

February 15, 2017

Reference: Proposed Zoning Change and Special Review
Happy Hollow Subdivision, Lots 5-8, Block 7

Dear Sir or Madam:

You are invited to a neighborhood informational meeting and discussion regarding a proposed zone change and special review for property located at the intersection of Cody Drive and Covert Lane. A copy of a map showing the property location and proposed zoning is included with this letter for reference. The property is legally described as: Happy Hollow Subdivision, Lots 5-8, Block 7, Billings, Montana.

The property is owned by:

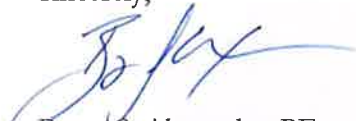
McDonald Land Holdings, LLC.
1349 Galleria Drive, Suite 200
Henderson, Nevada 89014-8624

The developer/owner under contract is proposing a zone change for the approximate 59,300 square-foot property from Residential 7,000 to Residential 6,000 zoning, as shown on the attached zoning exhibit. The owner wishes to re-develop the property with three 10-plex apartment buildings. A conceptual exhibit is attached for your information.

The developer of the property, along with representatives of Sanderson Stewart and AT Architecture, will be presenting the proposed zone change and special review and will be available for any questions during the meeting. The meeting will be **Thursday, February 23, 2016 at 6:00 PM at the Oasis Water Park, 543 Aronson Avenue, Billings, MT 59105.**

Your presence is requested and we look forward to meeting with you. If you have any questions, please contact me at 406/869-3343.

Sincerely,



Bryan S. Alexander, PE
Senior Engineer

BSA/bc

Enc.

P:15052.02_Happy_Hollow_Neighborhood_Ltr_Correspondence_021617



To Plan and Design
Enduring Communities...

Cody/Covert Neighborhood Meeting
February 23, 2017

Name	Address	Telephone Number
John Wells	303 Meadowlark	252-3829
JERRY EVANS	322 COVERT LANE	698-2908
Rick Cortez	324 LAURIE LN	694-4910
Zach Phelps	320 COVERT LN	690-6393
Ray Neese	323 Constellation	259 0170
Virgil Middendorf	1642 Natalie St.	850-2958
Mike & Deb Tonkovich	1819 Cody Dr. Billings, MT	256-5588
CRAIG FAVERO	309 STILLWATER LANE	861-2993
BRUCE BUSS	1738 BROADVIEW DR.	252-6851
STEPHON MENTZER	330 LAURIE LN	256-9962
Panda (Bier) - Mentzer	330 Laurie Ln.	256-9962
AMBER FIELD	325 LAURIE LN	855-2888
Matt Kiri	336 Laurie Ln.	907-301-8053
Mike Matern	119 COVERT LN	406-876-1383
MARY T. MATERN	119 COVERT Lane	406 876-4885

Cody/Covert Neighborhood Meeting
 February 23, 2017

Name	Address	Telephone Number
Jeremy Mabeen	119 covert lane	435 8749371
Jason Gilli	234 sharon lane	406-670-7314
Julie Hostetler & Indi Waller	119 Stillwater Ln.	406-861-7382
The Warnes	334 Stillwater LN.	406-696-8254
Gross	1735 Cody	200-7244
Caryl D. Martzolf	326 Laurie Ln.	(406) 671-5591
Eugene E. Baker	312 Laurie Ln	406 245-6809
Clara Baker	" "	406 245-6809

MEETING MINUTES

PROJECT: Proposed Zone Change and Special Review – Happy Hollow Subdivision Lots 5-8, Block 7			
Project No: 15052.02			
Meeting Location: 543 Aronson Ave.		Meeting Date: 2/23/17 6:00 P.M.	
Meeting Subject: Neighborhood Meeting		Prepared by: Bryan Alexander	
Attending:	(see attached sign-in sheet)		
Bryan Alexander	Sanderson Stewart		
John Atkinson	AT Architecture		
John Jones	Moulton Bellingham		
Tom Mutchler	Rainbow Property Management		
Jane Penny-Kukes	McDonald Land Holdings, LLC.		
Date of Issue: 3/6/17			

