter to the Department that the extension was completed in accordance with the plans and specifications approved by the Department with no deviations from design standards other than those already approved, and,

THAT within 90 days after construction of the storm drainage system is completed, a professional engineer shall provide to the Department a complete set of record drawings bearing the signature and seal of the professional engineer, and,

THAT the storm water management system for the tract will consist of site grading, landscaping, and two retention ponds with minimum volumes of 11,680 cubic feet (west pond) and 15,120 cubic feet (east pond) as detailed in the storm drainage report prepared by **Kris A. Desper, 18886PE**; maintenance of the storm water system is the responsibility of the owner, and,

165341 Fee: \$31.00

Custer County Recorded 3/28/2016 At 2:05 PM
Linda Corbett, Clk & Rcdr By *[Signature]*
Return to: Kris Desper 411 Main Street, Suite 101
BOZEMAN MT 59715

Page 2 of 2

Tract E, Lothspeich Minor Subdivision

Custer County

EQ # 16-1591

THAT water supply systems, sewage treatment systems and storm drainage systems will be located as shown on the approved plans, and,

THAT all sanitary facilities must be located as shown on the attached lot layout, and,

THAT the developer and/or owner of record shall provide the purchaser of property with a copy of the plat, approved location of water supply and sewage treatment system as shown on the attached lot layout, and a copy of this document, and,

THAT instruments of transfer for this property shall contain reference to these conditions, and,


THAT departure from any criteria set forth in the approved plans and specifications and ARM Title 17, Chapter 36, Subchapters 1, 3, and 6 when erecting a structure and appurtenant facilities in said subdivision without Department approval, is grounds for injunction by the Department of Environmental Quality.

THAT pursuant to Section 76-4-122 (2)(a), MCA, a person must obtain the approval of both the reviewing authority under Title 76, Chapter 4, MCA, and local health officer having jurisdiction, before filing a subdivision plat with the county clerk and recorder.

YOU ARE REQUESTED to record this certificate by attaching it to the plat filed in your office as required by law.

DATED this 24th day of February, 2016.

Tom Livers
Director

By: 

Barbara Kingery, PE, Supervisor
Subdivision Review Section
Permitting and Compliance Division
Department of Environmental Quality

Owner's Name: First Interstate Bank

165341 Fee: \$31.00
Custer County Recorded 3/28/2016 At 2:05 PM



June 18th, 2015

Rachel Lunn
Facilities Manager II
First Interstate Bank
PO Box 30918
Billings, MT 59116-0918

RE: Limited Traffic Analysis

Ms. Lunn,

On June 11th, CTA was tasked with performing a limited traffic analysis which was to examine three elements:

1. The predicted level of service of the new intersection at the time of opening
2. What, if any, improvements are planned for Haynes Ave
3. What are the potential effects related to the proposed access/frontage road

This correspondence will address the above items.

1. PREDICTED LEVEL OF SERVICE (LOS)

No traffic counts were conducted as part of this analysis. To estimate the peak traffic quantities at the proposed intersection, AADT (average annual daily traffic) values provided by MDT (Montana Department of Transportation) were extrapolated. These values provided by MDT listed actual AADT's of

- AADT 2012 12,160
- AADT 2013 12,590
- AADT 2014 11,320

for a count location on Haynes Ave near the site. The average AADT values for the past three years equals 12,023. Research indicates peak hour traffic volumes can roughly be estimated by taking 10% of AADT values. To determine a north-south distribution, Google Earth imagery was analyzed. Lastly, to predict the number of new trips generated by the bank, ITE land use 912 Drive-in Bank was selected. The following is a summary of the values used:

1. Average AADT 12,023
2. 10% of averaged AADT used to calculate a peak hour of 1203 vehicles
3. 62.50% Trips Southbound, 37.50% Trips Northbound
4. 133 PM Peak hour trips generated, 65 enter, 68 exit

Using these values, Syncho 9 was used to model the new T-shape stop controlled intersection, per MDT comments. This analysis indicates the following levels of service for the controlling movements at the time of opening, for bank generated traffic only:

<u>Movement</u>	<u>LOS</u>	<u>Delay (sec)</u>
• Eastbound Exiting Left-turning-movement (LTM)	C	18.8
• Eastbound Existing Right-turning-movement (RTM)	C	16.3
• Northbound Entering Left-turning-movement (LTM)	A	9.78
• Highway Capacity Manual Approach LOS	C	17.2

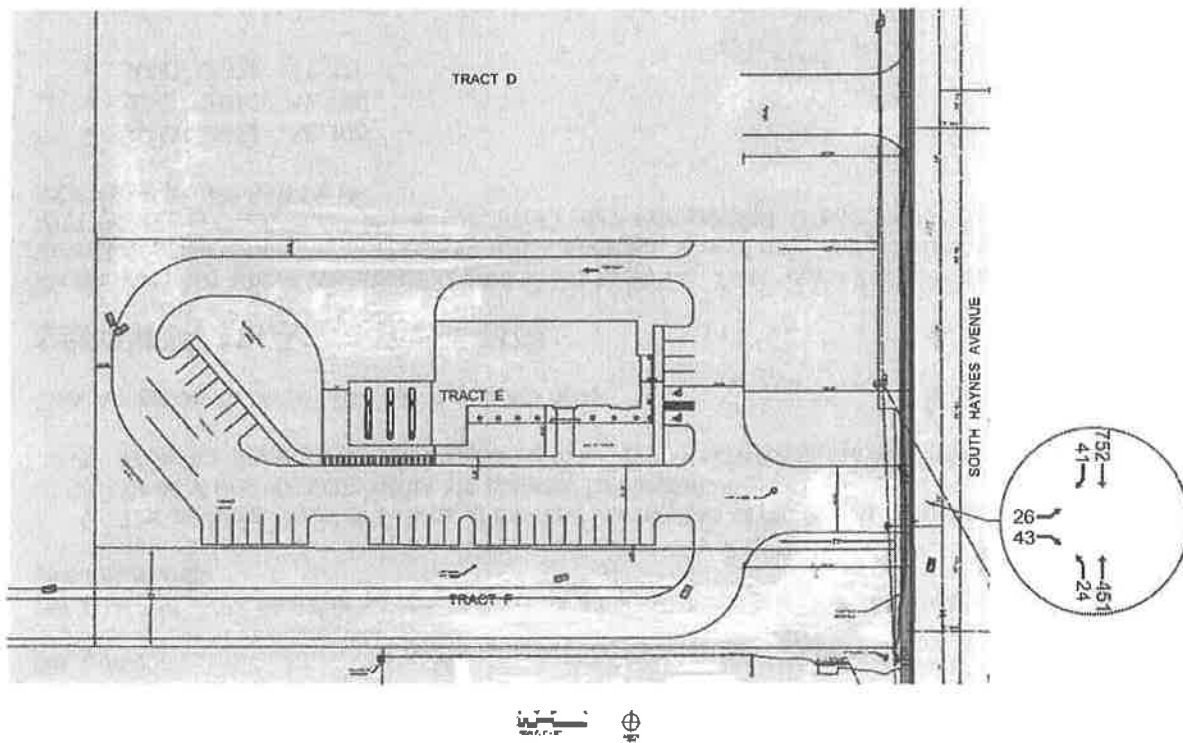


Figure 1- Turning Movements

2. IMPROVEMENTS TO HAYNES AVE.

To examine what, if any, improvements are proposed for Haynes Ave. CTA reviewed three sources:

