

24 Apr 18

Billings City Zoning Commission
Mssrs: Boyett, Larson, Mariska, Ulvestad, and Wagner
2825 3rd Avenue North, 4th Floor
Billings, MT 59101



Re: City Zone Change 964 – Council Initiated Text Amendment
Allowing Gymnastics Instruction in all RP zoning areas

Dear Sirs:

As you will recall, on 3 Apr 18, the above referenced amendment was presented for the zoning commission by Monica Plecker of the Planning staff. Although the Planning Staff recommended approval of the amendment, it was tabled awaiting further study of the issues presented at the meeting. This letter is intended to further inform the zoning commission of some of the more salient points inherent in this proposal.

The Residential Professional (RP) zone is “(a) zone intended to accommodate *limited commercial* and professional offices as would be compatible with adjoining residential districts and consistent with the objectives of the comprehensive plan.” (Article 27-300 of Unified Zoning Regulations– emphasis supplied) The comprehensive plan lists 10 points that should be addressed in determining the suitability of RP zoning in any given area. We wish to underscore the following items in support of the extension of gymnastics instruction in RP zoning:

- Gymnastic instruction precisely fits the intended definition of a *limited commercial* endeavor, since by definition “commercial” simply means concerned with or engaged in commerce. This type of commercial activity is not a “cash register” or “point of sale” business – that engages in and is dependent upon heavy retail traffic volumes. Similar to a martial arts or dance studio, gymnastic instruction is dependent on a buildup of clients over time that serve to provide a core of students that support the art of gymnastics. The proposed zoning would create much needed recreational opportunities in areas of town where highly similar uses are already allowed.
- Gymnastic instruction would have much less impact in neighborhoods than a public elementary or secondary school which is currently allowed in RP zoning. It is incongruous to think that the impacts of a private gymnastic school should surpass those of a public school – yet, that is what those in opposition are advocating.
- Much time during the zoning commission meeting was devoted to whether the size of a land tract or lot in question should be a primary reason to exclude gymnastic instruction from inclusion under RP zoning. Ironically, if this measure is NOT passed, you will be precluding the development of those larger parcels of land (27.7 acres on airport hill for example) from implementing gymnastic instruction – while not providing an ounce of further protection for smaller parcels. Here’s why:

Owing to economics, smaller parcels would NEVER become suitable candidates for gymnastic instruction. It is financially infeasible for a gymnastics school to exist on a

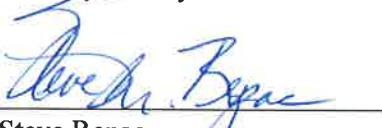
small lot: after deductions are made for setbacks and maximum lot coverage (at 50.0 percent), on-site parking requirements and landscaping, the size of a building on a smaller lot would be at odds with the size requisite to sustain the net income to develop the business model. As someone at the meeting pointed out – gymnastic equipment layouts take an inordinate amount of space – which is why larger parcels of land are sought for this purpose.


- Gymnastic schools typically have smaller groups at any one time – just like a dance studios and karate studios participants come at various times during the day - mostly in the late afternoon or early evening hours (only 30-40 kids at any one time). Traffic concerns should be moot due to their similarity with dance and martial arts studios, and elementary and secondary schools, which are already included in RP zoning.
- Gymnastic competitions typically are not held at smaller facilities – if they are held at all, they typically are held on weekends – and weekend tournaments wouldn't interfere with typical work traffic.
- Special requirements could be made for gymnastic, martial arts, and dance schools to let students off on-site – and not from a public street if that is an over-riding concern. We take note of the student drop-off activity at the newly constructed Billings Catholic School on Colton Boulevard. That school has many more students than what would typically be enrolled in any private gymnastics school and yet student safety and traffic flows seem to function fine.


In short, the inclusion of gymnastic schools would certainly seem to be a compatible with the urban growth policy of the City. Our city would benefit from businesses that encourage and foster healthy lifestyles and activities – and the exclusion of gymnastics instruction in areas that are already earmarked for martial arts and dance studios is illogical. We believe that it is always the right time to do the right thing, and to wait until and unless the City comes up with a newly developed zoning code would be a slight to those who wish to begin to offer gymnastic instruction to a growing core of people in this city who demand it.

We encourage the zoning commission to recommend the adoption of Zone Change 964. Contrary to some intimations made at the Zoning Commission Meeting on 3 Apr 18, we did not suggest or solicit the change be made – it was promoted by those on the City Council that feel much the same as we perhaps do. We did note that the Council Initiative was made by member Ewalt, and seconded by member Brewster, and the vote was *carried unanimously*. We believe this zone change makes sense for the majority of the citizens of Billings.

Thank you for your kind attention.