Minutes:

- Meeting facilitated by Bryan Alexander with Sanderson Stewart and John Atkinson with AT Architecture.
- Bryan explained the existing site conditions and proposed site development to include three 10-plexes (30 units).
- Explained current and adjacent zoning districts and described what these zones mean along with the differences between the existing R-7000 and the proposed R-6000.
 - What are the maximum number of units allowed under current zone?
 - Up to 12 based on area, all duplexes (9600 sf/duplex)

- Existing site has three 4-plexes and is “legally non-conforming” and does not meet the current zoning requirements.
- Explained how anything greater than a duplex in R-6000 zone requires a special review. Explained that a special review can have conditions of approval, where a zone change cannot. Provided zoning commission date, time, and location and encouraged everyone to attend so their voices are heard.
- John suggested viewing the Trailhead Townhomes, a project on Avenue E between 16th Street and 17th Street that was recently re-developed by the same owner.
- Questions were asked about parking; 45 parking spaces are shown on the presented concept exhibit (1.5 spaces per unit). The parking count included garages.
 - People generally felt that this was too few parking spaces, though it would meet code requirements.
 - Neighbors expressed concerns that the existing streets are not wide enough for parking on both sides and 2-way traffic.
- Tom with Rainbow Properties Management addressed the following questions:
 - What happens to existing tenants? They can get them new places to live.
 - Will this be Section 8? No, rent prices likely to be too high for that.
- Concern about added traffic. Bryan stated that traffic is generally estimated that a single-family dwelling will contribute 10 trips per day, a little less for apartments.
- Concern was expressed about the project density. Feel it changes the character of the neighborhood.
- Jason Lillie from Task Force asked how this will benefit the neighborhood. Provided Facebook feedback (attached) that they posted information on page, which he stated was mostly negative. Was concerned that project will not be maintained and fall into disrepair like existing site.
 - John and Bryan stated the largest benefit is to remove existing dilapidated buildings and re-develop with much nicer facilities. The existing buildings, especially near the intersection, are often flooded and re-development can help reduce the flooding risk.
- Concern expressed about crime, drug dealers, etc.

- Tom with Rainbow emphasized that this is not low-income housing and higher-rent properties do not typically have those issues based on his experience of other properties in town.
- Bryan explained the zone change and special review process and timeline of process and meeting locations. Meeting schedule and location list from zone change application packet provided at sign-in table for everyone to view.
- Concern was also raised that many people did not receive notice. Bryan explained the 300-foot notice requirement and that the same radius would receive the public notice.
- What is the tax ramifications or costs the neighbors will incur?
 - The neighbors will not pay anything construction-related to the site development.
 - Taxes would not be expected to change much if any for adjacent owners.
- Concern was again expressed about density, resultant parking, and children having a place to play.
 - Tom with Rainbow stated that a majority of the units are 2-bedroom units. Based on their data 35-40% of 2-bedroom rentals in their Billings properties are occupied by 1 person and the second room is used as an office. There tend to be very few children in 1 and 2-bedroom apartments.
- A resident asked why they do not keep the existing zoning and build new units.
 - It was explained that redeveloping the site is a large financial investment and that the density helps with a quicker return on investment.
- A resident asked if the alley would be paved.
 - John (AT) mentioned that the City may require it as part of the site development.
- Residents mentioned the existing dumpster currently placed near the alley and Cody Drive and that it is ugly and often loaded with trash by others driving by.
 - John (AT) stated that the dumpster would be moved further inside the site and would include an enclosure, likely a block enclosure to screen the dumpster visually.
- A resident asked if there was a Nevada investor as the address for McDonald Land in the letter was addressed from Nevada.
 - John Jones (owner's attorney) stated that the owner is the McDonald family and that the family are longtime Billings

residents. He further explained that Sam & Judy McDonald originally developed the property and Sam has since passed away. Sam's focus was on the Wendy's franchise and as a result, many of Sam's properties like this one fell into disrepair. Since Sam's passing, the family has been trying to cleanup/re-develop the properties; Trailhead Townhomes was the first of these. The density proposed is a business decision based on return on reinvestment in the property.

