

Attachment C

Surrounding Property Owner comments and responses

From: Theresa Roll [mailto:bluladee@gmail.com]

Sent: Monday, June 30, 2014 9:03 AM

To: Cromwell, Nicole

Subject: Zone Change #921 - Josephine Crossing - Addition to PD

Dear Nicole,

We are not sure if we will be able to attend the preliminary review meeting set for Monday, June 30, 2014 at 11:00 a.m. since we have to work, so we are writing this letter to ask you to deny the zoning request by the developers of McCall Subdivision for the following reasons:

1. The primary reason we bought our house was because there was nothing behind us but a farmer's field and Holy Cross Cemetery. We wanted a house where there was no possibility of anyone ever building behind us. We believed the land was owned by Holy Cross Cemetery, and would only be used for future cemetery expansion.

The back of our house faces South and there is a field directly behind our house with a view of the trees down by the river and the South hills. If we look to the right of our property, we see the pretty little chapel in Holy Cross Cemetery. The view to the left is the first row of houses in Josephine Crossing. The current houses in Josephine Crossing are far enough away that they are not interfering with our view or our enjoyment of our backyard.

The McCall Subdivision developers' current plan for the zoning change calls for rows of mostly two (2) story houses with streets and carriage ways to be built on the east end of the property which would effectively eliminate our view of the Cemetery to the West and a view of the river, trees and hills to the South. We would lose our view but the people who buy the newly built houses would get our current view and all we would see is house after house interspersed with carriage ways and roads instead of the peaceful scene we now have.

2. We also believe there is a possibility of our property values going down since we will no longer have the view and the peacefulness and privacy we now have.

3. Another reason we are protesting is the possibility that our privacy will be reduced. The vast majority of the houses in Josephine Crossing are two story houses. Our house is a one story. We have a 6-foot high fence surrounding our property, but that won't stop people in a two-story house looking down into our backyard.

4. Another reason we are protesting the zoning request is because the developers of McCall Development want to squeeze approximately 30 houses onto 12 acres of land. This seems excessive for a community that wants to reduce sprawl.

5. There are already a large number of houses for sale in Josephine Crossing by private owners. We wonder why there is a need for more houses to be built when there are so many houses already available for sale in this subdivision.

6. We don't think adding more houses to Josephine Crossing will be best for Elysian School. Both Josephine Crossing and Riverfront Pointe Subdivision children as well as children from other outlying areas are attending Elysian School. Both subdivisions are actively building new houses which will tax an

already overcrowded school. We just approved a tax increase for the school to add more room for the children currently attending Elysian School. We just don't see how building more houses is going to benefit the school system.

7. We also think the zoning request should be denied because we don't believe that houses should be built so close to a cemetery. We believe a cemetery is sacred ground and the sanctity and peacefulness of a cemetery should be preserved. The addition of more houses with cars, playing children and barking dogs will not help to preserve the sanctity and peacefulness of our loved ones final resting place in the cemetery.

For the reasons we have listed above, we ask that you please deny the zoning change request from McCall Development for Josephine Crossing.

Please feel free to contact us at 406-259-7540 or 406-860-6631 if you have any questions.

Sincerely,

Theresa and Terry Roll
5418 Sacagawea Drive
Billings, MT 59101

June 16, 2014

Nicole M. Cromwell
AICP, Zoning Coordinator
Planning & Community Services Dept.
2825 3rd Ave. N, 4th Floor
Billings, MT 59101
cromwelln@ci.billings.mt.us

Re: Preliminary Review Meeting for Expansion and Amendment to the Josephine Crossing
Planned Development Zone (Zone Change #921)

Dear Ms. Cromwell:

I write this in response to your letter dated June 11, 2014 regarding the above-referenced proposed zone change. I have owned a home in the Josephine Crossing Subdivision since September 2008. I submit this to raise concerns that should be considered before rendering any decision on the proposed zone change.

First, should the zone change be approved, the builder seeks to add 60+ additional houses to our neighborhood, without adding new access from our neighborhood onto Mallowney Lane. Should there ever be an emergency situation that requires homeowners to leave the neighborhood near or at the same time, there would be well over 300 households of individuals trying to leave. That would be at least 300 vehicles using one road, Elysian, to access Mallowney Lane. That one lane is already congested enough with the current homeowners accessing it to go to work, school, etc. I would not want to see, nor experience, what it would look like in an emergency situation with hundreds of vehicles trying to exit.