Steve Repac
1533 Clark Ave.
Billings, MT 59102


Jeff Muri
2492 Aspen Way
Billings, MT 59106


Randall Swenson
4510 Hi Line Drive
Billings, MT 59106

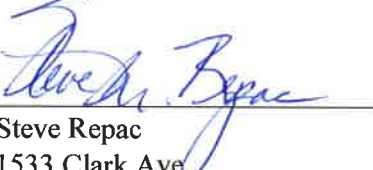
small lot: after deductions are made for setbacks and maximum lot coverage (at 50.0 percent), on-site parking requirements and landscaping, the size of a building on a smaller lot would be at odds with the size requisite to sustain the net income to develop the business model. As someone at the meeting pointed out – gymnastic equipment layouts take an inordinate amount of space – which is why larger parcels of land are sought for this purpose.


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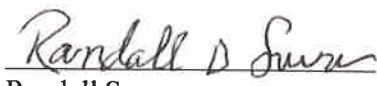
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Thank you for your kind attention.


Steve Repac
1533 Clark Ave.
Billings, MT 59102


Jeff Muri
2492 Aspen Way
Billings, MT 59106


Randall Swenson
4510 Hi Line Drive
Billings, MT 59106

March 9, 2018

Rec'd
3/12/18

Re: City Council Initiative

Dear City Zoning Commission Members;

I have enclosed a copy of the email that I have sent to the members of the City Council. In that email I mentioned the letter I previously sent to each of you and felt I should provide you with a copy of what I sent to them.

Thank you for your time.

Respectfully,

Beth Connaghan
4114 Julaura Ln
Billings, MT

March 9, 2018

Dear City Council Members,

I am writing because I see that you have approved an initiative to evaluate adding gymnastic facilities to property zoned Residential Professional. If I recall the discussion around denying Zone Change 962 the question was asked how is a gymnastic facility different from a dance or martial arts studio. This is what makes it different.

Dance and martial arts studios, which are included in Residential Professional zoned properties, do not require the types of apparatus or space needed for gymnastics. Therefore, the space requirements to accommodate dance and martial arts are significantly smaller both in footprint and height. Artistic Gymnastics requires balance beams, uneven bars, vault, high bar, still rings, pommel horse, flooring for floor exercise and trampoline. A competition trampoline is 5.05 m (16.57 feet) long, 2.91 m (9.55 feet) wide and 1.155 m (3.79 feet) high. **Gymnasts can reach 30 ft as they do flips and twists.** This of course requires significant indoor height which means the building height must be at least an equivalent two-story building.

The Billings City Code identifies Residential Professional as “zone intended to accommodate limited commercial and professional offices as would be compatible with adjoining residential districts and consistent with the objectives of the comprehensive plan”. The key word in this definition is offices. Clearly a gymnastic facility is not an office. The definition also states “compatible with adjoining residential districts”. As you know from the zone change the apartments directly across the street from this property are single story, our townhomes are single story, the doctor buildings are single story and the little strip mall on Ave C is single story.

The type of structure needed to accommodate a gymnastic facility is basically a gymnasium. Granite Fitness, BAC, Plaza Fitness and of course the current gymnastic facility are examples. If you allow gymnastic facilities are fitness clubs like those mentioned next to show up on RP zoned property?

Making this change would change all RP zoned property in the city. There is no benefit to the city in making this change. The proposed owner stated herself at our neighborhood meeting that she cannot afford a commercial zoned property. Why is the council so concerned about allowing this one citizens' interest come to fruition over the wellbeing of the neighborhood that will be negatively affected?

I am asking the Zoning Commission when evaluating the council's request to physically visit the current Billings gymnastic facility and several dance and martial arts studios. I encourage the councilmembers to do the same. Seeing the differences in the facilities allows fuller understanding of those differences.

Thank you for your time in reading and hopefully considering the points I bring forth in this letter.

Respectfully,

Beth Connaghan
4114 Julaura Ln
Billings, MT 59106

March 4, 2018

Received
3/7/18

Dear City Zoning Commissioners,

The Billings City Council has approved an initiative to add gymnastic facilities on Residential Professional zoned property. Currently a gymnastic facility must be located on property zoned at minimum as Community Commercial.

I do not know your procedure when considering a change to the type of business allowed within a specific zone type. I am confident that you consider these changes carefully keeping in mind that they do not affect only one property but all properties with that zone class within the city. With that in mind, I ask that if a physical visit is not part of the process, that the Zoning Commission members physically visit the existing gymnastic facility as well as dance and martial arts studios prior to making a recommendation to council. I believe the request from council is based upon the belief that dance and martial arts facilities requirements are no different than those of a gymnastic facility. This is a misconception.

Dance and martial arts studios, which are included in Residential Professional zoned properties, do not require the types of apparatus needed for gymnastics. Therefore, the space requirements to accommodate dance and martial arts are significantly smaller both in footprint and height than a gymnastic facility. Artistic Gymnastics require balance beams, uneven bars, vault, high bar, still rings, pommel horse, flooring for floor exercise and trampoline. A competition trampoline is 5.05 m (16.57 feet) long, 2.91 m (9.55 feet) wide and 1.155 m (3.79 feet) high. Gymnasts can reach 30 ft as they do flips and twists. This of course requires significant indoor height which means the building height must be at least an equivalent two-story building if not more.