- John Jones encouraged people to be involved in the public process.
- Concern was raised about existing traffic and people speeding.
- A resident was critical of Rainbow Properties and the level of maintenance of some of the properties they manage.
 - Tom with Rainbow stated that the facility maintenance is up to the individual owners. Tom also stated that McDonald Land was one of the best at maintenance.
 - The residents question Tom's response related to the owner's maintenance program as the existing buildings are in rough shape.
 - John Jones stated that it was a long time ago when the site fell into disrepair and continuing to pour money into the existing buildings is not a good financial decision. Especially given the flooding that has occurred.
 - A resident asked why they should believe that the new facilities would be maintained any better and not run into the ground like the current site.
 - Jane Kukes-Penny (owner's representative) reiterated John Jones' comment about Sam's focus being on Wendy's and the properties being neglected through that period. Since then they have done a lot of maintenance including changing carpets, cabinets, doors, and roofing. There were also necessary repairs and mold cleanup after the flooding that has occurred from street drainage.
 - John Jones stated that the owner is responsible for maintaining the property, but the buildings are at a point where the owners do not want to put non-essential money into them. John added that the zoning commission will listen to the concerns and can impose conditions to an approval such as lighting, landscaping, berming, traffic, etc.

- A resident asked what the maximum density within the existing zoning that would be allowed.
 - Bryan stated that theoretically, given the site size of 60,000 square feet that 6 duplexes could be accommodated by zoning; however, whether that works with the existing street frontage and lot dimensions is another constraint.
- John Jones gave example of the Trailhead Townhomes and that they went through a Special Review and the neighbors of that project had similar concerns. Now that it is constructed, everyone is happy with it.
- Is there any consideration for fencing? Would there be lighting? Concept shows 1 dumpster, feel that more (maybe 2-3 would be needed). There is limited area for children to play on the site; children tend to play in the street if nowhere on site.
 - John (AT) stated that dumpsters can be added; Tom with Rainbow added that additional trash collection times/week could be added as well.
 - Dumpster(s) to be enclosed, likely with a block wall.
 - Lighting would be down-lighting and have cut-offs to not shine lot off the property.
- Space behind garages should be reduced so junk is not stored in this space.
- Any ideas for stormwater.
 - Bryan stated that in-concept stormwater storage would be handled under the parking lot. A geotech report is being prepared, but we have not yet received it and evaluated the stormwater design.
 - Bryan explained City stormwater policy to store the 50-year, 24-hour storm prior to any discharge.
- Will geotech report be publically available?
 - John Jones stated that the report is being prepared for the building and stormwater designs. It is a confidential report and he doesn't mind sharing it. The City does receive the report and reviews it with respect to the stormwater design and building design.
- One neighbor concerned that the project was "too nice" for the neighborhood.
 - Did not note many nods in agreement.
 - One resident stated that she is not opposed to a nice development, though the density is her concern.
- What happens if zone change and special review doesn't happen?

- Then there has to be a different plan (John Jones). We will take what is discussed here to modify the plan to address concerns to the extent possible with the proposed project.
- Concern expressed about traffic, existing street width, and lack of sidewalks in the neighborhood.
 - John Jones stated that we can solve all the existing street/traffic problems, but we can address those associated with the site directly.
- A neighbor asked to consider a place for child to play such as park space or playground to keep them off the street.
- John (AT) stated that April 4th is the zoning commission meeting. He encouraged everyone to attend.

Synopsis of Meeting Results

The meeting conducted on February 23, 2017 was generally that the neighborhood is onboard with re-developing the dilapidated site; however, there was much concern about the proposed density and its impacts associated with parking, traffic, and safety of children playing.

