

Attachment C
Applicant's Letter



June 29, 2012

Nicole Cromwell
City of Billings
4th Floor, Parmly Library
510 North Broadway
Billings, MT 59101

Re: Zone Change Application
Lots 6 & 7 - Montana Sapphire Subdivision

Dear Nicole,

Thank you for your assistance to date with the Zone Change Application process for the above referenced lots. On behalf of Montana Sapphire, LLC, the current owner of the property, Gemstar Properties, L.L.C. (Applicant) is submitting this Zone Change Application as agent and purchaser.

The zone change planned is from the current zoning designation of Entryway Light Industrial (ELI) to Highway Commercial (HC). The parcel immediately adjacent to Lots 6 and 7 to the west, Lot 5, is currently zoned HC and the intent is to utilize all three parcels for an allowable multifamily use under the HC zoning designation. Specifically, the intent of Applicant is to develop the parcels as independent apartments for seniors age 55+, most likely under the City of Billings Retirement Home definition. Accordingly, this Zone Change Application seeks to change the zoning designation of 3.5758 acres of land comprised of Lot 6 and Lot 7 from ELI to HC, and when combined with Lot 5 will encompass a total area of approximately 5.7178 acres of HC designated land for the proposed Retirement Home development.

The requested zone change is consistent with the goals and policies of the adopted Growth Policy in many ways. Goals of the Land Use Element are met by: (i) providing a transition between existing multifamily development and future commercial uses, (ii) creating a sense of community by linking walking trails in the development to surrounding open space, (iii) creating more mixed-use neighborhoods by offering residential living adjacent to and within walking distance of commercial services, and (iv) developing more self-contained neighborhoods by offering many amenity spaces within the proposed project to attract and satisfy area seniors.

Goals of the Economic Development Element are met by: (i) improving the quality of life for residents by offering a senior housing option that currently does not exist in the City of Billings, and (ii) increasing the visual appeal of highway corridors by setting an excellent example of high quality multi-family development.

June 29, 2012
Ms. Nicole Cromwell
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Goals of the Open Space and Recreation Element are met by: (i) providing a trail link from the proposed project to the adjacent open space, and (ii) increasing recreation options for residents, specifically the seniors of the proposed project that will have many regularly scheduled social activities and planned trips throughout the area.

Goals of the Transportation Element are met by: (i) reducing greenhouse gas emissions by locating the project adjacent to many commercial and recreational facilities as well as including many such activities on-site, (ii) promoting healthy lifestyles by linking trails on-site to those available in adjacent open space, (iii) encouraging alternate transportation modes, including providing a small bus for regularly scheduled trips for shopping and activities, and (iv) reducing traffic congestion through use of the bus rather than single-occupant vehicles.

Attached hereto is all information required to complete this Zone Change Application, including:

- 1) Check in the amount of \$1,040.00 for a commercial zone change (please provide a receipt when available via email to keithj@inlandconstruction.com or via U.S. Mail);
- 2) Check in the amount of \$45.00 for the refundable deposit for zoning request signage;
- 3) Completed Application Form (note that George Warner will hand deliver an original with the Owner's signature);
- 4) Completed Pre-Application Statement of Owner(s) or Agent(s) and required attachments, including:
 - a. Zone Change Plan - numbered (2) on top of page;
 - b. Subject Property Map - numbered (3) on top of page;
 - c. Roster of persons who attended the Neighborhood Meeting - numbered as (6);
 - d. Neighborhood Notice - numbered as (7); and
 - e. Synopsis of the meeting results - numbered as (8).
- 5) Declaration of Covenants, Conditions, Restrictions and Reciprocal Easements recorded against the property [Note that height limits detailed on Page 11 for Lots 5, 6 & 7 will need to be revised to correlate to the maximum height limits otherwise allowed in the HC zone and for the specific Retirement Housing designation. Montana Sapphire, LLC has agreed to modify said height restrictions if allowable by the City.]; and
- 6) Subdivision Improvements Agreement recorded against the property.

Should you require any additional information, please contact me at (509) 321-3218. We look forward to the Zoning Commission Public Hearing on August 7, 2012.

Sincerely,



Keith James
Development Manager



Inland Group

Comprehensive Multifamily Construction & Development Services

August 6, 2012

Nicole Cromwell
City of Billings
4th Floor, Parmly Library
510 North Broadway
Billings, MT 59101

**Re: Delay of Zone Change Request
Lots 6 & 7 - Montana Sapphire Subdivision**

Dear Nicole,

Thank you for your continued assistance and direction regarding the Zone Change Application for Lots 6 and 7 of the Montana Sapphire Subdivision. While we have determined that lot depths are not adequate to accommodate our typical building layout, the land owner, Montana Sapphire, LLC has determined that it desires to keep the zone change application active.