1. *The State of Montana Department of Transportation Statewide Transportation Improvements Program – STIP 2013-2017*
2. Contacted the applicable MDT District Office

3. The Miles City website for a Transportation Plan or Capital Improvements Plan (CIP)

The STIP did not indicate any planned improvements for the area of the project. At the time of correspondence, the MDT District office had not yet responded. The City website did not have either a CIP or a transportation plan. The website however did list several *Current Projects*, none of which impacted Haynes Ave. It should be noted that the City is currently advertising for a consultant to develop a transportation plan. It is likely this plan will detail recommended improvements to the local transportation network. These improvements will most likely not be completed for at least a year, or longer.

Additional drivers of possible improvements are other developments in the area of the proposed project. As Haynes Ave. is an MDT Route for which new or modified access generally requires permitting. The permitting process identifies project specific needs required for the development which may impact the project in the future. Specifically, any development on the lot to the north may require a Traffic Impact Statement (TIS) which could identify needed improvements such as a traffic signal, lane modification, or movement restrictions. If a traffic signal were required CTA would estimate a cost range of \$500,000-\$750,000 depending on the final configuration.

3. FRONTAGE/ACCESS ROAD

At this time, CTA understands an access road is proposed to connect the extension of Dickenson to a new access proposed at Haynes Ave. and Pearl St as part of developing the lot to the north. This access road will run north and south across the east side of the site. It is important to note that MDT has indicated any signal installed in the area would be at the intersection of Haynes Ave. and Pearl St.

As referenced in Section 1, the turning movements of the proposed approach are predicted to function at the minimum acceptable LOS, C. Provided this, access to the new intersection at Haynes and Pearl, particularly if signalized, will become increasingly important. Another potential mitigating factor is the access to the signal at Stower St. and Haynes Ave, which could be accessed via the new intersection with Dickinson St. and S. Moorehead Ave. CTA acknowledges that fast food restaurants are large trip generators and the potential of cut-through traffic exists. However, having access to signalized intersection(s), which typically operate at higher levels of service, in the future is more critical for site access than the potential for negative impacts.

CONCLUSION/RECOMMENDATIONS

1. The proposed approach will function at the minimum level of service C at the time the bank opens
2. There is no evidence of significant transportation improvements proposed for Haynes Ave. in the area of the project
3. CTA would estimate the cost of a new signal to be \$500,000-\$750,000
4. CTA would recommend continuing incorporating the access road into the site design
5. The bank should become involved with the development of the upcoming Miles City Transportation Plan through the public outreach process

First Interstate Bank Miles City
June 18th, 2015
Page 4

Please let me know if you have any question or comments.

Sincerely,

CTA ARCHITECTS ENGINEERS

A handwritten signature in black ink, appearing to read 'Erik Garberg', with a long horizontal line extending to the right.

Erik Garberg, PE
Civil Group Leader

cc: CTA File – FIBO016MC_NEW



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP AMENDMENT DETERMINATION DOCUMENT (REMOVAL)

COMMUNITY AND MAP PANEL INFORMATION		LEGAL PROPERTY DESCRIPTION
COMMUNITY	CUSTER COUNTY, MONTANA (Unincorporated Areas)	Tract E, Lothspeich Minor Subdivision, as shown on the Certificate of Survey No. 154243 recorded in Envelope No. 503B, in the Office of the Clerk and Recorder, Custer County, Montana
	COMMUNITY NO.: 300147	
AFFECTED MAP PANEL	NUMBER: 30017C0664D	
	DATE: 7/22/2010	
FLOODING SOURCE: TONGUE RIVER SPLIT 3A		APPROXIMATE LATITUDE & LONGITUDE OF PROPERTY: 46.405, -105.824 SOURCE OF LAT & LONG: GOOGLE EARTH PRO DATUM: NAD 83


DETERMINATION

LOT	BLOCK/ SECTION	SUBDIVISION	STREET	OUTCOME WHAT IS REMOVED FROM THE SFHA	FLOOD ZONE	1% ANNUAL CHANCE FLOOD ELEVATION (NAVD 88)	LOWEST ADJACENT GRADE ELEVATION (NAVD 88)	LOWEST LOT ELEVATION (NAVD 88)
E	--	Lothspeich Minor	South Haynes Avenue	Property	X (unshaded)	2361.9 feet	--	2362.4 feet

Special Flood Hazard Area (SFHA) - The SFHA is an area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood).

This document provides the Federal Emergency Management Agency's determination regarding a request for a Letter of Map Amendment for the property described above. Using the information submitted and the effective National Flood Insurance Program (NFIP) map, we have determined that the property(ies) is/are not located in the SFHA, an area inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). This document amends the effective NFIP map to remove the subject property from the SFHA located on the effective NFIP map; therefore, the Federal mandatory flood insurance requirement does not apply. However, the lender has the option to continue the flood insurance requirement to protect its financial risk on the loan. A Preferred Risk Policy (PRP) is available for buildings located outside the SFHA. Information about the PRP and how one can apply is enclosed.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, LOMC Clearinghouse, 847 South Pickett Street, Alexandria, VA 22304-4605.


 Luis Rodriguez, P.E., Chief
 Engineering Management Branch
 Federal Insurance and Mitigation Administration

