



PLANNING BOARD AGENDA

April 15, 2024 – 10AM | Council Chambers, City Hall

1. **Call meeting to order** | Pledge of Allegiance.
2. **Approval of Minutes: Approve all minutes together.**
 - a. Regular Meeting: March 18, 2024
3. **Public Comment Non-Agenda Items** – Members of the audience may comment on any non-agenda item. State Statute prohibits the City Council from discussing any introduced item. The Council limits each person to three minutes to ensure there is sufficient time for all comments. The Council respects all comments and will have staff follow up any questions.
4. **Public Hearing:(s)**
 - a. Beaumont Place Addition Preliminary Plat Application
Action item: Vote on a Recommendation to the City Council
 - b. Pintler Meadows Subdivision Preliminary Plat Application
Action item: Vote on a Recommendation to the City Council
5. **Continued Business:** - The Board accepts public comment at the end of each item.
 - a. None
6. **New Business:**
 - a. None
7. **Staff or Committee Comments:**
8. **Announcement of the next meeting:**
 - a. Regular Meeting: May 20, 2024 at 10am
9. **Adjournment**

Planning Board Mission Statement:

The Planning Board works to protect the health, safety, and welfare of the community of Deer Lodge in a responsible and equitable way. It accomplishes this through the gathering of local input, the desire for community vibrancy, and the knowledge that our decision-making today supports the future of the community.

Note: A plan with no action remains nothing more than a plan!

Planning Board for the City of Deer Lodge meets in the Council Chambers.
300 Main Street, Deer Lodge, MT 59722

For Further Information Contact

CAO | Jordan Green
jgreen@cityofdeerlodgemt.gov | 406.846.2238

PLANNING BOARD MINUTES

March 18, 2024 – 10AM | Council Chambers, City Hall.

Members Present:	Dick Bauman, Amber Brown, Rick Buck, Greg Larkins, Kathy Bair, Dan Sager (arrived at 10:03)
Member Absent:	Amanda Cooley
Mayor:	Absent
CAO:	Jordan Green
Council Member:	Greg Larkins
Staff:	Cyndi Thompson
Guests:	None

1. Call Meeting to Order | Pledge of Allegiance

Chairperson Brown called the meeting to order at 10:00AM, all recited the Pledge of Allegiance

2. Approval of Minutes

- a. Regular Meeting: February 12, 2024

Member Bauman motioned to approve as presented. Member Larkins seconded the motion. 5 Ayes, 1 Late, 1 Absent, 0 Nos. Motion passed.

3. Public Comment Non-Agenda Items:

- a. None

4. Public Hearings:

- a. Uses in the B-1 Central Business District – Jordan
 - Vote on recommendation of B-1 uses to City Council - Jordan

B-1 Central Business District 11.01.200.020:

(B) Civic uses. A category related to fulfilling the needs of day-to-day community life, congregation and social interaction.

Items added:

- Daycare, as Permitted
- Laundromat, as Permitted
- Theaters and Entertainment Venues, as Conditional Use.

(e) Office uses. A category of businesses that involves the transaction of affairs of a profession, service, industry or government.

Items added:

- Banks, as Permitted.
- Business and Professional offices, as Permitted.
- Medical and dental clinics, as Permitted.
- Uses requiring more than 5,000 square feet of gross floor area, as Conditional use.
- Uses with drive-thru windows and/or service windows, as Conditional use.
- Veterinary and animal services, as Conditional use.

(F) Residential and Lodging. A category that includes several residential and lodging types.

Items added:

- Bed and breakfast under Hotel/Inn, already set as Conditional use.
- First floor residential, as Conditional use.
- Second/third floor residential, as Permitted.

(G) Retail uses. A category involving the sale of goods or merchandise to the public for personal or household consumption.

Items added:

- Antique stores and pawn shops, as Permitted.
- Convenience Stores, as Permitted.
- Retail, as permitted.
- Thrift Stores, as Permitted.

Public Comment Open 10:07am. No public present.

Public Comment Closed 10:07am

Member Larkins motioned to approve as presented with recommendation to City Council to hold a public hearing. Member Bauman seconded the motion. 6 Ayes, 0 Nos, 1 Absent.
Motion passed.

5. Continued Business The Board accepts public comment at the end of each item.

- a. None

6. New Business:

- a. None

7. Staff or Committee Comments

- a. Jordan provided an update on the two subdivisions. This will be on April Agenda. Lots to review so packets will be mailed to Board Members 1 week prior to April's meeting, Member Bauman will receive a hard copy, per his request.
- b. Member Bauman asked about time frame of hooking up the new Well on the City's owned property.

8. Announcement of the next meeting:

- a. Regular Meeting: April 15, 2024 at 10 AM.

9. Adjournment:

- a. The meeting was adjourned at 10:20 AM.

Prepared by: Cyndi Thompson, City Clerk

Amber Brown, Chairperson

Date

Mayor
James Jess
Chief Administrative Officer
Jordan Green
City Attorney
Peter Elverum
City Clerk
Cyndi Thompson
Compliance Officer
Kody Ryan
Public Works Superintendent
Trent Freeman
Treasurer
Stanley Glovan
City Services Coordinator
Gena Micu



City Council
Curt Fjelstad
Kirk Hayes
John Henderson
Robert Kersch
Rian King-Chavez
Greg Larkins
John J. Molendyke
Gordon Pierson

***Planning Board Staff Report for
Beaumont Place Addition Major Subdivision Preliminary Plat***

*Major Subdivision Preliminary Plat Submitted: March 11, 2024
Staff Report Finalized: April 8, 2024
Staff Report Generated by: Jordan Green, AICP, CFM
Planning Board Public Hearing: April 15, 2024*

Project Description: Preliminary plat of a major subdivision to establish a mix of uses including lots for single-family homes, townhomes, apartments, commercial space, and mixed-use commercial/residential units. The proposed subdivision is designed for approximately 220 living units. The design also includes the construction of public roads, open space, sanitary sewer, water, and stormwater systems. Off-site improvements include the reconstruction of Aspen Lane to a Major Collector Roadway as required by City engineering standards. This reconstruction will also include the installation of water and sanitary sewer systems within the right-of-way, to connect to existing services on Vigilante Drive. This development was designed and is anticipated, upon approval, to coincide with the development of the Pintler Meadows Major Subdivision.

Project Location: The project location is a 44.29-acre parcel located west of Interstate-90, directly outside of City limits. It is directly east of the proposed Pintler Meadows Major Subdivision, which in turn is east of the upper ballfields at Jaycee Park. To the north is an unincorporated parcel that contains a single-family home, and directly to the south are incorporated parcels containing predominantly single-family homes.

Subdivision History: The applicant held a pre-application meeting with City staff on February 12, 2024. The preliminary plat was submitted on March 11, 2024. After review, staff provided a letter of element review determination on March 13, 2024. This letter signified that staff had determined that all required elements for preliminary plat application had been submitted. Staff then provided a letter of sufficiency review determination on March 14, 2024. This letter signified that staff had determined that the application provided all elements with sufficient information to be able to perform a full review and make a recommendation to City Council. In this letter, staff required the applicants submit two items before the preliminary plat public hearing. These were the finalized Geotechnical Survey and the finalized Traffic Impact Study. A public hearing was then scheduled for April 15, 2024 in front of the Planning Board. Notices of the public hearing were ran in the March 20 and March 27, 2024 editions of the Silver State Post, the paper of record for the City of Deer Lodge. Letters were sent via USPS certified mail to 15 adjacent property owners on March 15, 2024, however, two letters were returned to sender. On March 22 and March 25, 2024, staff emailed 23 state and local agencies with requests for comment on the proposed subdivision. Agency comments received back are included in this staff report

and incorporated herein. Should comment be provided between the writing of this staff report and the public hearing, they will be incorporated into the public hearing information packet for review.

Summary of Infrastructure:

Roads and Access: The subdivision is proposed to be accessed by California Avenue and Aspen Lane. California Avenue is an existing city-maintained right-of-way that dead-ends at the western edge of the property. Aspen Lane is currently a gravel road that runs through Jaycee Park that was created through a non-exclusive access easement granted many years ago to property owners to the north of the proposed subdivision. It will be reconstructed to City standards for a Major Collector Roadway. Aspen Lane will connect to California Avenue via a loop around the perimeter of the proposed subdivision and will cross Johnson Creek at the extreme southeast corner of the subdivision. There are several "loop" roads throughout the parcel that will provide access to all lots. Most roadways are classified as major or minor collector roads, with one loop road being a local road, furthermore, all roadways will contain sidewalks, boulevards, curb and gutter, parking lanes, and driving lanes. All roadways within the subdivision, and Aspen Lane, are proposed to be dedicated to the City after construction. All roadways are expected to be constructed to completion by the time of final plat application.

Municipal Water: The subdivision intends to connect to municipal water systems that currently exist in the California Avenue right-of-way and the Vigilante Drive right-of-way. Water mains off Aspen Lane will run under an easement granted to the applicant through the proposed Pintler Meadows Subdivision. All water mains are 8" mains to satisfy City engineering standards for fire protection. All water mains are looped – there are no dead-end water mains proposed. Hydrant locations are placed along the rights-of-way following City engineering standards. All municipal water infrastructure developed will have to be approved by the City and by the Montana Department of Environmental Quality (DEQ) prior to dedication to the City. All municipal water systems are expected to be constructed to completion by the time of final plat application.

Sanitary Sewer: The subdivision intends to connect to sanitary sewer systems that currently exist in the California Avenue right-of-way and the Vigilante Drive right-of-way. These connections were recommended by City staff and contracted engineers as they are able to handle the increase in capacity as a result of this subdivision. The sewer system for all lots north of Johnson Creek will connect to Aspen Lane and, by extension, Vigilante Drive. The sewer system for all lots south of Johnson Creek will connect to California Avenue. As such, no sewer main will need to be bored and pumped under Johnson Creek. All sanitary sewer infrastructure developed will have to be approved by the City and Montana DEQ prior to dedication to the City. All sanitary sewer systems are expected to be constructed to completion by the time of final plat application.

Stormwater System: Please see the "Storm Water Narrative" that was submitted by the applicants in the preliminary plat application packet for a description of how the stormwater system will function. The stormwater system was designed on the assumption that all lots would be developed with 90% impervious surfaces. There will be a series of stormwater pipes that connect lots to detention ponds. City staff and contracted engineers agree that the stormwater system will function as presented, however, the depth of several of the detention ponds raises concerns that there will be conflict with groundwater depths. Therefore, City staff recommends that the Council approve the preliminary plat on the condition that the applicants either prove the lowest elevation of the stormwater ponds will be above groundwater levels during the months of May and June, or that the applicants increase the footprint of the stormwater ponds to allow for a more shallow detention pond. Also, staff recommends that the stormwater ponds be fenced to prevent access should the slope of the ponds be more than 1 foot of elevation change per every 3 feet. All stormwater system

infrastructure developed will have to be approved by the City and Montana DEQ prior to dedication to the City. Please see correspondence in the agency comment section (#9) of this report between Trent Freeman, Public Works Superintendent, and Sarah Jones, the applicant's Principal Engineer, for further information regarding stormwater system design. All stormwater system improvements are expected to be constructed to completion by the time of final plat application.

