

ZONE CHANGE EXPLANATION

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

Land Use:

Subject property is currently home to a commercial/retail plant nursery, which has been in operation on the property since 1984 (formerly A-1 Nursery). Nursery operations have grown over time with the construction of new building/greenhouses, infrastructure and landscape/pond. The zone change will formalize current operations under a more specific "CANYON CREEK NURSERY" Planned Development Agreement with an underlying zone of Neighborhood Commercial with use restrictions. It will also allow for additional compatible commercial uses. Property frontage along South 48th Street West, which is classified as a principal arterial, is compatible with commercial uses allowed in the proposed "CANYON CREEK NURSERY" Planned Development Zone. Please see included planned development agreement for specific language.

Economic Development:

The "CANYON CREEK NURSERY" Planned Development Zone which has an underlying zoning of Neighborhood Commercial, with use restrictions will allow continued growth of our existing and proposed commercial operations on the property, providing more opportunity, jobs and services to our Community.

Aesthetics:

See attached photos. Our primary commercial business (Canyon Creek Nursery) demands the highest aesthetic character. Any new commercial uses allowed by the Planned Development Zone Change will be integrated into the current property and will maintain the same high aesthetic. The purpose of the "CANYON CREEK NURSERY" Planned Development Zone is to create a harmonious development for the property, which is consistent with the vision of creating a scenic and pastoral marketplace with an agricultural foundation.

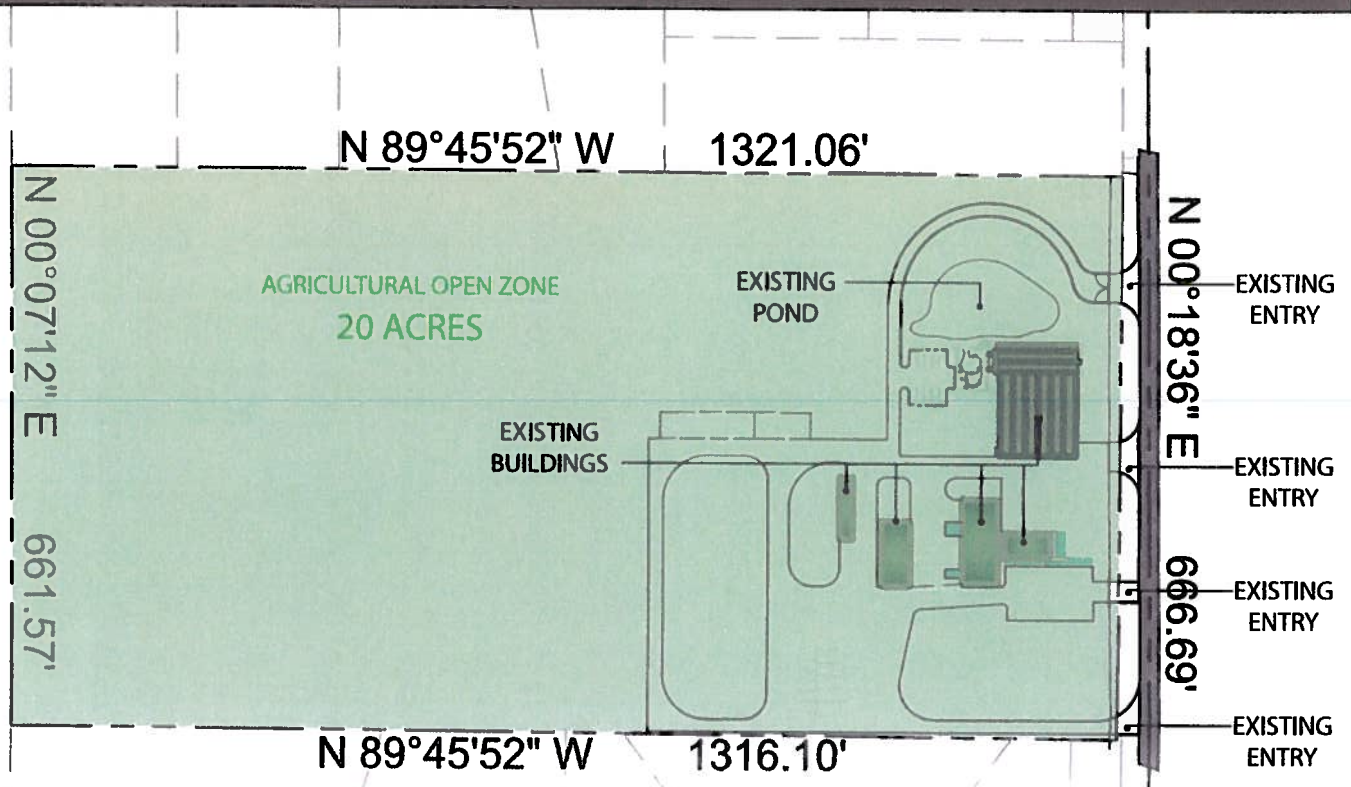
Natural Resources:

