

**Zone Change #656**

**Applicant Letter & Pre-application neighborhood meeting minutes**

**APPLICATION FORM**

COUNTY ZONE CHANGE County Zone Change # 656 - Project # P2-15-66012

The undersigned as owner(s) of the following described property hereby request a Zone Change as outlined in the City of Billings-Yellowstone County Unified Zoning Regulations.

Present Zoning: Residential 15000

Proposed Zoning: Community Commercial

Tax ID # D01775 COUNTY COMMISSIONER DISTRICT # 1

Legal Description of Property: Clark Subdivision, Section 11, Township 01 S, Range 26 E, Lot 18, S 230' East of Highway

Address or General Location (If unknown, contact County Public Works): Per Yellowstone County GIS, 3 addresses are assigned to this property (140,150, & 1102 Garden Avenue). Only 1102 Garden Ave is requested zone change.

Size of Parcel (Area & Dimensions): The parcel in which a zone change is requested is 2.84 acres. Approximate dimensions are 256' x 470'

Present Land-Use: Presently the portion of the property requesting zone change is a fenced space that is mostly vacant and contains storage sheds/garages. The east portion contains a house (140 Garden Ave) which is already Community Commercial

Proposed Land-Use: The intent of the property is to develop an auto/truck/tire sales & service facility.

Covenants or Deed Restrictions on Property: Yes  No

If yes, please attach to application

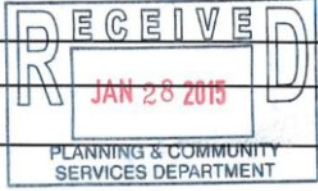
\*\*\* Additional information may be required as determined by the Zoning Coordinator in order to fully evaluate the application.

Owner(s): Marvin Linde  
(Recorded Owner) 547 Garden Avenue, Billings, MT 59101

(Address) (406) 855-5424  
(Phone Number) (email)

Agent(s): Eggart Engineering Company  
(Name) 720 Lohwest Lane, Billings, MT 59106

(Address) (406) 839-9151 quentin@eggartengineering.com  
(Phone Number) (email)



I understand that the filing fee accompanying this application is not refundable, that it pays for the cost of processing, and that the fee does not constitute a payment for a Zone Change. Also, I attest that all the information presented herein is factual and correct.

Signature: Marvin Linde Date: 1/27/15  
(Recorded Owner)

Date: 2/2/2015

**YELLOWSTONE COUNTY ZONE CHANGE  
PRE-APPLICATION MEETING SYNOPSIS**



**Date of Pre-Application Meeting:** 1/26/2015

**Legal Description:** Lot 18, S 230' East of Highway, Clark Subdivision, Section 11, Township 01S, Range 26E, Yellowstone County Montana.

A Pre-Application meeting for a Yellowstone County Zone Change took place on 1/26/2015 at 5:00 pm for the property described above. The known physical address for the property is 1102 Garden Avenue. This meeting was held at Jim and Tracy's Alignment located at 2203 1<sup>st</sup> Avenue South, Billings, MT 59101. The meeting was held at this location since the owner of this business, Jim Johnson, is proposing the zone change before purchasing the land. A copy of the Pre-Application meeting notice has been included. Of the landowners located within a 300' of the property lines of the property in question, 5 attendees were present at the pre-application meeting. The Pre-Application Meeting Sign-in Sheet is also attached.

The meeting began with explaining which property was proposing to have the zoning classification changed. Each attendee was familiar with the property. Jim explained to the attendees the nature of the business that he intends to place on this property as well as the hours and days the business would plan to be operational. Concerns that were mentioned during the meeting included the increase in noise and traffic, particularly from heavy trucks. It was explained that with the location of the property, not many other homes will be affected by an increase in traffic since the property is within close proximity of the corner of Garden and 27<sup>th</sup>. Since this site is adjacent to the interstate, the noise level will likely not exceed the noise from traffic on the interstate. Also, traffic from the KOA further south on Garden Avenue is not a lot different.

Another concern mentioned in the meeting was that of the adequacy of Kimble Drive. Kimble Drive is a very narrow road with a bridge that crosses a ditch. This bridge would likely not withstand heavy vehicular traffic. It was explained that this property will be accessed off of Garden Avenue and will have its own ditch crossing away from this bridge. No access to the west side of this property from Kimble Drive is anticipated. It was mentioned that the ditch company may not approve of an additional culvert.