I do not believe the type of facility needed for a gymnastic facility, basically a gymnasium type building, would be consistent with a Residential Professional zone classification. Granite Fitness, BAC and Plaza Fitness facilities for example match the type of facility needed more closely than do dance or martial arts facilities.

I believe the Zoning Commission has been asked to specifically look at this change because Zone Change 962 (change from Residential Professional to Community Commercial) was requested by a party wanting to construct a gymnastic facility on the property involved. City Council followed your recommendation and denied the zone change. Now they are looking for a way to allow the gymnastic facility to be built on that property.

I thank you for your time and hope that the Zoning Commission finds that gymnastic facilities are correctly zoned on Community Commercial zoned property.

Thank you,

Beth Connaghan
4114 Julaura Ln
Billings, MT 59106

Bartley, Robbin

From: Malena Magpie <malena@tendernest.com>
Sent: Tuesday, April 3, 2018 9:54 AM
To: Bartley, Robbin
Subject: [POSSIBLE SPAM]

Importance: Low

Dear Friends,

I am writing to ask a quick, but major favor. Would you please take 30 seconds to send the following message to the Billings Zoning Commission. Tomorrow (Tuesday, April 3) the commission is holding a hearing about changing the current zone requirements for gymnastics facilities from Community Commercial to Residential Professional. This would add gymnastics to the same zoning requirements as dance studios, karate studios, work-out gyms, and schools. I would very much appreciate your help with this matter. You can simply copy and paste the following message to the below email address. I need this done ASAP as the hearing is tomorrow afternoon at 4:30. (Anyone who would like to attend is welcome!)

Thank you in advance,
Darcey Frewin

Bartley, Robbin

From: Kristin Bradley <bradley.kristin@gmail.com>
Sent: Tuesday, April 3, 2018 12:18 PM
To: Bartley, Robbin
Subject: Proposed zone change

I am writing in support of the proposed zone change for gymnastics to be allowed in Residential Professional zones.

Thank you,
Kristin Bradley

Bartley, Robbin

From: Cassie Barton <cassie@tendernest.com>
Sent: Tuesday, April 3, 2018 6:27 PM
To: Bartley, Robbin
Subject: Zoning

I am writing in support of the proposed zone change for gymnastics to be allowed in Residential Professional zones.

Thank you,

Cassie Barton

Bartley, Robbin

From: RobLoretta lowe <lowe69@msn.com>
Sent: Tuesday, April 3, 2018 10:10 AM
To: Bartley, Robbin
Subject: Zone change for gymnastics

I am writing in support of the proposed zone change for gymnastics to be allowed in Residential Professional zones.

Thank you,

Loretta Lowe

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Bartley, Robbin

From: Joe Cook <joe@lawmontana.com>
Sent: Tuesday, April 3, 2018 10:42 AM
To: Bartley, Robbin
Subject: Zone Change

Billings Zoning Commission Members:

Please accept this email as my support of the proposed zone change for gymnastics to be allowed in Residential Professional zones.

Thank you,

- Joe Cook

Ragain & Cook, PC
3936 Ave. B, Suite A-2
Billings, MT 59102
(406) 651-8888
joe@lawmontana.com

Bartley, Robbin

From: Darcey Frewin <darceyfrewin@gmail.com>
Sent: Monday, April 2, 2018 9:29 PM
To: Bartley, Robbin
Subject: gymnastics zone change

I am writing in support of the proposed zone change for gymnastics to be allowed in Residential Professional zones.

Thank you,
Darcey Frewin

Bartley, Robbin

From: Curtis Frewin <cdfrewin@gmail.com>
Sent: Monday, April 2, 2018 9:32 PM
To: Bartley, Robbin
Subject: Gymnastics zone change

I am writing in support of the proposed zone change to allow gymnastics in areas zoned Residential Professional.

Thank you,
Curtis Frewin

Bartley, Robbin

From: Bridget Roe <wmdroe@gmail.com>
Sent: Monday, April 2, 2018 9:55 PM
To: Bartley, Robbin
Subject: Gym zoning

I am writing in support of the proposed zone change for gymnastics to be allowed in Residential Professional zones.

Thank you,

Bridget Roe

Bartley, Robbin

From: Casey Lujan <cassiopeia104@gmail.com>
Sent: Monday, April 2, 2018 9:56 PM
To: Bartley, Robbin
Subject: Zoning change

I am writing in support of the proposed zone change for gymnastics to be allowed in Residential Professional zones.

