



**Community Development and Planning  
Lewis and Clark County**

316 N. Park Ave. Room 230 Helena, MT 59623  
Phone: 406-447-8374 Fax: 406-447-8398  
e-mail: [planning@lccountymt.gov](mailto:planning@lccountymt.gov)



**STAFF REPORT**

**DATE:** September 14, 2020  
**TO:** City-County Parks Board  
**FROM:** Spencer Starke, Planner I  
**RE:** **Parks Development Funding Application, Brielle Park**

**Applicant:**  
46 Degrees North HOA  
Representative: Julie Lamb-Heller  
1221 Echelon Place, Suite C  
Helena, MT 59602

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**City-County Parks Board Meeting: October 7, 2020 --- 11:30 a.m.**

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**I. EXECUTIVE SUMMARY:**

The 46 Degrees North Homeowners' Association has submitted an application for a funding request to the Parks Board. Specifically, this request is for \$39,000.00 with a \$13,132.00 match from the Applicant (29.7%). The total estimated amount of this project will be \$52,132.00. If awarded the funds, the Applicant would use them to improve Brielle Park (one acre of parkland located in Phase I of the 46 Degrees North Subdivision) with a walking path, trees, grass, and irrigation. The Parks Board will examine this proposal in relation to the park funding criteria, along with the available park funds based upon the Park's location.

**II. REQUEST:**

The Applicant is seeking \$39,000 from the Parks Development Fund to develop Brielle Park.

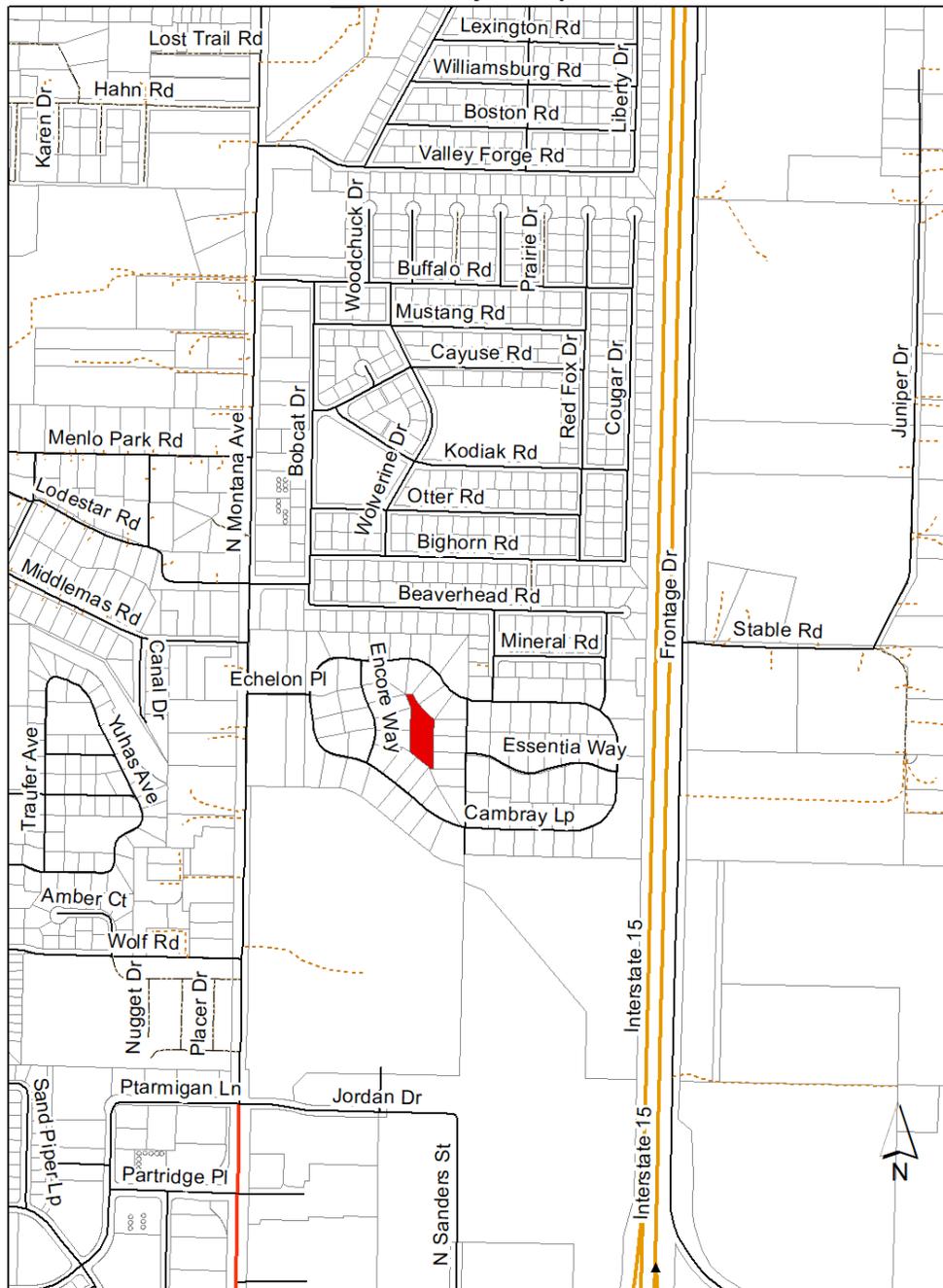
**III. STAFF RECOMMENDATION:**

Approval.

**IV. LOCATION**

Brielle Park is located in Phase I of the 46 Degrees North Subdivision, which lies just north of the City Limits of Helena, east of and adjacent to North Montana Avenue, south of and adjacent to the Treasure State Acres Subdivision, and west of and adjacent to Interstate 15 in the SW1/4 of Section 17, T10N, R2W, P.M.M., Lewis and Clark County, Montana.

### Vicinity Map



9/14/2020

**V. BACKGROUND/STAFF ANALYSIS:**

Brielle Park is located in the 46 Degrees North Subdivision, which is a two-phased Subdivision that contains 88 single-family residential lots. The Park is accessed via two trails

with parking available both on-street and in a small parking area adjacent to the trailhead located southeast of the Park. This Park, along with the trails and maintenance access easement located within the Subdivision, is maintained through a Rural Improvement District (RID). This RID generates approximately \$3,556.00 annually.

Brielle Park lies within the Northwest Valley Parks Fee Area, which is located within the Helena Valley Planning Area.

**Criteria for Determining Close Proximity:**

The 2017 Parks Plan outlines the criteria for determining which parks funds are available. Below are the criteria with staff analyses.

- a. Is the park or recreational area within a 15-minute, or 2-mile radius bike ride from the subdivision from which the funds were generated, or will it provide for new or improved non-motorized access links to a nearby park or recreational area?**

Yes and no. Brielle Park is within a 15-minute bike ride or 2-mile radius bike ride from multiple contributing subdivisions along North Montana Avenue and in the surrounding area. It will not provide for a new or improved non-motorized access link to a nearby park or recreation area, however.

- b. Is the park or recreational area physically accessible and free of impediments to the subdivision residents by walking or bicycling?**

Yes. The residents of the 46 Degrees North Subdivision and Treasure State Acres Subdivision would be able to walk or bike to Brielle Park using the internal road networks within both Subdivisions and the trail network within the 46 Degrees North Subdivision. Surrounding area residents would be able to use the sidewalk along North Montana Avenue, along with the internal road network and trails within the 46 Degrees North Subdivision, to access the Park.

- c. Is the park or recreational area on the way to a common destination of residents of the subdivision, such as employment centers, schools, or regional recreational areas, such as state parks or other public lands?**

Yes. The 46 Degrees North Subdivision is located along North Montana Avenue, which is a State highway and one of the main routes from the Helena Valley into the City of Helena.

- d. Does the park or recreational area provide a link to an established or planned park, recreation area or trail?**

No. The park is in close proximity to a handful of area parks, including Treasure State Acres Park, which is located to the north. Brielle Park is accessible to Treasure State

Acres Park via automobile using roads or via bicycling or walking using designated trails in the 46 Degrees North Subdivision or roads in both the 46 Degrees North Subdivision and the Treasure State Acres Subdivision. Funding for this Park will not provide for a direct link between these two parks or other area parks.

**e. Is the park or recreational area within the same Growth Policy planning area and/or park fee area?**

Yes. Brielle Park is located within the Helena Valley Planning Area and the Northwest Valley Parks Fee Area. The Helena Valley Planning Area is one of six Planning Areas designated under the Lewis and Clark County Growth Policy. The bulk of the requested funds would come from the Northwest Valley Parks Fee Area; however, additional funds would need to come from the North Hills Parks Fee Area (North Valley) and the Northeast Valley Parks Fee Area, both of which are located within the Helena Valley Planning Area.

**f. Will the parkland or funds result in improvements that will provide for the recreational needs of the residents of the subdivision from which funds were collected?**

Yes. Brielle Park's proximity to North Montana Avenue, the 46 Degrees North Subdivision's existing trail network, the Park's location in a residential neighborhood, and the proposed improvements to the Park property (i.e. grass, trees, irrigation, and path) will allow for this Park to provide usable recreational space for area residents.

**Criteria for Use of Park Funds**

The 2017 Parks Plan outlines the criteria for determining whether or not and how to expend park funds. Below are the criteria with staff analyses.

**a. Would the proposed expenditure benefit school-aged children, seniors, or others?**

Yes. Brielle Park is located in an urban/suburban environment and has the potential to service area residents, including school-aged children, seniors and others.

**b. Would the proposed improvements be accessible and suitable for recreation?**

Yes. The irrigated field with grass and trees, along with proposed path on the Park property, would provide an accessible and suitable space that could be used for recreational activities.

**c. Would the funds be used in the same planning area or fee area in which they were generated?**

Yes. The bulk of the funds would come from the Northwest Valley Parks Fee Area, which is where Brielle Park is located. The rest of the funds would be received from other fee areas adjacent to the Northwest Valley Parks Fee Area: the North Hills and Northeast Valley Parks Fee Areas. All three of these Parks Fee Areas are located within the Helena Valley Planning Area.

- d. Would the funds provide for the recreational needs of the residents of the subdivision from which funds were collected, including whether the improvements would be in reasonably close proximity to the subdivision?**

Yes. Based upon the criteria reviewed earlier in this report, Staff has concluded that Brielle Park will help provide for the recreational needs of area residents.

- e. Is a mechanism for maintenance in place so that after development, the park or recreation area will be adequately maintained?**

Yes. Brielle Park, its trails, and its maintenance access road are currently maintained under an RID. This RID will generate approximately \$3,556.00 annually.

- f. In the event of a request for dispersal of county parkland funds that were dedicated as part of a subdivision process, are the funds being requested directly the result of the cash dedication for the subdivision?**

- 1) If yes, is the request in accordance with the parks proposal that was approved during subdivision review?**

Yes and no. During the review of the 46 Degrees North Subdivision, Brielle Park, trail easements, and a maintenance access easement were dedicated to satisfy a portion of the parkland requirements. The remaining requirements were satisfied through a cash payment of \$13,269.11 in-lieu of additional parkland dedication.

- g. What specific goals or policies of the Parks Plan would be met by the expenditure?**

Goal 3. Develop parks in each of the five planning areas of the County where and when justified.

Goal 4. Lewis and Clark County will only accept parklands that can be developed, maintained and accessed.

Goal 7. Develop recreational trails for the enjoyment and health of the community.

- h. Is this parkland a regional park within the same fee collection area that provides opportunity for organized team sports that would not otherwise be available to subdivision residents?**

No. Brielle Park is not a regional park and will not provide any official sports facilities (ballfields, courts etc.)

**i. Has this parkland received prior funding from the Parks Board?**

No.

**VI. RECOMMENDED MOTION**

Move to APPROVE the Applicant's request for \$39,000.00 to fund improvements for Brielle Park, with \$30,000.00 out of the Northwest Valley Parks Fee Area, \$4,500.00 out of the Northeast Valley Parks Fee Area, and \$4,500.00 out of the North Hills Parks Fee Area.

**VII. ATTACHMENTS:**

- 1.** Subdivision Plat
- 2.** Application and Supplements



**Project Overview**

- 1. Name of Park or Recreational Area: Brielle Park
- 2. Location of Park or Recreation Area: 46° North Subdivision
- 3. Name of Sponsoring Organization(s): 46° North Owners Association
- 4. Name of Organization Representative: Julie Lamb-Heller
- 5. Address: 1221 Echelon Place, Suite C      City: Helena      State: MT      Zip Code: 59602
- 6. Daytime Phone #: 406-459-0230
- 7. E-mail: julie@century21hr.com

*Briefly* describe the proposed project. You will have the opportunity to describe it in more detail below.  
Brielle Park will be a one acre park featuring a walking path, trees, grass and a sprinkler system.

- 8. Has this park previously received County funds?  Yes  No      If so, when?
  
- 9. How much money are you requesting for this project? \$ \$39,000
- 10. How many hours of volunteer labor are expected to be used? 0 x \$10/hr      0  
= \$
- 11. What is the expected value of donated materials? \$

12. \*How much money will your organization contribute to the project? \$13,132
13. What is the total cost of this project? \$52,132

**\* Note: The requested amount should be no more than 75% of the total project cost**

#### **DESCRIPTION OF ORGANIZATION**

1. Names of Board Officers
  - a. President: Julie Lamb-Heller
  - b. Vice President:
  - c. Secretary:
  - d. Treasurer:
  - e. Members at Large: Parker Heller, Tyler Emmert
2. Number of Volunteers: 4
3. Number of Members: 50 +/-
4. Organization's previous community service: None

PRESENT SITE CONDITION

1. Approximate acreage: 1 acre
2. List any facilities presently on-site: None
  
3. Describe the condition of vegetation and noxious weeds:  
There are assorted weeds and rocks at this time
  
4. List adjacent property owners and uses:  
Private residences
  
5. Describe the accessibility to general public (hours, seasons, any other access restrictions):  
The park is accessible to neighboring residents and the general public by bike, walking path, and an adjacent parking lot.
  
6. In which Planning Area is this park located? Exhibit "A" shows a map of the Planning Areas.  
(Please circle)

Augusta

Canyon Ferry

Craig/Wolf Creek

\* Helena Valley \*

Lincoln

Marysville-Canyon Creek

## PROPOSED PROJECT

*Describe the project in detail below.*

Use additional paper if necessary. Note that a single project is not necessarily expected to address every issue listed below. Additional consideration will be given to projects addressing these needs as identified in the Lewis and Clark County Parks and Comprehensive Plan.

Be sure to address:

- Why the project is needed
- Whom it will serve
- How it will benefit the public
- If applicable, describe how this project will increase the access for people with disabilities
- If applicable, describe how this project will increase the quality or amount of natural habitat

Brielle Park is designed for easy use both by residents of 46° North, adjoining Treasure State Acres and the general public. This will be the only park area in 46° North and the first available park area in the furthest southern subdivision within the county on the eastern side of North Montana Avenue. This is an essential park area for 88 residential single family dwellings made up of a mix of young families, single professionals and retired people alike. The goal of this flat and inviting topography is to bring people of all ages and backgrounds to a gathering space that is accessible to everyone, including those with disabilities. People can access either by the walking path or by biking. For the driving public, there is a small parking area adjoining the walking path that leads to the park. The finish will be very simple with irrigated grass and some trees leaving plenty of open space for any kind of use.

**Parks Board Packet Re: Request for Parks Funds for Brielle Park – Page No. 12**

*Itemized Project Budget.*

Please attach a minimum of two bids for any contracted work. This is for reference only; applicants are not required to choose the lowest bidder. Any volunteer contributions must be documented and signed and dated by the volunteer.

*Example Matching Grant*

| <b>Expense/Contribution</b>  | <b>Total Costs</b> | <b>In-kind Costs</b> | <b>Other Funding Source(s)</b>   | <b>Request for Grant Reimbursement<br/>(=/<math>&lt;</math> 75%)</b> |
|--|--------------------|----------------------|----------------------------------|--|
| Pruning equipment: loppers, pole saw, lawn refuse bags                   | \$150              |                      | Donation from Rotary Club (\$40) | \$110<br>Applicant pays at least: \$38                               |
| New basketball court install: court costs and 10 hrs volunteering x \$12 | \$15,000           | \$10,800             | School Fundraiser (\$7,500)      | \$18,300<br>Applicant pays at least: \$6,450                         |
| Cement block and gravel for retaining wall repair                        | \$650              |                      | Applicant gets HOA to pay \$200  | \$450<br>Applicant pays at least: \$163                              |
| Rebuild and repair retaining wall (14 hours of volunteering x \$12)      |                    | \$168                | Applicant pays \$50              | \$118<br>Applicant pays at least \$42                                |

**PROJECT BUDGET**

TOTAL PROJECT COST: \$ 52,132

| <b>Expense/Contribution</b> | <b>Total Cost</b> | <b>In-kind Costs</b> | <b>Other Funding Source(s)</b> | <b>Grant Reimbursement</b>        |
|-----------------------------|-------------------|----------------------|--------------------------------|-----------------------------------|
| Topsoil                     | \$22,360          |                      |                                | \$16,770<br>Applicant pays \$5590 |
| Irrigation                  | \$21,250          |                      |                                | \$15,937<br>Applicant pays \$5313 |
| Hydroseed                   | \$8522            |                      |                                | \$6293<br>Applicant pays \$2229   |
|                             |                   |                      |                                |                                   |

*Please provide information on expenses that will be covered by the Applicant (25% of the cost must be matched by the applicant in order to apply for the Parks Board Matching Grant).*

1. Why are these funds needed? How long has there been a need for the project?

When designing the park, 46° North Owners Association underestimated the cost of finishing a one acre park. Bids came in much higher than anticipated. As a result, the park has remained unfinished for well over three years. New residents are occupying homes in the development at a rapid rate, making this an urgent need.