The Planned Development Zone Change will allow for continued growth of current commercial activity on an existing commercial land parcel, providing greater usage density on an already developed property.

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.

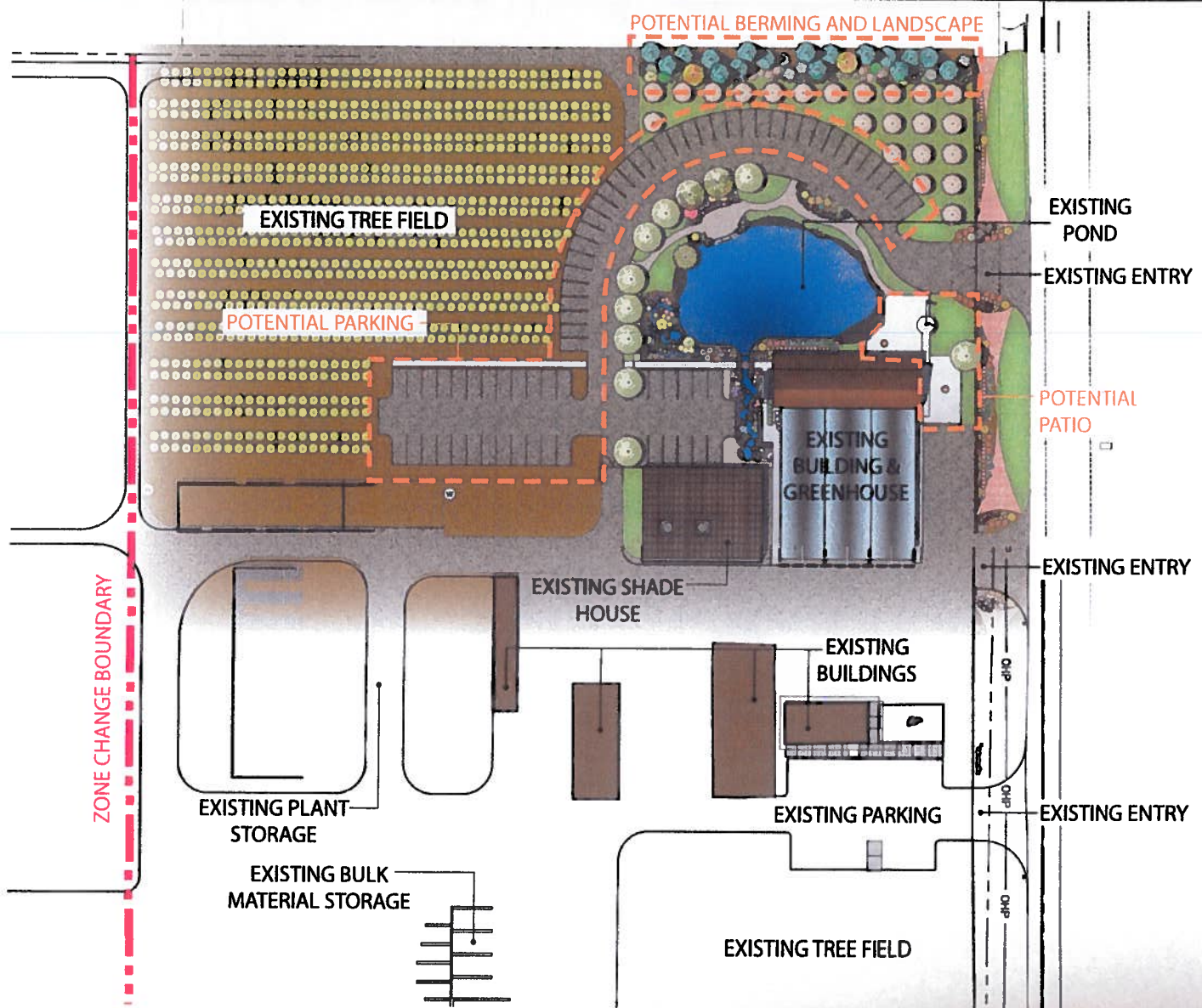
The subject property is currently a commercial/retail nursery serving Eastern Montana and Northern Wyoming. The zone change will formalize current operations under a more specific Planned Development Agreement, and allow for additional compatible uses to better serve our patrons. Potential new commercial uses anticipated with the zone change include a Micro Brewery and Rental Event Space, and Miscellaneous Personal Services. The "CANYON CREEK NURSERY" Planned Development Zone which has an underlying zoning of Neighborhood Commercial with use restrictions, is consistent with the property location along an arterial roadway. As the least intense commercial designation, it will also be sympathetic to the surrounding property zoning which is: Agricultural Open and Agricultural Suburban. Proposed with the zone change implementation are site improvements including, landscape buffering, way finding, and site planning to mitigate any adverse effects to the nearest properties.