MILES CITY, MONTANA
FIRST INTERSTATE BANK

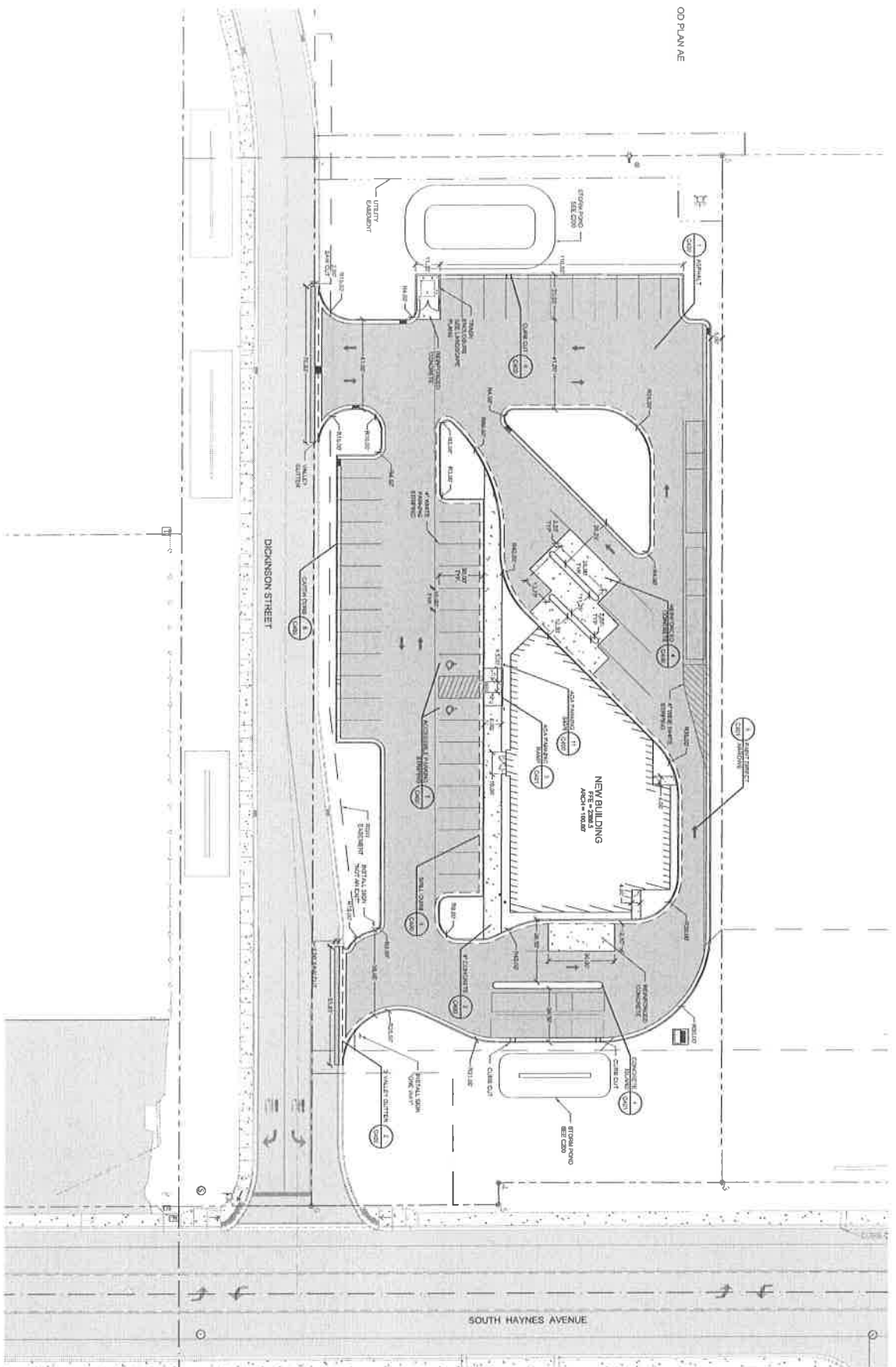
© 2011 ALL RIGHTS RESERVED
 SCHEMATIC DESIGN

SCALE: 1/8" = 1'-0"
 DRAWN BY: J. HANSEN
 REVIEWED BY: J. HANSEN

NOTE TO CONTRACTOR:
 DATE'S FROM THIS SET TAKE PRECEDENCE TO
 ANY OTHERS.

SITE PLAN

C100



1 SITE PLAN
 SCALE: 1/8" = 1'-0"



RESOLUTION NO. 3943

A RESOLUTION ADOPTING THE POLICY AND PROCEDURES OF THE MILES CITY DOWNTOWN URBAN RENEWAL BOARD OF COMMISSIONERS.

WHEREAS, the City Council of the City of Miles City has previously established the Miles City Urban Renewal Board of Commissioners for the purpose of assisting the City Council in evaluating and proposing urban renewal plans and projects; and

WHEREAS, the City Council of the City of Miles City has previously authorized the Miles City Urban Renewal Board of Commissioners pursuant to MCA 7-15-4233 to adopt appropriate policy and procedures in order to exercise the urban renewal project powers granted them by the City Council: and

WHEREAS, upon the request of said Urban Renewal Board of Commissioners to approve said policy and procedures attached herein as Exhibit A, the City Council finds it in the best interest of the City to approve the same;

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

SECTION I. The Policy and Procedures of the Miles City Downtown Urban Renewal District Agency are hereby approved by the City Council of the City of Miles City, Montana.

SECTION II. : This resolution shall become effective immediately.

PASSED AND APPROVED BY THE CITY COUNCIL AND SIGNED BY THE MAYOR OF THE CITY OF MILES CITY THIS 12th DAY OF JULY, 2016.

Mayor

ATTEST:

City Clerk

ATTACHMENT A

City of Miles City
Miles City Urban Renewal - Tax Increment
Financing District
Policies and Procedures

Miles City Downtown Urban Renewal Agency

City Council Resolution #3940

(July 12, 2016)

EXHIBIT A
Miles City Urban Renewal- Tax Increment Financing District
Policies, Procedures, and Programs

Table of Contents

Table of Contents

INTRODUCTION2

BACKGROUND INFORMATION.....2

CRITERIA FOR REVIEWING FUNDING APPLICATIONS3

GUIDELINES.....4

ELIGIBLE ACTIVITIES.....5

ELIGIBLE APPLICANTS6

ELIGIBLE PROPERTIES6

APPLICATION PROCESS6

INTRODUCTION

Tax Increment Financing (hereafter referred to as 'TIF') is an important element of economic development in the City of Miles City as a means to fund development activities. The TIF program operates by first establishing a base year taxable value for all properties within a designated boundary. Property taxes from that boundary or district continue to be paid to all taxing jurisdictions such as schools, county, etc., on the basis of the base year valuation. All *increases in* property taxes in the district above this tax base valuation due to new development or reappraisals are assigned to the City of Miles City to be used to fund eligible activities identified within the urban renewal plan for the Miles City Downtown Urban Renewal- TIF District.

BACKGROUND INFORMATION

As the City founders built the City's core business district, they encouraged the City's role as a regional trade center and planned accordingly. They designed the city based on the concept that "looking prosperous would attract prosperity". Talented architects were hired and as businessmen vied to outdo each other, a city featuring impressive architecture of enduring materials presented an impressive commercial district, beautiful homes, parks, landscapes and walkways was built. Their strategy worked, and Miles City's reputation as a vibrant regional hub has anchored a stable economy for almost 140 years. In recent decades, however, the ability of Miles City's downtown to contribute to that role has diminished due to a number of economic factors which reduced customer traffic and led to a decline in business investment.