2. Describe the project implementation schedule.

The project will start as soon as 46° North Owners Association has funds available to start construction. The chosen contractor has this job scheduled for this fall if funding comes through.

**MAINTENANCE PLAN**

**Distribution of money will be contingent on approval of the Maintenance Plan.**

1. Is this parkland within an established Rural Improvement District (RID)? Is the RID collecting money to maintain parkland? \*Parkland within an RID will have to abide by County bid contracting requirements/procedure.

Brielle Park is within the established 46° North RID. The county is already collecting funds for this park maintenance through the established RID. Landscapers are county approved.

2. What will be the frequency and type of maintenance on the project?

Lawn mowing every 7-10 days and sprinkler winterization 1x/year.

3. Who will be conducting the maintenance of the property? If it is multiple organizations, this application will have to be signed by all respective organization representatives.

Organization: M2J Lawn and Snow Service Signature: \_\_\_\_\_

Organization: \_\_\_\_\_ Signature: \_\_\_\_\_

4. Describe the annual maintenance budget and funding sources:

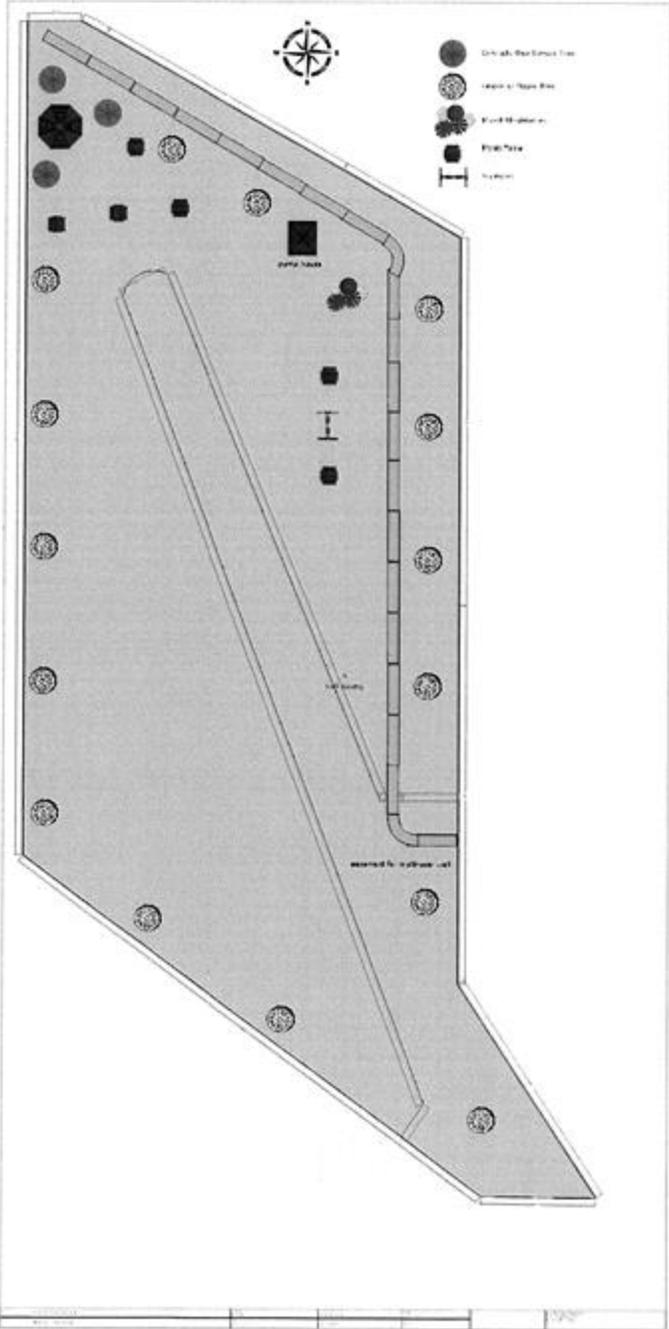
The maintenance budget is in the form of an RID. The RID is \$38.66 per lot. The total income to the county is approximately \$3556 per year.

**LONG RANGE PLAN**

1. Describe how this project relates to the long-range plans for site improvements.

Brielle Park will be the final improvement within 46° North.





## RCC Sprinkler

PO Box 5415  
Missoula, MT 59806

## Estimate

| Date      | Estimate # |
|-----------|------------|
| 8/21/2020 | 5326       |

| Name / Address |
|----------------|
| Julie Heller   |

| Description   | Qty    | Cost      | Total              |
|---|--------|-----------|--------------------|
| Estimate for work to be completed at 46 North Park.                                 |        |           |                    |
| Full installation of underground irrigation system.                                 |        | 26,500.00 | 26,500.00          |
| Supplying and spreading of needed topsoil on the property.                          |        | 24,500.00 | 24,500.00          |
| Installation of trees.<br>12 - 8' Colorado Blue Spruce<br>12 - Maples or equivalent |        | 12,000.00 | 12,000.00          |
| Installation of concrete landscape curbing. (Around trees)                          |        | 5,800.00  | 5,800.00           |
| Installation of sod, including required prep work. (based on square footage)        | 48,544 | 0.52      | 25,242.88          |
| <b>Total</b>  |        |           | <b>\$94,042.88</b> |

Authorized Signature: \_\_\_\_\_

| Phone #        |
|----------------|
| (406) 880-9723 |

| E-mail                        |
|-------------------------------|
| kerrylynn@406watersystems.com |

| Web Site            |
|---------------------|
| 406watersystems.com |

## RCC Sprinkler

PO Box 5415  
Missoula, MT 59806

## Estimate

| Date      | Estimate # |
|-----------|------------|
| 8/21/2020 | 5327       |

| Name / Address |
|----------------|
| Julie Heller   |

| Description  | Qty    | Cost      | Total              |
|--|--------|-----------|--------------------|
| Estimate for work to be completed at 46 North Park.        |        |           |                    |
| Full installation of underground irrigation system.        |        | 26,500.00 | 26,500.00          |
| Supplying and spreading of needed topsoil on the property. |        | 24,500.00 | 24,500.00          |
| Hydroseeding of all described future lawn areas.           | 48,544 | 0.22      | 10,679.68          |
| <b>Total</b>   |        |           | <b>\$61,679.68</b> |

Authorized Signature: \_\_\_\_\_

| Phone #        |
|----------------|
| (406) 880-9723 |

| E-mail                        |
|-------------------------------|
| kerrylynn@406watersystems.com |

| Web Site            |
|---------------------|
| 406watersystems.com |



Austin Hyndman

406-465-3329  
1 Jackson Creek Rd. PMB 2173  
Montana City, MT 59364

|                                    |   |           |
|------------------------------------|---|-----------|
| <b>Quotation prepared for :</b>    | <b>Date:</b>                            | 2/14/2020 |
| Name <u>Julie Heller</u>           | Cell Phone <u>406-459-0230</u>          |           |
| Email <u>julie@century21hr.com</u> | Home/Work Phone _____                   |           |
| Address _____                      | City, State ZIP <u>Helena, Mt 59602</u> |           |
| Project <u>46 North Park</u>       | Bid Valid <u>30 days</u>                |           |

| Details of Quote:  | Cost:       |
|--|-------------|
| Hunter Brand valves, heads, and timer<br>1st Year Winterization & limited warranty   |             |
| Topsoil to cover park area for grass area  | \$22,360.00 |
| Irrigation Designed by Silvertip and Installed for 100 percent coverage  | \$21,250.36 |
| Hydro Seeding of Entire Park   | \$8,521.32  |
| Custom Made benches and Picnic tables<br>can be added depending on what you would want<br>also they would be nice to have on concrete pads with trash bins |             |

**Total** **\$52,131.68**

*Not Included in Quoted Price:*

Although the park would not be useable for quite some time if we seeded it 1-2 months minimum or until 1st mowing

**\*Montana State Law Requirement:**  
In order for Silvertip Sprinklers to install and complete  
sprinkler system owner must have a backflow preventer  
installed by a licensed plumber. This must be completed prior to  
installation of system.

\_\_\_\_\_  
Owner or authorized representative Date



## Community Development and Planning Lewis and Clark County

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Phone: 406-447-8374 Fax: 406-447-8398  
e-mail: [planning@lccountymt.gov](mailto:planning@lccountymt.gov)



### STAFF REPORT

**DATE:** September 14, 2020  
**TO:** City-County Parks Board  
**FROM:** Spencer Starke, Planner I  
**RE:** **Parkland Consideration for the Proposed Arrowsmith Subdivision - SUBD2019-20**

**Applicant:**

Kim Smith  
7510 Applegate Drive  
Helena, MT 59601

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**City-County Parks Board Meeting:**

**October 7, 2020 --- 11:30 a.m.**

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**I. EXECUTIVE SUMMARY:**

The Applicant for the project noted above has indicated a preference for cash in-lieu of dedicating parkland to satisfy the requirements of the Lewis and Clark County Subdivision Regulations. The Parks Board is tasked with considering the Applicant's request and making a recommendation to the Board of County Commissioners (BoCC). The recommendation may be to accept parkland dedication; require cash in-lieu of parkland dedication; or require a combination of parkland dedication and cash in-lieu of parkland dedication.

**II. REQUEST:**

Recommend that the BoCC accept cash in-lieu of parkland dedication to fulfill the requirements of the Subdivision Regulations for the proposed Arrowsmith Subdivision application.

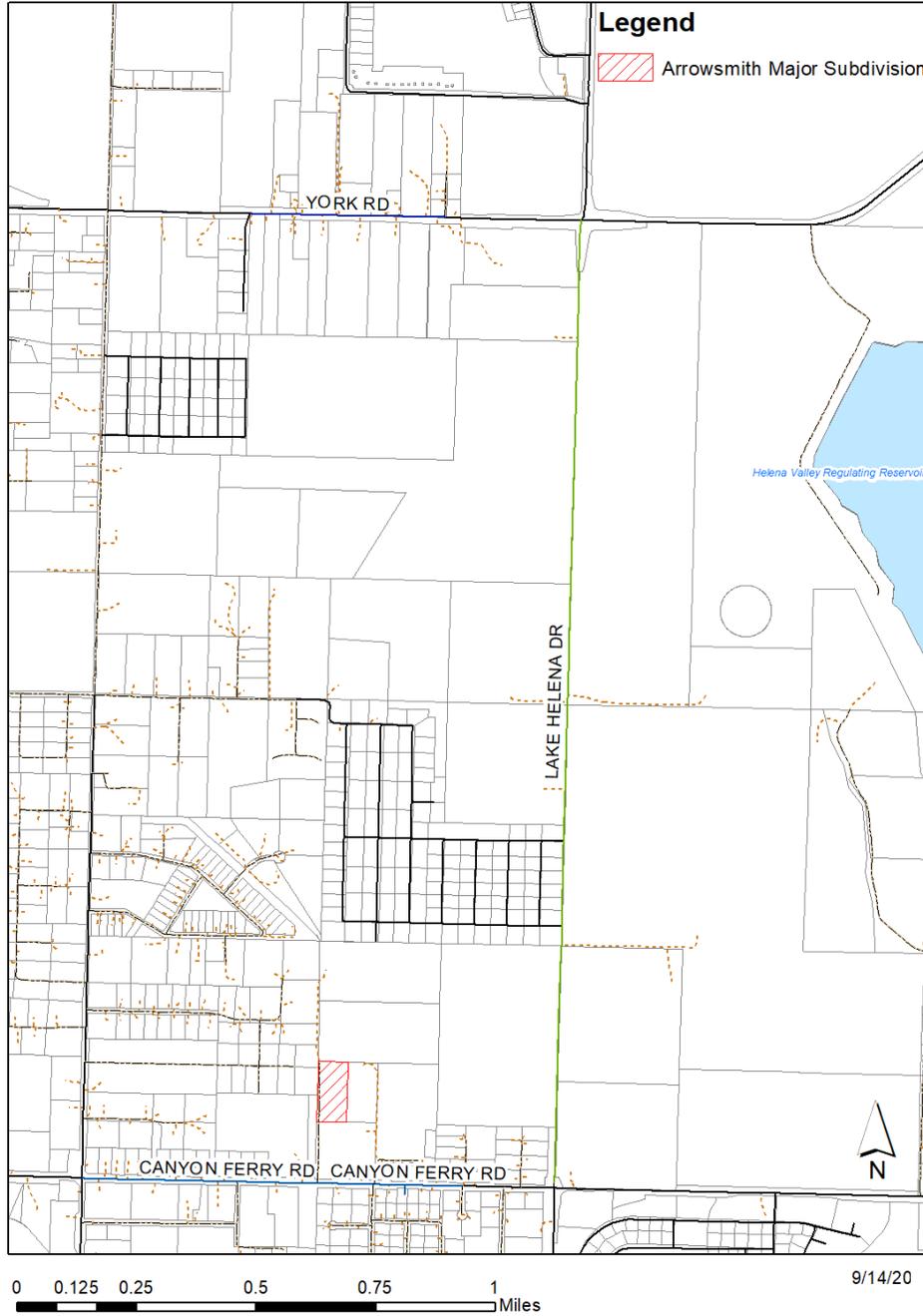
**III. STAFF RECOMMENDATION:**

Approval.

#### IV. LOCATION

The proposed Subdivision is located north of Canyon Ferry Road and northwest of Espelin Drive in the SE¼ of Section 18, T10N, R2W, P.M.M., Lewis and Clark County, Montana. A vicinity map showing the location of the proposed Subdivision is attached below.

### Arrowsmith: Vicinity Map



**V. BACKGROUND/STAFF ANALYSIS:**

If the proposed Subdivision is approved, it would divide an existing 4.47-acre tract into eleven lots. Ten of these lots will be used for single-family residential purposes and are approximately one-half acre in size.

The area in the vicinity of the proposed Subdivision is generally characterized as residential development on one-half acre or larger lots. The nearest park is located approximately one road mile away and lies within the Harris Subdivision. This 1.8 acres of parkland was given to the public in 1985 and is presently undeveloped.

**VI. PARKLAND REQUIREMENT:**

If the proposed Subdivision is approved, all residential lots will be larger than one-half acre in size, but not larger than one acre in size. For lots larger than one-half acre in size, but not larger than one acre in size, a minimum of 7.5% of the site must be dedicated for parkland.

Based on this percentage, the Applicant is obligated to dedicate 0.38 acres of parkland or pay the equivalent cash in-lieu of dedicating parkland. The Applicant has requested to make the cash payment in-lieu of dedicating parkland, and based upon a per acre value of \$14,851.49, the estimated cash payment would be \$5,627.42.

**VII. RECOMMENDED MOTION**

Move to recommend that the Board of County Commissioners ACCEPT the Applicant's request to pay cash in-lieu of parkland dedication in accordance with the Lewis and Clark County Subdivision Regulations.

**VIII. ATTACHMENTS:**

A. Preliminary Plat for Arrowsmith Subdivision





## Community Development and Planning Lewis and Clark County

316 N. Park Ave. Room 230 Helena, MT 59623  
Phone: 406-447-8374 Fax: 406-447-8398  
e-mail: [planning@lccountymt.gov](mailto:planning@lccountymt.gov)



### STAFF REPORT

**DATE:** September 14, 2020  
**TO:** City-County Parks Board  
**FROM:** Spencer Starke, Planner I  
**RE:** **Parkland Consideration for the Proposed Blacksmith Subdivision - SUBD2019-017**

**Applicant:**

Kim Smith  
7510 Applegate Drive  
Helena, MT 59601

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**City-County Parks Board Meeting:**

**October 7, 2020 --- 11:30 a.m.**

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**I. EXECUTIVE SUMMARY:**

The Applicant for the project noted above has indicated a preference for cash in-lieu of dedicating parkland to satisfy the requirements of the Lewis and Clark County Subdivision Regulations. The Parks Board is tasked with considering the Applicant's request and making a recommendation to the Board of County Commissioners (BoCC). The recommendation may be to accept parkland dedication; require cash in-lieu of parkland dedication; or require a combination of parkland dedication and cash in-lieu of parkland dedication.

**II. REQUEST:**

Recommend that the BoCC accept cash in-lieu of parkland dedication to fulfill the requirements of the Subdivision Regulations for the proposed Blacksmith Subdivision application.