Floodplain Considerations: Please see the "Storm Water Narrative" that was submitted by the applicant in the preliminary plat application packet for a description of how the proposed subdivision will interact with the Johnson Creek floodplain. Johnson Creek runs from the extreme southeast corner of the property to the middle of its western boundary. While it was historically created as an irrigation ditch, at some point in history it became classified as a creek. As such, it falls under the jurisdiction of local floodplain administration and the Montana Department of Natural Resources (DNRC), and has both a delineated floodway and floodplain with elevations. The DNRC is currently in the process of revising all floodplain maps in and around Deer Lodge, and preliminary data have been made available to local floodplain managers and the applicants. These data were mapped using elevations on-site to determine that correct location of the new, proposed, 100-year floodplain. Several lots adjacent to Johnson Creek lie either partially or fully within the floodplain delineation. Therefore, the applicants will be required to obtain floodplain development permits for the development of these lots. Per the Deer Lodge floodplain ordinance, the applicants will be required to prove that the development will not increase flood elevations in the floodway by more than 6 inches. They will also be required to construct any buildings on fill at least 2 feet above the base flood elevation (BFE). Furthermore, they will be required to store stormwater off-site in the detention ponds proposed. The floodway (main water channel) of Johnson Creek, will remain unaffected by the development except for a culvert or bridge where the roadway crosses the Creek. Land in the floodway, and adjacent lands, are part of the open-space dedication.

Open Space Consideration: The City's Subdivision Regulations require that at least 11% of the total area of the subdivision be set aside for an open space dedication to the City. While the stormwater detention ponds are technically open space, staff required the applicants to set aside at least 11% of land *not* used for stormwater detention as future park space. The majority of this dedication exists in the Johnson Creek floodplain and floodway, but there is a 1-acre park in the center of the property that will be dedicated as the "Beaumont Place Park." Total land area set aside for open space dedication, less stormwater detention areas, is approximately 12%.

Variances: No variances to the City subdivision regulations or design standards have been requested. Staff have been in regular communication with the applicant regarding engineering designs.

Recommended Motion: Having reviewed and considered the application materials, staff report, public comment, and all the information presented, I move to approve the Beaumont Place Preliminary Plat major subdivision application subject to the following staff-recommended conditions:

- The applicant submits final engineering plans to the City and Montana DEQ, as required, that have been approved by the City Public Works Department.
- The applicant, before the construction of the stormwater detention ponds, either 1) proves that the groundwater elevation in the months of May and June is lower than the lowest elevation of each detention pond, or 2) redesigns the stormwater detention pond infrastructure, subject to City Public Works Department approval, so that the lowest elevation of all detention ponds is above the groundwater elevation.

- The applicant shall design the stormwater detention ponds so that all water collected in the ponds is required to drain within 72 hours of a storm event to prevent standing water.
- If the stormwater detention ponds have a greater slope than 1 foot rise for every 3 feet, then they shall be completely fenced by the applicant to prevent access to the general public.
- The applicant removes the language from the draft covenants that states that the future Homeowners Association will maintain all park and trail infrastructure and instead state that the City of Deer Lodge will maintain the park and trail infrastructure.
- The applicant works with City staff to determine the method of garbage collection. This method must be approved by the City Public Works Department.
- Should the applicant prefer not to construct all infrastructure as designed prior to final plat approval, then they shall enter into a Subdivision Improvements Agreement with proper financial security approved by the City of Deer Lodge.
- Should the applicant not construct all infrastructure as designed prior to final plat approval, that the entirety of Aspen Lane and California Avenue be constructed with all adjoining infrastructure prior to final plat approval.
- Should the applicant not construct all infrastructure as designed prior to final plat approval, that adequate access and egress is provided to every lot that will be built upon subject to the City's design standards and subdivision regulations.
- The applicant shall install all water and sewer service lines leading from the mains and stubbed to the property line during the construction of the water and sewer mains. As such, the City will waive tapping fees for the installation of this infrastructure.
- The applicant shall install water meters that are approved by the City Public Works Department for all water service lines subject to the City of Deer Lodge Code of Ordinances and the City design standards.
- The applicant shall obtain any necessary Floodplain Development Permits for fill, grading, construction, and all other activities that require a Floodplain Development Permit per the City Floodplain Regulations.
- The applicant shall obtain a Section 310 permit from the Deer Lodge Valley Conservation District prior to the construction of a culvert, bridge, or infrastructure at the Johnson Creek crossing.
- The applicant shall submit a weed management plan prior to development, the template for which will be supplied by the subdivision administrator. This plan must be approved by the subdivision administrator and the Powell County Noxious Weed Control.
- Prior to final plat approval, the applicant shall work with the City Planning Board to recommend zoning districts and uses to the City Council based on the lot uses as proposed within the preliminary plat application.
- The applicant shall provide a lighting plan for the subdivision to the City for review and approval prior to final plat approval.
- The applicant shall provide to the city a Special Improvement District (SID) waiver in a notarized document filed with the subdivision final plat that states the following: Owners and their successors-in-interest waive all rights for 20 years to protest the inclusion of the property into special improvement districts that are in place at the time of final plat approval.
- The applicant shall provide to the city a Special Improvement District (SID) waiver in a notarized document filed with the subdivision final plat that states the following: Owners and their successors-in-interest waive all rights for 20 years to protest the creation of a special improvement district for the specific purpose of the construction of city parks within the development. This includes but is not limited to maintenance, outdoor furniture, grading, and landscaping.
- The applicant shall provide to the city a Special Improvement District (SID) waiver in a notarized document filed with the subdivision final plat that states the following: Owners and their successors-in-

interest waive all rights for 20 years to protest the creation of a special improvement district for the specific purpose of improving or maintaining the roads and sidewalks that access the subdivision and roads and sidewalks inside the subdivision.

- The applicant shall provide to the city a Special Improvement District (SID) waiver in a notarized document filed with the subdivision final plat that states the following: Owners and their successors-in-interest waive all rights for 20 years to protest the creation of a special improvement district for the specific purpose of developing, improving or expanding municipal utility services to include the community water system, the community wastewater treatment system for an incorporated municipality, and storm water facilities.
- That the Preliminary Plat is valid for three years from the date of approval. This timeframe may be extended at the discretion of the City Council following the City's Subdivision Regulations.

Subdivision Review Criteria:

Pursuant to Chapter 5 of the City of Deer Lodge Subdivision Regulations, the City of Deer Lodge Growth Policy, and 76-3-608, MCA, the following criteria are to be examined for potential impacts and preferred mitigation. Please note that, per state law, the City Council may not unreasonably restrict a landowner's ability to develop land, but in some instances the unmitigated impacts of a proposed development may be unacceptable and may preclude approval. As such, the conditions of approval listed in the "Recommended Motion" section of this staff report are intended to provide recommendations to the City Council regarding proposed mitigation to potential impacts.

76-3-608, MCA Criteria: These criteria are established in State Law and are further defined in the City of Deer Lodge 2024 Growth Policy.

How many, if any, acres of land would be removed from livestock or crop production?

The proposed development is situated on what is traditionally agricultural land. However, it has not been used for said purpose for some time. As such, the 44.29-acre subdivision will not remove any land from *current* livestock or crop production.

Are any of the lands taken out of production irrigated?

The proposed development will not remove any land from livestock or crop production. While the land was traditionally flood irrigated, the current owner has relinquished historic water rights on the property.

Will the subdivision interfere with any irrigation system or present any interference with agricultural operations in the vicinity?

The closest irrigation systems and agricultural operations are on the other side of Interstate-90 from the subdivision. Both stormwater and streams run east to west above and through the subject property. As such, there is no irrigation system or agricultural operations downstream from the proposed development.

Will the subdivision comply with water rights requirements set forth in 76-3-504(i) and (j), MCA?

The applicant and current owner of the land has severed all existing surface water rights from the land and, as such, complies with the above requirements.

Will the subdivision connect to central water and sewer systems? Who will pay the cost of connecting to the central system?

The applicant intends to connect to the Deer Lodge municipal water and sewer systems. The increased burden on these systems has been determined through modeling and calculation to be well within the current capacity of these systems. The applicant will pay the full cost of connecting into these systems.

What, if any, increased costs for maintenance and operation will be incurred on water and sewer systems, and what approximately will be these costs? Will the lot buyers pay regular water and sewer charges?

The increased costs for maintenance are undetermined at this time, but impact fees will be assessed upon the lots that will offset the increased costs for maintenance and operation. Furthermore, as all lot owners will pay regular water and sewer charges, those additional revenues will be used to fund the increased costs for maintenance and operation of these systems.

What agencies will provide law enforcement, fire protection, and ambulance services? Will providing these services to the subdivision create increased costs to any of these agencies or the City of Deer Lodge. Approximately how much will the subdivision increase agency costs? Will the subdivider or subsequent lot buyers bear those increased costs, or will the taxpayers and/or rate payers bear the costs?

The City of Deer Lodge will provide law enforcement and fire protection services to the development. The subdivision will increase costs to provide these services. However, an increase in tax revenue from the development will offset the increased costs. Based on the proposed units compared to the number of existing units in town currently, we can estimate a 7.5% increase in costs associated with law enforcement and fire protection. Powell County EMS will provide ambulance services. See comment from Rand Dickson, Director for Powell County EMS, expressing no objections to the proposed development.

At an average of eight vehicle trips per day per lot, how many average vehicle trips per day will the subdivision generate? Will the extension of public streets or roads be needed and, if so, who will bear the costs? Will the subdivision increase the costs of road maintenance and, if so, by approximately how much? Will the subdivider/lot buyers or the public bear these increased costs?

Please see the Traffic Impact Study for the development that was generated by Abelin Traffic Services. As proposed, the development would increase traffic volumes on the surrounding road network by 500 to 1,000 vehicles per day. However, there will be little impact on the level of services for current roads, due to the variety of routes drivers can use to access the development. All roads extending into the development will be paid by the developer. It is unknown how much the property will increase costs for road maintenance, however, the lots will generate \$39,629.15 in street maintenance funds through the current assessment rates in the City's assessment district. This increased funding will subsidize the maintenance of existing roads in Deer Lodge and, as such, cover any increase in costs.

At an average of 1.5 school-age children per lot, how many elementary and high school students will be added to public schools? What net financial effect would these additional students have for the public schools?

Based on the above estimate, 330 students would be added to public schools. Please see the comment from Rick Duncan, the School District Superintendent, in the Environmental Assessment section of the application. In it, Mr. Duncan expresses his belief that, while this may require additional staffing for the school district, the school district will be able to handle this increase in students. However, the estimates in students added that were provided to Mr. Duncan by the applicant are lower than what the Growth Policy dictates (1.5 students per lot).

How much does the land affected by the proposed subdivision currently pay in local property taxes? After the subdivision is fully developed, how much will the land and improvements be expected to pay in local property taxes, at current mill levies?

The unincorporated parcel currently pays \$210.76/year in county, school, and state taxes. It is impossible to determine how much the improvements will be expected to pay in local property taxes after development, but it will be significantly higher than the current taxes.

Will the subdivision increase stormwater run-off, interfere with natural drainage ways, or cause or increase erosion. Has the City Public Works Director determined that the size, location, and installation of any culverts meet design standards? Will the terrain create significant surface run-off problems? Will the grading and drainage plan minimize run-off and adverse impacts?

Due to the creation of impervious surfaces, the subdivision has the potential to increase stormwater runoff. However, there are a series of stormwater detention ponds that are built above the capacity of the 100-year storm event to capture and meter this runoff. Furthermore, many of the single-family lots will be designed to hold stormwater on site. Therefore, stormwater run-off to adjacent properties will be less than that of the undeveloped parcel. See the "Storm Water Narrative" as submitted by the applicant for additional information. Also, please see correspondence in the agency comment section (#9) of this report between Trent Freeman, Public Works Superintendent, and Sarah Jones, the applicant's Principal Engineer, for further information regarding stormwater system design. There will be no anticipated impact to the Johnson Creek drainage, as there will be no development in the floodway for the Creek. While there is development that is proposed within the floodplain, Floodplain Development Permits will ensure that there will be less than a 6" rise in flood elevations, per the City Floodplain Regulations. There will be minimal grading to the site, so the potential for erosion will not increase. The Public Works Director has not determined the size and installation of the culvert along the Creek, but the culvert will be designed following the guidelines of a Floodplain Development Permit and a Section 310 Permit, as required. As built, the grading plan and stormwater retention plan will minimize run-off and adverse impacts.