During a Community Discussion hosted at the Miles City Library in August of 2012 to discuss the impact of regional energy development, the group also voiced concerns about the increasing number of vacant properties in the Miles City's Main Street business district. The loss of green space for new business construction near Interstate 94 on South Haynes Avenue to accommodate energy growth was a stark contrast to the deterioration of a beautiful Historic Main Street District lacking in similar development. The Urban Renewal Plan with a Tax Increment Finance option is one of many strategies to provide capital resources and leverage existing funds in order to incentivize redevelopment in the city's main business corridor.

Understanding that a vibrant downtown area is a vital component of a healthy economy, the City has chosen to implement Tax Increment Financing in our Historic Main and Seventh Street business corridors and the surrounding residential area to revitalize the heart of the City, and have adopted the Miles City Urban Renewal Plan to guide that effort.

The City of Miles City passed Ordinance 1294 adopting the Miles City Downtown Urban Renewal Plan (The Plan) and establishing the boundaries of the District which encompasses 161.78 acres of the City. The intent of the plan was to improve the area and encourage redevelopment through the use of Tax Increment Finance revenues as specified by Montana Urban Renewal Law 7-15-42 and 7-15-43, M.C.A.

The Plan delineates goals and objectives for redevelopment activates within the boundaries of the District. The language of The Plan encourages the development of innovative and creative

projects in Miles City consistent with this plan. It is the intention of the City of Miles City to foster creative and innovative projects within the Miles City Urban Renewal - TIF District as well as through the use of public/ private partnership programs and other available resources.

On September 22, 2015, pursuant to City of Miles City Resolution 3843, the Downtown Urban Renewal District Agency Board of Commissioners (hereafter referred to as 'URA') was established for the purpose of assisting the City Council in evaluating and proposing tax increment finance district plans and projects. This five member committee is responsible for reviewing all applications for funding, determining feasibility and benefit to the District in order to make a recommendation to the Miles City City Council on the project. Ordinance 1300 was adopted by the Miles City City Council on November 24, 2015 revising City Code Sections 7-46 and 7-56 through 7-64 providing for the operation of the Miles City Downtown Renewal Agency. The Ordinance established management of the District through the Historic Preservation Department and establishing an effective date of May 12, 2015 for the District.

CRITERIA FOR REVIEWING FUNDING APPLICATIONS

Throughout the application and review process it should be recognized that the overriding goal of the Miles City Downtown Urban Renewal - TIF District is the elimination of blight and encouraging investment which will result in an increased tax base for the City of Miles City.

TIF applications will be assessed based on the merits of individual projects in relation to the goals and objectives of the Plan (found online at <http://miles-city-mt.org/city-departments/downtown-urban-renewal-agency/>).

Priority will be given to projects that maximize public benefit. Applications should demonstrate one or more of the following objectives and considerations:

1. ***Geographic location:*** Consideration will be given to projects located along the traffic arterials of the Downtown Urban Renewal - TIF District. When possible, redevelopment efforts will be focused along these arterials so that a more concentrated impact may be realized.
2. ***Tax generation:*** *In order for the Downtown Urban Renewal Plan-TIF District to stay economically healthy for the maximum benefit to the district and community, a project is expected to generate new taxes.*
3. ***Relationship of public and private investment:*** *The relationship of private investment to public investment of a project shall be significant enough to ensure prudent investment of public funds within the Downtown Urban Renewal Plan-TIF District. A public investment of no more than 5% of the total project cost could be considered a responsible use of public funds, excepting those financial incentive programs (grant and/or loan programs) developed by the agency for a specific focus.*
4. ***Job creation:*** *Projects that create opportunities for new employment, contribute to the economic vitality of the district and community in a variety of ways. Projects creating five or more full-time equivalent jobs would be considered to have a significant positive impact on the economic well-being of the district, and will be given greater priority.*

Additionally, new jobs that pay at or above the median county income level will be given priority.

5. *Investment: The project's potential as a trigger for subsequent investment in a blighted area outside one of the District's several major corridors.*
6. *Improvement of public services: The project plan's incorporation of improved or expanded public services such as water, sewer, sidewalks, parking, improved traffic circulation, etc., to an area currently underserved, and which will promote economic development.*
7. *Unique opportunities: The project's potential to present a unique opportunity, address specific TIF district or community goals, fill a beneficial market niche, or provide an unmet community need.*
8. *Urban renewal goals: The project's ability to significantly further specific goals found in the Plan.*
9. *Environmental Impacts: The project's ability to positively impact the environment in terms of noise, dust, traffic, and pollution reduction, public safety and pedestrian access improvements, visual aesthetics, etc.*
10. *Project financing: Types of financing available to the applicant may include such facilities as lender participation commitments, direct matching grants, and state and federal grant monies; such sources are examined to assess the need for TIF monies assistance.*
11. *Project feasibility: A determination of feasibility is made based upon applicant's demonstration of project viability as demonstrated in the pro forma financials and third-party financing commitments.*
12. *Applicant's ability to perform: An assessment of the applicant's capability to undertake the relative complexities of the project, based on relevant experience and past performance, as well as on the project design and strength of the management team.*
13. *Timely completion: The feasibility of completing the project within the applicant's proposed time-frame.*

GUIDELINES

Grant funding for individual categories varies. Loan funding for any individual project should not exceed more than annually-established limits. These funding limits are meant to ensure significant private investment in any given project. If it is the finding of the URA that an amount exceeding these limits is merited due to the size of the project, the magnitude of its impact on the surrounding properties, public benefit, and/or tax generation, the URA may, at its sole discretion recommend additional TIF participation. All property taxes, special improvement district assessments, and other assessments on the project property must be paid to date. All approved expenses are reimbursable subject to completion of improvements, based on

submittal of invoices, within one year of executed Development Agreement.

ELIGIBLE ACTIVITIES

Per Montana State Law (7-15-4288 M.C.A.) tax increments may be used by the local government to pay the following costs of or incurred in connection with an urban renewal area or targeted economic development district as identified in the urban renewal plan or targeted economic development district comprehensive development plan:

1. *Land acquisition;*
2. *Demolition and removal of structures;*
3. *Relocation of occupants;*
4. *The acquisition, construction, and improvement of public improvements or infrastructure, including streets, roads, curbs, gutters, sidewalks, pedestrian malls, alleys, parking lots and off-street parking facilities, sewers, sewer lines, sewage treatment facilities, storm sewers, waterlines, waterways, water treatment facilities, natural gas lines, electrical lines, telecommunications lines, rail lines, rail spurs, bridges, publicly owned buildings, and any public improvements authorized by Title 7, chapter 12, parts 41 through 45; Title 7, chapter 13, parts 42 and 43; and Title 7, chapter 14, part 47, and items of personal property to be used in connection with improvements for which the foregoing costs may be incurred;*
5. *Costs incurred in connection with the redevelopment activities allowed under 7-15-4233;*
6. *Acquisition of infrastructure-deficient areas or portions of areas;*
7. *Administrative costs associated with the management of the urban renewal area or targeted economic development district;*
8. *Assemblage of land for development or redevelopment by private enterprise or public agencies, including sale, initial leasing, or retention by the local government itself at its fair value;*
9. *The compilation and analysis of pertinent information required to adequately determine the needs of the urban renewal area or targeted economic development district;*
10. *The connection of the urban renewal area or targeted economic development district to existing infrastructure outside the area or district;*
11. *The provision of direct assistance to secondary value-adding industries to assist in meeting their infrastructure and land needs within the area or district; and*
12. *The acquisition, construction, or improvement of facilities or equipment for reducing, preventing, abating, or eliminating pollution.*

IMPORTANT: Costs to be paid with TIF monies may not be incurred by the applicant prior to funding approval and the satisfaction of any conditions of such approval unless specific approval has been granted by City Council. Any expenditure is solely at the risk of the applicant if the project is not approved.

