

Memorandum

REPORT TO: City Commission

FROM: Tim Cooper, Assistant City Attorney
Brian Krueger, Development Review Manager

SUBJECT: Approve a Final Plat for the Cottonwood Major Subdivision and Authorize the Director of Public Works to Execute the Same on Behalf of the City of Bozeman; the Director of Community Development to Execute the Improvements Agreements on Behalf of the City of Bozeman, Application 20186

MEETING DATE: March 9, 2021

AGENDA ITEM TYPE: Community Development - Quasi-Judicial

RECOMMENDATION: Approve a final plat for the Cottonwood Major Subdivision and authorize the Director of Public Works to execute the same on behalf of the City of Bozeman; the Director of Community Development to execute the improvements agreements on behalf of the City of Bozeman.

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: On February 10, 2020, the Bozeman City Commission conducted their review of the Preliminary Plat application for the Cottonwood Subdivision and voted unanimously to approve the preliminary plat application. §76-3-611(1), MCA, provides that the City Commission shall approve the plat only if:

- (a) it conforms to the conditions of approval set forth on the preliminary plat and to the terms of this chapter and regulations adopted pursuant to this chapter; and
- (b) the county treasurer has certified that all real property taxes and special assessments assessed and levied on the land to be subdivided have been paid.

The County Treasurer has certified that all real property taxes and special assessments assessed and levied on the land to subdivide have been paid. Attached is a memorandum from Brian Krueger, Development Review Manager, stating the staff has concluded that all terms and conditions of the preliminary plat approval have been met. Improvements Agreements are required for final plat approval of this subdivision. The improvements agreements guarantee the installation of sidewalks fronting all lots and City Park and open space landscaping. The

sidewalks improvements agreement guarantees the sidewalks will be installed within thirty-six (36) months of the filing of the final plat. The landscaping improvements agreement guarantees the park and open space improvements will be installed within twelve (12) months of the filing of the final plat. Two guarantees in the amounts of \$180,112.50 for sidewalks, and \$715,138.50 for landscaping were received in the form of Letters of Credit. All other necessary infrastructure improvements are constructed. The signed findings of fact can be viewed at this link:
<http://weblink.bozeman.net/WebLink8/0/doc/210107/Electronic.aspx>

UNRESOLVED ISSUES: None.

ALTERNATIVES: None suggested or proposed.

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.

Attachments:

[20186 Cottonwood Subdivision Final Plat Staff Transmittal.docx](#)

[20186 Cottonwood Subdivision Final Plat Sheet 1 of 3.pdf](#)

[20186 Cottonwood Subdivision Final Plat Sheet 2 of 3.pdf](#)

[20186 Cottonwood Subdivision Final Plat Sheet 3 of 3.pdf](#)

Report compiled on: February 18, 2021