

Attachment C
Pre-application meeting notes and Applicant's Letter

Scotts Lawn Service
640 St Johns Avenue
Billings, Mt 59101

Dear Property Owner:

My name is Allen Greene, I am the owner of Scotts Lawn Service and have been your neighbor for 3 years. I am writing you this letter to introduce myself as well as notify you that I am in the process of requesting a zone change to the property in which I use to operate Scotts Lawn Service.

Currently the property at 640 St. Johns Avenue is zoned R6000. If you are not familiar with property zoning definitions, you should know that the current zoning for this property would allow for multi family residence. Article 27-300 defines R6000 as follows: A zone intended to provide for medium density residential dwellings on lots served by public water and sewer services, with provisions for multi-family dwellings with a maximum of ten (10) dwellings per structure unit.

The current zoning of 640 St Johns Avenue should I ever sell the property that Scotts Lawn Service operates out of it would allow for a developer to come in and transform the property into a multi family housing facility, which would only add to the congested parking and volume of traffic on the available streets that run along and to the side of 640 St Johns Avenue and decrease the peacefulness of our neighborhood.

Since the 1940's 640 St Johns has operated as a commercial property. This property was developed as a commercial property and because the city planning registered the zoning after the property had already been developed as a commercial property, the city continues to allow for a variance for the property to be used for commercial purposes. This is what the city calls "Grandfathered Use", and for this reason the city will always allow a variance for 640 St Johns to be used as a commercial property.

The zoning change that I am requesting would help regulate the type of businesses that could operate out of the 640 St Johns location to preserve the peace of the neighborhood. I am requesting that 640 St Johns zoning be changed from R6000 to Community Commercial.

The goal of the Community Commercial Zoning is to create a buffer between the business zoning districts and the residential community. Article 27-300 defines Community Commercial as follows: Is intended primarily to accommodate community retail, services and office facilities offering a greater variety than would normally be found in a neighborhood or convenience retail development. Facilities within the classification will generally serve the community and is commensurate with the purchasing power and needs of the present potential population within the trade area. This zone change would help to regulate the type of businesses that could occupy the location and help to preserve the peace in the neighborhood.

Part of the zoning application requirements include that this letter be sent off to the property owners within a 300 foot radius of 640 St Johns Avenue stating the requested zone change along with information about the current zoning placement. Along with this a meeting is to be held to answer any questions or concerns. This meeting is to take place on November 2, 2011. The meeting will be held at 640 St Johns Avenue. If you are unable to make this meeting but have questions as to the intentions of this zoning request please feel free to contact me at 406-861-7324, should I not answer please leave a message with your phone number and a time that would work best for me to contact you.

Sincere Thanks,

Allen Greene



Zone Change Application

1a) In what ways is your proposal consistent with the goals and policies of the adopted Growth Policy?

Our proposal to change the zoning for the property located at 640 St Johns Avenue is consistent with the goals and policies of the adopted Growth Policy in the following ways: The current Growth Plan for Billings identifies that there is a need for mixed neighborhoods. Neighborhoods in where residential and business properties coexist in ways that benefit the community and keep peace with in the residential community. Scotts Lawn Service had been an ideal business to support this objective of the Growth Plan. Since Scotts Lawn Service does not operate a business in which it creates a volume of traffic by walk in customers, it does not add to the congested neighborhood parking on the streets surrounding the business and does not create additional traffic on the residential streets during business hours. The city Growth Plan also notes a need to support businesses that allow residents of Billings to make an income that is sustainable. Scotts Lawn Service is a locally owned and operated business. As a Company we recognize the need for employees to make a wage that allows them to support their families and allows them to make enough to enjoy some of the extras that Billings has can offer. At Scotts we offer our employees above minimum wages, bonus programs, and full medical and dental benefits.

1b) Explain your need for the intended zone change and why the property cannot be used under the existing zoning. Explain how the new zoning will fit in with the existing zoning and land uses of the immediate area.

When that R6000 zoning was established for 640 St. Johns avenue the city saw a desire to have this neighborhood become a residential mixture of income classes. What hasn't changed in this vision is that this property since the early 1940's has always been used as a commercial property. This property was developed as a commercial property and has been allowed through Grandfathering measures to continue to be used to this date commercially. As the residential property around 640 St. Johns Avenue has been developed, it has met the Growth Plan need of becoming a mixed income neighborhood, with property owners and rental areas that house many income levels. Due to how the neighborhood has developed it has already consumed the available parking on the streets that would only become more congested should this property ever be developed as R6000.

The reason that Scotts Lawn Service seeks to make the zoning permanent to 640 St. Johns rather than continuing to be grandfathered with a variance for commercial uses, is to allow Scotts Lawn Service to continue to grow. Scotts Lawn Service has made 640 St Johns Avenue its home for the past 3 years, making several property improvements to make the neighborhood more appealing to the residents. Scotts is now in a need to continue its growth as a business, and wishes to make additional improvements to their property for long term goals. In order to meet to continue to operate Scotts from 640 St Johns and meet their needs for growth as a company, along with allowing the company to make those property investments and having them fiscally realized it is now necessary that this zone change becomes permanent to the property in which business is conducted.

City Zone Change Pre-Application

The following documents include:

Pre Application meeting handouts, sign in form, presentation, and pictures. As there were very few with interest in coming to the meeting that was held as part of the pre-application process, we went door to door and spoke directly with the neighbors that were home. Those that were home were given opportunity to receive all hand outs and asked to sign an acknowledgement letter stating whether they were in agreement with the requested zone change or against it. Copies of the signed letters are also included in the pre-application information. We also were able to speak with the Chairman of our Neighborhood Task Force, and he has also included a letter in support of the requested zone change for Scotts Lawn Service.