Is the subdivision expected to adversely affect native vegetation, soils, or the water quality, or quantity of surface or groundwater? Will areas disturbed by cutting, filling, and grading be reseeded in the same season to minimize erosion?

The vegetation, soil, and groundwater monitoring maps and data can be found in the Environmental Assessment section of the application. The vegetation predominantly consists of marsh grasses and cottonwoods along the Johnson Creek corridor, hay north of Johnson Creek, and native grasses with a

scattering of Cottonwoods south of Johnson Creek. The vegetation along the Johnson Creek corridor will remain unaffected, but the hay field and native grasses will be mostly removed due to the development. To prevent the encroachment of noxious weeds, the applicant should submit a weed management plan prior to development. The water quality in Johnson Creek will not be affected in any meaningful way, as there is no development proposed along the floodway besides the creation of a culvert underneath a road. Groundwater levels have been monitored since July 2023, and a Geotechnical Survey has been ordered by the applicant to determine structure design that will mitigate any impacts on groundwater. Groundwater will not be depleted as the project will not use wells but instead be connected to municipal water supply.

Are weed control measures proposed to prevent the proliferation of weed growth within the subdivision and on areas disturbed by construction?

Not at this time. A recommended condition of approval is the submittal of a weed management plan to the satisfaction of the subdivision administrator and the Powell County Noxious Weed Control.

Is the subdivision subject to potential natural hazards such as flooding, snow or rockslides, high winds, wildfire, or excessive slopes, or potential man-made hazards such as high voltage power lines, high pressure gas lines, nearby industrial or mining activity, or high traffic volumes? If so, what measures has the subdivider proposed to minimize those hazards?

There are no anticipated concerns with either natural or manmade hazards.

Will the expected effects of pets and human activity generated by the subdivision significantly affect wildlife?

There are no anticipated effects from pets and human activity on wildlife. The Johnson Creek corridor will be maintained to continue to provide a corridor for animal habitat.

Will the subdivision be located in an area of significant wildlife habitat or in any critical wildlife area?

No. The area directly across the highway remains agricultural land and, in many cases, delineated wetland. As such, there remains area for wildlife habitat in the immediate vicinity. Furthermore, the property is located very close to town, and is bound by a highway and/or the city on all sides. The Montana Natural Heritage Program does not delineate either important bird areas or important plant areas in the subject property. Also, there were no comments received from state agencies related to critical wildlife in the area.

Survey Requirements (76-3-608(3)(b)(i), MCA):

The subdivision shall comply with survey requirements as stated in the Uniform Standards for Final Subdivision Plats.

Compliance with Local Subdivision Regulations (76-3-608(3)(b)(ii), MCA)

Compliance with the design standards as found in the City Subdivision Regulations.

City staff and contracted engineers have reviewed the proposed infrastructure improvements and, with minor changes, have found them to be in compliance with the City's Subdivision Regulation design standards and the City Engineering Standards. It is recommended as a condition of preliminary plat approval that any changes to the proposed plans required by the Public Works Department are followed.

Compliance with applicable zoning.

As the property had not been annexed into the City of Deer Lodge when this staff report was written, zoning has not been established for the property. It is recommended as a condition of preliminary plat approval that the applicant work with the City Planning Board to establish zoning recommendations to the City Council based on proposed lot uses as stated in the preliminary plat application.

Compliance with other applicable regulations, such as the ARMS for sanitation and water supply, public health ordinances, floodplain regulations.

As the development is proposed to connect to existing municipal water and sewer infrastructure, sanitation and water systems will be approved by the Montana DEQ prior to construction. See the response from Chad Lanes, Tri-county Sanitarian, related to sanitation. There is no anticipated noncompliance with public health and safety ordinances. As stated previously, the applicant shall adhere to local floodplain regulations during the development of the property.

Subdivisions should demonstrate conformance to adopted plans, such as the Growth Policy, Capital Improvement Plans, Pre-disaster Mitigation Plans, and Community Wildfire Protection Plans.

The development is proposed in conformance with all adopted plans. Specifically, the Growth Policy highlights the need to create more housing in the City of Deer Lodge. There are no impacts as stated in the current Capital Improvement Plans, Pre-disaster Mitigation Plans, or Community Wildfire Protection Plans anticipated with the development.

Subdivision Review Procedure (76-3-608(3)(b)(iii), MCA)

The application has demonstrated compliance with the subdivision review procedure, based on the subdivision regulations in place at the time the application is determined to contain sufficient information for review.

Utility Easements (76-3-608(c), MCA)

This subdivision has provided adequate easements within and to the proposed subdivision for the location and installation of all planned utilities.

Legal and Physical Access (76-3-608(d), MCA)

The subdivision as proposed shall provide legal and physical access to each parcel within the proposed subdivision and all required notation of that access is on the plat.

Agency Comment

Per the City Subdivision Regulations, the following agencies were contacted with request for comment. Those that have responded at the time of this staff report are attached as an addendum to this staff report.

Contacted Agencies: (1) Montana Fish, Wildlife, and Parks Region 2; (2) Montana DEQ, Natural Resource Conservation Services; (3) Montana Department of Transportation; (4) Montana Department of Natural Resources and Conservation – Water Resources Division; (5) Powell County Commissioners, Planning Department, Sanitarian, GIS/Addressing, Public Health Department, Sheriff's Office, Disaster and Emergency Services, Weed Management, Treasurer, and Clerk and Recorder; (6) School District Superintendent; (7) City of Deer Lodge Attorney, Public Works Department, Police Department, and Fire Department; (8) Powell County EMS; (9) Deer Lodge Medical Clinic; and (10) Deer Lodge Valley Conservation District.

Attachments:

- 1) Beaumont Place Addition Agency Comments
- 2) Beaumont Place Addition Preliminary Plat Application

I, Jordan Green, the City's Subdivision Administrator and Chief Administrative Officer, have created this staff report. I certify that the information contained herein is true and correct to the best of my knowledge.



Jordan Green, AICP, CFM
Chief Administrative Officer
City of Deer Lodge

PRELIMINARY PLAT OF BEAUMONT PLACE ADDITION TO THE CITY OF DEER LODGE

CERTIFICATE OF PLANNING
BOARD APPROVAL
CERTIFICATE OF PLANNING BOARD APPROVAL
SECTION 34 T.8N., R.9W., P.14M.
PORELL COUNTY, MONTANA
BEAUMONT PLACE ADDITION
COS 91181
44.29 AC.
COS 91181
HUNTER

CITY PLANNED USE OF DEER LODGE SPECIFIC
ASPER LANE EASEMENT 1
EASEMENT 2
WARREN ACRES
HUNTER
COS 91181
44.29 AC.
COS 91181

- ### LEGEND
- 1. VI/4 SECTION CORNERS SHOW SPACING
 - 2. CONVERSE VOLUME CORNERS SHOW SPACING
 - 3. SIDE OR OTHER W/ PLANNED USE AND "CONVERSE" EASEMENT
 - 4. CONVERSE STREET
 - 5. D. CONVERSE EASEMENT
 - 6. SCHEDULED LINES AND LOTS
 - 7. SCHEDULED LINES AND LOTS
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| BROOKSIDE ADD. | Block 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100 |

AREA SUMMARY

BEAUMONT PLACE NORTH	138.85 AC.
BEAUMONT PLACE SOUTH	138.85 AC.
BROOKSIDE ADD.	138.85 AC.
JOHNSON PARK	138.85 AC.
JOHNSON LANE	138.85 AC.
ASPER LANE	138.85 AC.
HUNTER	138.85 AC.
WARREN ACRES	138.85 AC.
BEAUMONT PLACE ADDITION	44.29 AC.
TOTAL	138.85 AC.

CERTIFICATE OF PLANNING

BEAUMONT PLACE ADDITION TO THE CITY OF DEER LODGE

SECTION 34 T.8N., R.9W., P.14M.
PORELL COUNTY, MONTANA

CITY PLANNED USE OF DEER LODGE SPECIFIC

ASPER LANE EASEMENT 1
EASEMENT 2

WARREN ACRES
HUNTER
COS 91181
44.29 AC.
COS 91181

CERTIFICATE OF ABSTRACT

BEAUMONT PLACE ADDITION TO THE CITY OF DEER LODGE

SECTION 34 T.8N., R.9W., P.14M.
PORELL COUNTY, MONTANA

CITY PLANNED USE OF DEER LODGE SPECIFIC

ASPER LANE EASEMENT 1
EASEMENT 2

WARREN ACRES
HUNTER
COS 91181
44.29 AC.
COS 91181

CERTIFICATE OF CLERK AND RECORDS

BEAUMONT PLACE ADDITION TO THE CITY OF DEER LODGE

SECTION 34 T.8N., R.9W., P.14M.
PORELL COUNTY, MONTANA

CITY PLANNED USE OF DEER LODGE SPECIFIC

ASPER LANE EASEMENT 1
EASEMENT 2

WARREN ACRES
HUNTER
COS 91181
44.29 AC.
COS 91181

CERTIFICATE OF CLERK AND RECORDS

BEAUMONT PLACE ADDITION TO THE CITY OF DEER LODGE

SECTION 34 T.8N., R.9W., P.14M.
PORELL COUNTY, MONTANA

CITY PLANNED USE OF DEER LODGE SPECIFIC

ASPER LANE EASEMENT 1
EASEMENT 2

WARREN ACRES
HUNTER
COS 91181
44.29 AC.
COS 91181

Mayor
James Jess
Chief Administrative Officer
Jordan Green
City Attorney
Peter Elverum
City Clerk
Cyndi Thompson
Compliance Officer
Kody Ryan
Public Works Superintendent
Trent Freeman
Treasurer
Stanley Glovan
City Services Coordinator
Gena Micu



City Council
Curt Fjelstad
Kirk Hayes
John Henderson
Robert Kersch
Rian King-Chavez
Greg Larkins
John J. Molendyke
Gordon Pierson

***Planning Board Staff Report for
Pintler Meadows Major Subdivision Preliminary Plat***

*Major Subdivision Preliminary Plat Submitted: March 11, 2024
Staff Report Finalized: April 8, 2024
Staff Report Generated by: Jordan Green, AICP, CFM
Planning Board Public Hearing: April 15, 2024*

Project Description: Preliminary plat of a major subdivision to establish housing for state employees that work at Montana State Prison and the Montana State Hospital. The proposed development contains 8 lots, each designed to contain a townhome with 7 units for a total of 56 living units. The State will maintain ownership of the property. The design also includes the construction of public roads, open space, sanitary sewer, water, and stormwater systems. Off-site improvements include the reconstruction of Aspen Lane to a Major Collector Roadway as required by City engineering standards. This reconstruction will also include the installation of water and sanitary sewer systems within the right-of-way, to connect to existing services on Vigilante Drive. This development was designed and is anticipated, upon approval, to coincide with the development of the Beaumont Place Addition Major Subdivision.

Project Location: The project location is a 7.35-acre parcel located directly west of the proposed Beaumont Place Addition Major Subdivision and directly east of the upper ballfields at Jaycee Park. To the north are several unincorporated parcels that are undeveloped, and directly to the south are incorporated parcels containing predominantly single-family homes and a trailer court.