The last potential issue that was discussed was the fact that this property is now located within the FEMA Flood Fringe and that this may affect the ability to build a building as well as a septic system.

**CONCLUSION:**

A majority of the attendees left the meeting with the notion that they don't foresee conflict with the proposed zone change. One attendee said that they will have to give it some thought. The meeting commenced at 5:10 pm and ended at 6:05 pm.



Date: 2/2/2015

**ZONE CHANGE APPLICATION –YELLOWSTONE COUNTY**



**Legal Description:** Lot 18, S 230' East of Highway, Clark Subdivision, Section 11, Township 01S, Range 26E, Yellowstone County Montana.

**QUESTIONS:**

- A. *In what ways is your proposal consistent with the goals and policies of the adopted Growth Policy?*
- B. *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.*

**ANSWERS:**

- A. *In what way is your proposal consistent with the goals and policies of the adopted Growth Policy?*

Land Use Element – Issue 4:

*Urban sprawl threatens the rural character of land surrounding Billings, increases the cost of providing public services, and threatens the vitality of the city core and downtown area.*

Goal                    *-Contiguous development focused in and around existing population centers separated by open space.*

Objectives

- *Ensure the continued functionality of natural systems.*
- *Use City and County resources in a cost effective manner.*
- *Create attractive communities.*

Response              The zone change from for this property will allow for commercial infill development which will otherwise remain vacant. This property provides interstate frontage and convenient access.

Economic Development Element – Issue 3:

*Entryways to our communities should be attractive and not present physical barriers discouraging economic development.*

Goal -Attractive and accessible communities.

Objectives -Encourage new businesses to locate in Billings and gateway areas.  
-Reduce travel time through town  
-Convey a business-friendly attitude.  
-increase the visual appeal of our highway and railroad corridor.

Response With the zone change on this property, a currently vacant parcel will be turned into a commercial property with great visibility from the interstate. Travelers will then see a thriving business instead of a vacant field of weeds. Truck traffic through town will be reduced due to this location off of the interstate which will cause less congestion. With this development on this lot, there is also plan for two other leasable spaces in the building which would be made available to two other businesses with similar trade (tires, mechanic, etc).

Aesthetics Element – Issue 1:

*There are areas in the city and county that are unattractive and present a poor image of the community.*

Goal -Visually appealing community.

Objectives -Improve the image of the community.  
-Instill pride in the community.  
-Improve quality of life for residents.  
-Preserve the community assets such as the Rimrocks, the Yellowstone River, the downtown and the major street thoroughfares.

Response With the development of this property, it would conform to the Yellowstone County zoning regulations which would require landscaping along the street frontages. This alone would increase the visual appeal of this property and would be a better image for those traveling along the interstate.

Natural Resources Element – Not Applicable

Open Space and Recreation Element – Not Applicable

Transportation Element – Issue 2:

*Safe and efficient traffic circulation around and through the City.*

Goal            *Efficient cross-town and in-town traffic.*

Objectives      • *Reduce travel times.*  
                         • *Create convenient traffic connections*  
                         • *Employ adaptable design options.*  
                         • *Provide multiple intercity travel options.*

Response        With the location of this proposed development, travel time through town will be absolutely minimal. This will help to reduce semi truck traffic making travel time safer and more efficient for all travelers.

Public Facilities and Services Element – Not Applicable

Cultural and Historic Resources Element – Not Applicable

Community Health Element – Issue 7:

*Poor housing and lack of living wage jobs puts the health of residents at risk.*

Goal            - *Adequate affordable housing and living wage job options for all citizens.*

Objectives      • *Reduce poverty related health issues.*  
                         • *Provide service workers more options for housing and basic needs.*

Response        The development of this property will provide a business location for two additional businesses which will help create living wage jobs in this area of town.

- B. *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.*

There is a need for a zone change in this location as the proposed business is not allowed in the current zoning of R1500. This location is a lot more suitable for a commercial property given its location. The portion of the same property which fronts Garden Avenue is already zoned community commercial and same goes with the adjacent property. Across the interstate, there are numerous controlled industrial properties so an additional community commercial property on the east side would be suitable.