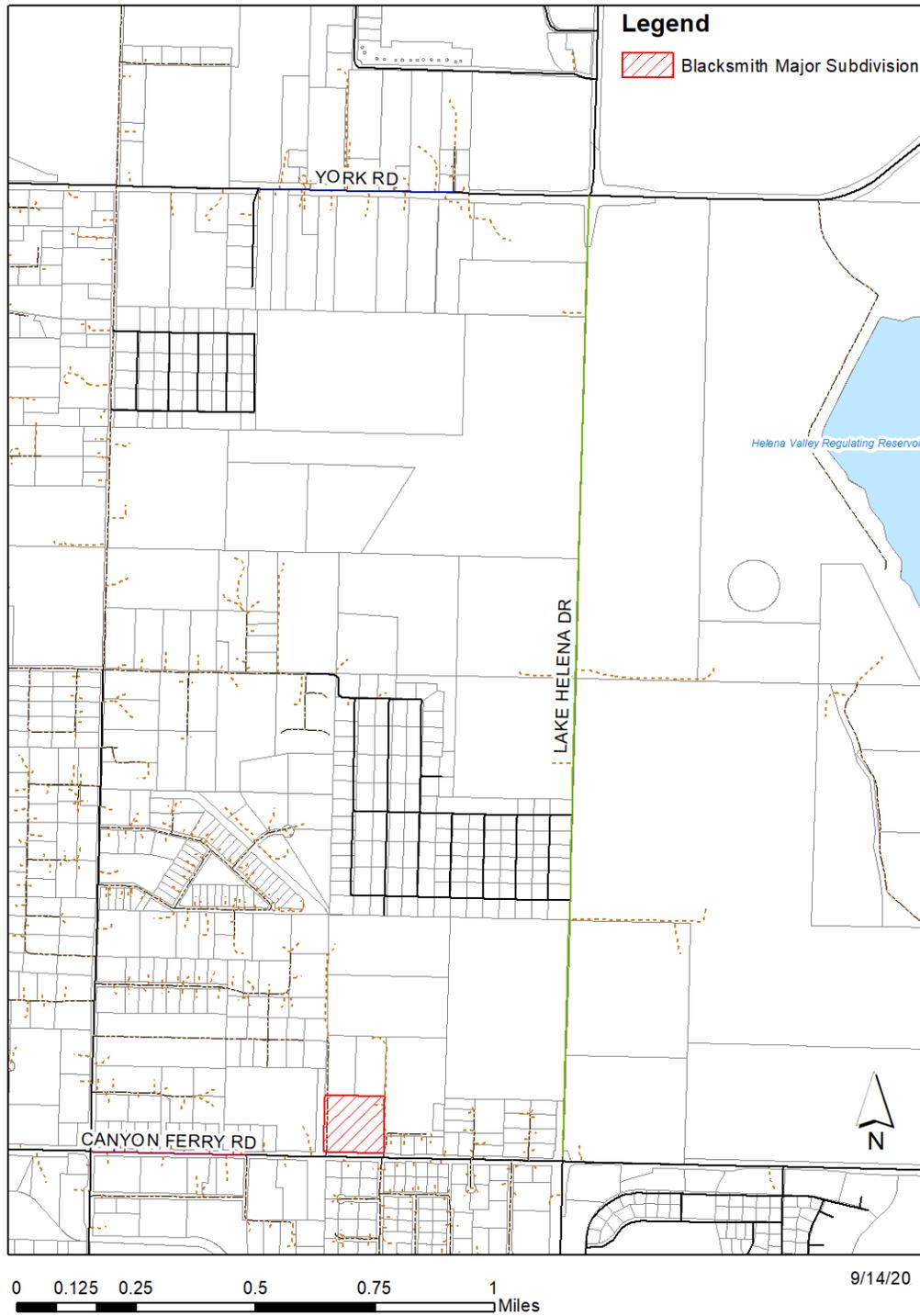
**III. STAFF RECOMMENDATION:**

Approval.

#### IV. LOCATION

The proposed Subdivision is located north of Canyon Ferry Road and west of Espelin Drive in the SE¼ of Section 18, T10N, R2W, P.M.M., Lewis and Clark County, Montana. A vicinity map showing the location of the proposed Subdivision is attached below.

### Blacksmith: Vicinity Map



**V. BACKGROUND/STAFF ANALYSIS:**

If the proposed Subdivision is approved, it would divide an existing 9.82-acre tract into eleven lots. Seven of these lots will be used for single-family residential purposes, and will range from approximately 0.42 to 1.7 acres in size.

The area in the vicinity of the proposed Subdivision is generally characterized as residential development on one-half acre or larger lots. The nearest park is located approximately one road mile away and lies within the Harris Subdivision. This 1.8 acres of parkland was given to the public in 1985 and is presently undeveloped.

**VI. PARKLAND REQUIREMENT:**

If the proposed Subdivision is approved, two of the residential lots will be greater than one acre, but less than three acres in size. For lots greater than one acre, but less than three acres in size, a minimum of 5% of the site must be dedicated for parkland. Two other residential lots will be larger than one-half acre, but not larger than one acre in size. For lots larger than one-half acre, but not larger than one acre in size, a minimum of 7.5% of the site must be dedicated for parkland. The three remaining residential lots will be smaller than one-half acre in size. Lots under one-half acre in size are required to dedicate a minimum of 11% of the site for parkland.

Based on these percentages, the Applicant is obligated to dedicate 0.408 acres of parkland or pay the equivalent cash in-lieu of dedicating parkland. The Applicant has requested to make the cash payment in-lieu of dedicating parkland, and based upon a per acre value of \$11,190.23, the estimated cash payment would be \$4,585.92.

**VII. RECOMMENDED MOTION**

Move to recommend that the Board of County Commissioners ACCEPT the Applicant's request to pay cash in-lieu of parkland dedication in accordance with the Lewis and Clark County Subdivision Regulations.

**VIII. ATTACHMENTS:**

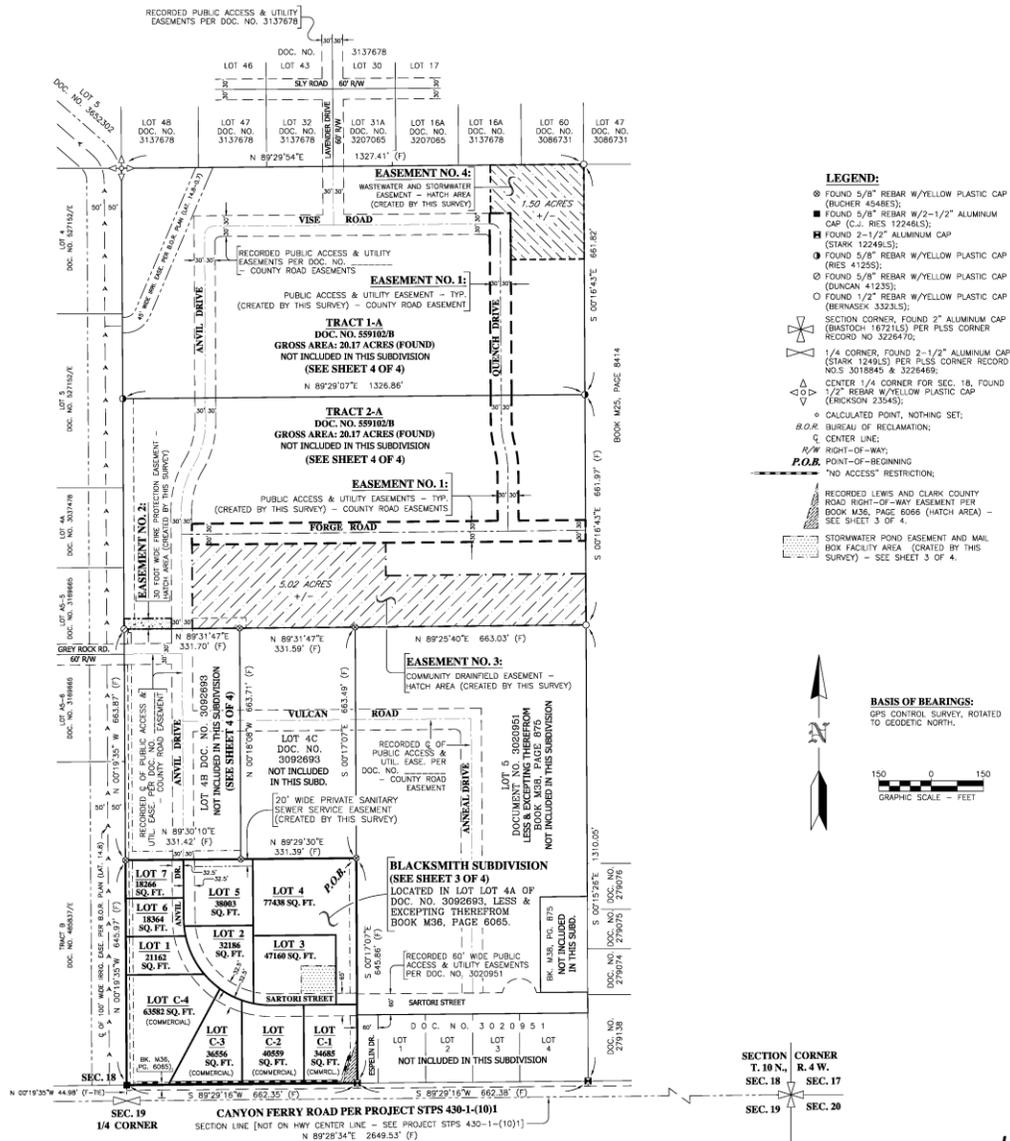
- A. Preliminary Plat for Blacksmith Subdivision

# BLACKSMITH SUBDIVISION

LOCATED IN THE SOUTHEAST 1/4 OF SEC. 18, T. 10 N., R. 2 W., P.M.M. LEWIS AND CLARK COUNTY.

**PURPOSE:** [1] CREATE SEVEN (7) RESIDENTIAL LOTS AND FOUR (4) COMMERCIAL LOTS LOCATED IN LOT 4A OF DOCUMENT NUMBER 3092693, LESS AND EXCEPTION THEREFROM BOOK M36, PAGE 6065; [2] CREATE PUBLIC ACCESS AND UTILITY EASEMENTS - COUNTY ROAD EASEMENTS (EASEMENT NO. 1). LOCATED IN TRACTS 1-A & 2-A OF DOCUMENT NO. 559102/B; [3] CREATE A 30 FOOT WIDE FIRE PROTECTION EASEMENT (EASEMENT NO. 2), LOCATED IN TRACT 2-A OF DOCUMENT NO. 559102/B; [4] CREATE A COMMUNITY DRAINFIELD EASEMENT (EASEMENT NO. 3), LOCATED IN TRACT 1-A OF DOCUMENT NO. 559102/B; AND [5] CREATE A WASTEWATER AND STORM WATER EASEMENT (EASEMENT NO. 4), LOCATED IN TRACT 1-A OF DOCUMENT NO. 559102/B.

COMMISSIONED BY: LARRY KIM SMITH



**PRELIMINARY  
PLAT - SUB-1**

**NOTES:**  
 (1) SEE SHEETS 3 OF 4 & 4 OF 4 FOR THE DESCRIPTIONS/BEARINGS/DISTANCES/RIGHT-OF-WAY LIMITS FOR THE RECORDED/CREATED EASEMENTS THAT ARE LOCATED IN THIS SUBDIVISION - BLACKSMITH SUBDIVISION (LOT 4A OF DOCUMENT NO. 3092693); AND IN LOTS 4B & 4C OF DOCUMENT NO. 3022693; AND IN LOT 5 OF DOCUMENT NO. 3022693; AND IN TRACTS 1-A & 2-A OF DOCUMENT NO. 559102/B.  
 (2) FOR RECORD BEARINGS/DISTANCES/EASEMENTS ETC... SEE THE FOLLOWING DOCUMENTS:  
 - DOCUMENT NO. 559102/B;  
 - DOCUMENT NO. 3092693;  
 - BOOK M36, PAGE 6065;  
 - BOOK M36, PAGE 6066;  
 - CANYON FERRY ROAD RIGHT-OF-WAY PROJECT STPS 730-1-(10)1;  
 - ALL DOCUMENTS (SURVEYS/DEEDS) LABELED ON THIS PLAT.

DATE: JULY 13, 2020  
 JOB NO.: 18137 SUB-1  
 FIELD BY: CJR, PAC  
 DRAFTED BY: CJR, DJR

PREPARED BY:  
**RIES & ASSOCIATES PC.**  
 6850 GREEN MEADOW DR.  
 HELENA, MONTANA 59602

|     |            |
|-----|------------|
| 1/4 | SEC. T. R. |
| 18  | 10N 2W     |
| 18  | 10N 2W     |

P.M. MONTANA,  
 LEWIS AND CLARK COUNTY,  
 SHEET 2 OF 4



## Community Development and Planning Lewis and Clark County

316 N. Park Ave. Room 230 Helena, MT 59623  
Phone: 406-447-8374 Fax: 406-447-8398  
e-mail: [planning@lccountymt.gov](mailto:planning@lccountymt.gov)



### STAFF REPORT

**DATE:** September 14, 2020  
**TO:** City-County Parks Board  
**FROM:** Spencer Starke, Planner I  
**RE:** **Parkland Consideration for the Proposed Coppersmith Subdivision-SUBD2019-017**

**Applicant:**

Kim Smith  
7510 Applegate Drive  
Helena, MT 59601

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**City-County Parks Board Meeting:**

**October 7, 2020 --- 11:30 a.m.**

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**I. EXECUTIVE SUMMARY:**

The Applicant for the project noted above has indicated a preference for cash in-lieu of dedicating parkland to satisfy the requirements of the Lewis and Clark County Subdivision Regulations. The Parks Board is tasked with considering the Applicant's request and making a recommendation to the Board of County Commissioners (BoCC). The recommendation may be to accept parkland dedication; require cash in-lieu of parkland dedication; or require a combination of parkland dedication and cash in-lieu of parkland dedication.

**II. REQUEST:**

Recommend that the BoCC accept cash in-lieu of parkland dedication to fulfill the requirements of the Subdivision Regulations for the proposed Coppersmith Subdivision application.

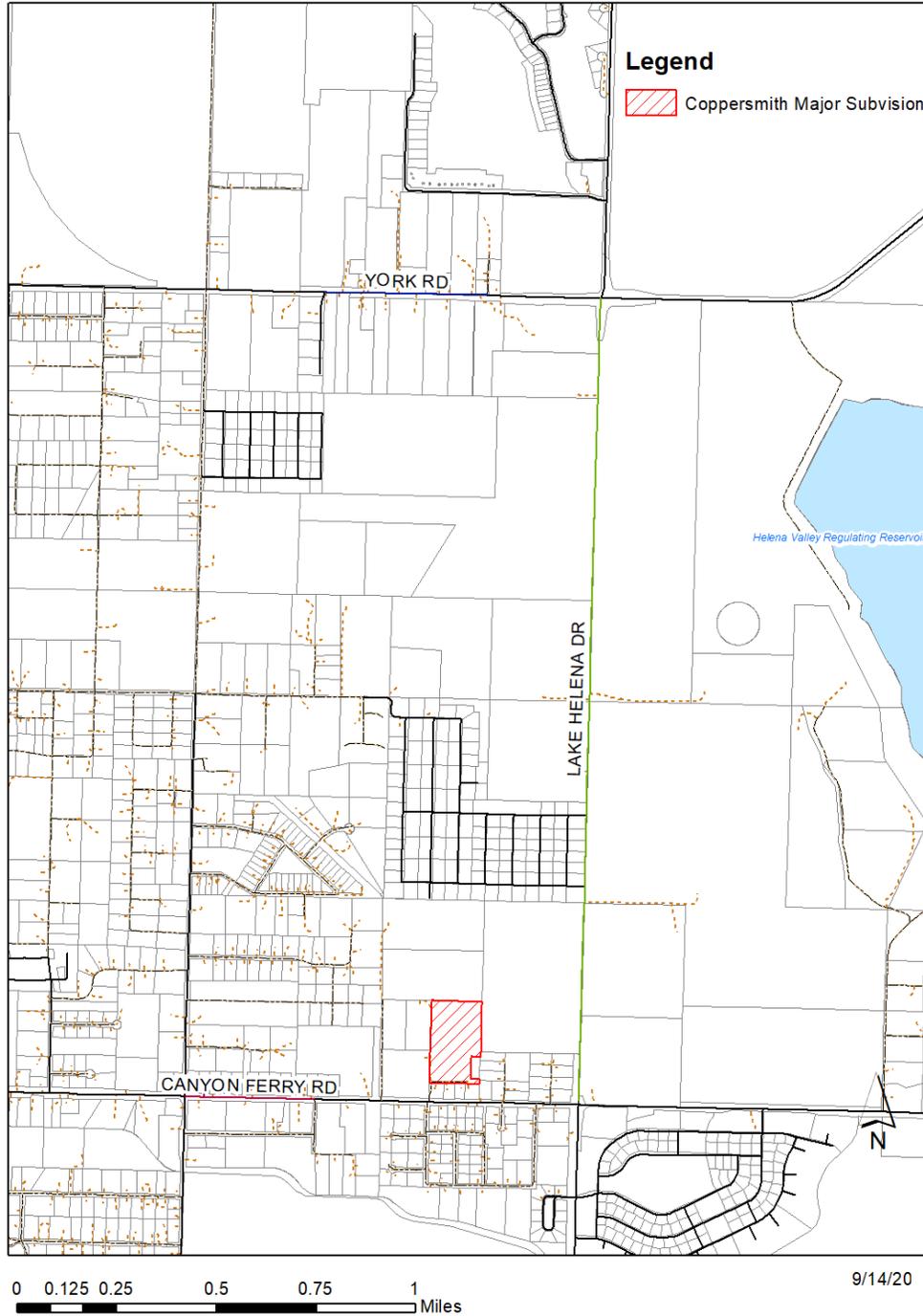
**III. STAFF RECOMMENDATION:**

Approval.