ELIGIBLE APPLICANTS

- Property owners or their designated representatives, including leaseholders with documented project authorization, whose property is located within the boundaries of the District

ELIGIBLE PROPERTIES

Properties must be located inside the Miles City Urban Renewal- TIF boundary and be:

- Commercial
- Mixed-use
- Multi-family properties consisting of four or more units

APPLICATION PROCESS

Applicants must submit a complete written application for each TIF project to the City of Miles City Downtown Urban Renewal Agency Department. The TIF application is available online at <http://miles-city-mt.org/city-departments/downtown-urban-renewal-agency/> under 'online applications' or by contacting the Downtown Urban Renewal Agency Department. Completed applications must be received at least ten business days prior to the URA board meeting at which time the application will be considered. This is to allow adequate time for a thorough staff review of the application for presentation to the URA committee. The following procedure has been developed to expedite the review of TIF funding requests:

1. ***Initial Contact:*** *Contact the Downtown Urban Renewal Agency Department, City of Miles City, 17 South 8th, Miles City MT 59301, (406) 874-8616, cmuqgli@miles-city-mt.org to discuss the project and determine eligibility for TIF assistance.*
2. ***Application Process:*** *Complete a TIF application with required attachments. The applicant must prepare a TIF application for each funding request and include all required attachments. The Urban Renewal Agency staff will assist the applicant in preparing the application. The application should address the objectives listed on page 3 of this document.*
3. ***Board Review and Approval:*** *Upon submittal of all necessary information, the URA will review the merits of the project and the case for funding. At any point in the review process the Downtown Urban Renewal Department staff or URA may request more information of the applicant or solicit comment on the project from other public agencies. Items included in personal financial statements. Applicants will be provided the option to sign a Confidentiality Statement specifying application material that must be held private. Upon signing said agreement, the application material will not be subject to public review,*

presentation, or comment by other agencies. The URA will review the project, and issue a recommendation on the funding request or any part thereof, and any special terms of TIF assistance to Miles City City Council. Applicants are encouraged to be present during this review.

4. ***City Council Review and Approval:*** *The City Council shall act on applications within 30 days of URA recommendation, and take formal action to approve or deny the request. Applicants are encouraged to be present during this review.*
5. ***Development Agreement:*** *Upon approval by Miles City City Council, the City of Miles City and the applicant must execute a legally binding Development Agreement which establishes the terms and conditions of the TIF assistance. Among the terms and conditions, at a minimum, the agreement shall specify the schedule for the start and completion of the project, specific performance metrics, reporting requirements, and disbursement schedule as deemed necessary for each project . The Development Agreement must be executed within three months of City Council approval; if not completed by this time the applicant must re-apply for project funding.*
6. ***Bonding and Insurance:*** *All redevelopment projects must provide appropriate bonding)*

IMPORTANT: Other compliance and code requirements may apply. URA recommendation and City Council approval of funding does not relieve the applicant's responsibility to secure all necessary permits.

All requests for grant and loan dollars will be subject to approval by the Downtown Urban Renewal Agency Board of Commissioners. Miles City Downtown Urban Renewal Agency Policy and Procedures will apply to all assistance provided to investors. Current financial statements for each shareholder involved in the project may be required, as well as documentation of financial capacity. This information will be kept confidential, subject to challenge in a court of law.

RESOLUTION NO. 3944

A RESOLUTION PURSUANT TO §7-6-4006 OF THE MONTANA CODE ANNOTATED, AUTHORIZING AMENDMENT OF FINAL BUDGET FOR FY 2015-2016 TO APPROPRIATE UNANTICIPATED EXPENSES TO LIGHTING DISTRICT NO. 171 FUND 2430 FOR CONTROL R&M EXPENSES

WHEREAS, the City of Miles City has accumulated unanticipated expenses in Lighting District No. 171 Fund No. 2430 in the sum of \$500.00,

AND WHEREAS, as permitted by §7-6.4006 MCA, the City of Miles City desires to amend its final budget for Fiscal Year 2015-2016 to appropriate the total amount of such unanticipated expenses in the sum of \$500.00 to Lighting District No. 171 Fund No. 2430 for Control R&M charges;

AND WHEREAS, such amendment of the Final Budget for Fiscal Year 2015-2016 will result in an overall increase in appropriation authority in Lighting District No. 171 Fund No. 2430,

AND WHEREAS the provisions of §7-6-4006 MCA require public hearing upon any budget amendment resulting in an overall increase in appropriation authority,

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

The appropriations for the Final Budget for Fiscal Year 2015-2016 for Lighting District No. 171 Fund No. 2430 shall be increased in the following amount:

Fund No. 2430-046-430263-360 (Lighting District No. 171 Fund No. 2430, Electrical Utilities), in the sum of \$500.00.

Such increased appropriation shall be made from the following Lighting District No. 171, Fund No. 2430 account:

Account No. 2430-363010 (Lighting District No. 171 Fund No. 2430 Assessments) in the amount of \$500.00.

BE IT FURTHER RESOLVED that a public hearing shall be held on the above proposed amendment to the Final Budget for Fiscal Year 2015-2016 on the 26th day of July, 2016, at 7:00 p.m. in the City Council Chambers at City Hall, Miles City, Montana. The City Clerk shall cause notice of such hearing to be published in the Miles City Star, in accordance with §7-1-4128 MCA, at least 2 times with at least 6 days separating each publication.

SAID RESOLUTION READ AND PUT UPON ITS FINAL PASSAGE THIS 12TH DAY OF JULY, 2016.

JOHN HOLLOWELL, Mayor

ATTEST:

Lorrie Pearce, City Clerk

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY
CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES
CITY, MONTANA, THIS 26TH DAY OF JULY, 2016.

JOHN HOLLOWELL, Mayor

ATTEST:

Lorrie Pearce, City Clerk



Miles City Planning Dept.