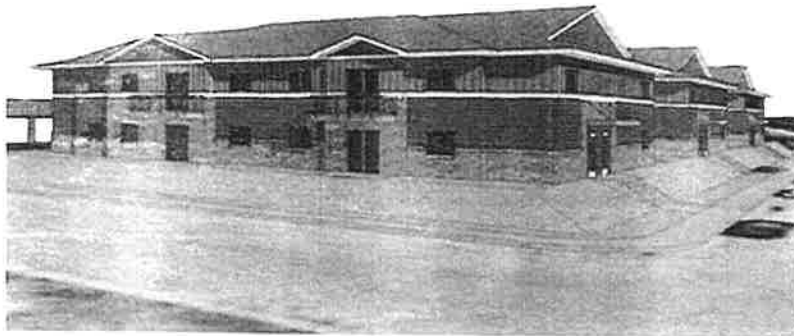
The neighbors and task force member(s) voiced concern that given the current site's condition that the same would occur down the road after re-development, so the benefit of an improved site would be short-lived. Concerns were also raised about the existing lack of sidewalks in the neighborhood, traffic, and street widths.

Post Details



Heights Task Force started this event

Requested zone change at Cody Dr. and Covert Lane. Public meeting is Feb 23 at the oasis at 6pm. This zone change would allow the developer to build 3 10-plex apartment units. Current zoning is R-7000 and they are requesting a change to R-6000. I am all for development but the people in this neighborhood purchased homes based off the expectation that there would not be a 30 unit apartment down the street. These types of zone changes only benefit the developer and have a negative impact on residential neighborhoods in most cases. We ask, if you can, to come and support home owners and keep these neighborhoods residential in nature. If you can't make it please leave a comment here that I can take to the public meeting.



Zone Change Public Meeting

Today 6 PM - The Oasis - Billings

23

Going



Get More Likes, Comments and Shares

Boost this post for \$5 to reach up to 870 people.

Boost Event

2,006

54

5

4

1

1

0

1

48

44

4

0

0

0

240

0

6

234

NEGATIVE FEEDBACK

0

0

0

0

Search Facebook



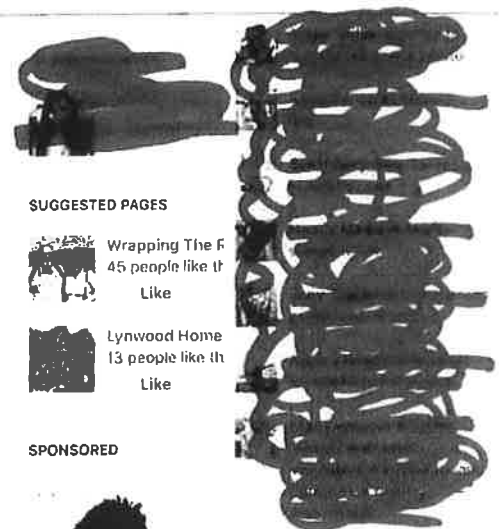
Heights Task Force shared their event.
Written by Jason Lillie February 21 at 9:05am

Requested zone change at Cody Dr and Covert Lane Public meeting is Feb 23 at the oasis at 6pm This zone change would allow the developer to build 3 10-plex apartment units Current zoning is R-7000 and they are requesting a change to R-6000. I am all for development but the people in this neighborhood purchased homes based off the expectation that there would not be a 30 unit apartment down the street. These types of zone changes only benefit the developer and have a negative impact on residential neighborhoods in most cases We ask, if you can, to come and support home owners and keep these neighborhoods residential in nature If you can't make it please leave a comment here that I can take to the public meeting.



Zone Change Public Meeting
Today 6 PM The Oasis Billings
8 people interested 2 people going

Going



SUGGESTED PAGES

- Wrapping The F
45 people like it
Like
- Lynwood Home
13 people like it
Like

SPONSORED



FIND A BUSINESS YOU CAN
Check before you buy See
consumer reviews, and oth

English (US) Español Por
Czech Dansk Deutsch

Privacy Terms Advertising
Cookies More

Facebook © 2017

Don Roberts, Christopher, Chae, Kevin and 2 others

Christopher

Leslie Bennett Roche That development would change the whole tone of the neighborhood - the increase in traffic alone is enough for me to say no!

Unlike Reply Message 5 February 21 at 9:45am

Rachele Binkoski Leave it as residential!