Thank you,

Casey Lujan
820 Broadwater Avenue
Billings

Bartley, Robbin

From: Scott Worthington <siteproscott@gmail.com>
Sent: Monday, April 2, 2018 9:58 PM
To: Bartley, Robbin
Subject: Allowing Gymnastics in Residential Professional Zone

I am writing in support of the proposed zone change for gymnastics to be allowed in Residential Professional zones.

Thank you,

Scott Worthington, P.E.
In Site Engineering, P.C.
4118 Woodcreek Dr.
Billings, MT 59106
(406) 591-4355

Bartley, Robbin

From: brittany jacobsen <bfjacobsen@hotmail.com>
Sent: Monday, April 2, 2018 10:00 PM
To: Bartley, Robbin
Subject: Proposed zone change

I am writing in support of the proposed zone change for gymnastics to be allowed in Residential Professional zones.

Thank you,

Brittany Jacobsen
3385 Lucky Penny Lane
Billings, MT 59106

Bartley, Robbin

From: Nate Swenson <nate@swensonre.com>
Sent: Monday, April 2, 2018 10:06 PM
To: Bartley, Robbin
Subject: Residential Professional change to allow gymnastics

To Whom It May Concern:

I am writing in support of the change to allow gymnastics facilities in Residential Professional zoning. I hope you will recommend this change to the city council.

Sincerely,

Nate Swenson
Supervising Broker
Dick Zier Brokerage

--

Nate Swenson - Broker
Dick Zier Brokerage
(406) 671-6158



Bartley, Robbin

From: Michelle Breum <michellebreum@gmail.com>
Sent: Monday, April 2, 2018 10:07 PM
To: Bartley, Robbin
Subject: gymnastics zoning

I'm in favor of changing the zoning requirements for gymnastics facilities to allow them in the same zones as dance studios, karate studios, public and private schools, exercise gyms and other like service.

Michelle Breum

Bartley, Robbin

From: Kim Kershaw <kimberly_kershaw@hotmail.com>
Sent: Monday, April 2, 2018 10:07 PM
To: Bartley, Robbin
Subject: Gymnastics zoning change

I am writing in support of the proposed zone change for gymnastics to be allowed in Residential Professional zones.

Thank you,

Kim Kershaw

Bartley, Robbin

From: Mail Alert <kameronkershaw_42@hotmail.com>
Sent: Monday, April 2, 2018 10:07 PM
To: Bartley, Robbin
Subject: Gymnastics zoning change

I support the proposed zoning change for gymnastic facilities. They should be considered the same as dance studios and karate dojos.

Thanks,

Kameron Kershaw

Bartley, Robbin

From: Colby Frewin <ccfrewin@gmail.com>
Sent: Monday, April 2, 2018 10:17 PM
To: Bartley, Robbin
Subject: Gymnastics zone change

I am writing in support of the proposed zone change for gymnastics to be allowed in Residential Professional zones.

Thank you,

Colby Frewin

Bartley, Robbin

From: Anna Wilson <drannawilson@gmail.com>
Sent: Monday, April 2, 2018 10:20 PM
To: Bartley, Robbin
Subject: Zone change

I am writing in support of the proposed zone change for gymnastics to be allowed in Residential Professional zones.

Thank you,

Bartley, Robbin

From: Kathleen Walker <kathleen.r.walker@gmail.com>
Sent: Monday, April 2, 2018 10:26 PM
To: Bartley, Robbin
Subject: Zoning changes

I am writing in support of the proposed zone change for gymnastics to be allowed in Residential Professional zones.

Thank you,
Kathleen Walker

Sent from my iPhone

Bartley, Robbin

From: Sam Jacobsen <e-jac@hotmail.com>
Sent: Monday, April 2, 2018 10:27 PM
To: Bartley, Robbin
Subject: Gymnastics Zoning

I am writing in support of the proposed zone change for gymnastics to be allowed in Residential Professional zones.

Thank you,

Eric Jacobsen

Sent from my iPhone

Bartley, Robbin

From: Cathy Christensen <kamkidsne@gmail.com>
Sent: Monday, April 2, 2018 10:33 PM
To: Bartley, Robbin
Subject: Zone change for gymnastics

I am writing in support of the proposed zone change for gymnastics to be allowed in Residential Professional zones.

Thank you,
Cathy Christensen

Sent from my iPhone

Bartley, Robbin

From: Leia Bushman <brianandleia@hotmail.com>
Sent: Monday, April 2, 2018 10:37 PM
To: Bartley, Robbin
Subject: Zoning

I am writing in support of the proposed zone change for gymnastics to be allowed in Residential Professional zones.

Thank you,
Leia Bushman

Bartley, Robbin

From: SEAN M DEMARS <ssdemars@msn.com>
Sent: Monday, April 2, 2018 10:39 PM
To: Bartley, Robbin
Subject: Gymnastics zoning

I am writing in support of the proposed zone change for gymnastics to be allowed in Residential Professional zones. It seems most logical to treat its zoning the same as similar exercise facilities such as gyms, karate, or dance studios.