APPLICATION FEE RECEIPT

- Subdivision Review 10000-341015
- Site Plan Review 10000-341071

Base Fee \$ 100

Per Lot/Space \$ 10

TOTAL \$ 110

RECEIPT NUMBER: 68564

Date: May 27, 2016

Project: SPR-2016-06

TRANSKO RAILCAR Repair



SITE PLAN REVIEW APPLICATION

Community Services & Planning

City of Miles City 17 S. 8th Street, P.O Box 910 Miles City, MT 59301 406-234-3493

Revenue Code: 10000-341071

File No. JUN 7 2016
(for official use only)

Date Received:

SITE PLAN REVIEW APPLICATION - MILES CITY

Development proposals in the following zones are subject to site plan review:

4-plex and greater	Residential Zones A, B
4 to 8 units	Residential Zones B, C
8 or greater units	Residential Zones C
Parks, playgrounds, parking and open space and Accessory uses	Residential Zone C
All listed uses	General Commercial (GC), Local Commercial (LC)
All listed uses	Industrial (I), Medical Campus (MC)
All listed uses (new construction only)	Historic Mixed Use (HMU)
Keeping of chickens	All Zones
Animal Rescue or Animal Foster Care	Residential Zones A, B, MH-A: Commercial Zones GC, LC, HC; Open Space (OS); Semi-Rural (SR); Agricultural (AG).

Application Date: 5/23/2016

Fee: \$110.00

Name of Project: TRANSCO RAILCAR REPAIR INC – SITE PLAN

Location of Project/Legal Description:

 Tract 1, COS Doc. #69474, Env. 223B, Sec. 27, Township 8 North, Range 47 East, P.M.M., Miles City, MT

Contacts

Business Owner Name: Transco Railcar Repair Inc.

Please print

Contact Name: Mike Preller (Plant Manager)

Please print

Address: P.O. Box 1222, Miles City, MT 59301

Phone: 406-232-1527 Cell Phone: 406-852-0216 Email: mpreller@transcorailway.com



SITE PLAN REVIEW APPLICATION

Community Services & Planning

City of Miles City 17 S. 8th Street, P.O Box 910 Miles City, MT 59301 406-234-3493

Applicant Name: Quinn Wright/DOWL **Circle One** Architect/Builder/Engineer/Other
(If different from owner)

Address: 713 Pleasant St, Miles City, MT 59301

Phone: 406-234-6666 Cell Phone: 406-925-2228 Email: qwright@dowl.com

Descriptive Data

Total area in acres: 69.73 acres Existing Zoning: Commercial

Existing and Proposed Use: Existing use is commercial. Proposed use is commercial.

If Residential Number of Units and type of Proposed Units: _____

If Commercial/Industrial Number of Buildings together with Square Footage and Stories/Height of each:

30' X 50' = 1500 sq. ft.

16' High

Materials/Information to be submitted with this application (minimum requirements)

*1 Copy of the following:

1. Application form and site plan review fee
2. Vicinity Map showing location of proposed project (8 ½ x 11)
3. (8 ½ x 11) copy of the Site Plan at a suitable scale (example: 1 inch = 10 feet) with the following information:
 - a. Boundary line of property with dimensions and a north arrow indicator
 - b. Topography contours at a minimum interval of 2 feet or as determined by the planning department
 - c. Water bodies, floodplain, and wetlands
 - d. Adjacent streets and street rights-of-ways to a distance of 150 feet from the subject property, including existing and proposed improvements such as curb, gutter, sidewalks, and bike paths
 - e. Parking facilities, including bicycle racks, landscaping, drainage, lighting, handicap-accessible parking, typical dimensions (including labeling angles for angled parking), traffic flow on-site, ingress and egress points, driveways, and paving details
 - f. All existing and proposed structures, including exterior dimensions and setback distances to the wall line of all structures



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- g. Grading and storm drainage plans and calculations, including any proposed retention walls
 - h. Utilities and utility easements, existing and proposed
 - i. Location of fire hydrants, fire lanes and turnarounds
 - j. Exterior refuse collection areas
 - k. Signage plans (if any)
 - l. Elevation plans or side profiles for structures with dimensions for building heights, including dimension from the top of the roof peak to the average grade at the front of the building.
 - m. An analysis of traffic generation, trip distribution and the impacts of the proposed land use on the transportation facilities serving the area if the proposed land use is estimated to generate 400 or more average daily vehicle trips (ADT), or if requested by the administrator.
4. (8 ½ x 11) copy of the Landscaping Plan
 5. Proposed signage – at a minimum must indicate location and size and an indication of what materials and lighting are proposed. (This may be separate or shown on the site plan and/or bldg elevations)

Property Owner Signature:  Date: 5/31/16

Applicant Signature:  Date: 5-24-16
(If different from owner)

*Additional copies of the submittal requirements may be requested by the Zoning Administrator for presentation to the Planning Board members prior to the Public Hearing Meeting.

**DRAFT - Planning Board Staff Report SPR-2016-06 Site Plan Review
Transco Railcar Repair Compressor Building
Meeting Date: July 8, 2016**

PROJECT SUMMARY:

Quinn Wright of Dowl, on behalf of Transco Railcar Repair, has submitted a Site Plan Review application for the construction of a 1,500 sq. ft. commercial building to house compressor equipment for the business' operation. The property is located on Transco property near N. Lake Street. The legal description is Sec 27, T08N, R47E, Tract 1. Reference C.O.S. #69474, Env 223B. See attached maps for location and site plans.

Significant dates and review items are noted below:

- The applicant has submitted all the required information per 24-96(e) on June 10, 2016
- The applicant was notified that the application was deemed complete on June 14, 2016.
- The Public Hearing is scheduled for July 8, 2016 at 5:15 PM in the City Hall Conference Room. Noticing requirements in 24-96(f)(6) have been satisfied.

PUBLIC COMMENT

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

REVIEW CRITERIA

The project meets the review criteria in 24-96(g). The following information may be considered as Findings of Fact.

- The proposed project site will have no impact on circulation patterns. The site is located well within the applicant's property boundary. No access will be available to the general public.
- Emergency access and fire prevention measures have been reviewed by the Miles City Fire Department. The building must comply with NFPA 30 for the distance between the building and the fuel storage located on the west side. Three fire hydrants are located within 500 feet of the project site. The building will house compressor equipment only and will not be manned during working hours except for normal maintenance routines. The Fire Inspector will not require additional fire suppression measures. The department will approve master plans and all documentation pending final walk thru after completion of construction. The project seems to meet all other codes and ordinances pending final inspection.
- No public access will be available to the site; therefore, no impact to the surrounding road network is expected.
- The stormwater runoff will be reduced due to the new building having a smaller footprint.
- Water & Sewer services are not required for the proposed project. Electrical & communications services are available on site.
- The proposed development is outside of any historic district.
- There are no parking requirements for the proposed use of the building.
- The use meets all of the General Commercial (GC) zoning code requirements for setbacks, height restrictions, signage, parking standards, and design requirements. The City Building Inspector will review and approve the building design.
- The proposed use has no significant impacts to neighboring land uses. The site is has sufficient buffer zones to the neighboring districts.
- The proposed project appears to comply with all adopted regulations and policies.
- The maximum height of the proposed building is 21', well within reach of current Fire Department equipment.