Subdivision History: The applicant held a pre-application meeting with City staff on February 12, 2024. The preliminary plat was submitted on March 11, 2024. After review, staff provided a letter of element review determination on March 13, 2024. This letter signified that staff had determined that all required elements for preliminary plat application had been submitted. Staff then provided a letter of sufficiency review determination on March 14, 2024. This letter signified that staff had determined that the application provided all elements with sufficient information to be able to perform a full review and make a recommendation to City Council. In this letter, staff required the applicants submit the finalized Geotechnical Survey before the preliminary plat public hearing. A public hearing was then scheduled for April 15, 2024 in front of the Planning Board. Notices of the public hearing were run in the March 20 and March 27, 2024 editions of the Silver State Post, the paper of record for the City of Deer Lodge. Letters were sent via USPS certified mail to 15 adjacent property owners on March 15, 2024, however, two letters were returned to sender. On March 22 and March 25, 2024, staff emailed 23 state and local agencies with requests for comment on the proposed subdivision.

Agency comments received back are included in this staff report and incorporated herein. Should comment be provided between the writing of this staff report and the public hearing, they will be incorporated into the public hearing information packet for review.

Summary of Infrastructure:

Roads and Access: The subdivision is proposed to be accessed by Aspen Lane and the proposed roads in the Beaumont Place Addition Major Subdivision. Egress will be provided to the parcel through the Beaumont Place Addition to California Avenue. Aspen Lane is currently a gravel road that runs through Jaycee Park that was created through a non-exclusive access easement granted many years ago to property owners to the north of the proposed subdivision. It will be reconstructed to City standards for a Major Collector Roadway. Most of the lots will be accessed by a dead-end road with a cul-de-sac that leads south from Aspen Lane through the property. However, several other lots will be accessed through private drives that lead off the main roadway. One of these roads will be a one-way loop, and one will be a private drive that dead-ends at a hammerhead to allow for fire truck turnaround. All public roadways will contain sidewalks, boulevards, curb and gutter, parking lanes, and driving lanes. All roadways are expected to be constructed to completion by the time of final plat application.

Municipal Water: The subdivision intends to connect to municipal water systems that currently exist in the Vigilante Drive right-of-way. Water mains will be looped by connection to the water system of the proposed Beaumont Place Addition. All water mains are 8" mains to satisfy City engineering standards for fire protection. All water mains are looped – there are no dead-end water mains proposed. Hydrant locations are placed along the rights-of-way following City engineering standards. All municipal water infrastructure developed will have to be approved by the City and by the Montana Department of Environmental Quality (DEQ) prior to dedication to the City. All municipal water systems are expected to be constructed to completion by the time of final plat application.

Sanitary Sewer: The subdivision intends to connect to sanitary sewer systems that currently exist in the Vigilante Drive right-of-way. All sewage will drain from this development into the current system on Vigilante Drive. This connection was recommended by City staff and contracted engineers as it is able to handle the increase in capacity as a result of this subdivision. All sanitary sewer infrastructure developed will have to be approved by the City and Montana DEQ prior to dedication to the City. All sanitary sewer systems are expected to be constructed to completion by the time of final plat application.

Stormwater System: Please see the "Storm Water Narrative" that was submitted by the applicants in the preliminary plat application packet for a description of how the stormwater system will function. The stormwater system was designed on the assumption that all lots would be developed with 90% impervious surfaces. There will be a series of stormwater pipes that connect certain lots to detention ponds. City staff and contracted engineers agree that the stormwater system will function as presented, however, the depth of several of the detention ponds raises concerns that there will be conflict with groundwater depths. Therefore, City staff recommends that the Council approve the preliminary plat on the condition that the applicants either prove the lowest elevation of the stormwater ponds will be above groundwater levels during the months of May and June, or that the applicants increase the footprint of the stormwater ponds to allow for a shallower detention pond. Also, staff recommends that the stormwater ponds be fenced to prevent access should the slope of the ponds be more than 1 foot of elevation change per every 3 feet. All stormwater system infrastructure developed will have to be approved by the City and Montana DEQ prior to dedication to the City. Please see correspondence in the agency comment section (#9) of this report between Trent Freeman, Public

Works Superintendent, and Sarah Jones, the applicant's Principal Engineer, for further information regarding stormwater system design. All stormwater system improvements are expected to be constructed to completion by the time of final plat application.

Floodplain Considerations: There is no delineated floodplain in the proposed Pintler Meadows Subdivision. The closest delineated stream is Johnson Creek, which flows east to west approximately 200 feet south of the subject property and at a lower elevation than the subject property.

Wetland Considerations: A substantial portion of the property is currently delineated as wetland by the Montana Natural Heritage Program (MNHP). Mapping through this program is completed through photointerpretation of 1-meter resolution color infrared aerial imagery, and is supplemented by topographic mapping, digital elevation models, and soils data. However, the Montana Natural Heritage Program states that its "mapped wetlands do not represent precise wetland boundaries, and digital wetland data cannot substitute for an on-site determination of jurisdictional wetlands."

The MNHP classifies the wetland with the abbreviation "PEMA." This classification is a Palustrine Emergent, Temporarily Flooded Wetland. This means the area should contain "wetlands with erect, rooted herbaceous vegetation present during most of the growing season." There are approximately 965 acres of PEMA-classified wetland in and around a 3–4-mile radius of Deer Lodge, with most of this classification east of town on the other side of Interstate-90.

The Pintler Meadows Preliminary Plat application does not identify wetlands on site, as the applicant had been performing groundwater monitoring for some time and did not anticipate a wetland classification. However, City staff were alerted to the MNHP delineation on April 3, 2024. On April 4, 2024, City staff alerted the applicant of the delineation. As a result, the applicant retained Karrie Johnson, a Senior Environmental Specialist with IMEG, an engineering group with an office in Missoula. Ms. Johnson has reviewed the property and has made a determination that the site does not constitute a wetland. A memorandum stating this determination will be submitted prior to public hearing to City staff, the U.S. Army Corp of Engineers, and the MNHP to reclassify the subject property.

Open Space Consideration: The City's Subdivision Regulations require that at least 11% of the total area of the subdivision be set aside for an open space dedication to the City. While the stormwater detention ponds are technically open space, staff required the applicants to set aside at least 11% of land *not* used for stormwater detention as future park space. Two open spaces have been proposed for the open space dedication, one is 0.63 acres, and the other is 0.19 acres. Total land area set aside for open space dedication, less stormwater detention areas, is approximately 11%.

Variations: No variations to the City subdivision regulations or design standards have been requested. Staff have been in regular communication with the applicant regarding engineering designs.

Recommended Motion: Having reviewed and considered the application materials, staff report, public comment, and all the information presented, I move to approve the Pintler Meadows Subdivision Preliminary Plat major subdivision application subject to the following staff-recommended conditions:

- The applicant submits final engineering plans to the City and Montana DEQ, as required, that have been approved by the City Public Works Department.

- The applicant, before the construction of the stormwater detention pond, either 1) proves that the groundwater elevation in the months of May and June is lower than the lowest elevation of the detention pond, or 2) redesigns the stormwater detention pond infrastructure, subject to City Public Works Department approval, so that the lowest elevation of the detention pond is above the groundwater elevation.
- The applicant shall design the stormwater detention pond so that all water collected in the pond is required to drain within 72 hours of a storm event to prevent standing water.
- If the stormwater detention pond has a greater slope than 1 foot rise for every 3 feet, then it shall be completely fenced by the applicant to prevent access to the general public.
- The applicant shall supply a letter of determination from a qualified environmental engineer stating that the subject property is not a wetland. This letter of determination shall also be sent to the U.S. Army Corp of Engineers and the Montana Natural Heritage Program.
- The applicant works with City staff to determine the method of garbage collection. This method must be approved by the City Public Works Department.
- Should the applicant prefer not to construct all infrastructure as designed prior to final plat approval, then they shall enter into a Subdivision Improvements Agreement with proper financial security approved by the City of Deer Lodge.
- Should the applicant not construct all infrastructure as designed prior to final plat approval, that the entirety of Aspen Lane leading to the subdivision be constructed with all adjoining infrastructure prior to final plat approval.
- Should the applicant not construct all infrastructure as designed prior to final plat approval, that adequate access and egress is provided to every lot that will be built upon subject to the City's design standards and subdivision regulations.
- The applicant shall install all water and sewer service lines leading from the mains and stubbed to the property line during the construction of the water and sewer mains. As such, the City will waive tapping fees for the installation of this infrastructure.
- The applicant shall install water meters that are approved by the City Public Works Department for all water service lines subject to the City of Deer Lodge Code of Ordinances and the City design standards.
- The applicant shall submit a weed management plan prior to development, the template for which will be supplied by the subdivision administrator. This plan must be approved by the subdivision administrator and the Powell County Noxious Weed Control.
- Prior to final plat approval, the applicant shall work with the City Planning Board to recommend a zoning district and uses to the City Council based on the lot uses as proposed within the preliminary plat application.
- The applicant shall provide a lighting plan for the subdivision to the City for review and approval prior to final plat approval.
- The applicant shall provide to the city a Special Improvement District (SID) waiver in a notarized document filed with the subdivision final plat that states the following: Owners and their successors-in-interest waive all rights for 20 years to protest the inclusion of the property into special improvement districts that are in place at the time of final plat approval.
- The applicant shall provide to the city a Special Improvement District (SID) waiver in a notarized document filed with the subdivision final plat that states the following: Owners and their successors-in-interest waive all rights for 20 years to protest the creation of a special improvement district for the specific purpose of the construction of city parks within the development. This includes but is not limited to maintenance, outdoor furniture, grading, and landscaping.
- The applicant shall provide to the city a Special Improvement District (SID) waiver in a notarized document filed with the subdivision final plat that states the following: Owners and their successors-in-

interest waive all rights for 20 years to protest the creation of a special improvement district for the specific purpose of improving or maintaining the roads and sidewalks that access the subdivision and roads and sidewalks inside the subdivision.

- The applicant shall provide to the city a Special Improvement District (SID) waiver in a notarized document filed with the subdivision final plat that states the following: Owners and their successors-in-interest waive all rights for 20 years to protest the creation of a special improvement district for the specific purpose of developing, improving or expanding municipal utility services to include the community water system, the community wastewater treatment system for an incorporated municipality, and storm water facilities.
- That the Preliminary Plat is valid for three years from the date of approval. This timeframe may be extended at the discretion of the City Council following the City's Subdivision Regulations.

Subdivision Review Criteria:

Pursuant to Chapter 5 of the City of Deer Lodge Subdivision Regulations, the City of Deer Lodge Growth Policy, and 76-3-608, MCA, the following criteria are to be examined for potential impacts and preferred mitigation. Please note that, per state law, the City Council may not unreasonably restrict a landowner's ability to develop land, but in some instances the unmitigated impacts of a proposed development may be unacceptable and may preclude approval. As such, the conditions of approval listed in the "Recommended Motion" section of this staff report are intended to provide recommendations to the City Council regarding proposed mitigation to potential impacts.

76-3-608, MCA Criteria: These criteria are established in State Law and are further defined in the City of Deer Lodge 2024 Growth Policy.

How many, if any, acres of land would be removed from livestock or crop production?

The proposed development is situated on what is traditionally city park land. As such, the 7.35-acre subdivision will not remove any land from livestock or crop production.

Are any of the lands taken out of production irrigated?

The proposed development will not remove any land from livestock or crop production. The land receives water from the proposed Beaumont Place Addition property via ditches that had been used for historic flood irrigation. These ditches will be removed during site development.

Will the subdivision interfere with any irrigation system or present any interference with agricultural operations in the vicinity?

The closest irrigation systems and agricultural operations are on the other side of Interstate-90 from the subdivision. Both stormwater and streams run east to west above and through the subject property. As such, there is no irrigation system or agricultural operations downstream from the proposed development.

Will the subdivision comply with water rights requirements set forth in 76-3-504(i) and (j), MCA?

The applicant and current owner of the land has severed all existing surface water rights from the land and, as such, complies with the above requirements.

Will the subdivision connect to central water and sewer systems? Who will pay the cost of connecting to the central system?

