

CASCADE COUNTY PLANNING BOARD

PLANNING STAFF: Report and Recommendations

REGARDING: Planning Board Public Hearing on June 4, 2019

SUBJECT: Major Subdivision Preliminary Plat, Mountain View Estates North, located in the SE ¼ of Section 13, T. 20 N., R. 2 E., and SW ¼ of Section 18, T. 20 N, R. 3 E, P.M. Cascade County, Montana

PRESENTED BY: Sandor Hopkins, Planner

GENERAL INFORMATION

Applicants/Owners: Mike Hagen, Mountain View Estates Development North

Property Location: This proposed subdivision is Mountain View Estates North, Major Subdivision, Parcel #0002338395, Geo Code 02-3014-13-4-01-01-0000 in the SE 1/4, Section 13, Township 20 N., Range 2 E., and Parcel # 0002435900, Geo Code 02-3015-18-1-01-01-0000 in the SW 1/4, Section 18, Township 20 N, Range 3 E, P.M. Cascade County, Montana.

Existing Zoning: Rural Residential 5, Suburban Residential 2

Requested Action: Subdivision Review

Purpose: To create seventy-six (76) residential lots and two (2) parkland lots

Existing Land Use: The existing lots are fallow agricultural land

Surrounding Land Uses: Residential, Vacant, Missouri River

SPECIAL INFORMATION

1. The Planning Board is in receipt of an application from Mike Hagen, Mountain View Estates Development North, to recommend approval of the major subdivision preliminary plat to the County Commissioners. This proposed subdivision, is located in the SE 1/4, Section 13, Township 20 N., Range 2 E., and SW 1/4, Section 18, Township 20 N. Range 3 E., P.M.M. Cascade County, Montana
2. Attached is a copy of the major plat, which will subdivide 297.85 acres into seventy-eight (78) lots. The new residential lots will be sized from 2.38 acres to 5.347 acres and parkland will be 3.766 and 2.080 acres.

3. Pursuant to 76-3-605, MCA a public hearing is required for this major subdivision.
4. There are no delinquent taxes on this property.
5. An Environmental Assessment is required pursuant to 76-3-603(1)(a), MCA (2017).
6. Legal notice of this proposed subdivision was sent to surrounding property owners on May 16, 2019 and appeared in the Great Falls Tribune on May 19, 2019 & May 26, 2019.
7. Interested Agencies were provided with notification letters and a request for comments on May 15, 2019. The Great Falls International Airport Authority believes this subdivision will conflict with future development plans for expansion of the airport. No other agencies had provided comment as of the publishing of this report.
8. Access to the proposed subdivision will be granted by two new approaches from Airport Bench Road. Access to the lots will be provided by an internal road system.
9. The applicant's Traffic Impact Analysis estimates that when fully developed, this subdivision will generate an additional 727.32 trips per day along Airport Bench Road. The applicant has not identified adverse traffic impacts related to the proposed subdivision. The full Traffic Impact Analysis is available in Appendix L of the subdivision application.
10. Parkland dedication is a requirement for part of this proposed subdivision. Lots created over 5 acres do not require parkland dedication pursuant to Section 10-12 of the Cascade County Subdivision Regulations, but lots created between 1 and 3 acres require a 5% land dedication and lots created between 3 and 5 acres require a 2.5% land dedication. The applicant's calculations (Appendix P) indicate that 5.497 acres of parkland are required, and have designated 5.846 acres of parkland to satisfy this condition.
11. The proposed subdivision will receive law enforcement services from the Cascade County Sheriff's Department and fire protection services from the Gore Hill Volunteer Fire Department. Response time will be dictated by weather and road conditions.
12. The applicant's fire risk rating analysis identifies this property as a moderate wild land fire risk and hazard area. The applicant will be required to install a total of 48,000 gallons of fire suppression cisterns to cover the entire subdivision, and plans to install a total of 50,000 gallons across four locations. Each phase will

include the installation of two 12,500 gallon tanks in two different locations, ensuring that the entire subdivision is within 1000 feet of a fire suppression system.

13. Soils classified as “Farmland of statewide importance” bound the property to the east and partially to the North. The applicant will be required to establish a 100 foot easement buffer between the soils and the development in accordance with Section 10-2(A)(1) of the Cascade County Subdivision Regulations.

CONCLUSION

This proposed subdivision will meet the requirements of the Cascade County Subdivision Regulations, as well as Montana’s Subdivision and Surveying Laws and Regulations.

