

January 8, 2019

AGENDA #1

Agenda Action Report
Prepared for the
Cascade County Commission

ITEM	Public Meeting for the Staff Report for Preliminary Plat Approval for Maeder Addition Minor Subdivision
INITIATED BY	Michael Maeder
SUBJECT	Minor Subdivision Preliminary Plat, Maeder Addition, located in the NE ¼ of Section 5, Township 20 North, Range 3 East
EXISTING ZONING	Suburban Residential 2 (SR2)
ACTION REQUESTED	Preliminary Plat Approval of Maeder Addition Minor Subdivision
PURPOSE	To create three (3) lots
SURROUNDING LAND USES:	North: Undeveloped land, one residence South: Vaughn Road, residence owned by applicant East: Residential and Outbuildings West: Montana Department of Transportation (MDT) facility
RECOMMENDATION	Preliminary Plat Approval of Maeder Addition Minor Subdivision
PRESENTED BY	Sandor Hopkins, Planner

STAFF REPORT ON
PRELIMINARY PLAT APPROVAL FOR
MAEDER ADDITION MINOR SUBDIVISION

SPECIAL INFORMATION

1. The Cascade County Commission is in receipt of an application from Michael Maeder to approve a first-time minor preliminary plat. The proposed subdivision is located in the NE ¼ of Section 5, Township 20 North, Range 3 East, P.M.M., Cascade County, Montana. This property is located off Vaughn Road.
2. Attached is a copy of the preliminary plat, which will subdivide the 57.65 acre parcel into one (1) tract of 10 acres, one (1) tract of 20.75 acres, and one (1) tract of 26.91 acres.
3. Access to the proposed subdivision will be via a turn-off from Vaughn Road in an MDT right-of-way and an internal cul-de-sac to be known as "Independence Way." The frontage road is a paved road maintained by MDT, all necessary permits have been obtained.
4. For the purposes of the county subdivision, based on trip generation factors available from the Institute of Transportation Engineers and proposed zoning, the new lots will generate approximately 77 new trips per day. Vaughn Road carries an average of 6,311 daily vehicles and would not experience a significant degradation to level of service.
5. Lot 1 is intended to house an office and a shop while lot 2 and 3 are not intended for development at this time.
6. The applicant has obtained a letter from the State Historic Preservation Office locating nearby cultural resource sites and declining a recommendation of a cultural resource inventory on the proposed site of the subdivision.
7. According to the US Department of Agriculture Custom Soil Resource Report the land is not considered prime farmland of statewide importance.
8. The parkland requirement is waived pursuant to M.C.A. 76-3-621(3)(a) "(3)A park dedication may not be required for: (a) land proposed for subdivision into parcels larger than 5 acres"(2017).
9. The proposed subdivision will receive law enforcement services from the Cascade County Sheriff's Department and fire protection services from the Vaughn Volunteer Fire Department.

10. A public hearing on a minor plat is not required for first time minor subdivisions pursuant to M.C.A. 76-3-609 (2) (e) “The governing body or its authorized agent or agency may not hold a public hearing...for a first minor subdivision from a tract of record” (2017).
11. An environmental assessment is not required pursuant to M.C.A. 76-3-609 (2)(d)(i) “The following requirements do not apply to the first minor subdivision from a tract of record...the requirement to prepare an environmental assessment” (2017).
12. There are no delinquent taxes on this property.
13. The applicant is proposing to rezone lots 1 and 2 to Light Industrial (I-1) as part of this subdivision application.
14. The Preliminary Plat application was presented to the Cascade County Planning Board on December 4, 2018 and was recommended for approval on a unanimous vote of 6-0.

CONCLUSION & RECOMMENDATION

This proposed subdivision meets the requirements of the Cascade County Subdivision Regulations, as well as Montana’s Subdivision and Surveying Laws and Regulations, and is in general compliance with the Cascade County Growth Policy. The Cascade County Planning Board voted unanimously to recommend approval of this preliminary plat application on December 4, 2018.

MOTIONS PROVIDED FOR CONSIDERATION

The following motions are provided for the Commission’s consideration:

1. Madam Chair, I move that the Commissioners, after consideration of the Staff Report and Findings of Fact **deny** the Preliminary Plat of Maeder Addition Minor Subdivision; or
2. Madam Chair, I move that the Commissioners after consideration of the Staff RReport and Findings of Fact **approve** the Preliminary Plat of Maeder Addition Minor Subdivision, subject to the following conditions:
 1. Having the developer’s surveyor correct any errors or omissions on the preliminary plat;
 2. Causing to be prepared certificates of title of the land in the subdivision to be recorded in conjunction with the final plat;