The applicant intends to connect to the Deer Lodge municipal water and sewer systems. The increased burden on these systems has been determined through modeling and calculation to be well within the current capacity of these systems. The applicant will pay the full cost of connecting into these systems.

What, if any, increased costs for maintenance and operation will be incurred on water and sewer systems, and what approximately will be these costs? Will the lot buyers pay regular water and sewer charges?

The increased costs for maintenance are undetermined at this time, but impact fees will be assessed upon the lots that will offset the increased costs for maintenance and operation. Furthermore, as all lot owners will pay regular water and sewer charges, those additional revenues will be used to fund the increased costs for maintenance and operation of these systems.

What agencies will provide law enforcement, fire protection, and ambulance services? Will providing these services to the subdivision create increased costs to any of these agencies or the City of Deer Lodge. Approximately how much will the subdivision increase agency costs? Will the subdivider or subsequent lot buyers bear those increased costs, or will the taxpayers and/or rate payers bear the costs?

The City of Deer Lodge will provide law enforcement and fire protection services to the development. The subdivision will increase costs to provide these services. However, the State of Montana will maintain ownership of the property, and as such be exempt from property tax. The City is currently in communication with the State to determine the best method to offset the increase in property tax burden. Powell County EMS will provide ambulance services. See comment from Rand Dickson, Director for Powell County EMS, expressing no objections to the proposed development.

At an average of eight vehicle trips per day per lot, how many average vehicle trips per day will the subdivision generate? Will the extension of public streets or roads be needed and, if so, who will bear the costs? Will the subdivision increase the costs of road maintenance and, if so, by approximately how much? Will the subdivider/lot buyers or the public bear these increased costs?

Using an average of 8 vehicle trips per day per *unit*, the subdivision will generate 448 daily vehicle trips. The City Subdivision Regulations do not require a Traffic Impact Study be performed for a subdivision that will generate less than 750 vehicle trips per day. However, the Beaumont Place Addition did perform a Traffic Impact Study due to it creating a higher number of units. That Traffic Impact Study found that there were no major anticipated impacts on current road infrastructure due to the development. As such, no major anticipated impacts are expected from the Pintler Meadows Subdivision. All roads extending into the development will be paid for by the developer. It is unknown how much the property will increase costs for road maintenance; however, the lots will generate \$5,450.23 in street maintenance funds through the current assessment rates in the City's assessment

district. This increased funding will subsidize the maintenance of existing roads in Deer Lodge and, as such, cover any increase in costs.

At an average of 1.5 school-age children per lot, how many elementary and high school students will be added to public schools? What net financial effect would these additional students have for the public schools?

Based on the above estimate, 84 students would be added to public schools. Please see the comment from Rick Duncan, the School District Superintendent, in the Environmental Assessment section of the application. In it, Mr. Duncan expresses his belief that, while this may require additional staffing for the school district, the school district will be able to handle this increase in students. However, the estimates in students added that were provided to Mr. Duncan by the applicant are lower than what the Growth Policy dictates (1.5 students per lot).

How much does the land affected by the proposed subdivision currently pay in local property taxes? After the subdivision is fully developed, how much will the land and improvements be expected to pay in local property taxes, at current mill levies?

The parcel was, until recently, owned by the City of Deer Lodge. As such, it was exempt from property taxes. The State of Montana now owns the property and will continue to be tax exempt. The City is in communication with the State to determine the best way to offset increased costs associated with this development.

Will the subdivision increase stormwater run-off, interfere with natural drainage ways, or cause or increase erosion. Has the City Public Works Director determined that the size, location, and installation of any culverts meet design standards? Will the terrain create significant surface run-off problems? Will the grading and drainage plan minimize run-off and adverse impacts?

Due to the creation of impervious surfaces, the subdivision has the potential to increase stormwater runoff. However, there are a series of stormwater detention ponds that are built above the capacity of the 100-year storm event to capture and meter this runoff. Therefore, stormwater run-off to adjacent properties will be less than that of the undeveloped parcel. See the "Storm Water Narrative" as submitted by the applicant for additional information. Also, please see correspondence in the agency comment section (#9) of this report between Trent Freeman, Public Works Superintendent, and Sarah Jones, the applicant's Principal Engineer, for further information regarding stormwater system design. There will be no anticipated impact to the Johnson Creek drainage, as there is no delineated floodplain in the subject property. There will be minimal grading to the site, so the potential for erosion will not increase. No culverts will need to be built per the proposed subdivision design. As built, the grading plan and stormwater retention plan will minimize run-off and adverse impacts.

Is the subdivision expected to adversely affect native vegetation, soils, or the water quality, or quantity of surface or groundwater? Will areas disturbed by cutting, filling, and grading be reseeded in the same season to minimize erosion?

The vegetation, soil, and groundwater monitoring maps and data can be found in the Environmental Assessment section of the application. The vegetation predominantly consists of native grasses with a small scattering of willow bushes in the center of the parcel. The majority of this vegetation will be removed due to the development. To prevent the encroachment of noxious weeds, the applicant should

submit a weed management plan prior to development. Soils in the area consist predominantly of silty loam. There is no surface water in the subject property to be affected. Groundwater levels have been monitored since July 2023, and a Geotechnical Survey has been ordered by the applicant to determine structure design that will mitigate any impacts on groundwater. Groundwater will not be depleted as the project will not use wells but instead be connected to municipal water supply.

Are weed control measures proposed to prevent the proliferation of weed growth within the subdivision and on areas disturbed by construction?

Not at this time. A recommended condition of approval is the submittal of a weed management plan to the satisfaction of the subdivision administrator and the Powell County Noxious Weed Control.

Is the subdivision subject to potential natural hazards such as flooding, snow or rockslides, high winds, wildfire, or excessive slopes, or potential man-made hazards such as high voltage power lines, high pressure gas lines, nearby industrial or mining activity, or high traffic volumes? If so, what measures has the subdivider proposed to minimize those hazards?

There are no anticipated concerns with either natural or manmade hazards.

Will the expected effects of pets and human activity generated by the subdivision significantly affect wildlife?

There are no anticipated effects from pets and human activity on wildlife.

Will the subdivision be located in an area of significant wildlife habitat or in any critical wildlife area?

No. The area across the highway remains agricultural land and, in many cases, delineated wetland. As stated previously, the site itself is currently delineated as a PEMA wetland. There are 965 acres of this wetland classification in the immediate vicinity of the City. As such, there remains area for wildlife habitat in the area. The Montana Natural Heritage Program does not classify any area of the parcel as critical bird or plant habitat. Lastly, there were no comments received from state agencies related to critical wildlife in the area.

Survey Requirements (76-3-608(3)(b)(i), MCA):

The subdivision shall comply with survey requirements as stated in the Uniform Standards for Final Subdivision Plats.

Compliance with Local Subdivision Regulations (76-3-608(3)(b)(ii), MCA)

Compliance with the design standards as found in the City Subdivision Regulations.

City staff and contracted engineers have reviewed the proposed infrastructure improvements and, with minor changes, have found them to be in compliance with the City's Subdivision Regulation design standards and the City Engineering Standards. It is recommended as a condition of preliminary plat approval that any changes to the proposed plans required by the Public Works Department are followed.

Compliance with applicable zoning.

As the property had previously been undeveloped park land until its sale to the State, the property's zoning will need to be amended to allow for the development of the townhomes. It is recommended as a condition of preliminary plat approval that the applicant work with the City Planning Board to establish zoning recommendations to the City Council based on proposed lot uses as stated in the preliminary plat application.

Compliance with other applicable regulations, such as the ARMS for sanitation and water supply, public health ordinances, floodplain regulations.

As the development is proposed to connect to existing municipal water and sewer infrastructure, sanitation and water systems will be approved by the Montana DEQ prior to construction. See the response from Chad Lanes, Tri-county Sanitarian, related to sanitation. There is no anticipated noncompliance with public health and safety ordinances.

Subdivisions should demonstrate conformance to adopted plans, such as the Growth Policy, Capital Improvement Plans, Pre-disaster Mitigation Plans, and Community Wildfire Protection Plans.

The development is proposed in conformance with all adopted plans. Specifically, the Growth Policy highlights the need to create more housing in the City of Deer Lodge. There are no impacts as stated in the current Capital Improvement Plans, Pre-disaster Mitigation Plans, or Community Wildfire Protection Plans anticipated with the development.

Subdivision Review Procedure (76-3-608(3)(b)(iii), MCA)

The application has demonstrated compliance with the subdivision review procedure, based on the subdivision regulations in place at the time the application is determined to contain sufficient information for review.

Utility Easements (76-3-608(c), MCA)

This subdivision has provided adequate easements within and to the proposed subdivision for the location and installation of all planned utilities.

Legal and Physical Access (76-3-608(d), MCA)

The subdivision as proposed shall provide legal and physical access to each parcel within the proposed subdivision and all required notation of that access is on the plat.

Agency Comment

Per the City Subdivision Regulations, the following agencies were contacted with request for comment. Those that have responded at the time of this staff report are attached as an addendum to this staff report.

Contacted Agencies: (1) Montana Fish, Wildlife, and Parks Region 2; (2) Montana DEQ, Natural Resource Conservation Services; (3) Montana Department of Transportation; (4) Montana Department of Natural Resources and Conservation – Water Resources Division; (5) Powell County Commissioners, Planning Department, Sanitarian, GIS/Addressing, Public Health Department, Sheriff's Office, Disaster and Emergency Services, Weed Management, Treasurer, and Clerk and Recorder; (6) School District Superintendent; (7) City of Deer Lodge Attorney, Public Works Department, Police Department, and Fire Department; (8) Powell County EMS; (9) Deer Lodge Medical Clinic; and (10) Deer Lodge Valley Conservation District.

Attachments:

- 1) Pintler Meadows Subdivision Agency Comments
- 2) Pintler Meadows Subdivision Preliminary Plat Application

I, Jordan Green, the City's Subdivision Administrator and Chief Administrative Officer, have created this staff report. I certify that the information contained herein is true and correct to the best of my knowledge.