Unlike Reply Message 5 February 21 at 9:45am

Dustin Halama Hasn't a portion of that intersection been undeveloped for years? I'm sure the city could benefit from the extra tax income

Unlike Reply Message 1 February 21 at 10:14am

Corrina Graham Martin Are they kidding? That neighborhood is in no way set up to support 30 units worth of traffic and apartments! Plus the little units that are in that area already are not kept up to the standard of the rest of the neighborhood. While there is a need for affordable rental housing, in the middle of a developed subdivision is not a wise choice It also likely means it would not be affordable Why not build small stand alone homes there, two and three bedrooms, under \$160k. True starter homes

Unlike Reply Message 7 February 21 at 10:51am

Leslie Bennett Roche I questioned the infrastructure to accommodate the increased traffic, too...

Unlike Reply Message 2 February 21 at 11:22am

Corrina Graham Martin Are there even sidewalks along that area? I'm remembering no.


Unlike Reply Message 1 February 21 at 6:09pm


Heights Task Force Yes there is,





Like Reply Commented on by Jason Lillie February 21 at 6:44pm Edited


Write a reply

 Jenny Jasper The only person that would truly benefit is the builder. A development of that size is going to be 1) an eye sore, 2) will overwhelm the elementary school with new students, and 3) will add too much traffic to a residential street. I agree with previous comment - build true starter homes instead, keep with the residential neighborhood.
 Unlike Reply Message 2 February 21 at 11:21am

 Daren Amy Severson No this area is not able to accommodate this change and should remain residential.
 Unlike Reply Message 5 February 21 at 11:55am


 Carrie Sherburn Langendorff I own my home 2 houses down on covert- they need to tear those apartments down and build 3 nice starter homes! I say NO! NO! NO!!
 Unlike Reply Message 4 February 21 at 3:02pm


 Kyle McGlone Keep it residential and maybe curb, gutter and pave all the surrounding streets first!
 Unlike Reply Message 4 February 21 at 4:10pm


 Heights Task Force Here is a drive by today TL-Cody/Covert looking North, TR Cody looking North; BL Cody/Covert Looking North to Covert; BR Cody Looking West behind present apartments




Like Reply Commented on by Roy Neese February 21 at 6:39pm Edited


 Ryan Morton Matthew Art
 Unlike Reply Message 1 February 21 at 8:31pm


 Matthew Kind I'll be there! I like my neighborhood the way it is!
 Unlike Reply Message 1 February 21 at 8:33pm

 Matthew Kind Thanks Ryan Morton!
 Unlike Reply Message 1 February 21 at 8:34pm


 Ryan Morton Always
 Unlike Reply Message 1 February 21 at 8:34pm


 Jennifer Ann Smith Can someone explain to me where this is in the heights? I live in the heights and am not familiar with these street names
 Unlike Reply Message 1 February 21 at 10:13pm


 Heights Task Force Off west of Lake Elmo Dr north of Wicks Ln
 Like Reply Commented on by Virgin Middendorf Yesterday at 6:27am


 Deb Roberts Christensen Cody is across the street from St Bernards Church
 Unlike Reply Message 2 Yesterday at 1:44pm

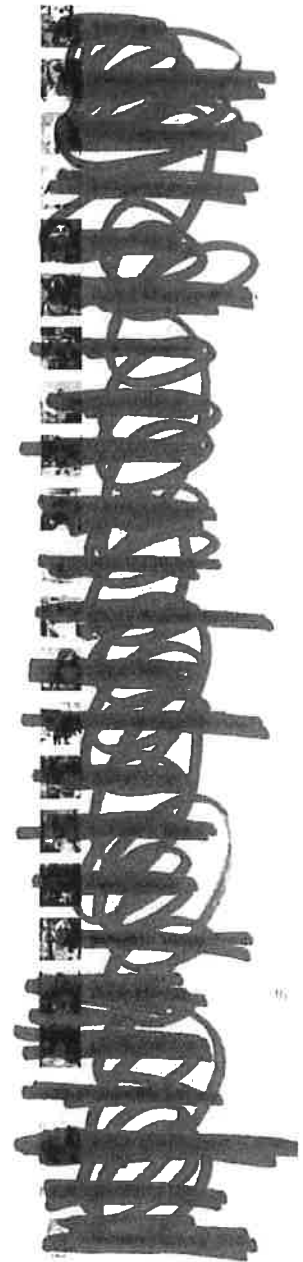
 Write a reply...