#### IV. LOCATION

The proposed Subdivision is located north of Canyon Ferry Road and north of Sartori Street in the SE¼ of Section 18, T10N, R2W, P.M.M., Lewis and Clark County, Montana. A vicinity map showing the location of the proposed Subdivision is attached below.

### Coppersmith: Vicinity Map



**V. BACKGROUND/STAFF ANALYSIS:**

If the proposed Subdivision is approved, it would divide an existing 16-acre tract into fourteen lots. Three of these lots will be used for single-family residential purposes, and eleven of these lots will be used for multi-family residential purposes. These lots will range from approximately 0.64 to 2.03 acres in size.

The area in the vicinity of the proposed Subdivision is generally characterized as residential development on one-half acre or larger lots. The nearest park is located approximately one road mile away and lies within the Harris Subdivision. This 1.8 acres of parkland was given to the public in 1985 and is presently undeveloped.

**VI. PARKLAND REQUIREMENT:**

If the proposed Subdivision is approved, ten of the lots will be greater than one acre, but less than three acres in size. For lots greater than one acre, but less than three acres in size, a minimum of 5% of the site must be dedicated for parkland. The other four residential lots will be larger than one-half acre, but not larger than 1 acre in size. For lots larger than one-half acre, but not larger than 1 acre in size, a minimum of 7% of the site must be dedicated for parkland.

Based on these percentages, the Applicant is obligated to dedicate 0.88 acres of parkland or pay the equivalent cash in-lieu of dedicating parkland. The Applicant has requested to make the cash payment in-lieu of dedicating parkland, and based upon a per acre value of \$8000.00, the estimated cash payment would be \$7,037.10.

**VII. RECOMMENDED MOTION**

Move to recommend that the Board of County Commissioners ACCEPT the Applicant's request to pay cash in-lieu of parkland dedication in accordance with the Lewis and Clark County Subdivision Regulations.

**VIII. ATTACHMENTS:**

- A. Preliminary Plat for Coppersmith Subdivision

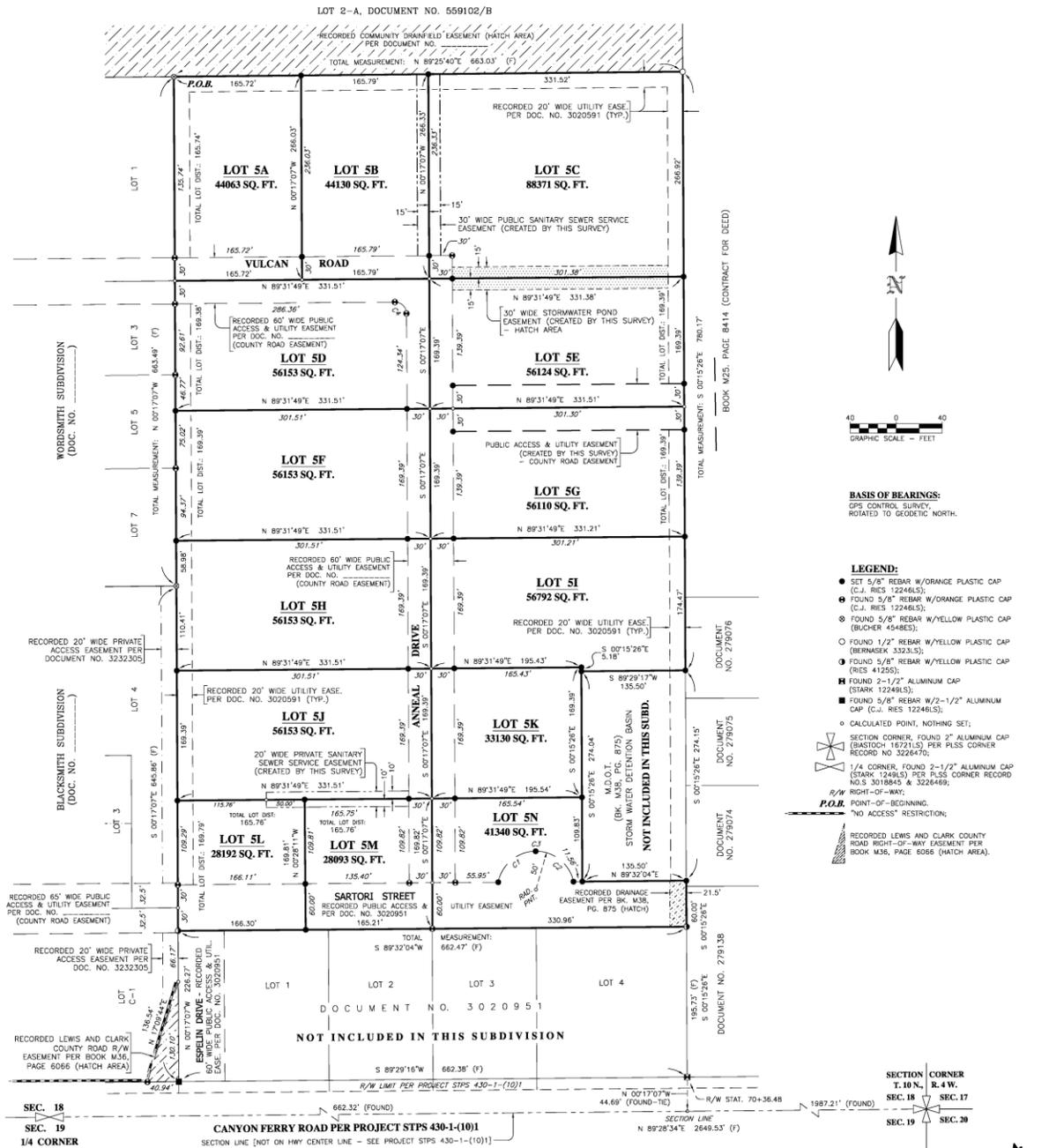
# AMENDED PLAT OF LOT 5 OF THE ESPELIN MINOR SUBDIVISION

## (A.K.A. COPPERSMITH SUBDIVISION)

LOCATED IN THE SOUTHEAST 1/4 OF SEC. 18, T. 10 N., R. 2 W., P.M.M., LEWIS AND CLARK COUNTY.

PURPOSE: CREATE FOURTEEN (14) RESIDENTIAL LOTS LOCATED IN LOT 5 OF THE ESPELIN MINOR SUBDIVISION, DOCUMENT NO. 3020951, LESS & EXCEPTING THEREFROM BOOK M38, PAGE 875.

COMMISSIONED BY: LARRY KIM SMITH



- BASIS OF BEARINGS:**  
GPS CONTROL SURVEY  
ROTATED TO GEODETIC NORTH.
- LEGEND:**
- SET 5/8" REBAR W/ORANGE PLASTIC CAP (C.I. RES 12246LS).
  - FOUND 5/8" REBAR W/ORANGE PLASTIC CAP (C.I. RES 12246LS).
  - FOUND 5/8" REBAR W/YELLOW PLASTIC CAP (BUCHER 4548ES).
  - FOUND 1/2" REBAR W/YELLOW PLASTIC CAP (BERNARDI 332LS).
  - FOUND 5/8" REBAR W/YELLOW PLASTIC CAP (RES 4125S).
  - FOUND 2-1/2" ALUMINUM CAP (STARK 12248LS).
  - FOUND 5/8" REBAR W/1/2" ALUMINUM CAP (C.I. RES 12246LS).
  - CALCULATED POINT, NOTHING SET.
  - SECTION CORNER, FOUND 2" ALUMINUM CAP (BASTICH 1821LS) PER PLS CORNER RECORD NO 3226470.
  - 1/4 CORNER, FOUND 2-1/2" ALUMINUM CAP (STARK 12248LS) PER PLS CORNER RECORD NO S 301884S & 3226469.
  - RIGHT-OF-WAY:
  - POINT-OF-BEGINNING.
  - "NO ACCESS" RESTRICTION.
  - RECORDED LEWIS AND CLARK COUNTY ROAD RIGHT-OF-WAY EASEMENT PER BOOK M38, PAGE 8086 (HATCH AREA).

**CURVE TABLE:**

| CURVE | RADIUS | ARC LENGTH | CHORD BEARING | CHORD LENGTH |
|-------|--------|------------|---------------|--------------|
| C1    | 50.00  | 68.47      | N 50°18'10" E | 63.25        |
| C2    | 50.00  | 68.47      | S 2°14'00" E  | 63.25        |
| C3    | 50.00  | 136.94     | N 89°32'04" E | 97.98        |
| C4    | 15.00  | 23.81      | S 45°22'40" E | 21.25        |

- NOTES:**
- (1) SEE DOCUMENT NO. \_\_\_\_\_ FOR THE LOCATION OF THE COMMUNITY DRAINFIELD EASEMENT AND THE WASTEWATER AND STORMWATER EASEMENT. SAID EASEMENTS ARE LOCATED OUTSIDE OF THIS SUBDIVISION.
  - (2) FOR RECORD BEARINGS/DISTANCES/EASEMENTS ETC... SEE THE FOLLOWING DOCUMENTS:
    - DOCUMENT NO. \_\_\_\_\_
    - DOCUMENT NO. \_\_\_\_\_
    - DOCUMENT NO. \_\_\_\_\_
    - LOT 5B OF DOCUMENT NO. 3092693;
    - BOOK M38, PAGE 875;
    - ALL DOCUMENTS (SURVEYS/DEEDS) LABELED ON THIS PLAT.

DATE: JULY 13, 2020  
 JOB NO.: 18137 SUB-4  
 FIELD BY: CJR, PAC  
 DRAFTED BY: CJR, DJR

PREPARED BY:  
**RIES & ASSOCIATES PC.**  
 6850 GREEN MEADOW DR.  
 HELENA, MONTANA 59602

**PRELIMINARY PLAT - SUB-4**

1/4 SEC. T. R.  
 16 10N 2W  
 P.M. MONTANA,  
 LEWIS AND CLARK COUNTY,  
 SHEET 2 OF 2



## Community Development and Planning Lewis and Clark County

316 N. Park Ave. Room 230 Helena, MT 59623  
Phone: 406-447-8374 Fax: 406-447-8398  
e-mail: [planning@lccountymt.gov](mailto:planning@lccountymt.gov)



### STAFF REPORT

**DATE:** September 14, 2020  
**TO:** City-County Parks Board  
**FROM:** Spencer Starke, Planner I  
**RE:** **Parkland Consideration for the Proposed Wordsmith Subdivision-  
SUBD2019-018**

**Applicant:**  
Kim Smith  
7510 Applegate Drive  
Helena, MT 59601

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**City-County Parks Board Meeting:**

**October 7, 2020 --- 11:30 a.m.**

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#### **I. EXECUTIVE SUMMARY:**

The Applicant for the project noted above has indicated a preference for cash in-lieu of dedicating parkland to satisfy the requirements of the Lewis and Clark County Subdivision Regulations. The Parks Board is tasked with considering the Applicant's request and making a recommendation to the Board of County Commissioners (BoCC). The recommendation may be to accept parkland dedication; require cash in-lieu of parkland dedication; or require a combination of parkland dedication and cash in-lieu of parkland dedication.

#### **II. REQUEST:**

Recommend that the BoCC accept cash in-lieu of parkland dedication to fulfill the requirements of the Subdivision Regulations for the proposed Wordsmith Subdivision application.

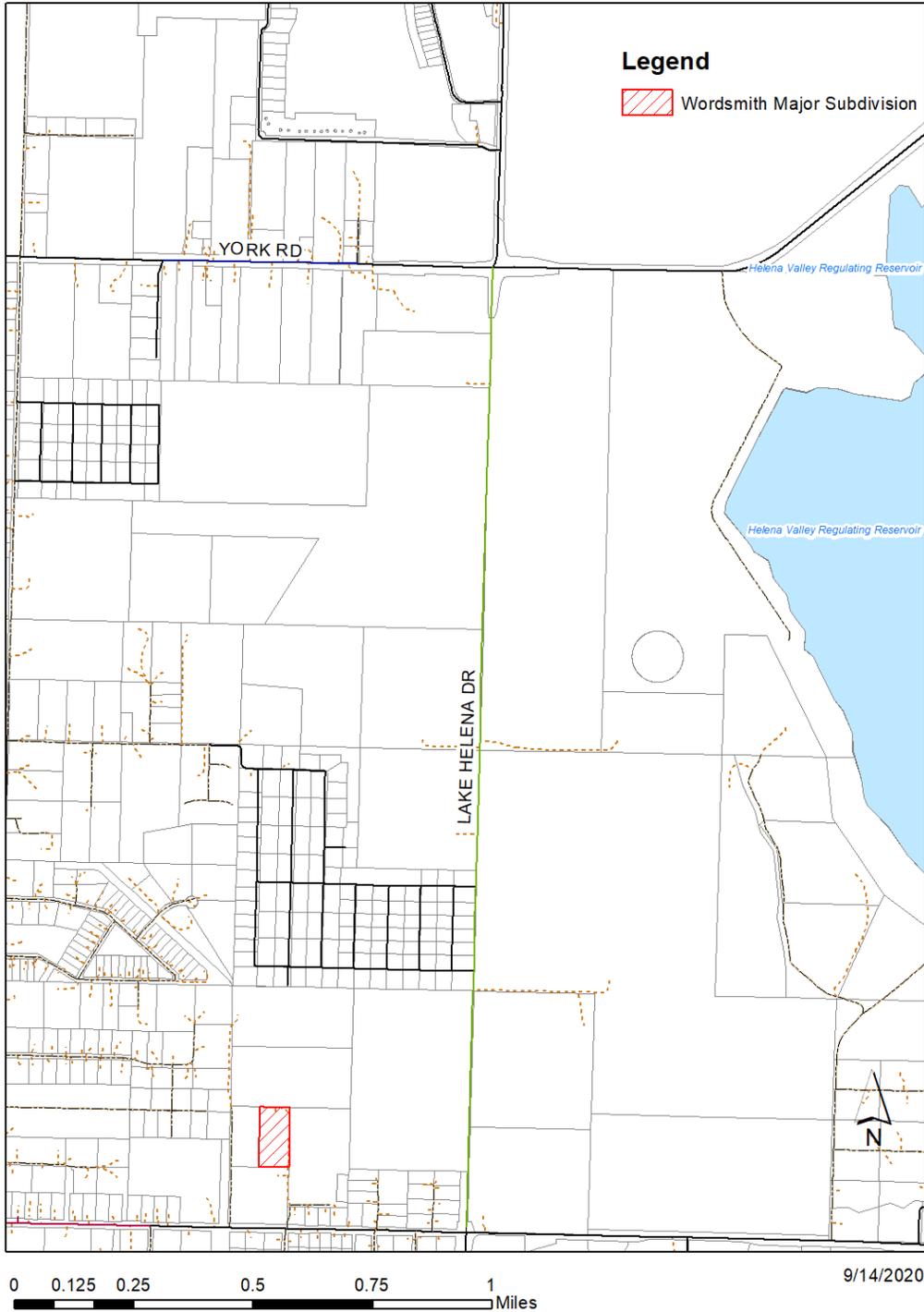
#### **III. STAFF RECOMMENDATION:**

Approval.

#### **IV. LOCATION**

The proposed Subdivision is located north of Canyon Ferry Road and west of Espelin Drive in the SE¼ of Section 18, T10N, R2W, P.M.M., Lewis and Clark County, Montana. A vicinity map showing the location of the proposed Subdivision is attached below.

# Wordsmith: Vicinity Map



## V. BACKGROUND/STAFF ANALYSIS:

If the proposed Subdivision is approved, it would divide an existing 5.05-acre tract into seven lots. All seven of these lots will be used for single-family residential purposes, and will range from approximately 0.4 to 2.01 acres in size.

The area in the vicinity of the proposed Subdivision is generally characterized as residential development on one-half acre or larger lots. The nearest park is located approximately one road mile away and lies within the Harris Subdivision. This 1.8 acres of parkland was given to the public in 1985 and is presently undeveloped.

**VI. PARKLAND REQUIREMENT:**

If the proposed Subdivision is approved, two of the lots will be greater than one acre, but less than three acres in size. For lots greater than one acre, but less than three acres in size, a minimum of 5% of the site must be dedicated for parkland. Another two lots will be larger than one-half acre, but not larger than one acre in size. For lots larger than one-half acre, but not larger than one acre in size, a minimum of 7.5% of the site must be dedicated for parkland. And three lots will be smaller than one-half acre in size. Lots under one-half acre in size are required to dedicate a minimum of 11% of the site for parkland.

Based on these percentages, the Applicant is obligated to dedicate 0.457 acres of parkland or pay the equivalent cash in-lieu of dedicating parkland. The Applicant has requested to make the cash payment in-lieu of dedicating parkland, and based upon a per acre value of \$14,851.00, the estimated cash payment would be \$6,795.24.

**VII. RECOMMENDED MOTION**

Move to recommend that the Board of County Commissioners ACCEPT the Applicant's request to pay cash in-lieu of parkland dedication in accordance with the Lewis and Clark County Subdivision Regulations.

