

Miles City  
**City Planning Board**

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**MEETING MINUTES**

May 23, 2012  
6:00 pm

**Call to Order:** The City Planning Board met in the City Council Chambers for a public hearing. Members present were Roxanna Brush, John Hollowell, Ken Monier, Carol Hardesty, Dale Thom, Twila Wilhelm, Dawn Leidholt, and John Laney. Excused from the meeting was Colette Butcher. Also present were Planner Broadie, recording secretary Dianna Larson and sign-in sheet. A roll call was requested and noted a quorum was present. Dawn Leidholt was excused prior to the vote and Carol Hardesty recused herself from the vote because she is working as a sales agent with the applicant.

**Public Hearing:** Southgate Meadows Major Subdivision - Chair Brush opened the hearing and requested Planner Broadie to give her staff report. Broadie explained the applicant, M & L Enterprises is proposing a 69 lot, single family subdivision which will be completed in three phases. She reported the property is located east of the southern half of the Southgate Meadows Subdivision and north of Horizon Parkway. Broadie explained the zoning, utilities, fire services, flood plain, streets/roads, and park land.

Chair Brush read aloud three letters that were submitted to the Planning Board (attached). She called for testimony from people that were in opposition of the subdivision. Susan Bakken, 204 Ponderosa, reported that in 1978 all waterlines froze; 1980 - after a major rain storm, it left 4 feet of water on Ponderosa Drive; need another access in and out of Southgate; would drainage issues be addressed before a new development comes in. Larry Sweet, 211 Ponderosa, drainage concerns. Bill Zackmann, 207 Ponderosa, drainage concerns. Bette Jewell, 107 Ponderosa, would like for the drainage issues addressed before any new development comes in and needs another entrance in/out of Southgate. Gail Wilkerson, 5 Ponderosa, drainage concerns. Mancellia Carlson, 200 Ponderosa - drainage problems need to be addressed before any new development. Terry Carlson, 108 Arrowhead Drive - the new development would help him, would be more direction for the water to flow. All the above that spoke in opposition stated they did not oppose the development, just want the current issues resolved before they become a bigger problem.

Chair Brush called for more comments in opposition, hearing none she called for comments in favor of the subdivision. Doug Martin, 63 Prima Vista Drive - He is a general contractor, there is a need for housing, development of property would decrease drainage problems with the planting of grass, trees, streets, curb & gutter. Mike Coryell, 110 NeuVu - has worked with the applicants on the planning process of their subdivision. They are very much aware of the drainage problems and is part of their planning process. Ted Schreiber - 507 Ponderosa, has lived there for 33 years, has seen

the drainage problems, more concerned with park issue, Wild Rose Park was never developed and he hopes applicant will carry through with their proposed park, it would be beneficial to the entire subdivision. Chair Brush called for more comments in favor, hearing none, she closed this portion of the public hearing at 6:45 pm.

Chair Brush opened the discussion to the Planning Board. Brush questioned the developer, Eric Doeden, about funding the cost of an engineering study of Horizon Parkway/Hwy 59 northbound turn/acceleration lane. Doeden reported the costs keeping piling up. He commented that was State Highway and they should address and fund this issue. If more costs are pushed onto the developer(s), the entire project would need to be abandoned.

Chair Brush inquired about the parkland issue whether they would develop this or the City. Doeden reported this was to be discussed with the City. City stated they did not have enough man power to take on another park. Doeden suggested installing a basketball court, which would be low maintenance. Planner Broadie commented the board could recommend a reduction in size of the park dedication.

Chair Brush inquired about water and wastewater. Planner reported public utilities is not clear, at this point, if the lines could handle the expected full build out. A grant could possibly be obtained to cover the cost of an engineering study.

Chair Brush inquired about busing kids to school. Broadie noted the school bus program is only for special needs children.

Chair Brush inquired about parks. Planner reported that 2.29 acres is state statue, but could require a lesser amount.

Chair Brush inquired about the improvement design and if the final plat had been approved. Planner commented the final plat has not been approved. All conditions must be met prior to final plat approval.

Board Member Laney commented that most people in attendance are in favor of the subdivision. He stated there are drainage problems that need to be addressed. In the 1980's, Southgate residences were promised, by the Mayor and City Council, that these problems would be addressed before any further development would be allowed.

Board Member Hollowell reported that Southgate is gumbo. With the development of new residences, grass, streets, curb/gutter will help the drainage issues immensely. One of the developers, Eric Doeden, explained that the installation of retention ponds and streets will help and expressed they were going above DEQ standards.