 Jeff Walters I'm curious if you have any data to support your claim that "these types of zone changes only benefit the developer and have a negative impact on residential neighborhoods", or is that just an opinion based on your position against this type of development? How does this fit into a larger community zoning plan? Or is there no plan?
 Unlike Reply Message 2 Yesterday at 7:01am

 Heights Task Force The neighborhood is primarily residential, there are no multi-family with 30+ units in the neighborhood. 30 rentals will not benefit the neighborhood in any way, it will not increase property values. It will place more pressure on the current infrast. See More
 Like Reply 2 Commented on by Jason Lillie Yesterday at 7:54am

 Jeff Walters At risk of appearing argumentative (which I'm not), this still doesn't address my questions. Clearly, you personally don't like this development plan. I'm just curious if this is your own position, or if it's truly representative of Heights residents. See More
 Unlike Reply Message 1 Yesterday at 9:40am

 Leslie Bennett Roche I have no formal training with planning, nor have I been active in city matters until this year with Medicine Crow



the City Council members you want the zoning to remain the same (or changed if you do) The city is all too easy to approved zoning and variances if there is no opposition. I hope to see you all there.

Unlike Reply Message 2 22 hrs



Morgan Leeson Please tell them that mixing home owners with low income apartments/condos etc. lower property values=less tax revenue for city. Increase theft and vandalism. I don't live far from cherry Creek area and it impacts my neighborhood extensively.

Unlike Reply Message 3 22 hrs

Heights Task Force Please come to the meeting and bring a friend

Like Reply Commented on by Ray Reese 22 hrs



Susie Wollenburg I live in this neighborhood and have for 25 years. I do not want the extra traffic and the extra people cruising my neighborhood. I vote against this change and always will... Save our neighborhood please!

Unlike Reply Message 1 10 hrs



Jodi Hostetter Waller This is a terrible idea. This is a very quiet neighborhood and that park area supports many kinds of wildlife. Tear down those nasty apartments that are already there and build single family homes in its place. Also there is a lot of new development just a few blocks away, why not build there instead of in our well established neighborhood? We like it the way it is.

Unlike Reply Message 1 9 hrs



Virgil Middendorf This location is served by Bench Elementary. This service area need more single dwelling homes to balance the mobile home park(s)

Unlike Reply Message 7 hrs



Carrie Sherburn Langendorff I am unable to attend this meeting and I surely hope this comment will stand/talk in my place at the meeting tonight. I have owned my single family home - 2 duplexes away from those appartments for the last 8 years. I purchased my home because I valued the type of neighborhood. This neighborhood is not meant for such huge complexes! There is a HUGE difference between 12 apartments vs. 30 apartments. The traffic on the street is already scary with young children running around. I can only imagine the traffic that would start up down the alley alone - this would terrify me. (The alley runs on 2 sides of my property. I have 2 children under 5 (one having a disability) - this entire project sounds like a major company trying to put more \$money\$ in their pockets and not caring on what it would do to our neighborhood or the home values of us who currently own our homes here. There are absolutely NO other HUGE complexes like the ones they are wanting anywhere near this area (unless you cross Wicks lane) I absolutely say NO this zoning change! I would hope that our city council/zoning department would think about the welfare of the neighborhood over some BIG Corporate company trying to line their pockets with some more money

I suggest that they tear down their current appartments and either build 3 good (family) starter homes or rebuild new appartments the size the current zoning allows