Jordan Green, AICP, CFM
Chief Administrative Officer
City of Deer Lodge

PLAT OF PINTLER MEADOWS SUBDIVISION

SECTION 33 TEN, R.3W., P.14M.
POWELL COUNTY, MONTANA
COS C-656

LEGEND

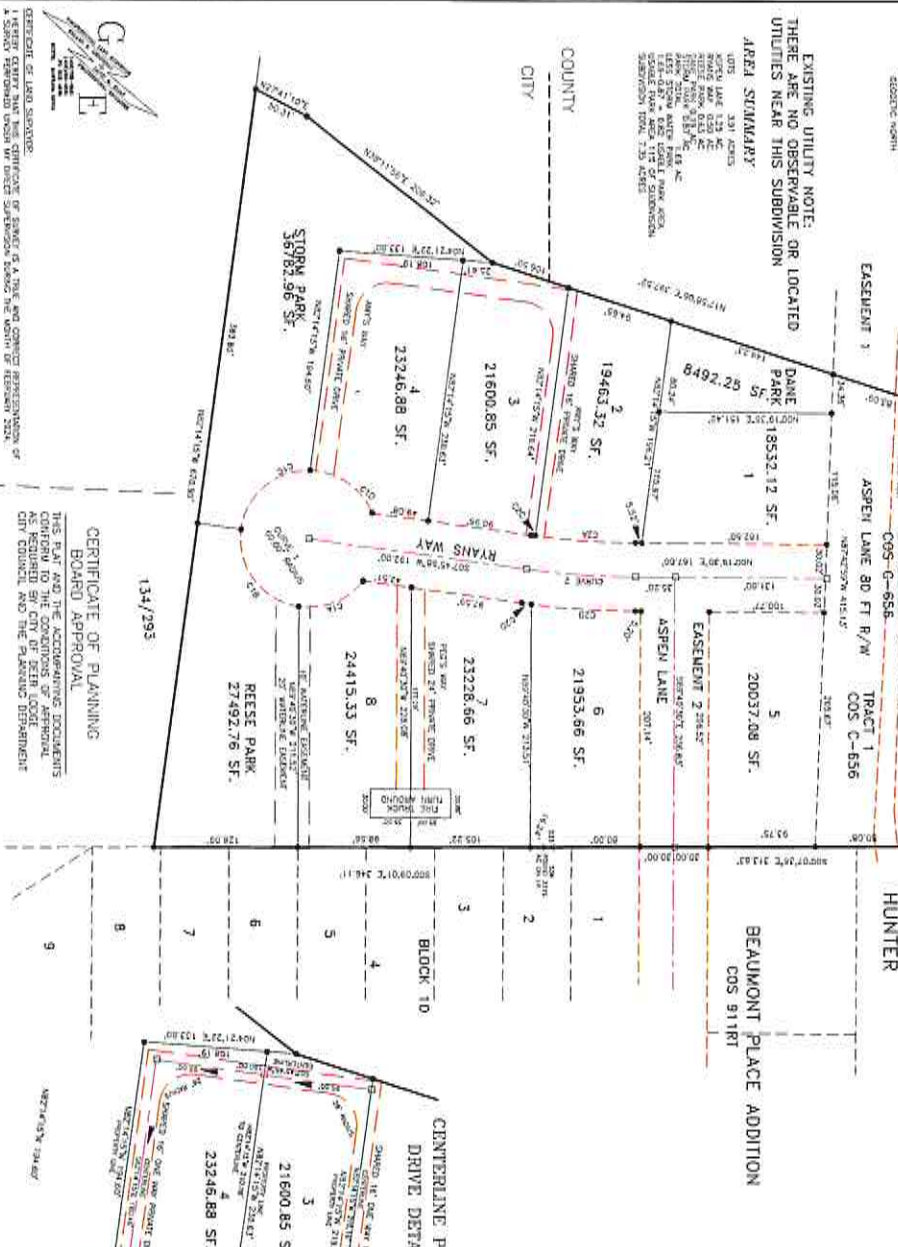
- 1. 1/4 SECTION CENTER FROM CORNER
- 2. CORNER MARKER ESTABLISHED BY THIS SURVEY
- 3. 5/8" BUBBLE W/ ALUMINUM CAP AND VOLUNTARY IDENTIFICATION
- 4. SURVEY BOUNDARY
- 5. PROPOSED LINES AND LOT LINES
- 6. PROPOSED SURVEY LINES AND ROAD RIGHT-OF-WAY LINES
- 7. BASIS OF EASEMENTS
- 8. EXISTING (OPEN)

SCALE IN FEET
0 50 100

NORTH



EXISTING UTILITY NOTE:
THESE ARE NOT OBSERVABLE OR LOCATED UTILITIES NEAR THIS SUBDIVISION
AREA SUMMARY:
TOTAL AREA 133 AC
NET AREA 103 AC
RESERVED FOR PUBLIC USE 30 AC
RESERVED FOR PRIVATE USE 73 AC
TOTAL AREA 133 AC
NET AREA 103 AC
RESERVED FOR PUBLIC USE 30 AC
RESERVED FOR PRIVATE USE 73 AC
SUBDIVISION TOTAL 133 ACRES



CERTIFICATE OF RECORDATION
I, _____, CLERK AND RECORDER OF POWELL COUNTY, MONTANA, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT HAS BEEN RECORDED IN MY OFFICE ON THIS _____ DAY OF _____, 2024.

CERTIFICATE OF ABSTENTION
I, _____, CLERK AND RECORDER OF POWELL COUNTY, MONTANA, DO HEREBY CERTIFY THAT I HAVE NOT BEEN ADVISED OF ANY OTHER INSTRUMENTS THAT MAY AFFECT THE RIGHTS OF THE PARTIES TO THIS INSTRUMENT.

CERTIFICATE OF EDUCATION
I, _____, CLERK AND RECORDER OF POWELL COUNTY, MONTANA, DO HEREBY CERTIFY THAT I AM AN EDUCATED PERSON AND AM QUALIFIED TO PERFORM THE DUTIES OF MY OFFICE.

CERTIFICATE OF COUNTY TREASURER
I, _____, CLERK AND RECORDER OF POWELL COUNTY, MONTANA, DO HEREBY CERTIFY THAT I AM AN EDUCATED PERSON AND AM QUALIFIED TO PERFORM THE DUTIES OF MY OFFICE.

CERTIFICATE OF EASEMENT
I, _____, CLERK AND RECORDER OF POWELL COUNTY, MONTANA, DO HEREBY CERTIFY THAT I AM AN EDUCATED PERSON AND AM QUALIFIED TO PERFORM THE DUTIES OF MY OFFICE.

CERTIFICATE OF EASEMENT
I, _____, CLERK AND RECORDER OF POWELL COUNTY, MONTANA, DO HEREBY CERTIFY THAT I AM AN EDUCATED PERSON AND AM QUALIFIED TO PERFORM THE DUTIES OF MY OFFICE.

CERTIFICATE OF LAND SURVEYOR
I, _____, CLERK AND RECORDER OF POWELL COUNTY, MONTANA, DO HEREBY CERTIFY THAT I AM AN EDUCATED PERSON AND AM QUALIFIED TO PERFORM THE DUTIES OF MY OFFICE.

CERTIFICATE OF PLANNING BOARD APPROVAL
I, _____, CLERK AND RECORDER OF POWELL COUNTY, MONTANA, DO HEREBY CERTIFY THAT I AM AN EDUCATED PERSON AND AM QUALIFIED TO PERFORM THE DUTIES OF MY OFFICE.

CITY PLANNER DEER LODGE MONTANA

TOWN BOARD OF INVESTMENTS
I, _____, CLERK AND RECORDER OF POWELL COUNTY, MONTANA, DO HEREBY CERTIFY THAT I AM AN EDUCATED PERSON AND AM QUALIFIED TO PERFORM THE DUTIES OF MY OFFICE.

(3) MONTANA DEPARTMENT OF TRANSPORTATION

Jordan Green

From: Kilts, Kristina <kkilts@mt.gov>
Sent: Wednesday, April 3, 2024 1:24 PM
To: Jordan Green
Cc: Liva, Geno
Subject: RE: City of Deer Lodge Subdivisions Agency Comment

Hi Jordan,

Thanks for giving us a chance to make comments. Neither subdivision has a direct impact to our state highway so we have no comments for either at this time.

Kristina

From: Liva, Geno <gliva@mt.gov>
Sent: Tuesday, April 2, 2024 2:27 PM
To: Kilts, Kristina <kkilts@mt.gov>
Subject: FW: City of Deer Lodge Subdivisions Agency Comment

Kristina please review.

From: Jordan Green <jgreen@cityofdeerlodgemt.gov>
Sent: Tuesday, March 26, 2024 12:07 PM
To: Liva, Geno <gliva@mt.gov>
Subject: [EXTERNAL] RE: City of Deer Lodge Subdivisions Agency Comment

Thank you Geno. I've attached the preliminary plats, but please feel free to have the traffic engineer get ahold of me if she needs anything else.

Jordan Green, AICP, CFM
Chief Administrative Officer
City of Deer Lodge
300 Main St.
Deer Lodge, MT 59722
Phone: (406) 594-1896



From: Liva, Geno <gliva@mt.gov>
Sent: Tuesday, March 26, 2024 7:57 AM
To: Jordan Green <jgreen@cityofdeerlodgemt.gov>
Subject: RE: City of Deer Lodge Subdivisions Agency Comment

Jordan, I can be the point of contact and typically our traffic engineer will comment. I can get the information to her.

Geno

From: Jordan Green <jgreen@cityofdeerlodgemt.gov>
Sent: Friday, March 22, 2024 1:34 PM
To: Liva, Geno <gliva@mt.gov>
Subject: [EXTERNAL] City of Deer Lodge Subdivisions Agency Comment

Good afternoon Geno,
Two major subdivision preliminary plat applications have recently been filed with the City. As part of our subdivision regulations, I am required to solicit agency comment regarding the subdivisions. One of the agencies for comment is MDT. I am not sure who I should contact to receive comment, so I wanted to start with you. If I should reach out to another individual, please let me know.
If you are able and willing to provide comment, please let me know what materials you need from the applications to review.
Thank you in advance.
Best,

Jordan Green, AICP, CFM
Chief Administrative Officer
City of Deer Lodge
300 Main St.
Deer Lodge, MT 59722
Phone: (406) 594-1896



(4) DNRC: WATER RESOURCES

Jordan Green

From: Turk, Peri <Peri.Turk@mt.gov>
Sent: Friday, March 29, 2024 4:48 PM
To: Jordan Green
Cc: Schock, Larry; Brugger, Douglas
Subject: RE: Deer Lodge Requests for Comment

Hi Jordan,

For both subdivisions that you sent me, it looks like parts of them are located in the floodplain in some way and will need to do floodplain permitting.

We did notice that they are using the new floodplain study, and I think I remember having a call with them along with Amanda Cooley last year (if this is the same group I'm thinking of). One thing I want to note is that this study is still in draft, they can still use it as existing conditions, but this study can still change up until it hits effective. I encourage these subdivisions to be designed with a buffer whether that be distance from the floodplain or additional height above the BFE to account for the use of that draft data.

One more note, the applicant needs to design the bridge to meet those sections that apply in your Floodplain Ordinance.

If you have any questions, please do not hesitate to call. I talked about this with Doug, and if the applicant wants a call to discuss this, we are available sometime after April 11th.

Thanks,



Peri Turk | Helena Regional Engineer
Water Resources Division
Montana Department of Natural Resources and Conservation
1424 9th. Ave, Helena, MT 59601
DESK: 406-444-1872 **EMAIL:** peri.turk@mt.gov
[Website](#) | [Facebook](#) | [X \(Twitter\)](#) | [Instagram](#)
How did we do? Let us know here: [Feedback Survey](#)

From: Jordan Green <jgreen@cityofdeerlodgemt.gov>
Sent: Thursday, March 28, 2024 10:06 AM
To: Turk, Peri <Peri.Turk@mt.gov>
Cc: Schock, Larry <lschock@mt.gov>
Subject: [EXTERNAL] RE: Deer Lodge Requests for Comment

Hi Peri and Larry,

Thanks for your help and please shoot me an email or give me a call if you have any questions.

Jordan Green, AICP, CFM
Chief Administrative Officer

City of Deer Lodge
300 Main St.
Deer Lodge, MT 59722
Phone: (406) 594-1896



From: Turk, Peri <Peri.Turk@mt.gov>
Sent: Thursday, March 28, 2024 9:52 AM
To: Jordan Green <jgreen@cityofdeerlodgemt.gov>
Cc: Schock, Larry <lschock@mt.gov>
Subject: Deer Lodge Requests for Comment

Hi Jordan,

I'm cc'ing Larry Schock (Missoula Regional Engineer) on here. He is going to take a quick look at the Request for Comment files that you sent our way.

Thanks,



Peri Turk | Helena Regional Engineer
Water Resources Division
Montana Department of Natural Resources and Conservation
1424 9th. Ave, Helena, MT 59601
DESK: 406-444-1872 EMAIL: peri.turk@mt.gov
Website | **Facebook** [[facebook.com](https://www.facebook.com)] | **X (Twitter)** [twitter.com] | **Instagram** [[instagram.com](https://www.instagram.com)]
How did we do? Let us know here: [Feedback Survey](https://forms.office.com) [forms.office.com]

(4) DNRC

Jordan Green

From: Wingard, Shylea <Shylea.Wingard@mt.gov>
Sent: Tuesday, April 9, 2024 3:15 PM
To: Amanda Cooley; Jordan Green
Cc: Katz, Harry; Sears, Traci; Joyce, Anthony
Subject: FEMA/DNRC QUESTION: 819 Higgins Ave - Deer Lodge / Courtney Rasely

Hello Amanda and Jordan,

Thanks for talking with me both today about the new development that is going on in The City of Deer Lodge / Powell County. It sounds like you both have done your due diligence working with the developer and the public to ensure it is developed responsibly and in accordance with local floodplain regulations. It is nice that both the City and the County can work together so harmoniously for the good of everyone. Traci often has good information (from experience) with other communities who annexed county property into the city so please – reach out to her if you need assistance.

