



Montana's Sunrise City

115 2nd Street S.E., Sidney, Montana - 406-433-2809

STAFF REPORT - FINAL PLAT-#25-02

Homestead Subdivision Phase 2

August 8, 2025

Owner

MPEG Land Development LLC
Donald Sterhan
2201 Overland Avenue
Billings MT 59102

Agent

Interstate Engineering
Brent Moore, AICP
606 S Grant Ave
Red Lodge, MT 59068

Existing Zoning: B-2 Neighborhood Business District.

Legal Description: Amended Plat of Lot 2, Block 2 of Phase 1 The Homestead Subdivision and portions of the SE¼, located in the SE¼ Section 29, Township 23 North, Range 59 East P.M.M., City of Sidney, Richland County, Montana. To be known as Phase 2 of The Homestead Subdivision.

CONDITIONS OF APPROVAL

CONDITION #1 That the Final Plat substantially comply with the documents, commitments, design and layout of the preliminary plat.

- **FINDING OF FACT:** The Final Plat substantially complies with the approved preliminary plat. The only exceptions are to comply with the Conditions of Approval.
- ✓ **Conclusion:** The Condition is met.

CONDITION #2 That a Subdivision Guarantee (Title Report) for the properties involved in the subdivision submitted for examination by the Subdivision Administrator. Said Subdivision Guarantee shall be less than 30 days old at the time of submittal.

- **FINDING OF FACT:** The Final Plat Application and supporting documents contain a Title Report that is less than 30 days old at the time of application for Final Plat Approval.
- ✓ **Conclusion:** The Condition is met.

CONDITION #3 That any lien holders' and owners sign the Final Amended Plat or provide a Consent to Plat to the filing of the Amended Plat.

- **FINDING OF FACT:** The property is owned by MPEG an officer for MPEG will sign the Final Plat.
- ✓ **Conclusion:** The Condition is met.

The City of Sidney is an equal opportunity provider.

CONDITION #4 That all taxes or assessments that are due and levied on the lots to be aggregated be paid prior to filing the Amended Plat.

- FINDING OF FACT: In order to file the Final Plat, all assessments, taxes must be paid in full before the County Treasurer will sign off on the Plat and allow for recording. The Final Plat has the appropriate certification for the County Treasurer to execute.
- ✓ Conclusion: The Condition is met.

CONDITION #5 If the uses of the property are residential, a parkland dedication or cash-in-lieu payment equal to 0.03 acres per dwelling unit. Commercial uses are exempt from the dedication of parkland.

- FINDING OF FACT: The notes section of the Final Plat contains the disclosure that if the lots in the subdivision are developed with a residential use that parkland dedication or the payment of cash-in-lieu of parkland will be required.
- ✓ Conclusion: The Condition is met.

CONDITION #6 The provision of water and sewer for the lots in the subdivision, shall be exempted to review or reviewed and approved by the Montana Department of Environmental Quality.

- FINDING OF FACT: The lots in the subdivision will be connected to existing city infrastructure and is therefore exempt from review by MDEQ.
- ✓ Conclusion: The Condition is met.

CONDITION #7 Water/fire services being extended to serve all of lot 2A Block 2 may result in restrictions on future building permits within this area depending on the type of building(s) installed. See City Code 3-1-20 paragraph C. This requirement/limitation shall be stated on the face of the Final Plat or in a supporting document recorded with the Final Plat.

- FINDING OF FACT: The notes section of the Final Plat contains the disclosure that development of the lots in the subdivision may be restricted by type or location because of limitations on water availability.
- ✓ Conclusion: The Condition is met.

CONDITION #8 Parkland dedication will need to be addressed at the time of building permit applications if a lot with this subdivision are developed with residential structures. 76-3-621 spells out the parkland requirements. This requirement/limitation shall be stated on the face of the Final Plat or in a supporting document recorded with the Final Plat.

- FINDING OF FACT: The notes section of the Final Plat contains the disclosure that if the lots in the subdivision are developed with a residential use that parkland dedication or the payment of cash-in-lieu of parkland will be required at the time of Building Permit application.
- ✓ Conclusion: The Condition is met.

The City of Sidney is an equal opportunity provider.

CONDITION #9 The developer shall comply with all City of Sidney Department of Public Works requirements with provision of water, sewer, or solid waste services to the lots in the subdivision.

- a) The City Policy that requires the extension of the sewer main on 14th Avenue is **WAIVED** by the City Council. Further, the Agricultural Restriction on Lot 1 Block 3 or any portion of the property covered by this approval is lifted with the filing of the Final Plat for Homestead Subdivision Phase 2.
- **FINDING OF FACT:** At Preliminary Plat Approval, the City Council waived the extension of the sewer main on 14th Avenue. All other requirements of the Sidney Public Works Department must be met.
- **FINDING OF FACT:** The Agricultural Restriction on Lot 1 Block 3 or any other portion of the lands associated with this Final Plat, when filed, is deemed to be lifted.
- ✓ **Conclusion:** The Condition is met.

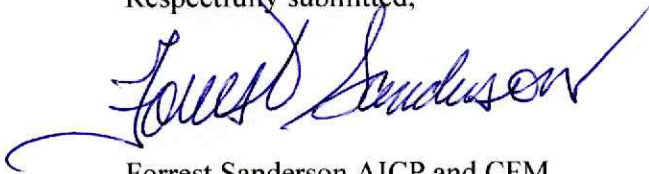
CONDITION #10 That the Final Amended Plat is approved for filing within three (3) calendar years from the date of this approval.

- **FINDING OF FACT:** Preliminary Approval was granted by the City Council in May 2024. The Final Plat approval request is well within the approval timeline.
- ✓ **Conclusion:** The Condition is met.

RECOMMENDATION:

The Subdivision Administrator recommends that the City Council Adopt this report (#Final Plat-25-02) as their Findings of Fact and Conclusions of Law. Further, the Subdivision Administrator recommends that the Final Plat of the Amended Plat of Lot 2, Block 2 of Phase 1 The Homestead Subdivision and portions of the SE¼, located in the SE¼ Section 29, Township 23 North, Range 59 East P.M.M., City of Sidney, Richland County, Montana. To be known as Phase 2 of The Homestead Subdivision be **APPROVED**.

Respectfully submitted,



Forrest Sanderson AICP and CFM
Contracted Planner
City of Sidney