**VIII. ATTACHMENTS:**

- A. Preliminary Plat for Wordsmith Subdivision





## Community Development and Planning Lewis and Clark County

316 N. Park Ave. Room 230 Helena, MT 59623  
Phone: 406-447-8374 Fax: 406-447-8398  
e-mail: [planning@lccountymt.gov](mailto:planning@lccountymt.gov)



### STAFF REPORT

**DATE:** September 18, 2020  
**TO:** City/County Parks Board  
**FROM:** Connie Dedrick, Planner I  
**RE:** **Parkland Consideration for the Proposed Johnson Subsequent Minor Subdivision SUBD2020-010**

**Applicant:**

Kathy and Mark Johnson  
1285 Grizzly Gulch  
Helena, MT 59601

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**City/County Parks Board Meeting:**

**October 7, 2020 --- 11:30 a.m.**

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**I. EXECUTIVE SUMMARY:**

The Applicant for the project noted above proposes cash in-lieu to satisfy the requirements of the Subdivision Regulations. The Parks Board is tasked with considering the Applicant's request and making a recommendation to the Board of County Commissioners (BOCC). The recommendation may be to accept cash in-lieu of parkland dedication; require parkland dedication; or require a combination of parkland dedication and cash in-lieu of parkland dedication.

**II. REQUEST:**

Recommend the BOCC accept a cash in-lieu of parkland dedication to fulfill the Subdivision Regulation requirement for the proposed Johnson Minor Subdivision application.

**III. STAFF RECOMMENDATION:**

Approval.

**IV. LOCATION**

The proposed Subdivision is located adjacent to and runs parallel with Grizzly Gulch Drive, more specifically located in the northeast quarter of Section 3, Township 9 North, Range 4 West; northwest quarter of Section 2 Township 9 North, Range 4 West; and the southeast and southwest quarter of Section 35 Township 10N, Range 4 West M. P. M., Lewis and Clark

County, Montana. An amended preliminary plat and vicinity map showing the location of the proposed Subdivision is attached for your review.

**V. BACKGROUND/STAFF ANALYSIS:**

The proposed Subdivision would divide 14.55 acres into three (3) lots. The subject property currently has three (3) single-family residential units located on the premises. Due to the size of the proposed lots, only seven (7) acres is subject to parkland dedication requirements.

The area in the vicinity of the proposed Subdivision, more specifically to the north, south and west are large tracts of Forest Service lands with a small pocket of single-family residential development directly north. To the east lies pockets of single-family residential development and the City of Helena.

The nearest parkland, Dale Harris Park is located approximately 2.0 miles to the northeast located on West Main Street in Helena.

Johnson Minor Subdivision is a 14.55-acre parcel with three (3) existing residential units, of which upon approval of the Subdivision, each residence will be located upon its own parcel. The Community Development and Planning Staff supports the Applicant's preference to provide a cash in-lieu dedication to satisfy the Subdivision Regulation requirements.

**VI. PARKLAND REQUIREMENT:**

If the proposed Subdivision is approved, two (2) parcels will be 3 acres and less than 5 acres in size and one (1) parcel will be larger than seven (7) acres. Therefore, a minimum of 0.175 percent of the site must be dedicated as either parkland or the equivalent cash in-lieu of parkland. For parcels larger than seven (7) acres dedication is not required.

The total requirement for parkland, and/or the equivalent cash in-lieu of parkland is seven (7) acres. The applicant is proposing cash in-lieu dedication which will total 0.175 acres.

**VII. MARKET VALUE:**

Based on a market analysis by Bryan Ballou (Keller Williams), dated July 21, 2020, the per acre market value of the subject property is approximately \$9,312.00/acre. Using the estimated 2020 market value, the total projected market value of the Applicant's cash in-lieu is **\$1630.00**.

A market-based appraisal, less than six months old and prepared by a licensed real estate appraiser, would be required prior to the BOCC meeting of the final plat in order to determine the actual total cost per acre for the cash in-lieu of parkland dedication.

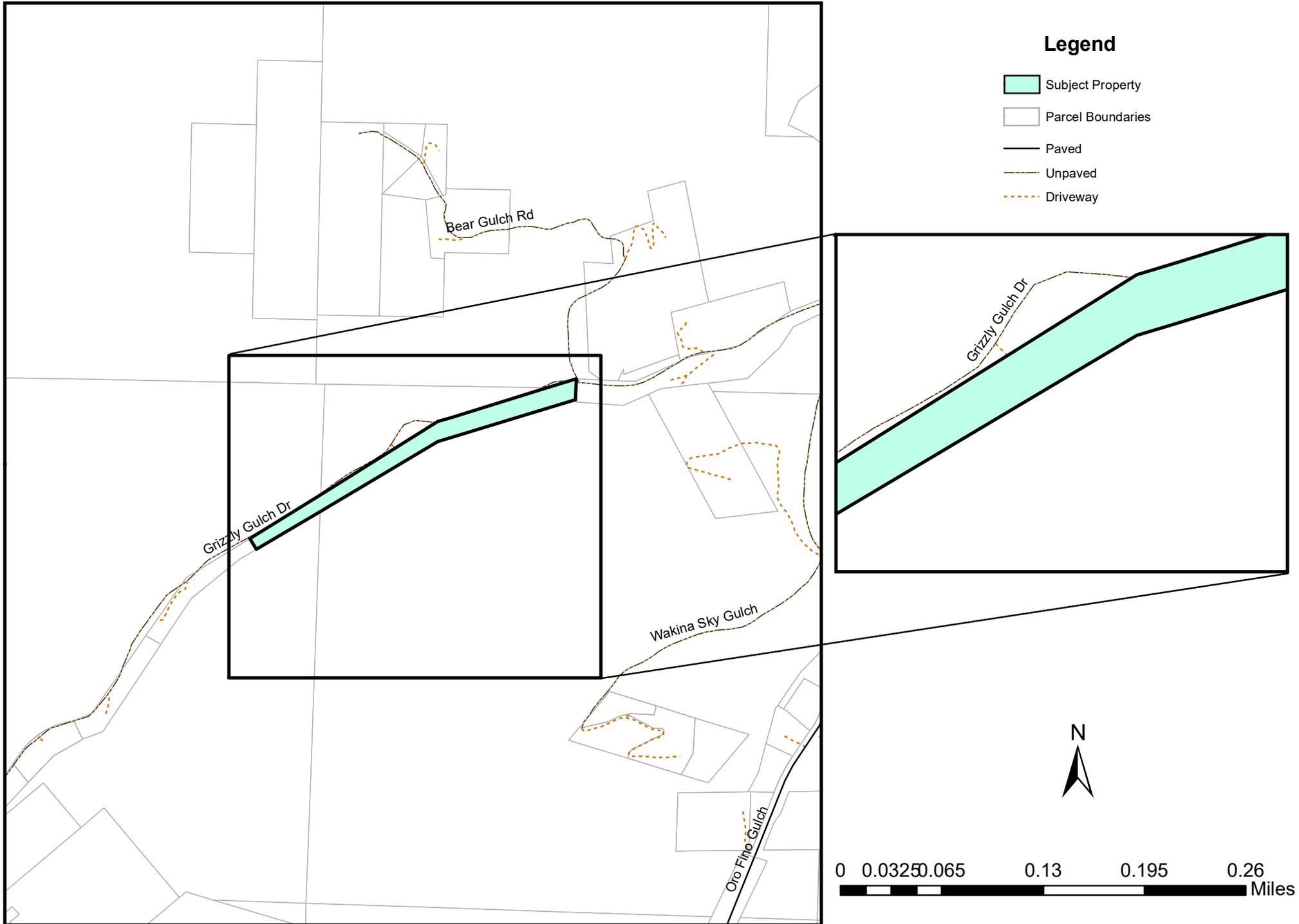
## **VIII. RECOMMENDED MOTION**

Move to recommend that the BOCC ACCEPT the Applicant's preference for a cash in-lieu dedication for the proposed Johnson Minor Subdivision in accordance with the Lewis and Clark County Subdivision Regulations.

## **IX. ATTACHMENTS:**

- A. Preliminary Plat of Johnson Subsequent Minor Subdivision
- B. Vicinity Map
- C. Bryan Ballou (Keller Williams) Comparative Market Analysis regarding value for Parkland Requirements

# Johnson Subsequent Minor Vicinity Map







## Comparative Market Analysis

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To establish top market value of



**1285 Grizzly Gulch – 14.54 acres land only**

**Helena MT 59601**

**07/21/2020**

**Mark & Kathy Johnson**

**By Bryan Ballou  
406.439.5665**



**Prepared for Intrepid Credit Union**

**By Bryan Ballou**

## **Subject Property**

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**This is a unique 14.54-acre lot. It is in the foothills of the mountains and bordered on two sides by Forest Service land but is within a couple miles of the Helena City Limits. The lot is long and narrow with numerous building locations. This CMA is considering just the land value with no improvements.**

# Comparable Properties

1296125



1298331



21912746



**3405 Blue Cloud Tract**

**4842 Iron Ridge Loop  
Helena MT**

**1A, 1B, 1C  
Helena MT**

**Lot 3 Moondance  
Helena MT**

|                           |                 |                  |                  |
|---------------------------|-----------------|------------------|------------------|
| List Price                | \$80,000        | \$150,000        | \$148,000        |
| Original List Price       | \$95,000        | \$150,000        | \$148,000        |
| Sold Price                | \$75,000        | \$127,500        | \$140,000        |
| Status                    | Closed          | Closed           | Closed           |
| Status Date               | 10/08/2018      | 04/06/2018       | 11/12/2019       |
| Days on Market            | 1549            | 325              | 104              |
| Cumulative Days on Market | 1549            | 325              | 104              |
| Lot Size Estimate         | 10.1-20.0       | 10.1-20.0        | 10.1-20.0        |
| Lot Acres                 | 20              | 20               | 12.05            |
| Price                     | <b>\$75,000</b> | <b>\$127,500</b> | <b>\$140,000</b> |

# Price Analysis

## Summary of Closed Listings

| MLS #    | Address                                     | List Price | DOM  | CDOM | Sold Date  | Sold Price | Total Adjustments | Adjusted Price |
|----------|---|------------|------|------|------------|------------|-------------------|----------------|
| 1298331  | 3405 Blue Cloud Tract 1A, 1B, 1C, Helena MT | \$150,000  | 325  | 325  | 03/29/2018 | \$127,500  | -                 | \$127,500      |
| 21912746 | Lot 3 Moondance, Helena MT                  | \$148,000  | 104  | 104  | 11/11/2019 | \$140,000  | -                 | \$140,000      |
| 1296125  | 4842 Iron Ridge Loop, Helena MT             | \$80,000   | 1549 | 1549 | 10/05/2018 | \$75,000   | -                 | \$75,000       |

## Low, Average, Median, and High Comparisons

|         | Closed    | Overall   |
|---------|-----------|-----------|
| Low     | \$75,000  | \$75,000  |
| Average | \$114,167 | \$114,167 |
| Median  | \$127,500 | \$127,500 |
| High    | \$140,000 | \$140,000 |

## Overall Market Analysis (Unadjusted)

| Status  | # | List Vol. | Avg. List Price | Sold Vol. | Avg. Sold Price | Avg. Sale/List Price | Avg. Total Sq. Ft. | Avg. List \$/Total Sq. Ft. | Avg. Sold \$/Total Sq. Ft. | Avg. DOM | Avg. CDOM |
|---------|---|-----------|-----------------|-----------|-----------------|----------------------|--------------------|----------------------------|----------------------------|----------|-----------|
| Closed  | 3 | 378,000   | 126,000         | 342,500   | 114,167         | 0.91                 | 0                  | 0.00                       | 0.00                       | 659      | 659       |
| Overall | 3 | 378,000   | 126,000         | 342,500   | 114,167         | 0.91                 | 0                  | 0.00                       | 0.00                       | 659      | 659       |



07/21/2020

**PRICE RECOMMENDATION**  
**1285 Grizzly Gulch – 14.54 acres**

This CMA is for 14.54 acres of unimproved land. Comparable properties were hard to find so I had to extend the search back 24 months instead of 12, This is a unique property in that it is located in the mountains surrounded by Forest Service land but is only a couple miles from the Helena city limits. The subject property is in an exceptionally good location. After inspection of the subject property, and then comparing the subject home to comparable properties that have sold within the last 24 months, it is my opinion that in today's market this home would sell for \$135,000.00 to \$140,000.00.

**Bryan Ballou**  
**KellerWilliams**  
**406-439-5665**  
[bryanballou@gmail.com](mailto:bryanballou@gmail.com)

A handwritten signature in blue ink, appearing to read 'Bryan Ballou', written over a horizontal line.

A broker Price Opinion (BPO) is not an Appraisal and is not intended to be used for the purpose of obtaining Financing.



## Community Development and Planning Lewis and Clark County

316 N. Park Ave. Room 230 Helena, MT 59623  
Phone: 406-447-8374 Fax: 406-447-8398  
e-mail: [planning@lccountymt.gov](mailto:planning@lccountymt.gov)



### **STAFF REPORT**

**DATE:** September 30, 2020  
**TO:** City/County Parks Board  
**FROM:** Connie Dedrick, Planner I  
**RE:** **Parkland Consideration for the Proposed Mayville Manor Subdivision -  
SUBD2020-008**

#### **Applicant:**

Richard & Diane Klinski  
1080 John G Mine Road  
Helena, MT 59601

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**City/County Parks Board Meeting:**

**October 7, 2020 --- 11:30 a.m.**

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#### **I. EXECUTIVE SUMMARY:**

The Applicant for the project noted above proposes to dedicate 1.04 acres for parkland to satisfy the requirements of the Subdivision Regulations. The Parks Board is tasked with considering the Applicant's request and making a recommendation to the Board of County Commissioners (BoCC). The recommendation may be to accept cash in-lieu of parkland dedication; require parkland dedication; or require a combination of parkland dedication and cash in-lieu of parkland dedication.

#### **II. REQUEST:**

Recommend the BoCC approve the parkland dedication to fulfill the Subdivision Regulation requirement for the proposed Mayville Manor Subdivision application.

#### **III. STAFF RECOMMENDATION:**

Deny as proposed. Staff is recommending cash in-lieu to fulfill the Subdivision Regulation requirement.

#### **IV. LOCATION**

The proposed subdivision is located adjacent to and north of John G Mine Road, more specifically located in the southeast quarter of Section 19, Township 11 North, Range 3 West

P. M. M., Lewis and Clark County, Montana. A preliminary plat and a vicinity map, showing the location of the proposed subdivision, have been attached for your review.

**V. BACKGROUND/STAFF ANALYSIS:**

The proposed Subdivision would divide 20.17 acres into fourteen (14) single-family residential lots ranging in size from approximately 1.09 to 1.72 acres and one (1) proposed County parkland lot 1.04-acres in size. The subject property is irrigated farmland, historically used for hay production.

The area in the vicinity of the proposed Subdivision, more specifically to the north, south and west is irrigated farmland; to the east is Sunset Memorial Garden. The nearest unimproved parkland dedication is Timberworks Estates Park located approximately 1.0 mile to the north.

The Community Development and Planning Staff does not support the Applicant's preference to provide a 1.04-acre parkland dedication to satisfy the Subdivision Regulation requirement due to the location of the proposed parkland and the existing encumbrances i.e. the Bureau of Reclamation Contract and Donation Easement and called out underground lateral noted on the Preliminary Plat, as well as other easement notations with undefined dimensions.

**VI. PARKLAND REQUIREMENT:**

If the proposed Subdivision is approved, fourteen (14) lots ranging from 1.09 to 1.72 acres will be created. Per the Subdivision Regulations, the total parkland dedication required would be 5% of the 20.17 acres, or 1.01 acres.

Therefore, a minimum of 1.01 acres of the site must be dedicated as either parkland or the equivalent cash in-lieu of parkland. The Applicant is proposing parkland dedication to satisfy the requirement; however, Staff is recommending the proposed parkland lot be aggregated equally into proposed lots 13 and 14 and the Applicant provide cash in-lieu to meet the parkland Subdivision Regulation requirement.

**VII. MARKET VALUE:**

Based on a letter submitted by Richard D. Ivers (Brokers First Real Estate) the per acre market value of the subject property is between \$8,000 and \$12,000. Using the estimated 2020 market value average of \$10,000, the total projected market value of the Applicant's cash in-lieu is **\$10,000.00**.

A market-based appraisal, less than six months old and prepared by a licensed real estate appraiser, would be required prior to the BoCC meeting of the final plat in order to determine the actual total cost per acre for the cash in-lieu of parkland dedication.