It was reported that a secondary entrance is a huge problem, especially with more families and traffic. The board reported that options are limited for a secondary access. Board member Monier is trying to work with the developers regarding access through his property. We need to be careful not to hold the developers responsible for an additional access. Also conveyed was the problems with the truck wash access to be very hazardous.

On the Site-Specific Conditions: Chair Brush has concerns with #15) the 15 foot easement to Steel Street and #21) the engineering study on Horizon Parkway/Hwy 59. Brush feels that for #21, MDOT should be held responsible for the engineering study. She asked Mayor Grenz for his comments. He noted that he would call MDOT Engineer out of Glendive tomorrow for this information. Chair Brush commented she was not sure that both of these burdens should be placed on one developer. She expressed that a secondary access was more important than a traffic study.

Board Member Hollowell thanked people for reminding us about the truck wash access. He noted this was a very dangerous intersection. Hollowell reported that Steel Street, located next to Guest House Inn, is the closest turn into Southgate Meadows. This makes no sense for another access, to dangerous, would cause a tremendous amount of congestion. Need to come up with another access route. Feels this would be too much of a burden on the developer and land owner(s) to establish another access in/out of Southgate.

Board Member Laney would like #20) Parkland dedication of 2.29 acres modified.

*\*\* Laney moved that #20) the parkland dedication of 2.29 acres or lesser sized dedication with improvements that would have a similar value to be negotiated between the applicant and the City, second by Hollowell.*

Discussion - Laney felt it would be better to have an acre dedicated for a useable park than 2.29 acres of dirt. Hollowell noted the developer has graciously gave up a portion of the parkland to install possibly a basketball court and agrees we should negotiate with the developer.

*\*\* Members were polled for their vote. Monier - aye, Hollowell - aye, Laney - aye, Thom - aye, Wilhelm - aye, Brush - aye, motion passed.*

Laney spoke regarding #21) developer will fund the engineering study. After hearing testimony, it appears that the secondary access was more important than the engineering study regarding a turn lane.

*\*\* Laney moved to strike the language in #21 and change #15 to read applicant shall attempt to secure a secondary entrance/exit to the subdivision and remove the specifics on Steel Street into Pioneer Circle, second by Monier.*

Discussion - Hollowell asked the developers how they felt regarding the above motion. Developer noted "if possible". A resident of Southgate, Dan Reese, commented that it was ridiculous. He knows the developers will do a great job and appears the board is skirting around the problems by saying "if possible". Reese and many others, felt the City should be held responsible, not the developers, for problems that happened years ago. Board Member Laney withdrew his motion. Chair Brush stated an alternative could be, if the developers were unable to secure the secondary access, then they would need to fund the engineering study. City Clerk, Becky Stanton, commented the MDOT would not fund the entire study, some would fall back on the developer. The taxpayers of Miles City would need to pay for the street access. The developers commented there comes a certain point where more costs are falling back on them, which may cause them to pull the entire project. Brush asked the Planner to explain her experience with these types of conditions put on the

developers. She commented that it was a standard operating procedure to require this. Board member Hollowell reported that he understands the procedure, but the City is trying to attract business at this time. He would like to completely strike #15 and #21 from the Site-Specific Conditions. After more discussion, Board member Laney requested to withdraw his above motion. It was the consensus of the planning board to strike the above motion made by Laney and Monier.

*\*\* Hollowell moved to completely strike #15 and #21 from the Site-Specific Conditions, second by Laney, motion passed.*

Board member Thom suggested the Southgate residences form a community group and submit written suggestions for that area.

Chair Brush asked the planning board if they were ready to make a motion on the Southgate Subdivision. Planner Broadie suggested changing #3 and #8 under the Summary of Findings to match the amendments to the conditions.

*\*\* Laney moved to adopt the Findings of Fact, as amended and also approve the Site-Specific Conditions, as amended, second by Brush, motion passed.*

*\*\* Brush moved to recommend to the City Council approval of the preliminary plat of the Southgate Meadows Subdivision, with amended conditions, second by Hollowell. Members were polled for their vote. Monier - aye, Thom - aye, Hollowell - aye, Hardesty - abstained, Brush - aye, Laney - aye, Wilhelm - aye, motion passed.*

**Adjournment:** On motion, the meeting was adjourned at 7:50 pm.

Respectfully submitted:

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Roxanna Brush, Board President