Thank you,
Sean Demars

Bartley, Robbin

From: Greg Black <blacksrus123@gmail.com>
Sent: Monday, April 2, 2018 11:20 PM
To: Bartley, Robbin
Subject: Gymnastics

I am supporting gymnastics in residential areas

Bartley, Robbin

From: Christina Taylor <stinaleetaylor@hotmail.com>
Sent: Monday, April 2, 2018 11:23 PM
To: Bartley, Robbin
Subject: Zoning

I am writing in support of the proposed zone change for gymnastics to be allowed in Residential Professional zones.

Thank you,
Christina Taylor

Sent from my iPhone

Bartley, Robbin

From: Shay Headrick <shay.headrick@gmail.com>
Sent: Tuesday, April 3, 2018 1:48 AM
To: Bartley, Robbin
Subject: Zoning change

I am writing in support of the proposed zone change for gymnastics to be allowed in Residential Professional zones.

Thank you,

Shay Headrick

Bartley, Robbin

From: Travis Bruyere <tbruyere@avitusgroup.com>
Sent: Tuesday, April 3, 2018 5:35 AM
To: Bartley, Robbin
Subject: Zone change

Hello,

I am writing in support of the proposed zone change for gymnastics to be allowed in Residential Professional zones.

Thank you,

Travis Bruyere
Executive Vice President of Business Development, Avitus Group Companies
tbruyere@avitusgroup.com
(406) 255-7470

Bartley, Robbin

From: Stewart R. Kirkpatrick <skirkpatrick@crowleyfleck.com>
Sent: Tuesday, April 3, 2018 6:07 AM
To: Bartley, Robbin
Subject: Gymnastics

I am writing in support of the proposed zone change for gymnastics to be allowed in Residential Professional zones.

Thank you,

CROWLEY | FLECK
ATTORNEYS

Stewart R. Kirkpatrick
Crowley Fleck, PLLP
490 North 31st Street
Suite 500
Billings, Montana 59101

skirkpatrick@crowleyfleck.com
406-255-7289 Direct Dial
406-252-3181 Fax
406-672-0814 Cell

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Bartley, Robbin

From: Kyle Wassmer <thewazzam@hotmail.com>
Sent: Tuesday, April 3, 2018 6:38 AM
To: Bartley, Robbin
Subject: zone change

I am writing in support of the proposed zone change for gymnastics to be allowed in Residential Professional zones.

Thank you,
kyle wassmer

Bartley, Robbin

From: ERICA JONATHAN BAKER <ejbaker2004@msn.com>
Sent: Tuesday, April 3, 2018 7:25 AM
To: Bartley, Robbin
Subject: Proposed zone change for Gymnastics

I am writing in support of the proposed zone change for gymnastics to be allowed in Residential Professional zones.

Thank you,
Erica Baker

Sent from my iPhone

Bartley, Robbin

From: B E GRUMMETT <jsaves_7@msn.com>
Sent: Tuesday, April 3, 2018 7:41 AM
To: Bartley, Robbin
Subject: Zone change

I am writing in support of the proposed zone change for gymnastics to be allowed in Residential Professional zones.

Thank you,
Erin Grummett

Sent from my iPhone

Bartley, Robbin

From: nine4fun@bresnan.net
Sent: Tuesday, April 3, 2018 7:56 AM
To: Bartley, Robbin
Subject: Zone changes

I am writing in support of the proposed zone change for gymnastics to be allowed in Residential Professional zones.

Thank you.

Danielle Williams

Bartley, Robbin

From: Margaret Hammond <mawham@gmail.com>
Sent: Tuesday, April 3, 2018 8:03 AM
To: Bartley, Robbin
Subject: Zoning for gymnastics

I am in support of the proposed zone change to allow gymnastics facilities to be in the same zone as karate studios, dance studios, private and public schools and exercise gyms. It seems like a natural inclusion as all the above mentioned facilities are for the betterment of individuals.

Sincerely,
Margaret Hammond, RDN

Bartley, Robbin

From: Ed Walker <edward.a.walker@gmail.com>
Sent: Tuesday, April 3, 2018 8:06 AM
To: Bartley, Robbin
Subject: Proposed Zoning Change for Gymnastics Studios

I am writing in support of the proposed zone change for gymnastics to be allowed in Residential Professional zones.

Thank you,
Ed Walker
4221 Rimrock Rd.
Billings, MT

Sent from [Mail](#) for Windows 10

Bartley, Robbin

From: Mike Buhman <buhmike@gmail.com>
Sent: Tuesday, April 3, 2018 8:19 AM
To: Bartley, Robbin
Subject: City Zone Change 964

Robbin,

I am writing in support of the proposed zone change for gymnastics to be allowed in Residential Professional zones. Thank you.

Mike Buhman

Bartley, Robbin

From: Candace Frewin <candyfrewin@hotmail.com>
Sent: Tuesday, April 3, 2018 8:36 AM
To: Bartley, Robbin
Subject: Zoning change

I am writing in support of the proposed changes for gymnastics to be allowed in Residential Professional.