EXISTING CONDITIONS



EXISTING POND AND WATER FALL

ZONE CHANGE IMPROVEMENTS





Aerial View of
Property Frontage



Aerial View of
Property Frontage

Photo of Current Facility



Photo of Current Facility



Photo of Current Facility



Photo of Current Facility



PRE APPLICATION MEETING SYNOPSIS

Pre application meeting was held on: September 21, 2017 on-site in our Conference room located at 1670 South 48th Street West.

Six of the nine neighbors/property owners receiving invitations were in attendance at the meeting. Additional meetings were held with one of the property Owners who could not attend the meeting and the husband of another owner who could not attend. A series of displays (included in this submission) were presented to the neighbors in an effort to clearly define our intent with this proposed Zone Change. These displays included:

- Existing Zoning Conditions- Agricultural Open on all 20-Acres
- Proposed Zone Change- Agricultural Open to Neighborhood Commercial on 8.78-Acres of the 20-Acre parcel
- Context Map- showing surrounding zoning and growth
- Key Zoning Change Points
- Zone Change Improvements- On-site improvements if zone change is approved.

The presentation included an explanation of why we intended to proceed with a NC (Neighborhood Commercial) Designation with a Planned Development to allow our existing operations, a micro-brewery under 1500 barrels per year and rental event space while restricting unwanted uses. The presentation also attempted to convey that we share many of the neighbors' concerns as we are not just landlords but we also have our offices on-site and live off 48th street about a ¼ mile from this property.

The proposed zone change was met with opposition by many of the neighbors to the north and with support from the neighbors to the south. Concerns included parking, traffic, noise, groundwater issues, negative effects on property values, increased property taxes, crowds and crowd control and brewery occupancy numbers.

Positive comments received included the quality of development we have completed on the property since its purchase, our commitment to do what we say we are going to do and our openness to discuss our proposed plans and wiliness to work with our neighbors.

Our neighbor to the north off 48th street was very opposed to our proposed zone change. Mr. Armstrong expressed his concern with traffic and noise. We recognize that he and his wife will be the most affected by our proposed plans and are committed to mitigating to the extent possible their concerns. We discussed the building of a large berm, which we have already started, in addition to significant plantings to screen and buffer his property both visually and for sound.

Reception to the proposal was split with a majority of neighbors appearing to be opposed.