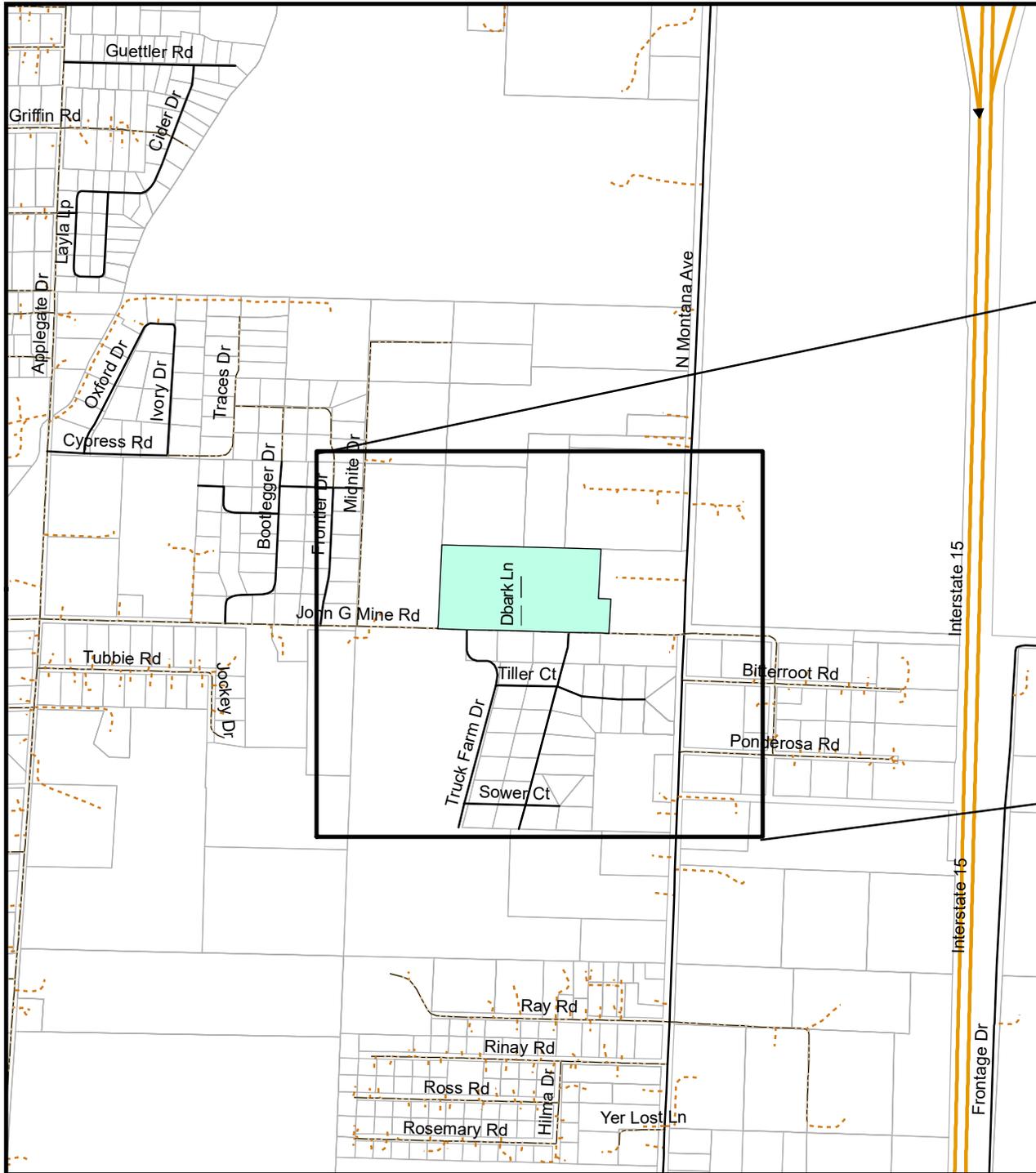
## **VIII. RECOMMENDED MOTION**

Move to recommend that the BoCC ACCEPT Staff's recommendation for a cash in-lieu dedication for the proposed Mayville Manor Subdivision in accordance with the Lewis and Clark County Subdivision Regulations.

## **IX. ATTACHMENTS:**

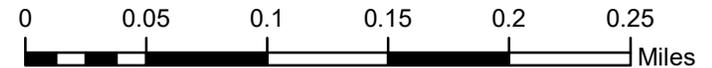
- A. Preliminary Plat of Mayville Manor Subdivision
- B. Vicinity Map
- C. Richard D. Ivers (Brokers First Real Estate) regarding value for Parkland Requirements

# Mayville Manor Subdivision Vicinity Map



## Legend

- Subject Property
- Parcel Boundaries
- Paved
- Unpaved
- Driveway
- Interstate



# PRELIMINARY PLAT OF MAYVILLE MANOR SUBDIVISION

A MAJOR SUBDIVISION OF TRACT 2A CREATING LOTS 1-14 AND PARK LOT

COMMISSIONED BY: RICHARD & DIANNE KLINSKI

V.B0Y19-03 MAYVILLE MANOR.DWG

### RESTRICTIVE COVENANTS

Restrictive Covenants exist for the land within this Subdivision and are recorded in Book \_\_\_\_\_, Page \_\_\_\_\_ on file at the Lewis and Clark County Clerk and Recorder's Office.

### CERTIFICATE OF DEDICATION

We, the undersigned, do hereby certify that we have caused to be surveyed, subdivided and platted into lots and Public Access & Utility Easements the land shown on the plat hereto annexed the following described land in Lewis and Clark County, Montana, to wit:

A tract of land located in the southeast 1/4 of Section 19, Township 11 North, Range 3 West, Principal Meridian, Montana, Lewis and Clark County, Montana, being more particularly described as follows:

Beginning at a calculated point on the south line of Section 19, T.11N., R.3W., located at the southwest corner of tract 2A of Certificate of Survey filed under Doc. No. 3102335, from which the South Quarter-Section Corner of said Section 19 bears S89°41'44"W. 665.00 feet, thence from said Point of Beginning, N00°54'22"E. 662.54 feet to a survey monument; thence N89°40'42"E. 631.74 feet to a survey monument; thence N89°47'09"E. 30.08 feet to a survey monument; thence N89°39'55"E. 30.10 feet to a survey monument; thence N89°40'53"E. 302.40 feet to a survey monument; thence N89°41'03"E. 297.63 feet to a survey monument; thence S00°07'27"E. 402.60 feet to a survey monument; thence N89°45'51"E. 73.09 feet to a survey monument; thence S00°38'14"W. 260.08 feet to the centerline of John G. Line Road; thence along said centerline S89°41'44"W. 1373.63 feet to the Point of Beginning, containing 20.168 acres, more or less, and subject to all easements of record or apparent on the ground.

The above described tract of land is to be known and designated as "MAYVILLE MANOR SUBDIVISION".

NOTATION(1) The undersigned hereby grants unto each and every person, firm or corporation, whether public or private, providing and offering to provide telephone, telegraph, electric power, gas, cable television, water or sewer service to the public, the right to the joint use of an easement for the construction, maintenance, repair and removal of their lines and other facilities, in, over, under and across each area designated on this plat as "Utility Easement" to have and to hold forever."

NOTATION(2) The undersigned hereby establishes the Public Access and Utility Easements shown and described on the plat to be dedicated to the public for such use.

NOTATION(3) See covenants for additional setback requirements.

Under penalties of perjury, we, the undersigned, declare that we have examined this final plat of the MAYVILLE MANOR MAJOR SUBDIVISION, and to the best of our knowledge and belief, it is true, correct, complete and in compliance with all State laws and local regulations.

NOTATION(4) Park is owned by Lewis & Clark County and is dedicated to the use of the public.

Richard E. Klinski \_\_\_\_\_ Date \_\_\_\_\_

Dianne M. Klinski \_\_\_\_\_ Date \_\_\_\_\_

State of Montana \_\_\_\_\_

County of \_\_\_\_\_

This instrument was signed and sworn to before me on \_\_\_\_\_

by \_\_\_\_\_

Print name of signer(s)

Notary Signature \_\_\_\_\_

### UTILITY NOTES

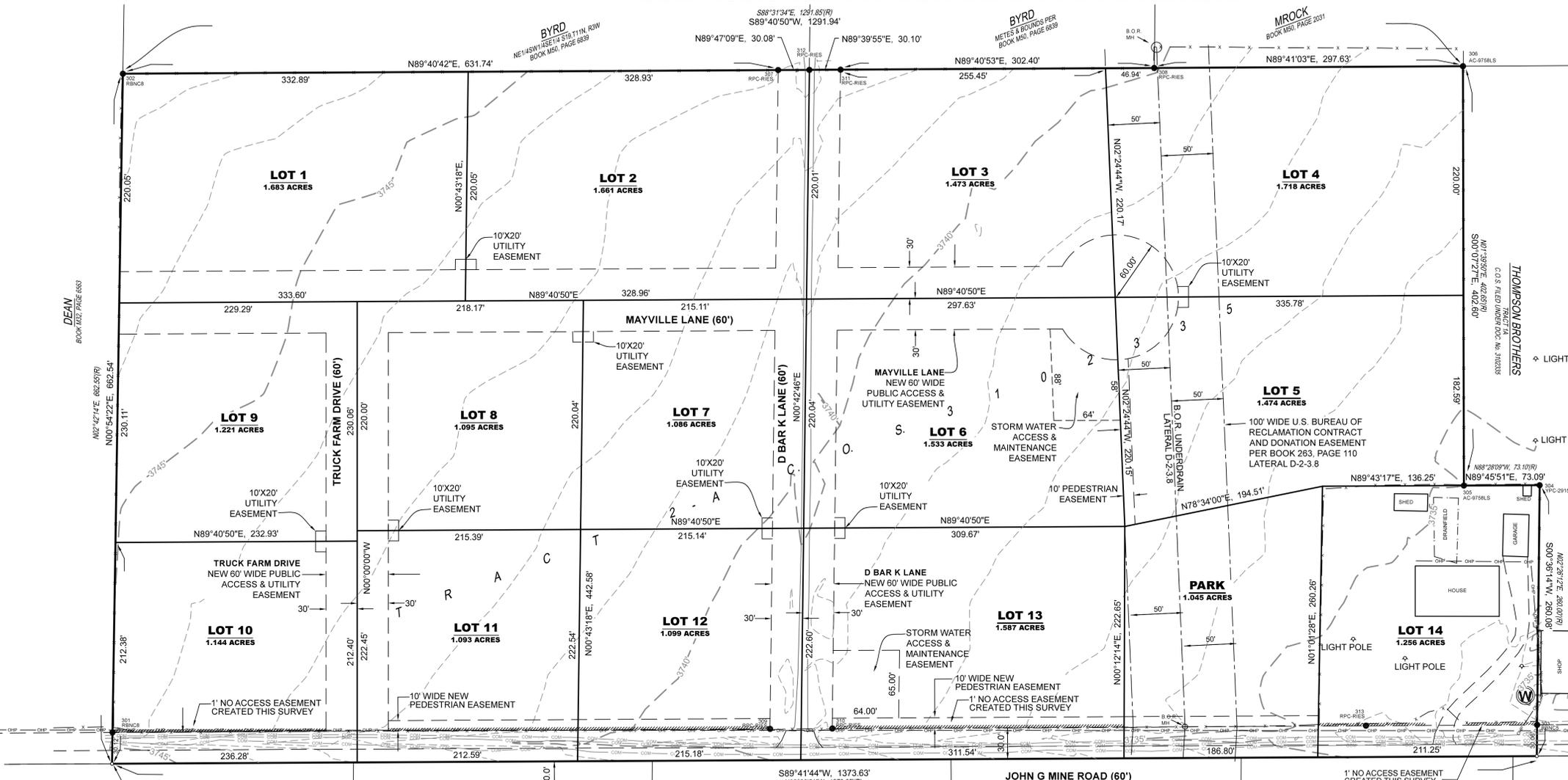
- The nearest water and sewer mains are located 0.1 mile South in Garden Valley Subdivision. However they do not leave the capacity to add this subdivision.
- The nearest sewer mains are located 1.2 miles North in Timberworks Estates. However they do not leave the capacity to add this subdivision.
- Overhead power is located along the South of the dedicated area on the North side of John G. Mine Road.

### CERTIFICATE OF SURVEYOR

I, Jared A. Lay, a licensed Professional Land Surveyor in the State of Montana, do hereby certify that this is a true representation of a survey made under my direct supervision.

Jared A. Lay, Montana Reg. No. 17305LS \_\_\_\_\_ Date \_\_\_\_\_

**DRAFT**



### BASIS OF BEARINGS

City of Helena LDP

DATUM: NAD83 (2011) (EPOCH 2010.00)  
 PROJECTION: TRANSVERSE MERCATOR  
 CENTRAL MERIDIAN: W 111°57'00" (-111.95°)  
 PROJECT ORIGIN LATITUDE: N 46°30'00" (46.5°)  
 SCALE FACTOR AT CENTRAL MERIDIAN: 1.000191  
 FALSE NORTHING: 100,000,000 IFT (30,480m)  
 FALSE EASTING: 200,000,000 IFT (60,960m)



### LEGEND

- = Found survey monument, as described
- = Set 5/8" x 24" rebar with orange plastic cap mk'd: "17305LS"
- = Calculated Point, no monument found or set, this survey
- ✶ = One-quarter section corner
- P.O.B. = Point of Beginning
- C.O.S. = Certificate of Survey
- (R) = Record per Doc. No. 3102335
- - - = Contour - Major (5' Interval)
- - - = Contour - Minor (1' Interval)
- - - - - = Buried Communications Line(s)
- - - - - = Overhead Power Line(s)
- - - - - = Existing Fence Line(s)
- - - - - = Bureau of Reclamation Easement Line(s)
- ||||| = 1' wide No Access Easement



### COUNTY TREASURER

I certify pursuant to Section 76-3-207(3), M.C.A., that all real property taxes and special assessments assessed and levied on the land encompassed by this Certificate of Survey have been paid.

Geocode:05-1995-19-4-01-03-0000 Assessment Code:0000009215

Lewis & Clark County Treasurer \_\_\_\_\_ Date \_\_\_\_\_

### CERTIFICATE OF EXAMINING LAND SURVEYOR

Reviewed for errors and omissions in calculation and drafting this day of \_\_\_\_\_, 20\_\_\_\_ pursuant to Section 76-3-611 (2) (a), M.C.A.

Examining Land Surveyor \_\_\_\_\_ Reg. No. \_\_\_\_\_

| 1/4 | SEC. | T. | R. |
|-----|------|----|----|
| 19  | 11N  | 3W |    |
|     |      |    |    |
|     |      |    |    |

**JBT ENGINEERS, LLC**  
 1093 HELENA AVE.  
 HELENA, MT 59601  
 (406) 449-1306  
 JBARTENGINEERS.COM

County: LEWIS AND CLARK P.M., M. Date: 7/7/2020

# Brokers First

Real Estate

J-T Engineers

Attn: Tony Prothero, P.E.

Helena, Montana 59601

Dear Sir,

In analyzing the Helena market place for bare land with no improvements I have found that a fair price for this type pf property would be in the \$8,000 to \$12,000 range, depending mostly on location and terrain.

Sincerely,

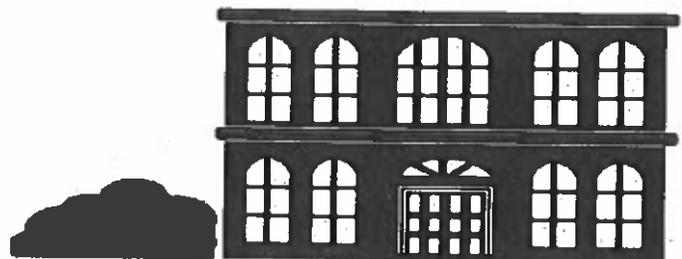
Richard D Ivers

Realtor



Brokers First Real Estate

555 Fuller Ave, Ste 5





## Community Development and Planning Lewis and Clark County

316 N. Park Ave. Room 230 Helena, MT 59623  
Phone: 406-447-8374 Fax: 406-447-8398  
e-mail: [planning@lccountymt.gov](mailto:planning@lccountymt.gov)



### **STAFF REPORT**

**DATE:** September 30, 2020  
**TO:** City/County Parks Board  
**FROM:** Connie Dedrick, Planner I  
**RE:** **Parkland Consideration for the Proposed Skyview Phase V Subdivision - SUBD2020-013**

**Applicant:**

John Maxness  
Last Chance Holdings, LLC  
2908 Canyon Ridge Drive  
East Helena, MT 59635

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**City/County Parks Board Meeting:**

**October 7, 2020 --- 11:30 a.m.**

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**I. EXECUTIVE SUMMARY:**

The Applicant for the project noted above proposes cash in-lieu to satisfy the requirements of the Subdivision Regulations. The Parks Board is tasked with considering the Applicant's request and making a recommendation to the Board of County Commissioners (BoCC). The recommendation may be to accept cash in-lieu of parkland dedication; require parkland dedication; or require a combination of parkland dedication and cash in-lieu of parkland dedication.

**II. REQUEST:**

Recommend the BoCC accept a cash in-lieu of parkland dedication to fulfill the Subdivision Regulation requirement for the proposed Skyview Phase V Subdivision application.

**III. STAFF RECOMMENDATION:**

Approval.

**IV. LOCATION**

The proposed Subdivision is located east of Ranch Deluxe Road, more specifically Utility Site No. 4 located in the northeast quarter of Section 7, Township 11 North, Range 3 West in

Lewis and Clark County, Montana. A preliminary plat and a vicinity map, showing the location of the proposed subdivision, have been attached for your review.