Thank you for your consideration,

Candace Frewin
3295 Banff Ave
Billings, MT 59102

Bartley, Robbin

From: Nate & Heather Swenson <nhsvenson@gmail.com>
Sent: Tuesday, April 3, 2018 8:40 AM
To: Bartley, Robbin
Subject: Gymnastics

I am writing in support of the proposed zone change for gymnastics to be allowed in Residential Professional zones.

Thank you,

Heather Swenson
4243 Creekwood Drive

Bartley, Robbin

From: John Mangus <jmangus@casnow.com>
Sent: Tuesday, April 3, 2018 8:54 AM
To: Bartley, Robbin
Subject: Gymnastics Zoning Change

Ms. Bartley,

I am writing in support of the proposed zone change for gymnastics to be allowed in Residential Professional zones.

Regards,

John Mangus
Billings, MT
jmangus@casnow.com
406-698-3770 (mobile)

Bartley, Robbin

From: Michelle Vander Esch <michelle.vanderesch@gmail.com>
Sent: Tuesday, April 3, 2018 9:01 AM
To: Bartley, Robbin

I am writing in support of the proposed zone change for gymnastics to be allowed in Residential Professional zones.

Thank you,

Michelle Vander Esch

Bartley, Robbin

From: Chris Lorash <clorash@altanafcu.org>
Sent: Tuesday, April 3, 2018 9:06 AM
To: Bartley, Robbin
Subject: Gymnastics Zoning Changes

Good Morning,

I became aware of a zoning change coming before the zoning board today. As a parent, I strongly endorse and support the proposed zone change for gymnastics to be allowed in Residential Professional zones.

This will make a huge difference in where these businesses can be located. This really is a neighborhood business and should be allowed to be nearer to locations where small children are.

Thank you for your consideration.



Chris Lorash | Mortgage Loan Originator

NMLS 1497875

Altana Federal Credit Union

3212 Central Ave | Billings, MT 59102

p 406.651.2343 | f 406.651.2359 | clorash@altanafcu.org

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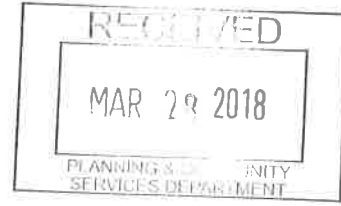


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March 23, 2018

Donna Riley
1607 41st Street West
Billings, MT 59106



Planning Division
Planning & Community Services Department
2825 3rd Avenue North, 4th Floor
Billings, MT 59101

Dear Zoning Commission of the City of Billings:

I am writing in regards to the proposed **City Zone Change 964 – Council Initiated text amendment – Gymnastics Instruction in RP zones**. I am led to believe this proposed change is in part related the denial of City Zone Change 962 – 4046 Avenue C – A zone change request from Residential Professional (RP) to Community Commercial (CC) on Lot 4A, Block 2, Goodman Subdivision, 4th Filing Amended a 1.54-acre parcel of land as indicated in the City Zoning Commission Minutes December 5, 2017-DRAFT. The City Council later denied the same request to change the zoning of the lot from RP to CC during their January 8, 2018 meeting. A gymnastics facility was, in fact, the proposed construction on the above noted lot.

It appears that now the request is to change the text of RP zoning to allow for gymnastic instruction facilities within that classification. My fear is that this is an isolated request for the betterment of one business entity as related to one particular piece of land. However, this change request would affect the RP zoning throughout the entire City of Billings. A change of this nature should not be made without great consideration to the overall impact it may have.

First, we should examine the definition of Residential Professional according to the Billings City Zoning Code. Residential Professional (RP) is a zone intended to accommodate limited commercial and professional offices as would be compatible with adjoining residential districts and consistent with the objectives of the comprehensive plan.

Second, we should break down that definition to really determine if a gymnastics training facility fits into our definition of Residential Professional. It clearly does not satisfy the “professional office” portion of the definition, but could it be considered “limited commercial”? It seems like “limited commercial” is somewhat subject to interpretation, so maybe we analyze the nature of a gymnastics facility and compare it to various existing businesses located in RP zoned areas in Billings.

We have a great example of a newer gymnastics training facility right here in Billings, the Billings Gymnastics School! It happens to be located at 2449 Enterprise Avenue on a lot zoned Controlled Industrial (CI). It is a large metal building that looks very commercial in nature and is surrounded by other similar looking structures. I also did a simple online search and looked at other gymnastics facilities around the country. My findings was that they too tend to have a very industrial or warehouse-style appearance. The structures must have an ample expanse for the vault run, open spans with careful placement of support beams, higher ceilings to accommodate the use of the bars, some even have pits dug into the ground, and a viewing mezzanine. The proposed gymnastics training facility has all of these features and it does have a more industrial, warehouse appearance being a metal building.