RECOMMENDATIONS

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

“I move to recommend to the Cascade County Commission after consideration of the Staff Report and Findings of Fact, **deny**, a major subdivision, a Preliminary Plat of Mountain View Estates North;

or

“I move to recommend to the Cascade County Commission after consideration of the Staff Report and Findings of Fact, adopt said Staff Report and Findings of Fact and **approve**, a major subdivision, a Preliminary Plat of Mountain View Estates North, 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;
3. Submitting with the plat a certificate of a title abstracter showing the names of the owners of record of the land and the names of lien holders or claimants of record against the land (M.C.A. 76-3-612, 2017).
4. Causing to be recorded in conjunction with the final plat the covenants of the Major Plat that contain, at a minimum, a noxious weed control program, an erosion control program, a limit to livestock and pets, a provision prohibiting commercial or industrial uses, and that impose upon all landowners the exclusive responsibility to improve and maintain the public rights of way created by and indicated on the subdivision plat.

5. Pursuant to 7-22-2152 M.C.A. (2017), submitting a written plan to the Cascade County Weed and Mosquito Division specifying the methods for weed management procedures with regards to this development.
6. Causing to be recorded in conjunction with the final plat homeowners' association documents with sufficient authority and procedural mechanisms to administer, enforce, and fund the perpetual maintenance and discretionary improvement of the public rights of way created by and indicated on the subdivision plat.
7. Causing to be recorded on the plat a statement concerning limited public services.
8. Causing to be recorded on the plat an Agricultural Notification statement.
9. Design, construction, inspection, and certification, by a licensed professional engineer, of all internal private roads and cul-de-sacs to Cascade County Subdivision Road Specifications, as well as the purchase and installation of all required street signs and stop signs. All of the above items to be at the developer's expense and to be completed prior to the approval of the final plat.
10. The inclusion on the major plat a statement provided by Cascade County certifying the status of the internal subdivision roads.
11. The inclusion of setbacks in the covenants as required by the Cascade County Zoning Regulations.
12. Montana Department of Environmental Quality (MDEQ) Certificate of Subdivision Approval (COSA) shall be submitted with the final plat.
13. Causing to be recorded in conjunction with the final plat, an agreement requiring property owners of each subdivision tract to take part in any Rural Special Improvement District (RSID) for the reconstruction, improvement or perpetual maintenance of Airport Bench Road or any other road that can be used to access these lots as determined by Cascade County, provided that all other property owners served by said road share equitable in such an RSID. This waiver will expire 20 years after the date the final plat is filed Cascade County. This statement of waiver shall be placed on the final plat.
14. Cause to be filed with final plat a Declaration of Covenant that declares that all of the properties described shall be held, sold, and conveyed subject to the following covenant which shall run with the real property and be binding on all parties having any heirs, successors and assigns, and shall bind each owner thereof. The covenant may be revoked for any or all parcels within the subdivision by mutual consent of the owners of the parcels in question and the governing body of Cascade County.
15. Installation of four (4) buried storage tank totaling a minimum of 48,000 gallons,

installed on-site, properly maintained and equipped with the property appurtenances for the Gore Hill Volunteer Fire Department to use for firefighting at all times. Providing for an easement for the placement of the cisterns to be granted to Cascade County as well as the developers install and the homeowner's association maintain an accessible approach for access to the cisterns at all times. The installation of the cisterns totaling a minimum of 24,000 gallons to be installed at the commencement of each Phase of development. Cisterns must be located in an approved location by the Cascade County Planning Division and the Gore Hill Fire Chief.

16. The homeowner's association shall be responsible for the continual maintenance of the equipment subject to adequate inspections by the Fire Chief of the Gore Hill Volunteer Fire Department to ensure the equipment is being properly maintained.
17. Cause to be recorded a 100' buffer along the prime farmland on the eastern edge of the subdivision, and lots 70-73 and 46 & 47 in accordance with Section 10-2(A)(1) of the Cascade County Subdivision Regulations.
18. Cause to be recorded on the plat a statement of close proximity of a military and civilian airport.
19. MDEQ approval for the proposed site grading and drainage and stormwater conveyance system shall be submitted prior to final plat approval. Additionally, final engineering plans, stamped by a professional engineer in the State of Montana, shall be submitted to the Cascade County Planning Division with the final plat submittal.
20. A copy of the MDEQ General Discharge Permit for Stormwater associated with construction activity shall be submitted prior to final plat approval, if applicable.

Attachments: Findings of Fact
Reduced Copy of Preliminary Plat
Airport Property Map Exhibit A

cc: Mike Hagen, Mountain View Estates Development North, LLC
Mark Leo, Big Sky Civil & Environmental