

Memorandum

REPORT TO: City Commission

FROM: Danielle Garber, Senior Planner
Brian Krueger, Development Review Manager
Rebecca Harbage, Deputy Director of Community Development
Erin George, Director of Community Development

SUBJECT: Approve the Hidden Creek Minor Subdivision Preliminary Plat Application to Subdivide One Lot into Four Lots for Civic and Residential Uses; the Subdivision is Proposed on a 9.82 Acre Tract and is Zoned R-4 (Residential High Density District), Currently Addressed at 1221 West Durston Road, the Purpose of this Subdivision Application is to Facilitate a Future Affordable Housing Development on the Northern Portion of the County Owned Tract, Application 24533 (Quasi-Judicial)

MEETING DATE: October 7, 2025

AGENDA ITEM TYPE: Community Development - Quasi-Judicial

RECOMMENDATION: Having reviewed and considered the application materials, public comment, and all the information presented, I hereby adopt the findings presented in the staff report for application 24533 and move to approve the subdivision with conditions and subject to all applicable code provisions.

STRATEGIC PLAN: 4.2 High Quality Urban Approach: Continue to support high-quality planning, ranging from building design to neighborhood layouts, while pursuing urban approaches to issues such as multimodal transportation, infill, density, connected trails and parks, and walkable neighborhoods.

BACKGROUND: The Department of Community Development received a Preliminary Plat Application on October 10, 2024 requesting to subdivide 9.82 acres to create two lots. One lot would contain the existing Gallatin County Rest Home, and a new northern lot would be created to facilitate an affordable housing project. On April 11, 2025 the applicant requested the application be revised to a 4-lot minor subdivision. With this revision, the originally planned northern lot was proposed to be further divided into 3 buildable lots with associated easements and right-of-way. The subject property is zoned R-4 (Residential High Density District).

The proposed land use for the subdivision is multi-household (multi-family)

residential. Lot 1 is intended for multi-household residential and currently proposed as the Hidden Creek affordable housing project under Site Plan (SP) Application 25084. Lot 2 is proposed to remain as the Gallatin County Rest Home. Lots 3 and 4 are shown as future phases. Lots 3, and 4 will be subject to further plan review and are currently proposed to be set aside for a community center and Community Land Trust homes. Development of lots within the subdivision will be subject to Bozeman Municipal Code (BMC) provisions at the time of development.

Preapplication review was completed on March 8, 2024. BMC 38.220.060.A requires documentation of compliance with adopted standards unless waivers have been granted during the pre-application process. Waivers were granted during pre-application review from documentation of compliance with adopted standards per BMC 38.220.060A.1-19 from the following code sections: Surface water A.1, Floodplains A.2, Agriculture A.7, Parks and recreation facilities A.14, Neighborhood Center Plan A.15, Lighting plan A.16, Miscellaneous (public lands, hazards, WUI) A.17, and Affordable housing A.18. A summary of the review of required compliance with adopted standards can be found in the staff report.

On August 25, 2025 the Development Review Committee (DRC) found the application sufficient for continued review and recommends the conditions and code provisions identified in the staff report. The subdivider did not request any variances with this application. Please see the staff report for analysis of the review criteria.

The City scheduled public notice for this application to begin on August 25, 2025. The applicant posted public notice on the subject property on August 22, 2025. The applicant sent public notice to all landowners of record within 200-feet of the subject property via first class mail, on August 21, 2025. No public comment had been received on this application as of the writing of this report. The public notice contained two public meeting dates Planning Board at Community Development Board (CDB) on Monday September 15, 2025, and the City Commission decision on Tuesday October 7, 2025. Staff was notified the week prior to the scheduled September 15, 2025 CDB meeting that the meeting would be cancelled due to a lack of quorum. The City Clerk published the [cancellation notice](#) on the September 15th agenda notifying the public that all items noticed for September 15 will have their meeting continued to October 6, 2025. Because of this schedule change, staff cannot as of the writing of this report offer an update and summary of the actions and recommendations of the Community Development Board. The Board will consider the application at their future October 6, 2025 meeting. Staff will update the City Commission on October 7, 2025 if approval was not recommended and any public comment that was provided prior to or at the CDB meeting.

This subdivision meets the criteria for review under 76-3-616 Montana Code Annotated (MCA) - Exemption for Certain Subdivisions. This statute exempts

this subdivision from the public hearing requirement. Per BMC 38.240.100 the final decision for this preliminary plat must be made within 35 working days from sufficiency, or by October 15, 2025.

Application materials can be found in the below links for the City's online document repository:

- [Application Documents](#)
- [Application Drawings](#)

The application documents folder will contain the application narrative, a zoning departure request, street design, land use, phased improvements, correspondence with agricultural water users, draft agreements and easements, as well as documentation to demonstrate compliance with Chapter 38 including compliance with adopted standards required in BMC 38.220.060 where waivers were not granted.

The application drawings folder will contain the draft preliminary plat.

UNRESOLVED ISSUES: None

ALTERNATIVES: As recommended by the City Commission

FISCAL EFFECTS: Fiscal impacts are undetermined at this time, but will include increased property tax revenues from new development, along with increased costs to deliver municipal services to the property. Impact fees will be collected at the time of building permit issuance for individual buildings along with City sewer and water connection fees.

Attachments:
[24533 Staff Report.pdf](#)

Report compiled on: September 25, 2025