As you know, we recently submitted a Zone Change Application for Lot 4 of Montana Sapphire and it makes sense to have the Zoning Commission and the City Council review the Zone Change request for all of the lots (Lot 6, 7 & 4) together in one process. Accordingly, please delay the Public Hearing for Montana Sapphire Lots 6 & 7 until the September 4, 2012 public hearing.

Should you have any questions, please contact me at (509) 321-3218. We look forward to presenting at the public hearing for the Zone Change Application for Lot 4, 6 & 7. Thank you.

Sincerely,

Keith James
Development Manager

(6)
SIGN-IN SHEET

Montana Sapphire Lot 64 7 Rezone Neighborhood Meeting
6/25/12 5:30 PM

<u>Name</u>	<u>Address</u>	<u>Phone</u>
1) George Wannen	1215 24th St. W. 59102	406-855-8946
2) Blaine Poppler	5403 KIW6 AVE W	406-671-0399
3) Mack Long	730 Bluegrass Pl	406-208-0707
4) Robert Ketrner	1620 N. Manner Rd Bldg B Spokane Valley, WA 99216	(509) 321-3218
5) Scott Scelfo		
6) Alan Springes		
7) Keith James		

(8a)

**Montana Sapphire Lot 6 & 7 Rezone
Neighborhood Meeting
Monday, June 25, 2012 – 5:30**

Meeting Notes

Total attendees were seven, though just one was not affiliated with either the developer or selling broker (See attached Sign-In Sheet). The one unaffiliated neighbor was Mack Long of CMG Construction on behalf Shiloh Crossing, LLC.

Representatives of the rezone application provided information from a similar project in Boise, ID, including a rendering for Affinity at Billings, a brief narrative, and a sample site plan also from the Boise project (both hand-outs are attached hereto). A brief description of the specific type of independent senior housing and building amenities was provided by Keith James on behalf of the Applicant. Further detail of the target population and day-to-day operations was provided by Scott Scelfo on behalf of the Applicant.

Mr. Long expressed his appreciation for our effort to further develop the area, specifically with the proposed multi-family development for seniors. No concerns with the proposed rezone were raised by Mr. Long or any other attendees and no suggestions for improvements to the sample rendering and site plan were provided.

Agents for the Sellers, George Warmer and Blaine Poppler, provided detail on the requirements of the CC&R's and Subdivision Improvements Agreement applicable to the Montana Sapphire subdivision. A brief discussion was also held regarding the requirements of the Shiloh Corridor Overlay District.

Discussion about potential future users in Montana Sapphire and Shiloh Crossing was engaged between all parties. The status of the St. Vincent Healthcare development plans was also discussed.

Following request for any further comments from any attendees, the meeting was adjourned at approximately 6:05 PM.