**V. BACKGROUND/STAFF ANALYSIS:**

The proposed Subdivision would divide 8.61 acres into 20 residential lots ranging in size from approximately 0.25 to 0.60 acres. The subject property is a large abandoned drainfield which historically served previous Skyview Subdivision phases. The subject property is also a permitted retention pond. The retention pond will be relocated to the most southeastern portion of the property; in between proposed lots 7 and 8.

The area in the vicinity of the proposed Subdivision, more specifically to the north, south and east are the Northwest Subdivision, Northstar PUD Phase I and Skyview Phase III subdivisions respectively. The aforementioned Subdivisions are single-family residential development communities. Directly to the west is vacant land. The nearest unimproved parkland dedications are located in Ranchview Estates Phase IA, and Bridge Creek Estates located south and east approximately 1.51 and 1.73 miles respectively.

Skyview Phase V Subdivision is a vacant 8.61-acre parcel which will be developed into 20 single-family residential lots. The Community Development and Planning Staff supports the Applicant's preference to provide a cash in-lieu dedication to satisfy the Subdivision Regulation requirements.

**VI. PARKLAND REQUIREMENT:**

If the proposed Subdivision is approved, nineteen (19) lots are one-half acre or smaller in size (6.48 acres) and one lot is larger than one-half acre (0.61 acres). The parkland dedication required would be 11% of the 6.48 acres (0.71) and 7.5% of the 0.61 acres (0.05) for a total of 0.76 acres.

Therefore, a minimum of 0.76 acres of the site must be dedicated as either parkland or the equivalent cash in-lieu of parkland. The applicant is proposing cash in-lieu dedication to satisfy the requirement.

**VII. MARKET VALUE:**

Based on a market analysis by Liane L. Taylor (Big Sky Brokers, LLC), dated August 19, 2020, the per acre market value of the subject property is approximately \$3,000.00/acre. Using the estimated 2020 market value, the total projected market value of the Applicant's cash in-lieu is **\$2,280.00**.

A market-based appraisal, less than six months old and prepared by a licensed real estate appraiser, would be required prior to the BoCC meeting of the final plat in order to determine the actual total cost per acre for the cash in-lieu of parkland dedication.

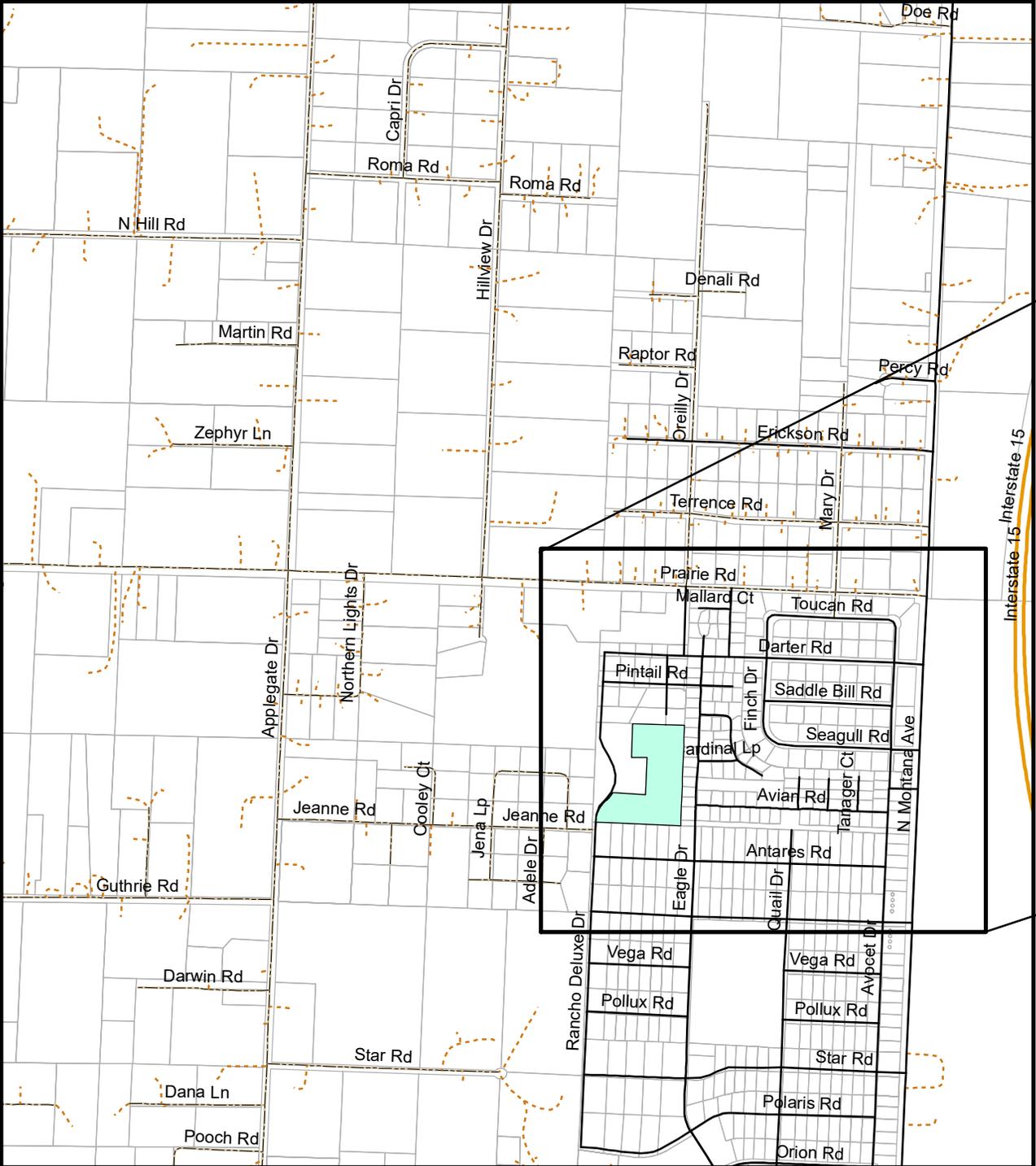
### **VIII. RECOMMENDED MOTION**

Move to recommend that the BoCC ACCEPT the Applicant's preference for a cash in-lieu dedication for the proposed Skyview Phase V Subdivision in accordance with the Lewis and Clark County Subdivision Regulations.

### **IX. ATTACHMENTS:**

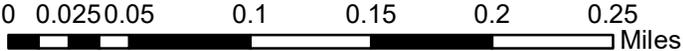
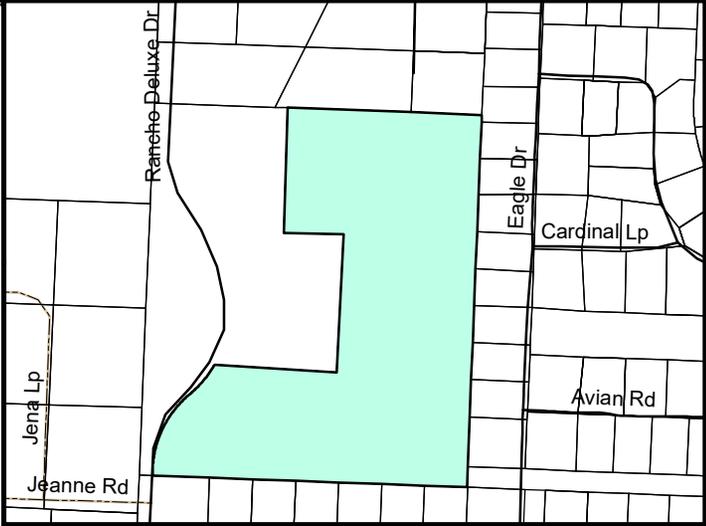
- A. Preliminary Plat of Skyview Phase V Subdivision
- B. Vicinity Map
- C. Liane L. Taylor (Big Sky Brokers, LLC) Comparable Market Analysis regarding value for Parkland Requirements

# Skyview Phase V Vicinity Map



## Legend

- Subject Property
- Parcel Boundaries
- Paved
- Unpaved
- Driveway
- Interstate



# PRELIMINARY PLAT OF SKYVIEW PHASE V SUBDIVISION A MAJOR SUBDIVISION OF UTILITY SITE No. 4 CREATING 20 RESIDENTIAL LOTS AND UTILITY SITE 4A



BASIS OF BEARINGS  
City of Helena LDP

DATUM: NAD83 (2011) (EPOCH 2010.00)  
PROJECTION: TRANSVERSE MERCATOR  
CENTRAL MERIDIAN: W 111°57'00" (-111.95°)  
PROJECT ORIGIN LATITUDE: N 46°30'00" (46.5°)  
SCALE FACTOR AT CENTRAL MERIDIAN: 1.000191  
FALSE NORTHING: 100,000,000 IFT (30,480m)  
FALSE EASTING: 200,000,000 IFT (60,960m)



### LEGEND

- = Found survey monument, as described
- = Calculated point, no monument found or set, this survey
- = Set 5/8" x 24" rebar with blue plastic cap mk'd: "67665LS"

P.O.B. = Point of Beginning

C.O.S. = Certificate of Survey

(R1) = Record per Doc. No. 598336

(R2) = Record per Doc. No. 615364

(R3) = Record per Doc. No. 3042455

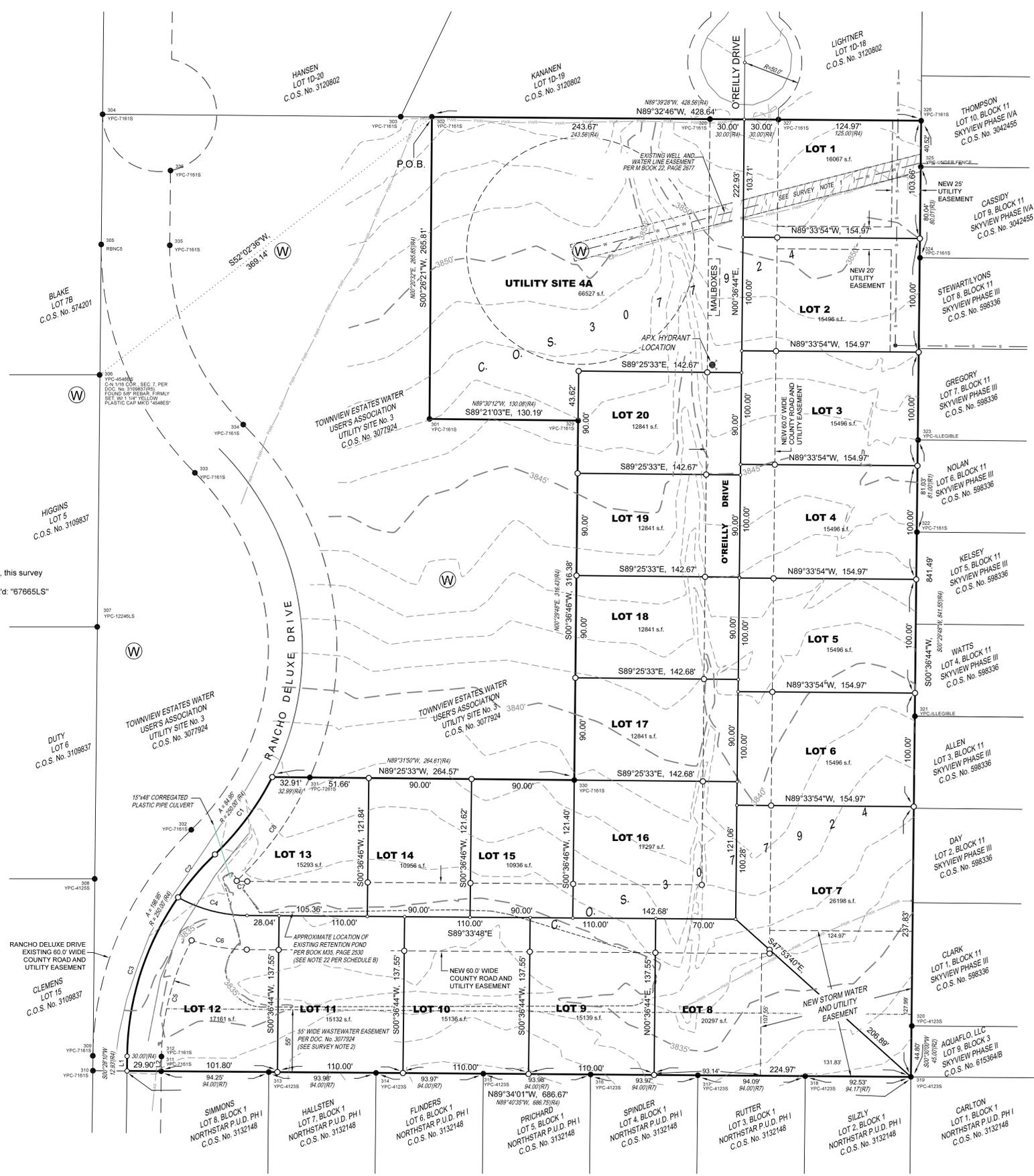
(R4) = Record per Doc. No. 3077924

(R5) = Record per Doc. No. 3109837

(R6) = Record per Doc. No. 3120802

(R7) = Record per Doc. No. 3132148

- = Contour, major
- - - = Contour, minor
- = Buried power line
- = Buried gas line
- = Existing Sewer Main
- = Existing Water Main



### RESTRICTIVE COVENANTS

Restrictive Covenants exist for the land within this Subdivision and are recorded in Book \_\_\_\_\_, Page \_\_\_\_\_ on file at the Lewis and Clark County Clerk and Recorder's Office.

### CERTIFICATE OF DEDICATION

We, the undersigned, do hereby certify that we have caused to be surveyed, subdivided and platted into lots and County Road & Utility Easements the land shown on the plat hereto annexed the following described land in Lewis and Clark County, Montana, to wit:

A tract of land located in the northeast 1/4 of Section 7, Township 11 North, Range 3 West, Principal Meridian, Montana, Lewis and Clark County, Montana, being more particularly described as follows:

Beginning at a survey monument located on the south line of Certificate of Survey filed under Doc. No. 3120802, from which the Center-North One-Sixteenth corner of said Section 7, a 5/8" rebar with 1 1/4" yellow plastic cap marked "4548ES" bears S52°02'36"W 369.14 feet. Thence, from said Point of Beginning, S89°32'46"E 428.64 feet along said south line to a survey monument located on the west line of Skyview Subdivision; thence along said west line S00°35'44"W 841.43 feet to a survey monument located on the north line of Northstar Planned Unit Development; thence along said north line N89°33'54"W 686.67 feet to a calculated point on the west line of Utility Site 4 of Certificate of Survey filed under Doc. No. 3077924; thence along said west line N00°20'57"E 13.05 feet to a calculated point at the beginning of a Tangent curve to the right; thence along said curve 198.71 feet, having a Radius = 249.64 feet and Long Chord Bearing N23°25'45"E 193.51 feet to a calculated point at the beginning of a Tangent curve to the left; thence along said curve 84.97 feet, having a Radius = 250.00 feet and Long Chord Bearing N36°24'55"E 84.57 feet to a calculated point on the south line of Utility Site 3 of Certificate of Survey filed under Doc. No. 3077924; thence along said south line S89°25'33"E 264.57 feet to a survey monument; thence N00°36'46"E 316.38 feet to a survey monument; thence N89°21'03"W 130.19 feet to a survey monument; thence N00°26'21"E 265.81 feet to the survey monument located at the Point of Beginning, containing 8.61 acres, more or less, and subject to all easements of record or apparent on the ground.

The above described tract of land is to be known and designated as "SKYVIEW PHASE V SUBDIVISION".

NOTATION(1) The undersigned hereby grants unto each and every person, firm or corporation, whether public or private, providing and offering to provide telephone, telegraph, electric power, gas, cable television, water or sewer service to the public, the right to the joint use of an easement for the construction, maintenance, repair and removal of their lines and other facilities, in, over, under and across each area designated on this plat as "Utility Easement" to have and to hold forever."

NOTATION(2) The undersigned hereby establishes the Public Access and Utility Easements shown and described on the plat to be dedicated to the public for such use.

NOTATION(3) See covenants for additional setback requirements.

Under penalties of perjury, we, the undersigned, declare that we have examined this final plat of the SKYVIEW PHASE V MAJOR SUBDIVISION, and to the best of our knowledge and belief, it is true, correct, complete and in compliance with all State laws and local regulations.

Last Chance Holdings LLC Date  
John Maxness

State of Montana  
County of \_\_\_\_\_  
This instrument was signed or acknowledged before  
me on \_\_\_\_\_ by \_\_\_\_\_  
(Name of signer)

(Notary Signature)  
[Affix seal/stamp to the left or below]

### NOTES SCHEDULE B, TITLE COMMITMENT No. L&C114734

- Easement for a drain for the purpose of running water, Book 8 of Miscellaneous, Page 378. Not plottable.
- Electric Distribution Lines Easement, Book 291, Page 666. Not plottable.
- Lewis and Clark County Resolution 1992-16, M Book 12, page 6195. Created a Water Quality Protection District. This resolution does apply to this property.
- Lewis and Clark County Resolution 1995-122, M Book 17, Page 4290. Created a Special Zoning District No. 33 which borders this property to the east.
- Lewis and Clark County Resolution 1996-46, M Book 17, Page 9854. Created the Skyview Subdivision Water and Sewer District which borders this property to the east.
- Water Line Easement, M Book 5, Page 314. This easement is located off this property.
- Well Site and Water Line Easement, M Book 33, Page 632. This easement is located off this property.
- Agreement between M & W Investments and Town View Estates Water Users Association, M Book 32, Page 9631. Not plottable.
- Storm Drainage and Retention Pond Easement, M Book 35, Page 2530. This easement is shown graphically on this plat. The existing retention pond will be relocated to the southeast corner of this Subdivision and its size will be increased to handle the additional runoff from Skyview Phase V.