The gymnastics buildings look very similar to some of our local fitness centers such as Granite Fitness, Yellowstone Fitness, or the Billings Athletic Club which are all located in commercial areas with ample off-street parking.

In comparison, I looked at various lots zoned RP in the Billings area that border residential neighborhoods. My findings are that most appear to be more professional, business-focused buildings. The construction appears more upscale in nature with wood, brick, or stucco-type siding materials. While the size of the buildings does vary, I see no structures that seems like they would belong in an industrial park. These all have a very different appearance than the proposed gymnastics facility which leads me to believe it cannot be classified as "light industrial".

Just a few examples:

2370 Avenue C – Rose Park Professional Building
1643 24th Street West – Argo Professional Center
1111 24th Street West – Altana Federal Credit Union
2800 Central Avenue – Central Business Park
2526 6th Avenue N – Thomas Towe
1 Swords Lane – Rainbow Dance School
Various professional offices off Broadwater between 13th & 24th streets

My other concern would be future use of a building of this nature in a RP zoned area should the gymnastics business fail. They have indicated they need 460 students just to break even. An industrial building in a commercial or industrial zoned area can be repurposed for a variety of industrial-focused businesses, but repurposing in a residential neighborhood would be very limiting. I fear this building could easily become vacant and sit for years should the gymnastics business terminate its operations at the facility.

Traffic and the parking at a gymnastics facility should also be carefully considered. Needing to serve that many students pushes a tremendous amount of vehicles into a residential area that may lack proper ingress/egress traffic flow as well as adequate parking. They have already indicated at the proposed lot, they would have to utilize the parking lot of the adjacent medical facility for overflow. People will park on the streets; we will have the same situation as we do at the YMCA with people darting into the streets in front of traffic.

I think the facts of my research support that a Gymnastics Training Facility by its very nature does not belong in a Residential Professional zoned area in Billings. In addition, there seems to be other lots zoned as Commercial, Community Commercial, Commercial Industrial, or Light Industrial that are in close proximity to 4046 Avenue C that are for sale and appear to be better suited for this type of business. As a matter of fact, the Sylvan Nursery property located directly to the east of this lot at 1720 Shiloh Road is zoned Community Commercial and is for sale.

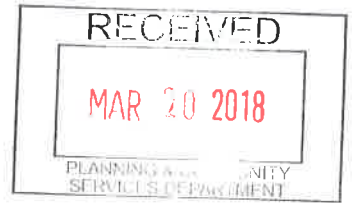
To revise the zoning text in this instance is a mistake. In summary, the building and use does not fit into Residential Professional and there is adjacent land available for sale on which the building would align with current zoning. Making this change for the betterment of one entity hardly seems to fit into several of your 10 criteria for zoning changes - #8 & #10 specifically. If this change is allowed, what other change requests will be brought forward across all of our zoning classifications?

I respectfully request you deny **City Zone Change 964 – Council Initiated text amendment – Gymnastics Instruction in RP zones.**

Sincerely,



Donna Riley



10 Criteria to be Used for Review of Zone Changes

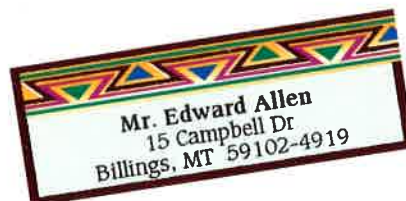
In making its recommendation to the city council for an amendment to the official map or text of this chapter, the city zoning commission shall consider, among other things, the following:

- (1) Whether the new zoning is designed in accordance with the growth policy;
- (2) Whether the new zoning is designed to secure from fire and other dangers;
- (3) Whether the new zoning will promote public health, public safety and general welfare;
- (4) Whether the new zoning will facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements;
- (5) Whether the new zoning will provide adequate light and air;
- (6) Whether the new zoning will effect motorized and nonmotorised transportation;
- (7) Whether the new zoning will promote compatible urban growth;
- (8) Whether the new zoning considers the character of the district and the peculiar suitability of the property for particular uses;
- (9) Whether the new zoning will conserve the value of buildings; and
- (10) Whether the new zoning will encourage the most appropriate use of land throughout the City of Billings.

CHNT

Please consider speed bumps on
Central Ave to 24th

Ed Allen





PLANNING DIVISION
"SERVING BILLINGS, BROADVIEW AND YELLOWSTONE COUNTY"
PLANNING & COMMUNITY SERVICES DEPARTMENT
2825 3RD AVENUE NORTH, 4TH FLOOR
BILLINGS, MONTANA 59101
PHONE: (406)247-8676 FAX: (406) 657-8327



March 16 2018

CITY Zone Change 964

Dear **Residential Professional (RP) Property Owners and Neighbors of this Zoning District:**

This is to inform you of the following amendment to the regulations for the City of Billings has been initiated by the City Council:

City Zone Change 964 – Council Initiated text amendment – Gymnastics Instruction in RP zones – A zone change to Section 27-306 – Commercial and Industrial Uses – to allow Gymnastics Instruction in all Residential Professional (RP) zones. The City Council initiated the amendment on February 26, 2018.