**DRAFT - Planning Board Staff Report SPR-2016-06 Site Plan Review
Transco Railcar Repair Compressor Building
Meeting Date: July 8, 2016**

- The building site is located in the flood fringe. Applicant has applied for a Letter of Map Amendment (LOMA).
- MCPD has reviewed the application and found there is little to no additional impact for police services as the project area is located within city limits and currently receives these services.
- The use complies with the City Zoning requirements for land use, height, setbacks, signage and other design requirements.
- The use will not be detrimental to or endanger public health, safety or general welfare as the proposed use is surrounded by compatible uses.
- The existing and reasonably anticipated permitted uses in the area will not be substantially impaired or diminished by the establishment of the proposed use as the project is surrounded by compatible uses.
- Adequate utilities, access ways, drainage, and other necessary site improvements will be provided prior to occupancy.

RECOMMENDATION:


Through review of the above criteria, Staff has determined that the use satisfies Section 24-96(g)(1) and (2) of the Zoning Code. Therefore, Staff recommends that the Planning Board adopt this staff report as findings of fact and forward a recommendation to the City Council for conditional approval of this project, subject to the following conditions:

CONDITIONS:

- ❖ Any modification to the approved application and plans that affect building codes, zoning regulations or public facilities shall require additional review by the City of Miles City.
- ❖ The owner shall comply with all applicable regulations in the district in which it is located. This includes federal, state and local regulations.
- ❖ The owner or owner's representative shall apply for a building permit prior to construction.
- ❖ Any utilities connections shall be approved by the applicable service providers prior to construction.
- ❖ Any fire department requirements, such as access plans/improvements, sprinkler systems, firewalls, and other fire code requirements shall be approved by the fire department prior to occupancy.
- ❖ Should water and/or sewer services be required in the future, fees and review will be required.
- ❖ The applicant shall obtain the Floodplain LOMA prior to occupancy.
- ❖ A Certificate of Occupancy is contingent upon the application meeting all conditions of approval.

O:\07\4127.20374.16 Misc. 2016\Tronsco Railway-Siteplan\DWG\MCI14-Tronsco Site Plan.dwg PLOT DATE: 2016-5-23 16:54 SAVED DATE: 2016-05-23 16:51 USER: ewilhelm





www.dowl.com

 713 Pleasant Street

 Miles City, Montana 59301

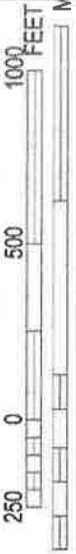
 405-234-6666

TRANSCO RAILCAR REPAIR INC
VICINITY MAP
Miles City, Custer County, Montana

PROJECT	4127.21288.01
DATE	5/23/2016
FIGURE #1	



MAP SCALE 1" = 500'



NFIP NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0662D

FIRM
FLOOD INSURANCE RATE MAP
CUSTER COUNTY,
MONTANA
AND INCORPORATED AREAS

PANEL 662 OF 2275

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY NUMBER PANEL SUFFIX
CUSTER COUNTY 300147 0662 D
MILES CITY, CITY OF 30014 0662 D

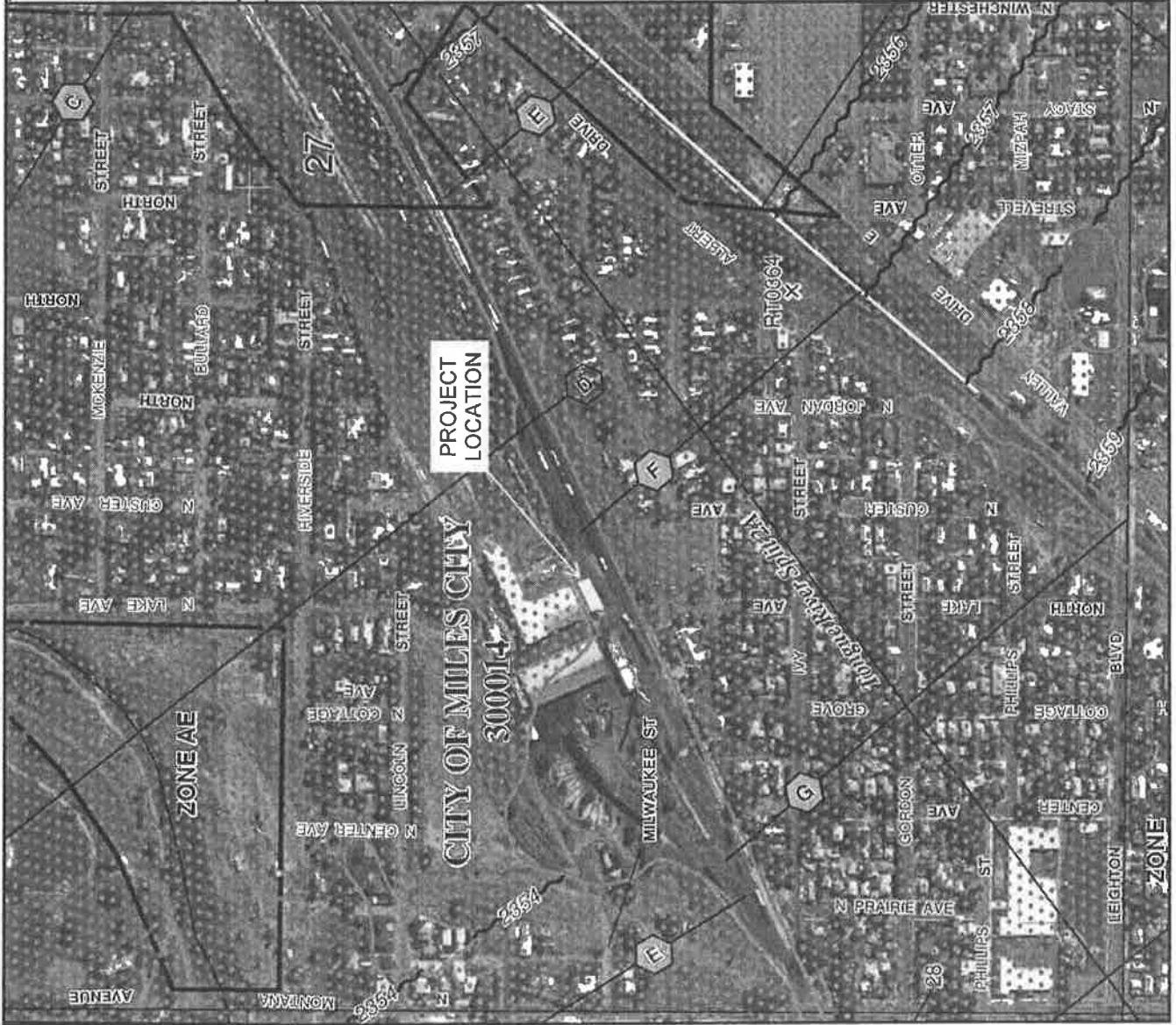
Note to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.