Next, the addition of 60+ houses would mean a substantial increase in the number of children in the neighborhood. Safety of children in our neighborhood has been a great concern. Just recently, speed humps were added to our most used street, Front Street, in order to slow cars down at the insistence of greatly concerned parents. A petition is being circulated to attempt to change the State statutory speed limit in our residential streets from 25 MPH to 15 MPH. These recent measures by neighbors demonstrate that the last thing our neighborhood needs is even more young children accessing and using our streets. Additionally, without alternative access to Mallowney Lane, it would mean more vehicles traveling down Front Street, where there is already considerable concern regarding the possibility of an accident involving a vehicle and a child, and considerable congestion and driving sight obstructions caused by parked cars and parked recreational vehicles. If you reviewed our neighborhood forum on Facebook, you would see the great concern over speed of vehicles and the safety of neighborhood children. The proposed expansion of the neighborhood would be connected to the existing neighborhood, which means more kids playing on the streets and in our carriage ways (i.e. alleys), coupled with an increased likelihood of one of those kids being struck by a vehicle.

For these reasons, I have substantial concerns regarding the Zoning Change #921. I am available by telephone at 255-7204 should you like to discuss the above.

Sincerely,

A handwritten signature in blue ink that reads "Daniela E. Pavuk". The signature is written in a cursive style with a long, sweeping underline.

Daniela E. Pavuk, Esq.
1714 Front Street
Billings, MT 59101

Cromwell, Nicole

From: Gregory McCall <greg@mccalldevelopment.com>
Sent: Tuesday, June 17, 2014 10:24 AM
To: Cromwell, Nicole
Cc: Bradley McCall; Smith, Terry; Meling, Debi; Hertz, Chris; Claunch, Erin; Friday, Wyeth; Spalding, Juliet
Subject: Re: Preliminary Review Meeting for Expansion to Josephine Crossing Planned Development Zone (Zone Change #921)

Follow Up Flag: Follow up
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Nicole,

Thank you for bringing this complaint to our attention. I was able to visit briefly with Ms. Pavuk during our recent Homeowners Association meeting last Thursday the 12th. She did not bring up any of her concerns during our meeting, nor did she attend the recent pre-application meeting, where we were able to better inform many of the surrounding land owners.

While she accurately describes some of the recent activity on our Facebook page concerning street speeds, safety of kids in our right of ways, and the petition that the neighbors are currently circulating to look at the speed limit, she is inaccurate to assume additional pressure will be put on to Front St. The 5th filing funnels directly onto Elysian Rd. as well as create both connectivity to the lower part of Josephine which relieves pressure on Front St. There will be a great deal of people, who currently use Front St to access their homes on Stony Meadow Ln, Songbird, or even lower Front St, who may find it more convenient to now use the connectivity from the 5th filing, which had not been an option previously. I am not sure she has had the opportunity to view our most recent concept of the fifth filing where she should be able to recognize this connectivity. Also she may not realize, but we still have an alternate point of access via Songbird heading north through Riverfront Point. Access and congestion on Elysian has never been a problem in the neighborhood.

Ms. Pavuk raises valid concerns that we may see more young families moving to the area, which of course brings more children. In my opinion, that is not bad, on the contrary, there are very few neighborhoods in our community that offer as rich of a landscape for children to safely play outdoors. Whether that is along the Yellowstone on the trails, at Norm's Island, or in one of the many parks in Josephine, it is a place that attracts both young and old.

Feel free to browse our FB page, I think you will find a spirit of cooperation, and as stated by Ms. Pavuk there is sometimes concerns for keeping our streets safe, so that our kids can continue to use them to ride their bikes, scooters, skate boards, and whatever new thing they are riding! With the recent help from the Engineering Division, we have been able to add two new speed humps to Front St. to help encourage even safer street speeds. That said, Terry, Erin, or Chris can all attest that even before these humps were installed, Josephine had arguably some of the safest street speed data compared to other residential neighborhoods in Billings. Sometimes our FB page can create a perception that is not always accurate compared to the data. Regardless, we pursued the installation of the new speed humps, at our own expense, so that we could doubly insure the safety of our neighborhood children.

Thank you again for bringing this letter to our attention, but we do not support Ms. Pavuk's position, and do feel that the addition of the fifth filing will have far more positive impacts on the existing community than negative.

Sincerely,

Greg McCall, CGB, CGP

McCall Homes &
McCall Development
Office: 406.651.5354