The **Zoning Commission of the City of Billings, Montana** will hold a public hearing on **Tuesday, April 3, 2018, at 4:30 p.m. in the City Conference Room, 1st Floor, Miller Building, 2825 3rd Avenue North**

The Zoning Commission will forward a recommendation on the text amendment to the City Council.

The **City Council** has designated **Monday, April 23, 2018, at 6:30 p.m. in the City Council Chambers** as the time and place to hear testimony for or against the zone change.

Before taking any action on an application for a **zone change**, the City Council shall first consider the findings and recommendations of the Zoning Commission. In no case shall the City Council approve a zone change other than the one advertised. The City Council shall take one of the following actions on the zone change: 1) approve the amendment; 2) deny the amendment; 3) withdraw the amendment; or 4) delay the amendment for a period not to exceed thirty (30) days.

The Zoning Commissions and the City Council will hear all persons wishing to speak relative to the proposed zone change. Testimony regarding the above mentioned items may also be submitted in writing to the Planning Division, 2825 3rd Avenue North, 4th Floor, Miller Building, Billings, MT 59101 (247-8676), the Mayor and City Council, P.O. Box 1178, Billings, MT 59103.

Additional information on this amendment is available in the Planning and Community Services Office. Public hearings are accessible to individuals with physical disabilities. Special arrangements for participation in the public hearings by individuals with hearing, speech, or vision impairment may be made upon request at least three days prior to the hearing. Please notify Tammy Deines, Planning Clerk, at 247-8610 or e-mail at deinest@ci.billings.mt.us

Sincerely, **Staff of the City/County Planning Department**

From: WILLIAM G ENRIGHT
To: ,Mayor & Council
Cc: Phil Cox; Donna Riley
Subject: Changes to Zoning Regulations
Date: Thursday, March 22, 2018 2:10:51 PM

Honorable Mayor and Council Members:

I am writing to protest the pending change to allow gymnastic facilities or centers in areas previously zoned as to prevent these facilities.

I know the Council debated this issue when a Zone change was proposed for 41st and Ave C.

I must say we are not against children or their education, but the location of this proposed facility will adversely affect our property values and have a dramatic affect on transportation into/out of our area on Ave C. I ask each and every one of you to drive down Ave C.

west of Shiloh between 11 and 2. Subway's traffic alone narrows this street substantially during these hours. Even though the proposed gymnastic facility says they will have "adequate parking" for students entering or leaving facility we all know parents will park along the street further congest access. This has to be a safety concern. We must also question the joint parking agreement with Fuller Family Medicine.

Ave. C. was never designed or envisioned to handle the traffic this facility will generate. If the Zoning rule is charged, Planning and the Zoning Commission must consider the affects on traffic generation, not just on a consultant's report from a big name firm from Bozeman that has probably never seen the site.

Finally, most of us in the Goodman Subdivision bought our homes that cost over \$300,000 to retire in a quiet neighborhood. We have already seen the row of Happy Homes apartments go up. A gymnastics facility just doesn't fit with what we were told about this area when we bought our homes.

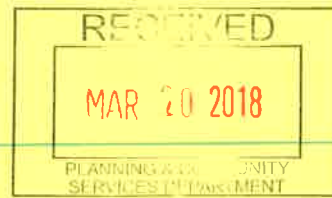
Enough is enough.

Respectively,

Bill Enright
(C) 406-860-0803

Sent from my iPad

Planning Division
re: City Zone Change 964



Greetings,

I live in the first block ^{of Clark Ave.} across from Moss Mansion and the parking is crowded; students from Central, people who work in the building at Division and Clark intersection, employees of the Moss Mansion along with occasional super-crowding from events. When you factor in those of us who live here, there isn't enough parking. My driveway is frequently blocked by people who look at the yellow curb paint and then decide that they need to park and expect that I ought to be able to maneuver around them; I can't.

To add more business in my residential neighborhood would be an enormous parking burden. We already have the 'swimming lessons' business in the 200 block of Clark and they leave no place for residents to park. They must be in the RP Zone and it's awful already.

I don't want to change the zone at all. I'm afraid it will hurt our neighborhood and affect property values.

This morning, I filled 2 sacks of refuse and trash along the curbs and sidewalks. Most days I can fill one sack along my block. These people live somewhere else but leave their trash here as in, "That coffee cup fell out of my car and goodbye!"

I vote NO to the amendment CITY ZONE CHANGE 964 - RP zone.

Thank You for your consideration, Sincerely,

Elizabeth Dada Malmstrom

Elizabeth Dada Malmstrom
25 CLARK AVE. - BILLINGS, MT 59101