### SURVEY NOTES

- The "hatched" portion of the existing 15' wide Utility Easement (M Book 22, Page 2677) will be vacated and extinguished prior to filing of Final Plat. The existing water line will be re-routed into the 20' wide utility easement being created between Lot 1 and Lot 2 of this survey.
- The 55.00' wide Wastewater Easement as shown on Doc. No. 3077924 will be vacated and extinguished prior to filing of Final Plat.

### COUNTY TREASURER

Geocode:05-1995-07-1-40-01-0000 Assessment Code:0000038922

I certify pursuant to Section 76-3-207(3), M.C.A., that all real property taxes and special assessments assessed and levied on the land encompassed by this Certificate of Survey have been paid.

Lewis and Clark County Treasurer Date

### CERTIFICATE OF EXAMINING LAND SURVEYOR

Reviewed for errors and omissions in calculation and drafting this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ pursuant to Section 76-3-611 (2) (a), M.C.A.

Examining Land Surveyor  
Reg. No. \_\_\_\_\_



| CURVE | DELTA ANGLE | RADIUS  | ARC LENGTH | CHORD BEARING | CHORD LENGTH |
|-------|-------------|---------|------------|---------------|--------------|
| C1    | 019°28'29"  | 250.00' | 84.97'     | N36°24'55"E   | 84.57'       |
| C2    | 011°26'12"  | 249.64' | 49.83'     | N40°30'54"E   | 49.75'       |
| C3    | 034°10'17"  | 249.64' | 148.98'    | N17°42'39"E   | 148.69'      |
| C4    | 028°57'25"  | 125.00' | 63.17'     | S75°10'16"E   | 62.50'       |
| C5    | 027°49'48"  | 219.33' | 106.53'    | N14°29'57"E   | 105.49'      |
| C6    | 018°06'47"  | 155.73' | 49.23'     | N80°30'24"W   | 49.03'       |
| C7    | 005°34'23"  | 95.73'  | 9.31'      | S86°46'37"E   | 9.31'        |
| C8    | 023°02'47"  | 278.60' | 112.06'    | S35°08'37"W   | 111.31'      |

| LINE | BEARING     | DISTANCE |
|------|-------------|----------|
| L1   | S00°20'58"W | 13.03'   |
| L2   | S01°02'25"W | 12.95'   |

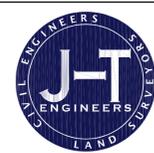


### CERTIFICATE OF SURVEYOR

I, Michael T. Newhouse, a licensed Professional Land Surveyor in the State of Montana, do hereby certify that this is a true representation of a survey made under my direct supervision.

Michael T. Newhouse, Montana Reg. No. 67665LS Date

| 1/4                                 | SEC. | T.  | R. |
|-------------------------------------|------|-----|----|
| <input checked="" type="checkbox"/> | 7    | 11N | 3W |
| <input type="checkbox"/>            |      |     |    |
| <input type="checkbox"/>            |      |     |    |



JBART ENGINEERS, LLC  
1093 HELENA AVE.  
HELENA, MT 59601  
(406) 449-1306  
JBARTENGINEERS.COM

County: LEWIS AND CLARK P.M., M. Date: 8/21/2020

# Comparable Market Analysis

NHN C.O.S. 3077924, ACRES 8.61, Helena, MT, 59602

Prepared for Aquaflo—Wednesday, August 19, 2020



Liane L Taylor  
Big Sky Brokers, LLC  
800 N Benton Ave  
Helena, MT 59601  
406-431-1013  
[bigskybrokers.com](http://bigskybrokers.com)

License # RRE-BRO-LIC-11203

## COMMENTS

John-

Attached is a price opinion for the 8.61 acre utility site for Aquaflo. I pulled comps for 5-10 acre parcels in the west and north valley the recommended price came in at \$77k. This is misleading, as the comp lots are all in subdivisions with utilities and ready to build. Typically, undeveloped land is between \$3000 and \$4000 an acre in the north valley area (very arid) and around \$5000 to \$6000 an acre for irrigated.

This parcel is designated in cadastral as a utility parcel and non-buildable. The county taxable value is \$34,000. Thus, a 'normal' CMA does not adequately address this property and the indicated CMA value is not reflective of the actual value.

This parcel consists of a well, a large abandoned drainfield and currently permitted retaining pond area. As a non-buildable utility parcel, the land cannot be valued the same as buildable parcels in the area. If an attempt were made to make this a usable parcel the abandoned drainfield would have to be removed and mitigated. The retention area would have to be moved to another area with appropriate approvals and at significant expense or possibly left as is but have a culvert and fencing added.

I have no knowledge of the exact cost to mitigate the area though removal of a large drainfield is at great expense. Even taking the state appraised value of \$34,000, the mitigation cost would presumptively cost more than this.

Taking all of the above into consideration the best way to arrive at the value of this property is to use the lower price per acre value of \$3000 which gives the parcel a value of \$25,830.

Let me know if you have further questions.

Liane

*This report is not an appraisal and is not intended to meet the requirements set out in the Uniform Standards of Appraisal Practice. If an appraisal is desired, the services of a licensed appraiser should be obtained.*



### **About our Program – ON the Field**

- A. 3 teams: Senator, Reps, Independents (Varsity, JV, Freshmen) 14-18 years old
- B. Approximately 55 young men on teams. (Combine both Capital and Helena High Schools)
- C. Games from May to early August. (40 Games-Sens / 26 Games-Reps / 30 Games – Indy)  
96 home games at Kindrick in 2020!!

### **About our Program – OFF the Field**

- A. Part of Helena American Legion Post 2 – Fraternal Non-Profit (Not 501 C-3)
- B. General Manager – Greg Thornquist
- C. Senators Manager – Jon Burnett (2-3 Head and Assistant Coaches/Team)
- D. Baseball Operations Committee – Klark Barrett, Johnny Keintz, Nick Miller, Gary White
- E. 55+ Families that Volunteer  
(Concessions/Announcing/Scoreboard/Clean Restrooms/Clean Stands/Field Prep)
- F. Sponsorship/Advertising Committee – Program Ads to Fence Signage
- G. Lowest Cost Players Fee for AA Program in Montana - \$900 (All can be reimbursed with ticket sales)

### **Successes**

We got to play full season with minimal restrictions!!!

First athletic game in Montana since they shut everything down in March.

- A. Played in State Championship Game – State Runner up. Best finish since 2003.
- B. AA Coach of the year – Coach Burnett
- C. Great turnout for teams – Baseball is Healthy in Helena (76 kids tryout) (Fall workouts Sept & Oct)
- D. Great Partnership with City Parks Department – Craig
- E. Awesome community & volunteer support.
- F. Taking Pride in Kindrick Legion Field (See attached 2020 and 2019)
- G. Indoor Facility – Working on new lease. Vision is not just Legion use.
- H. Received bus from Capital Transit – Great used bus!

### **Struggles**

- A. COVID!!!!
- B. Denied hosting State Tournament by Health Board
- C. \$20k swing in program budget
- D. Mower broke September
- E. Need Kindrick Lease Agreement to start planning for 2021

American Legion Baseball – Lewis and Clark Post No. 2

PO Box 1944, Helena, MT 59624

## 2020 Projects to Improve Kindrick Legion Field

| Description   | Lead           | Priority<br>1-5 | 3rd Party<br>Estimate | Approx.<br>Cost | Funding<br>Source |
|---|----------------|-----------------|-----------------------|-----------------|-------------------|
| 1 Paint Dugouts   | Barrett        |                 | \$ 2,400.00           | \$ 400.00       |                   |
| 2 1st Base Dugout Additional storage                              | Wallace/Cutler |                 | \$ 1,400.00           | \$ 560.00       |                   |
| 3 Tin front of press box  | Wallace/Cutler |                 | \$ 4,200.00           | \$ 1,000.00     |                   |
| 4 Remove 1st row of chairs at Grandstands                         | Barrett        |                 | \$ 300.00             | \$ -            |                   |
| 5 Add/Move fence and gate for new batting cages                   | Keintz         |                 | \$ 8,000.00           | \$ 2,500.00     | FC Donated L&M    |
| 6 Gravel for batting cage   | Miller         |                 | \$ 4,000.00           | \$ 300.00       |                   |
| 7 Install new batting cages                                       | Keintz         |                 | \$ 18,000.00          | \$ 2,500.00     | Donated L&E       |
| 8 Paint exterior Concourse Area of Grandstands                    | Wallace/Cutler |                 | \$ 4,800.00           | \$ 600.00       |                   |
| 9 Replace flooring/stairs/painting in seating area of Grandstands | Barrett        |                 | \$ 4,650.00           | \$ 3,000.00     |                   |
| 10 Repaint concession floor                                       | Wallace/Cutler |                 | \$ 4,080.00           | \$ 400.00       |                   |
| 11 Repaint concession interior                                    | Miller         |                 | \$ 3,070.00           | \$ 650.00       |                   |
| 12 Repaint concession/umpires building exterior                   | Barrett        |                 | \$ 3,400.00           | \$ 600.00       |                   |
| 13 Install insulation in concession building                      | Barrett        |                 | \$ 1,900.00           | \$ 1,900.00     |                   |
| 14 Repaint both Restroom floors                                   | Wallace/Cutler |                 | \$ 7,460.00           | \$ 650.00       |                   |
| 15 Repair lights and update scoreboard                            | Barrett        |                 | \$ 5,000.00           | \$ 4,000.00     |                   |
| 16 Complete door installation in dugouts (5x)                     | Cutler         |                 | \$ 7,250.00           | \$ 500.00       |                   |
| 17 Purchase new Connex for storage                                | Miller         |                 | \$ 7,000.00           | \$ 7,000.00     |                   |
| 18 Install new gravel for connex and storage area                 | Miller         |                 | \$ 1,500.00           | \$ -            |                   |
| 19 Repair dugout steps home and visitor                           | Miller/Keintz  |                 | \$ 350.00             | \$ 100.00       |                   |
| 20 Sprinkler Repair and Replace                                   | Barrett        |                 | \$ 1,200.00           | \$ 500.00       |                   |
| 21 Installed clay bricks under pitchers mound and home plate      | Keintz         |                 | \$ 2,200.00           | \$ 1,100.00     |                   |
| 22 Install lights for Flag Pole                                   | Barrett        |                 | \$ 300.00             | \$ 75.00        |                   |
| 23  |                |                 |                       |                 |                   |
| 24  |                |                 |                       |                 |                   |
|   |                |                 | \$ 92,460.00          | \$ 26,660.00    |                   |

## 2019 Projects to Improve Kindrick Legion Field

| Description                                       | Lead           | Priority<br>1-5 | 3rd Party<br>Estimate | Approx.<br>Cost | Funding<br>Source       |
|---|----------------|-----------------|-----------------------|-----------------|-------------------------|
| 1 Add Camera Security System to Complex (12x)     | Barrett        | 1               | \$ 18,500.00          | \$ 5,400.00     | Klark Labor             |
| 2 Convert clubhouse for indoor hitting            | Keintz         | 1               | \$ 5,500.00           | \$ 2,200.00     | FC Equipment            |
| 3 Mold remediation clubhouse                      | Miller         | 1               | \$ 2,500.00           | -               | Sponsor Ingraham Env    |
| 4 Install drywall clubhouse                       | Barrett        | 1               | \$ 1,920.00           | \$ 100.00       |                         |
| 5 Paint Entire Outfield Fence                     | Marcille       | 1               | \$ 10,000.00          | \$ 600.00       | Marcille L&E            |
| 6 Clean/sort under Grandstands/Clean Kindrick     | Barrett        | 1               | \$ 2,500.00           | \$ 450.00       |                         |
| 7 Kilz beer cooler x3                             | Barrett        | 2               | \$ 350.00             | \$ 50.00        |                         |
| 8 Take down right field bullpen fence             | Keintz         | 2               | \$ 350.00             | \$ -            | FC Donated Labor        |
| 9 Raise Backstop                                  | Keintz         | 2               | \$ 650.00             | \$ 200.00       | MRC Equipment           |
| 10 Dugout Repair - back rooms                     | Wallace/Cutler |                 |                       | \$ -            |                         |
| 11 Replace Lights in Grandstands                  | Barrett        | 3               | \$ 1,500.00           | \$ 558.00       |                         |
| 12 Fix/replace chairs at Grandstands              | Barrett        |                 |                       | \$ -            |                         |
| 13 Demo sheds                                     | Miller         | 2               | \$ 750.00             | \$ 300.00       | MRC Equipment           |
| 14 Repair L-Screens and Nets                      |                | 1               | \$ 100.00             | \$ 50.00        |                         |
| 15 Roller chairs from MRC for press box           | Miller         | 2               | \$ 300.00             | \$ -            | MRC Donated Chairs      |
| 16 Replace Backstop clips - current zip ties      | Keintz         | 3               | \$ 150.00             | \$ 50.00        |                         |
| 17 Sprinkler check adjustments                    | Barrett        |                 |                       | \$ -            |                         |
| 18 3rd Base Dugout Additional storage             | Wallace/Cutler | 2               | \$ 1,200.00           | \$ 400.00       | BFC Donated Materials   |
| 19 Repair/replace sprinklers on Infield dirt area | Barrett/Miller | 2               | \$ 5,000.00           | \$ 2,000.00     | MRC Purchased Materials |
| 20 Repair/replace sprinklers courtyard            | Barrett        | 2               | \$ 650.00             | \$ 200.00       |                         |
| 21 Install heat in clubhouse for indoor hitting   | Keintz         | 2               | \$ 1,500.00           | \$ 1,500.00     |                         |
| 22 Repair/replace piping in Pump Shed             | Barrett        | 2               | \$ 450.00             | \$ 100.00       |                         |
| 23 Replace Irrigation Control Panel               | Barrett        | 2               | \$ 600.00             | \$ 396.00       |                         |
| 24 Replaced Light on outside of Pump House        | Barrett        | 3               | \$ 100.00             | \$ 27.00        |                         |
| 25  |                |                 |                       |                 |                         |
| 26  |                |                 |                       |                 |                         |
| 27  |                |                 |                       |                 |                         |
| 28  |                |                 |                       |                 |                         |

\$ 54,570.00 \$ 14,581.00

First game - April 20th (Friday)  
 Teams Picked - March 22 (Thursday)  
 Field Cleanup - April 13-14

## 2021 Projects to Improve Kindrick Legion Field

|    | <b>Description</b>                              | <b>Lead</b>    | <b>Priority<br/>1-5</b> | <b>3rd Party<br/>Estimate</b> | <b>Approx.<br/>Cost</b> |
|----|---|----------------|-------------------------|-------------------------------|-------------------------|
| 1  | Hang/repair existing batting cage for T-station | Keintz         |                         | \$ 750.00                     | \$ 200.00               |
| 2  | Clean/remove & replace carpet in press box      | Miller         |                         | \$ 2,000.00                   | \$ 600.00               |
| 3  | Replace lights in dugouts                       | Barrett        |                         | \$ 1,200.00                   | \$ 450.00               |
| 4  | Replace thermostat in beer cooler               | Barrett        |                         | \$ 350.00                     | \$ 150.00               |
| 5  | Install drainage pipe and outlet for backstop   | Miller         |                         | \$ 4,500.00                   | \$ 500.00               |
| 6  | Topdress infield and outfield grass             | Keintz         |                         | \$ 10,000.00                  | \$ 5,000.00             |
| 7  | Install Cover Lean-to over concessions BBQ area | Cutler/Wallace |                         | \$ 8,000.00                   | \$ 1,200.00             |
| 8  | Repair or purchase used mower                   | Miller         |                         | \$ 6,000.00                   | \$ 6,000.00             |
| 9  | Indoor facility (security)                      |                |                         | \$ 30,000.00                  | \$ 12,000.00            |
| 10 | Indoor facility (cages/flooring)                |                |                         | \$ 15,000.00                  | \$ 10,000.00            |
| 11 |   |                |                         |                               |                         |
| 12 |   |                |                         |                               |                         |
| 13 |   |                |                         |                               |                         |
| 14 |   |                |                         |                               |                         |
| 15 |   |                |                         |                               |                         |
| 16 |   |                |                         |                               |                         |
| 17 |   |                |                         |                               |                         |
| 18 |   |                |                         |                               |                         |
| 19 |   |                |                         |                               |                         |
| 20 |   |                |                         |                               |                         |
| 21 |   |                |                         |                               |                         |
| 22 |   |                |                         |                               |                         |
| 23 |   |                |                         |                               |                         |
| 24 |   |                |                         |                               |                         |
| 25 |   |                |                         |                               |                         |
| 26 |   |                |                         |                               |                         |
| 27 |   |                |                         |                               |                         |
| 28 |   |                |                         |                               |                         |
| 29 |   |                |                         |                               |                         |
|    |   |                |                         | \$ 77,800.00                  | \$ 36,100.00            |