Like Reply Message 54 mins

Write a reply



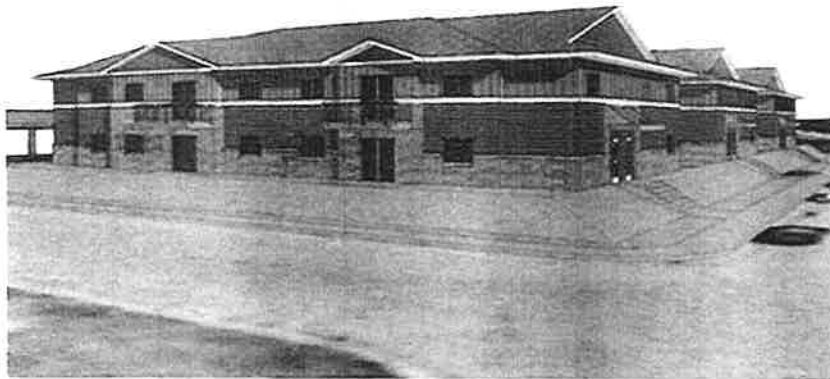
Write a comment...

Post Details



Billings Heights Real Estate

Requested zone change at Cody Dr. and Covert Lane. Public meeting is Feb 23 at the oasis at 6pm. This zone change would allow the developer to build 3 10-plex apartment units. Current zoning is R-7000 and they are requesting a change to R-6000. I am all for development but the people in this neighborhood purchased homes based off the expectation that there would not be a 30 unit apartment down the street. These types of zone changes only benefit the developers and have a negative impact on residential neighborhoods in most cases. We ask, if you can, to come and support home owners and keep these neighborhoods residential in nature. If you can't make it, please leave a comment and I will make sure it is presented at the neighborhood meeting on Thursday



1,791

43

8

1

1

1

4

14

14

230

51

NEGATIVE FEEDBACK

1

0

7

0

1

1

4

12

12

0

0

0

1

1

0

0

0

2

2

179

View Results



Like

Comment

Share





Billings Heights Real Estate

@BillingsHeights

Home

About

Services

Events

Reviews

Photos

Likes

Videos

Posts

Promote

LIKED FOLLOWING MORE



Reach Even More People

You can view your results and add budget to get more likes, comments and shares.

1,791 people reached

View Results

Like Comment Share

Jane Macomber, Susanne Holt and 11 others

Top Comments

12 shares



Loretta Deal

Thought that was wet lands & not ever to be developed! Not good

Unlike Reply Message 3



It appears This is across the street...at the existing apartments, I will give a full update after the neighborhood meeting

Like Reply



There is no parking and the traffic is bad enough as it is, This is a residential neighborhood with homes, not a bunch of apartments. I do not support the zoning change

Unlike Reply Message 4 Yesterday at 3:15pm



This is right next to my house. The rundown apartment buildings there now were built in 1969. The two on Cody flood every year. They are not only an eyesore all the summer months are crazy, loud people in and out of units all hours of the night in some of the units. I can't wait for them to be gone. This seems like a major upgrade to what I have experienced the the past 16 years.

Unlike Reply Message 2 Yesterday at 11:00am Edited



I live just down the street also and I am definitely against it. We have enough traffic in our neighborhood all hours of the night!

Unlike Reply Message 2 Yesterday at 8:12am



I live just down the street from this proposed development and I am definitely against it!!!!

Unlike Reply Message 4 Yesterday at 11:00am Edited



How bout some nice town houses we dont need the bs amd crime that tends to come with this type of development .

Unlike Reply Message 4 Yesterday at 8:06am Edited



There is land west of Castle Rock that might be more suitable.

Unlike Reply Message 2 Yesterday at 11:00am Edited



We live in the neighborhood & am against this. As several people have stated the traffic is heavy on Cody & the surrounding streets. I am against

Unlike Reply Message 1 Yesterday at 11:00am Edited



Set-up a phone bank to maximize participation! Get everyone's thoughts.

Unlike Reply Message 1 Yesterday at 8:15:00pm Edited



And yet more traffic pouring onto Wicks and Lake Elmo.

Unlike Reply Message 3 Yesterday at 11:00am Edited



Adea Goselin...yikes!!

Unlike Reply Message 2 Yesterday at 11:00am Edited

Write a comment...