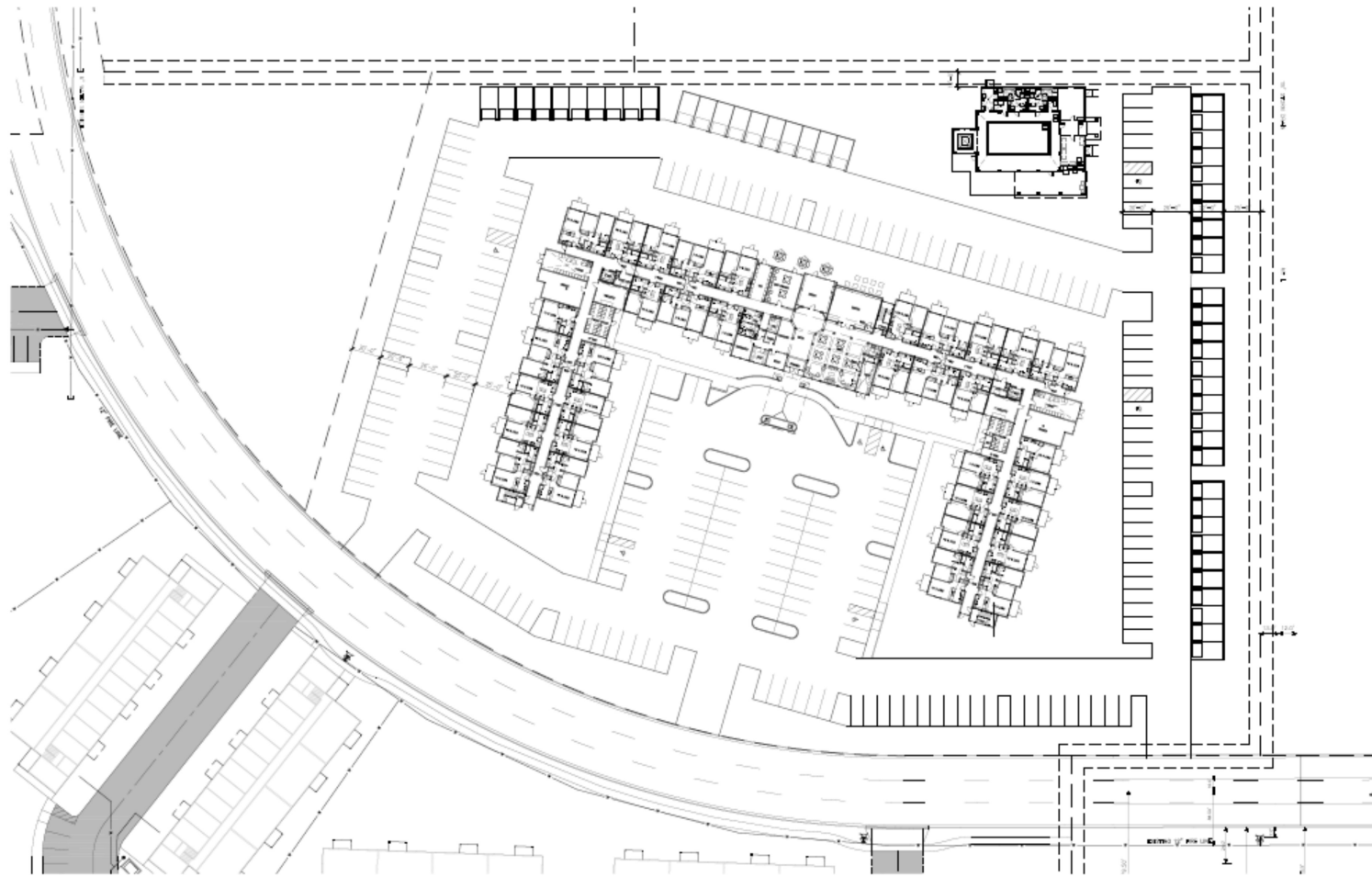
Affinity at Billings



(8b)

The Affinity at Billings site is comprised of three parcels totaling 5.72 acres of land located just west of the intersection of S. Shiloh Road and Montana Sapphire Drive. All three parcels are located in the Montana Sapphire Subdivision and include Lot 5, a 2.138-acre parcel currently zoned Highway Commercial (HC); Lot 6, a 1.8856-acre parcel currently zoned Entryway Light Industrial (ELI); and Lot 7, a 1.6902-acre parcel currently ELI. Multiple-family development is an allowed use in the HC zone, but not in the ELI zone. Accordingly, the Applicant seeks to rezone Lots 6 & 7 from ELI to HC.

The Affinity at Billings is a proposed 4-story, 150-unit independent apartment community for seniors age 55 or older. The common areas and amenities will be specific to seniors, including a community room, internet café, game room, craft room, pub, barber shop and movie theater. A separate single-story pool house may also be provided. Ample parking is to be provided as surface parking on-site and may include covered and enclosed parking options.



1 SITE PLAN
Scale: 1"=30'-0"

SITE NOTES

SCALE:	1"=30'-0"
EXISTING ZONING:
PROPOSED ZONING:
TOTAL AREA:	7,2871 SQUARE FEET
NUMBER OF DWELLING UNITS:	154
PARKING PROPOSED (1.5 UNITS PER DWELLING UNIT):	231
MAX. BLD HT PROPOSED (MID-ROOF) SLOPE:	45 FT.

TAC Rick Sanders, Cooper, Weiss
THE ARCHITECTS OFFICE
 408 MASS STREET
 BILLING, MONTANA 59102
 T (202) 343-1921
 F (202) 343-1308
 WWW.TACOFFICE.COM

PROJECT
AFFINITY AT BILLINGS
 BILLINGS, MONTANA

The drawings are the property of THE ARCHITECTS OFFICE. They are not to be used or reproduced without permission.

FILE
 DATE: JULY 30, 2012
 DRAWING: 12012-41.0

REVISIONS

A1.0
 SCHEMATIC
 SITE PLAN

Concept Site Plan for Lot 4 – 4215 King Avenue West