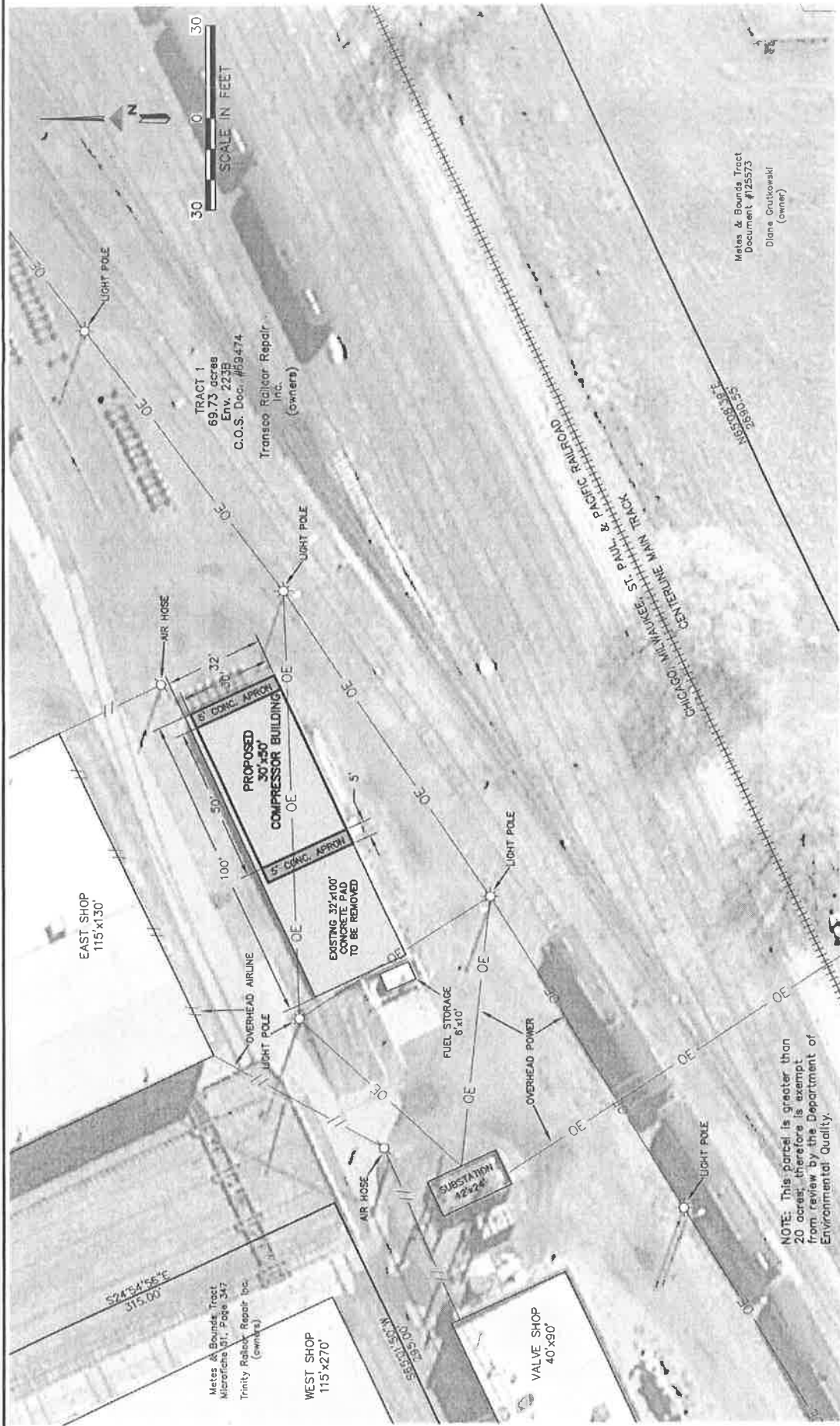


MAP NUMBER
30017C0862D
EFFECTIVE DATE
JULY 22, 2010

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps, check the FEMA Flood Map Store at www.nfip.fema.gov





NOTE: This parcel is greater than 20 acres; therefore is exempt from review by the Department of Environmental Quality.



Quinn W. Wright
 Quinn W. Wright, PLS, CFEs, 9334LS, DOWL

DOWL
 713 Pleasant Street
 Miles City, Montana 59501
 406.234.6666

TRANSCO RAILCAR REPAIR INC - SITE PLAN
 Env. 223B, C.O.S. Doc. #69474
 Miles City, Custer County, Montana

PROJECT 4127.21288.01
 DATE 5/19/2016

FIGURE #2

Transco Railcar Repair Inc – Site Plan Stormwater Evaluation

Prepared for:

Transco Railcar Repair Inc
P.O. Box 1222
Miles City, MT 59301

Statement

The proposed building and gravel area will be constructed where there is currently a concrete foundation from an old service building. Because these improvements will create less impervious area than the existing condition, there will be less stormwater runoff during any rain event. No detention or retention is needed as a result of this building improvement.

Prepared by:



713 Pleasant Street
Miles City, MT 59301



5-23-16

May 2016

COMMENTS PAGE

By my signature below, I have reviewed and approve* of the site plan submitted by Dow/ for improvements on the Transco Railcar Repair property, described as Tract 1 of S27, T8N, R47E in Miles City, MT.

Director of Public Works Sally Gray Date 5-15-16
Comments or Conditions: Zoning is General Commercial and is compliant.

Director of Public Utilities Dean Kelm Date 6-16-16
Comments or Conditions: No water or sewer services Required - Also noted "no sprinkler system Required" If any of the above are required, fees & review will be Required.

Floodplain Administrator Sally Date 6-20-16
Comments or Conditions: Applicant is applying for a LOMA, Survey report proposed property is currently well above BFE. No issues.

Fire Chief Matt Jici Fire Inspector Date 6-17-16
Comments or Conditions: Refer to NFPA 30 for distance to fuel storage. No issue with existing water hydrant.

TIF COORDINATOR
Historic Preservation Officer Project site is not on or near Miles City's Historic Districts or Individually listed properties. This project will have no impact in that regard. TIFB Impact was the positive and of significance. Date 6/17/16

Planning Department _____ Date _____
Comments or Conditions: _____

Health and Sanitation _____ Date _____
Comments or Conditions: _____

Building Official The Building and Floodplains meet the IBC code Date _____
Comments or Conditions: Doug Hansen

Police Department Doug Adolph Date 6/16/16
Comments or Conditions: No issues

As-Built Drawings Received on: _____

*With any conditions as noted