Jordan thanks for letting me know you met with Courtney Rasely for an hour last Weds. (April 3rd) and discussed her concerns. It is good to know you followed up on the information she provided about the wetland designation and that the developer sent a professional to evaluate the land from that perspective. I understood you to say that the initial assessment is that the land did not meet the criteria for wetland designation (soil, hydrology, etc.) however you are expecting a written report that provides more definitive information about this (verification). I am sure Courtney will appreciate any further information you can provide and will look forward to attending the public information meetings you plan to hold in the near future regarding the development project along Johnson Creek (per Amanda modified irrigation ditch area that is part of the Cottonwood Creek floodplain).

I know that DNRC Floodplain has been in communication with both Powell County and City of Deer Lodge on the development area for several years now prior to purchase by the developer and also on the updated mapping project.

I left a voice mail for Ms. Courtney this afternoon and will follow-up with an email. She can then choose whether she prefers to contact me or wait until Peri returns from Iceland.

As always – it is a pleasure to work with both of you and please let us know how we can support/or assist in any way.

My Best,



Shylea Wingard | Floodplain Specialist
DNRC Floodplain – Community Assistance Program (CAP)
Montana Department of Natural Resources and Conservation
MOBILE: 406.581.5254 | **EMAIL:** shylea.wingard@mt.gov
How did we do? Let us know here: [Feedback Survey](#)

Wingard, Shylea <Shylea.Wingard@mt.gov>
Sent: Tuesday, April 9, 2024 12:19 PM
Subject: QUESTION: 819 Higgins Ave - Deer Lodge / Courtney Rasely

(S) POWELL COUNTY SANITARIAN

Jordan Green

From: Chad Lanes <clanes@adlc.us>
Sent: Friday, March 22, 2024 2:37 PM
To: Jordan Green
Subject: Re: City of Deer Lodge Subdivision Preliminary Plat Comment

Jordan, as both of these subdivisions are connecting to municipal facilities I don't have any issue with either. The obviously need to engineer plans for their water and sewer connections and go through Subdivision review (Sanitation) or apply for MFE's (Municipal Facility Exemptions) with DEQ. If you could just let the developer(s) know about these requirements that would be appreciated.

Thanks,
Chad J. Lanes, R.S.
Tri-County Sanitarian

From: Jordan Green <jgreen@cityofdeerlodgmt.gov>
Sent: Friday, March 22, 2024 1:42 PM
To: Chad Lanes <clanes@adlc.us>
Subject: City of Deer Lodge Subdivision Preliminary Plat Comment

Hi Chad,
As you may be aware, the City of Deer Lodge recently received two preliminary plat applications for major subdivisions. Part of my review procedure is to request agency comment, and the Sanitation department is on that list. The properties will tie in to city sewer and water, and will be providing their own stormwater management. I am requesting comment by April 5 at the latest.
Please let me know what application materials you would like to receive for review. I have attached the preliminary plats.
Thanks in advance.

Jordan Green, AICP, CFM
Chief Administrative Officer
City of Deer Lodge
300 Main St.
Deer Lodge, MT 59722
Phone: (406) 594-1896



(S) POWELL COUNTY GIS/ ADDRESSING

Jordan Green

From: Ann O'Toole <aotoole@powellcountymt.gov>
Sent: Tuesday, March 26, 2024 12:03 PM
To: Jordan Green
Cc: Amanda Cooley
Subject: RE: City of Deer Lodge Subdivision Comment

I understand that, but as the City does not maintain its addresses, and until we can get a MOU signed, we need to work with the standards we have in place now.

Also, I would like you understand; personal names are discouraged as it can cause confusion which can be detrimental in an emergency. I am sure you have noticed that lot of people will use another person's residence as a landmark. If someone calls in to 911 and says "there has been an accident on Debbie's road" the dispatcher needs to be able to immediately know whether that is a property owners private drive or an actual street. A new dispatcher or officer may have trouble with that information, too, costing precious time. By avoiding personal names on streets it cuts down on such confusion. It may seem like a stretch to some people but it has been known to happen.

There are other reason's but this is the most vital justification for the standard. I am not trying to dictatorial or anything, but I do want to maintain consistency and make it as simple as possible for our responders and other entities.



From: Jordan Green <jgreen@cityofdeerlodgemt.gov>
Sent: Monday, March 25, 2024 4:43 PM
To: Ann O'Toole <aotoole@powellcountymt.gov>
Cc: Amanda Cooley <acooley@powellcountymt.gov>
Subject: RE: City of Deer Lodge Subdivision Comment

Hi Ann,

Thank you very much for your comments. I will be sure to include them in my staff report and leave the decision to the City Council. I think bullets 1 and 2 make total sense. Bullet 3 might have some pushback. The ordinance, in its own language, only applies to unincorporated areas. That's why we need to get an MOU put together!

Thanks again,

Jordan Green, AICP, CFM
Chief Administrative Officer
City of Deer Lodge
300 Main St.

Deer Lodge, MT 59722
Phone: (406) 594-1896



From: Ann O'Toole <aotoole@powellcountymt.gov>
Sent: Monday, March 25, 2024 4:34 PM
To: Jordan Green <jgreen@cityofdeerlodgemt.gov>
Cc: Amanda Cooley <acooley@powellcountymt.gov>
Subject: RE: City of Deer Lodge Subdivision Comment

Thank you, Jordan.

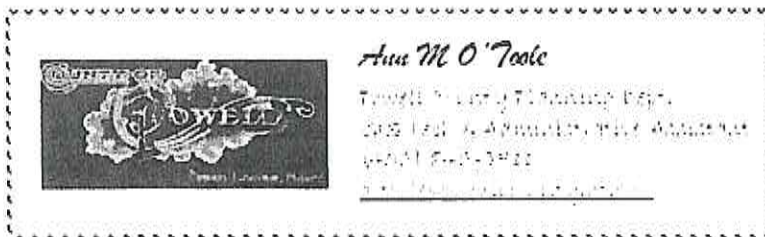
As the Addressing and 911 Coordinator, my comments below follow the adopted addressing ordinance (attached).

- o Aspen Lane cannot continue into the Beaumont Subdivision as it has been split by another road (listed as Ryans Way on the Pintler Meadows plat) and is not a continuation.
- o Beaumont Loop – No two roads shall be assigned the same name within a community (e.g. Beaumont St. and Beaumont Loop). Also, this would be a lane or drive, etc. not a loop or circle for addressing purposes.
- o Personal or commercial names, other than historical, are not allowed. The roads within the Pintler Meadows plat will need to be changed to follow the county ordinance.

Please refer to VI (1)&(7) of the attached ordinance which read:

1. No two roads shall be assigned the same name within a community or postal zip code area (e.g. Birch Rd and Birch Ln) and no two roads shall be assigned similar sounding names (e.g. White Creek Rd and Wright Creek Rd).
7. Road names should be kept short, avoiding special characters such as hyphens or apostrophes. Country or nature type road names (i.e. plants, trees, wildlife, other nature themes) will be given preference over personal or commercial names. Personal or commercial names other than historical ones will not be accepted.

Thank you,



From: Jordan Green <jgreen@cityofdeerlodgemt.gov>
Sent: Friday, March 22, 2024 1:53 PM
To: Ann O'Toole <aotoole@powellcountymt.gov>; gavinr@pcsomt.org; Heather Gregory <hgregory@powellcountymt.gov>; Pam Reighard <preighard@powellcountymt.gov>; Jody Walker

(5) POWELL COUNTY WEED MANAGEMENT

Jordan Green

From: Karen Laitala <klaitala@powellcountymt.gov>
Sent: Monday, March 25, 2024 11:02 AM
To: Jordan Green
Subject: Re: City of Deer Lodge Subdivision Comment

Yes Jordan
I've reached out to other counties for templates.
I can send those along for now if you'd like.
Plans will have to be approved by the Weed Board.
Karen

[Get Outlook for iOS](#)

From: Jordan Green <jgreen@cityofdeerlodgemt.gov>
Sent: Monday, March 25, 2024 10:58:25 AM
To: Karen Laitala <klaitala@powellcountymt.gov>
Subject: RE: City of Deer Lodge Subdivision Comment

Hi Karen,
Thank you for the quick response.
What does this mean for the developments? A veg/weed management plan for both subdivisions? Any template or format?
Let me know what you are recommending!
Thanks,

Jordan Green, AICP, CFM
Chief Administrative Officer
City of Deer Lodge
300 Main St.
Deer Lodge, MT 59722
Phone: (406) 594-1896



From: Karen Laitala <klaitala@powellcountymt.gov>
Sent: Monday, March 25, 2024 8:05 AM
To: Jordan Green <jgreen@cityofdeerlodgemt.gov>; Ann O'Toole <aotoole@powellcountymt.gov>; gavinr@pcsomt.org; Heather Gregory <hgregory@powellcountymt.gov>; Pam Reighard <preighard@powellcountymt.gov>; Jody Walker <jwalker@powellcountymt.gov>
Subject: RE: City of Deer Lodge Subdivision Comment

Good morning and thanks for including us in this notification.

The Weed Board has asked that we update the current Vegetation Management Plan for individuals.

We also need to require subdivision veg/weed management plans moving forward.

I will work on getting those to both the city and county planning and zoning departments.

Karen

From: Jordan Green <jgreen@cityofdeerlodgemt.gov>

Sent: Friday, March 22, 2024 1:53 PM

To: Ann O'Toole <aotoole@powellcountymt.gov>; gavinr@pcsomt.org; Heather Gregory <hgregory@powellcountymt.gov>; Pam Reighard <preighard@powellcountymt.gov>; Jody Walker <jwalker@powellcountymt.gov>; Karen Laitala <klaitala@powellcountymt.gov>

Subject: City of Deer Lodge Subdivision Comment

Hi all,

As you are probably aware, the City recently received two major subdivision preliminary plat applications. These are expected to be annexed into the City as requested, and hook into City infrastructure. The City's subdivision regulations require me to request agency comment prior to the public hearing. If you are receiving this email, our regulations identify your position as someone to request comment from at the County.

I have attached the preliminary plans for your knowledge. However, if there is any other information that would be helpful for your comment, please let me know and I will be happy to send it.

I am requesting comments by April 5 at the latest.

Thank you in advance!

Jordan Green, AICP, CFM
Chief Administrative Officer
City of Deer Lodge
300 Main St.
Deer Lodge, MT 59722
Phone: (406) 594-1896



(7) CITY PUBLIC WORKS DEPARTMENT

Jordan Green

From: Trent Freeman
Sent: Tuesday, April 9, 2024 5:55 PM
To: Jordan Green
Cc: Kurt Thomson
Subject: FW: Beaumont Addition Comments

COMMUNICATION WITH APPLICANT'S ENGINEER

Jordan,
See Sarah's comments below.

Trent

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Sarah Jones <sjones@deluxece.com>
Date: 4/9/24 5:39 PM (GMT-07:00)
To: Trent Freeman <tfreeman@cityofdeerlodgemt.gov>
Subject: Re: Beaumont Addition Comments

Thanks Trent - We will be digging additional test pits tomorrow or Wednesday to get more current info on groundwater and working on raising the pond bottoms to accommodate. Groundwater has certainly come up since the test pits were dug. It's not my intention to have standing water in any of the ponds, so we'll be adjusting those sizes to prevent this.

