

APPLICATION FORM

COUNTY ZONE CHANGE

County Zone Change # 673 - Project # PZ-16-00031

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-9,600/Public

Proposed Zoning: Residential Manufactured Home (RMH)

Tax ID # A314500 COUNTY COMMISSIONER DISTRICT # 2

Legal Description of Property: Cherry Creek Estates Sub, S24, T02 N, R26 E, Block 1, Lot 2, Acres 20.196, SD03 - 16.77AC, SD 2-3.42.

Address or General Location (If unknown, contact County Public Works): Cherry Creek Loop, Billings, MT 59105

Size of Parcel (Area & Dimensions): 20.196 acres

Present Land-Use: Undeveloped

Proposed Land-Use: Residential Manufactured Home

Covenants or Deed Restriction 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): Cherry Creek Development, Inc.
(Recorded Owner)
1955 Cherry Creek Loop, Billings, MT 59105
(Address)

(Phone Number) (Email)

Agent(s): Craig Dalton
(Recorded Owner)
2101 Overland Ave., Billings, MT 59102
(Address)
406-459-8456 craig@performance-ec.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: *Boyd E. Name pres.* Date: 29 Feb. 16
(Recorded Owner)

To: The City of Billings, Planning & Community Services Department

From: Craig Dalton, PE

Date: February 29, 2016

Subject: Cherry Creek Estates Subdivision Zone Change

A.) The requested zone change for Cherry Creek Estates Subdivision is consistent with the applicable goals and policies of the City of Billings growth policy as follows:

Issue 1 under the *Land Use Element* states that neighborhoods are experiencing pressures from new development and land use changes.

The zone change from Residential 9600 to Residential Manufactured Homes is consistent with the neighborhood character due to the fact that the neighboring area to the east is also populated with manufactured homes. Therefore, there won't be any change in character to the land area.

Issue 2 under the *Land Use Element* states that the current zoning ordinances and subdivision regulations do not always prevent incompatible uses in and adjacent to existing City neighborhoods and County townsites.

The proposed zone change will be compatible with the character of the adjacent neighborhood, being that the neighboring property to the east is also zoned as residential manufactured homes.

Issue 5 under the *Land Use Element* states that there is a serious lack of affordable housing for low to moderate income households.

The proposed zone change and accompanying development will provide an affordable option for low to moderate income housing in the City of Billings.

B.) The intended zone change from Residential 9600 to Residential Manufactured Homes is requested due to the narrow geometry of the lot which suits manufactured homes, and due to the topography of the lot which involves some steep elevation changes along the western edge of the property.

Feel free to contact PEC Project Manager Craig Dalton with any questions or concerns at 406-459-8456 or craig@performance-ec.com. Thank you for your consideration and coordination in our project.

Sincerely,
Craig Dalton, PE
Project Manager

February 26th, 2016

Dear Property Owners,

A neighborhood zoning meeting was conducted on February 18th, 2016 from 6:00-7:15 p.m. at the Cherry Creek Community Hall located at 1955 N. Cherry Creek Loop in Billings. A list of attendees is attached to this letter. The meeting was held to facilitate questions and concerns from neighboring property owners regarding the proposed zone change to the property described below:

Cherry Creek Estates Subdivision Block 1, Lot 2 located in Section 24, Township 1 North, Range 26 East, Billings, Montana.

Questions that were presented during the meeting are as follows:

1. How many trailer houses will be added?

Answer: At this time it is proposed that 80 units will be included in the new phase.

2. Is there any documentation on file stating that the area in question was to remain a buffer zone between the established Cherry Creek development and the neighboring houses to the west?

Answer: Correspondence with City/County Planning did not reveal any documents restricting the development of Lot 2. Conditions placed on a subdivision do not allow the requirement of land to be set aside without the possibility of future development.

Concerns presented at the meeting are outlined below:

- Concerns about current crime and potentially increasing it.
- Safety concerns for sidewalks.
- Already exceeded school capacities (Beartooth Elementary).
- Concern for noise and the visual aspect of the proposed development.
- Impact of additional units on roadways and traffic.

Thank you to those who attended the meeting and provided input. Letters of support/objection can be sent to the Zoning Commissioners at 2825 3rd Avenue North, 4th Floor, Billings, MT 59101.

Sincerely,



Craig Dalton, P.E.
Project Manager

Zone Change Meeting Attendees 2/18/2016

<u>Name:</u>	<u>Address:</u>
Tom Zurbuchen	1747 Wicks Lane
Terry Odegard	2101 Lakehills Drive
Mary & Angie Horvath	1630 Moose Hollow Lane
Larry & Linda Trettenbach	1608 Blarney Street
Nita McIntire	1425 Bitterroot Drive
Gayla Neese	2323 Constellation Trail
Roy Neese	2323 Constellation Trail
Denis Pitman	726 Aquarius Place
Angela Cimmino	1745 Sylvan Lane
Jason McGimpsey	1327 Bitterroot Drive
Bridger McGimpsey	1327 Bitterroot Drive
Orion McGimpsey	1327 Bitterroot Drive
Rhonda & Kas lone	1317 Bitterroot Drive
Aaron & Karmen Higginbotham	1315 Bitterroot Drive
Tracy & Barry Marse	1808 Janie Street
Judie & Chris LaRue	1347 Bitterroot Drive
Virgil Middendorf	1642 Natalie Street