You are right, some of the pond outlets are higher than the pond bottoms. The intention is that the water is captured by the pond and then gradually soaks in. The effectiveness of this plan depends on the clay content in the soil and the depth of groundwater. We'll know more after the geotech investigation is fully completed. If the geotech shows that infiltration won't work fast enough, we'll adjust our outlets to ensure the ponds drain completely.

I should be able to answer most of these questions by the end of this week. I'll also make the other adjustments you mention below. It's my hope that you will have a new plan set, addressing your comments before the public meeting.

Just in case we don't have complete answers to the groundwater question until after Monday's meeting, it might be appropriate to add the concern to the conditions of approval. Perhaps a condition that says "All water collected in the ponds is required to drain within 72 hours of a storm event, preventing issues associated with standing water". It's kind of already in your engineering standards, but it's stated differently so it's not specific to standing water. I plan to do it that way anyway, but if you add it as condition of Preliminary Approval it would eliminate any concern that it won't be addressed.

Thanks again. I appreciate your review. Have a good evening!

Sarah Jones, PE

Deluxe Engineering and Construction
sjones@deluxece.com
Mobile: 406-310-0618
Fax: 866-438-4712
www.deluxece.com

On Apr 9, 2024, at 4:53 PM, Trent Freeman <tfreeman@cityofdeerlodgemt.gov> wrote:

Sarah,

Below is a list of comments we have after our meeting for the Beaumont Addition Subdivision with our Engineer.

- No sump pumps are allowed to be piped into the sewer service line. If sump pumps are utilized in the buildings, they need to be piped into the storm drain piping.
- I'm sure we discussed this during our review but want to double check. Water Mains shall have a valve for each leg of the main at intersections. (ei. 4 valves on a cross, 3 valves on a tee).
- Move valves at the water main lowering to the top of the lowering instead of the bottom of the lowering.
- Adopt the red lined plans and comments from the PWD.
- When the water and sewer mains are installed, services will be installed as well and stubbed to the property line by the contractor. Tapping fees will be waived but impact fees will still be assessed.
- Utility infrastructure has to be in place before homes can be built.
- There should be a one foot setback from property line to sidewalk in order to protect property corners.
- Water moving under Interstate flows North to Hunters property. Don't disturb the natural flow of the water
- Pond 1 is 12' deep. There is concern this may be below groundwater elevation. Either validate seasonal groundwater depths in May and June or raise bottom of pond and make larger. Verify other ponds as well.
- There is also concern with Pond 1 outflow having a 53.38 elevation and the inflow at 50.36 elevation. In our mind, that means there will potentially 3 feet of standing water in the pond at all times. Does this mean that all the ponds will have standing water in them?
- Is there a possibility that the banks of some of the ponds have a gradual enough slope that they do not need to be fenced? Is there a requirement for this minimum? If the current designs meets the slope requirements, we would prefer not to fence the ponds.

Most of these will be conditions of the preliminary plat approval but some are questions needing clarification.

Thanks.

TRENT FREEMAN
1C WWTP OPERATOR
PUBLIC WORKS SUPERINTENDENT
CITY OF DEER LODGE
PHONE: 406-846-2238 EXT. 106
CELL : 406-594-2240
FAX: 406-846-3925

Jordan Green

(7) CITY POLICE DEPARTMENT

From: George Smith
Sent: Friday, March 22, 2024 2:57 PM
To: Jordan Green
Subject: RE: Subdivision Comment Request

I am very excited for this. It will bring challenges of course but I feel it will be great for our community. I do have a question for the Beaumont Place Addition. The area between plots 1-11 and 2-18, will there be an alley? Amazing work, thanks for all the work you have put into this. I have been in Deer Lodge for 20 years and this is definitely the biggest improvement since I have been here. Again it is exciting.

Thank you,

Chief George Smith
Deer Lodge Police Department
300 Main St
Deer Lodge, MT 59722



From: Jordan Green <jgreen@cityofdeerlodgemt.gov>
Sent: Friday, March 22, 2024 2:07 PM
To: George Smith <gsmith@cityofdeerlodgemt.gov>; Pierson, Brant C <Brant.Pierson@BNSF.com>; Trent Freeman <tfreeman@cityofdeerlodgemt.gov>; Peter Elverum (peter@elverumlaw.com) <peter@elverumlaw.com>
Subject: Subdivision Comment Request

Hi all,

As you are aware, the City has recently received two major subdivision preliminary plat applications. As part of my review procedure, I am required to request comment from a variety of local and state agencies. If you are on this email, it is because our regulations identify your position as one I should reach out to for comment.

If you would like to provide comment on these subdivisions in your official capacity, please respond. I am requesting comments no later than April 5.

I have attached the preliminary plats, but if you would like any of the other application materials please let me know and I would be happy to send them to you.

Thanks in advance!

Jordan Green, AICP, CFM
Chief Administrative Officer

(7) CITY FIRE DEPARTMENT

Jordan Green

From: Pierson, Brant C <Brant.Pierson@BNSF.com>
Sent: Tuesday, March 26, 2024 2:05 PM
To: Trent Freeman; Jordan Green; George Smith; Peter Elverum (peter@elverumlaw.com)
Subject: RE: Subdivision Comment Request

I don't have anything to add at this point as these plats do not show really anything as far as infrastructure yet. As we have chatted a little about already, my main concern is that the water mains and hydrants meet current state code and that we don't deviate from that at all.

Brant Pierson
Fire Chief- DLFD

From: Trent Freeman <tfreeman@cityofdeerlodgemt.gov>
Sent: Tuesday, March 26, 2024 12:02 PM
To: Jordan Green <jgreen@cityofdeerlodgemt.gov>; George Smith <gsmith@cityofdeerlodgemt.gov>; Pierson, Brant C <Brant.Pierson@BNSF.com>; Peter Elverum (peter@elverumlaw.com) <peter@elverumlaw.com>
Subject: RE: Subdivision Comment Request

EXTERNAL EMAIL

Jordan,
I have reviewed the Plats and have had discussion with you regarding the infrastructure.
At this time, I have no further comments. I will be meeting with the Civil Engineer on 3/27/24 to review the utility drawings.
Should any comments arise out of this meeting, I will let you know at that time.
Thank you.

TRENT FREEMAN
1C WWTP OPERATOR
PUBLIC WORKS SUPERINTENDENT
CITY OF DEER LODGE
PHONE: 406-846-2238 EXT. 106
CELL : 406-594-2240
FAX: 406-846-3925

From: Jordan Green <jgreen@cityofdeerlodgemt.gov>
Sent: Friday, March 22, 2024 2:07 PM
To: George Smith <gsmith@cityofdeerlodgemt.gov>; Pierson, Brant C <Brant.Pierson@BNSF.com>; Trent Freeman <tfreeman@cityofdeerlodgemt.gov>; Peter Elverum (peter@elverumlaw.com) <peter@elverumlaw.com>
Subject: Subdivision Comment Request

Hi all,

As you are aware, the City has recently received two major subdivision preliminary plat applications. As part of my review procedure, I am required to request comment from a variety of local and state agencies. If you are on this email, it is because our regulations identify your position as one I should reach out to for comment.

If you would like to provide comment on these subdivisions in your official capacity, please respond. I am requesting comments no later than April 5.

I have attached the preliminary plats, but if you would like any of the other application materials please let me know and I would be happy to send them to you.

Thanks in advance!

Jordan Green, AICP, CFM
Chief Administrative Officer

City of Deer Lodge

300 Main St.

Deer Lodge, MT 59722

Phone: (406) 594-1896



(8) POWELL COUNTY EMS

Jordan Green

From: Rand Dickson <rdickson@dlmed.org>
Sent: Thursday, April 4, 2024 2:52 PM
To: Jordan Green
Subject: RE: City of Deer Lodge Subdivision Comment Request

Thank you, Jordan. I don't have any objections to the plans.



Rand Dickson
Director for Powell EMS
Office: (406) 846-7725
Cell: (406) 740-2646
(406) 691-9301
Fax: (406) 846-2245



From: Jordan Green <jgreen@cityofdeerlodgemt.gov>
Sent: Thursday, April 4, 2024 2:28 PM
To: Rand Dickson <rdickson@dlmed.org>
Subject: RE: City of Deer Lodge Subdivision Comment Request

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

They are standard per our design standards. Almost all roads in the subdivisions have two 10-11 ft travel lanes and 6 foot parking lanes on either side. There is one loop that has 9-foot travel lanes as it is classified as a local road.

Jordan Green, AICP, CFM
Chief Administrative Officer
City of Deer Lodge
300 Main St.
Deer Lodge, MT 59722
Phone: (406) 594-1896



From: Rand Dickson <rdickson@dlmed.org>
Sent: Thursday, April 4, 2024 1:37 PM

To: Jordan Green <jgreen@cityofdeerlodgemt.gov>
Subject: RE: City of Deer Lodge Subdivision Comment Request

Hello Jordan,

Is the width of these streets standard size? It is important that emergency vehicles can pass each other even with cars parked on the street.



Rand Dickson
Director for Powell EMS
Office: (406) 846-7725
Cell: (406) 740-2646
(406) 691-9301
Fax: (406) 846-2245



From: Jordan Green <jgreen@cityofdeerlodgemt.gov>
Sent: Friday, March 22, 2024 2:09 PM
To: Rand Dickson <rdickson@dlmed.org>
Subject: City of Deer Lodge Subdivision Comment Request

Hi Rand,

As you are aware, the City recently received two major subdivision preliminary plat applications. As part of my review procedure, I am required to request comment from a variety of state and local agencies. Ambulance services are identified in our regulations as an agency to request comment from.

I have attached the preliminary plats for your review. If you would like any of the other application materials to support your comment, please let me know and I will be happy to send them over.

I am requesting comments no later than April 5.

Thanks in advance!

Jordan Green, AICP, CFM
Chief Administrative Officer
City of Deer Lodge
300 Main St.
Deer Lodge, MT 59722
Phone: (406) 594-1896



(9) DEER LODGE MEDICAL CLINIC

Jordan Green

From: Jaena Richards <jrichards@dlmed.org>
Sent: Wednesday, March 27, 2024 9:32 AM
To: Jordan Green
Cc: Tony Pfaff
Subject: RE: City of Deer Lodge Subdivisions Comment Request

Jordan:

In getting back to you to regarding our comments on the two subdivisions; DLMC is in favor of the subdivisions. We feel there are many positives that will come from the development. The first and a priority need for our community is the housing. As we recruit new employees, housing is our biggest barrier.

As for our medical facility, we believe we can meet the medical needs of the additional population to our community. We have grown in every area from adding services, providers, additional support staff to the addition of medical space to serve our community. We continue to research and develop processes and plans that will grow our medical center to meet the needs of our patients, the community of Deer Lodge and the surrounding area.

We would like to support this endeavor and are excited to see the positive impact it will have on our community.

Jaena Richards

Chief Operating Officer
Deer Lodge Medical Center
1100 Hollenback Ln.
Deer Lodge, MT 59722
(406) 846-7717
www.dlmed.org



From: Jordan Green <jgreen@cityofdeerlodgmt.gov>
Sent: Friday, March 22, 2024 2:10 PM
To: Jaena Richards <jrichards@dlmed.org>
Subject: City of Deer Lodge Subdivisions Comment Request

Good afternoon Jaena,

As you may be aware, the City recently received two major subdivision preliminary plat applications. As part of my review procedure, I am required to request comment from a variety of state and local agencies. Medical Service Providers are identified in our regulations as an agency to request comment from.

I have attached the preliminary plats for your review. If you would like any of the other application materials to support your comment, please let me know and I will be happy to send them over.