

**Applicant Letter and Pre app materials  
Zone Change 972 – Western Sky Lot 2A-1**

**Propriedad, LLC.  
ZONE CHANGE APPLICATION FROM RMF-R, R-7000, AND PUBLIC  
TO RMF-R, RMH, AND PUBLIC**

**Statement of Proposal**

The owner under contract, Propriedad, LLC., is seeking a zone change for Lot 2A-1, Block 1 of Western Sky Subdivision. The property is located south of King Avenue West on the west side of 44<sup>th</sup> Street West, east of the Shiloh Conservation area, and is approximately 30 acres in size.

The property is currently located inside the City Limits of Billings. The existing zoning is a combination of Residential Multi-Family Restricted (RMF-R), Residential 7000 (R-7000), and Public. The applicant is requesting a zone change to Residential Multi-Family Restricted (RMF-R), Residential 7000 (R-7000), and Public. The limits of the RMF-R are proposed to adjust to conform with the proposed minor subdivision for 44 West Subdivision, which is in process concurrent with this application. The applicant wishes to change the existing R-7000 zoning to RMH to allow for a residential manufactured home park on the south half of the parcel. The Public zoned areas are proposed to be limited to the trail corridor adjacent to Hogan's Slough on the south edge of the parcel.

**Accompanying Responses to Questions in Zoning Application Form**

*1A. In what ways is your proposal consistent with the goals and policies of the adopted Growth Policy?*

**GROWTH GUIDELINES**

**ESSENTIAL INVESTMENTS**

*Planning and construction of safe and affordable interconnected sidewalks and trails are important to the economy and livability of Billings.*

Development of the property will include improvements for public sidewalks proposed along 44<sup>th</sup> Street West and along all proposed public access roads. Sidewalks are part of the contemplated common elements associated with each of the five proposed developments associated within the proposed minor subdivision. A multi-use path or trail is proposed on the south end of the parcel that parallels the Hogan's Slough. Sidewalks and trails proposed in the development will tie into the Shiloh Conservation area, which has several internal trails. The pedestrian connection to the Shiloh Conservation area will greatly enhance the livability of the future development.

*Infill development and development near existing City infrastructure may be the most cost effective.*

The proposed development is annexed and located adjacent to existing public roads and infrastructure. Public water, sewer, and storm drain facilities are located immediately adjacent to the development in 44<sup>th</sup> Street West. Existing infrastructure includes a 12-inch water main and 12-inch sewer main available in 44<sup>th</sup> Street West. The existing water, sewer, and storm drain lines must be extended south along the east boundary of the property to provide service.

*Neighborhoods that are safe and attractive and provide essential services are much desired.*

The proposed development currently contemplated will be condominium/townhome developments within the RMF-R zone consisting of duplex and single-family residential units and common elements including, but not limited to, private roads, sidewalks, infrastructure, and open space. A residential manufactured housing park is contemplated in the south half of the site to be zoned RMH. A traffic impact study has been completed in conjunction with the preliminary plat, which identifies traffic impacts to ensure the development does not negatively impact traffic safety of the existing City and County road network.

As mentioned above, the proposed development is to be a condominium/townhome and manufactured housing. The neighborhood will have consistent landscape design and maintenance throughout, making the development an attractive neighborhood.

The neighborhood will consist of essential services such as public water, public sewer, and a stormwater management system meeting the requirements of the City of Billings Stormwater Management Manual. The neighborhood will also have nearby access to the existing multi-use public trail system within the Shiloh Conservation area and proposed trail improvements along the Hogan's Slough.

#### **COMMUNITY FABRIC**

*Attractive streetscapes provide a pleasant and calming travel experience in urban and suburban neighborhoods.*

The proposed development is to be a condominium/townhome and manufactured housing. The neighborhood will have consistent landscape design and maintenance throughout making the development an attractive neighborhood. Streetscapes will include boulevard sidewalk and plantings in the boulevard to provide a pleasant and calming travel experience.

*Walkable neighborhoods that permit convenient destinations such as neighborhood services, open space, parks, schools and public gathering spaces foster health, good will and social interaction.*

The proposed development will include common elements such as a club house, open space, a multi-use trail along Hogan's Slough, and sidewalks as amenities to the neighborhood. The development will have trail access to the Shiloh Conservation area and convenient access to services in Montana Sapphire and Shiloh Crossing Subdivisions.

*Outdoor public spaces provide casual and relaxing gathering areas for people.*

As mentioned above, the proposed development is to include common elements such as a club house, open space, a multi-use trail, and sidewalks. These public spaces will provide casual and relaxing areas for the neighborhood. The open spaces are intended to be common to all unit owners for walking, gathering, and recreating. One objective of the landscape design of the open space will be to provide relaxing areas for people to gather and for connection to the Shiloh Conservation area.

*Planning and construction of interconnected sidewalks and trails are important to the livability of Billings.*

The neighborhood will have sidewalks along public access roads and internal to site developments. The development will include construction of a trail along the Hogan's Slough that will connect to the existing multi-use trails in the Shiloh Conservation area. The trails within the Shiloh Conservation area connect to the city-wide trail system at Shiloh Road, which extends the length of the Shiloh Road corridor and beyond.

#### ***STRONG NEIGHBORHOODS (LIVABLE, SAFE, SOCIABLE AND RESILIENT NEIGHBORHOODS)***

*Walkable neighborhoods that permit convenient destinations such as neighborhood services, open space, parks, schools and public gathering spaces foster health, good will and social interaction.*

As previously stated, the proposed development will construct common elements such as a club house, open spaces, a multi-use trail along Hogan's Slough, and sidewalks to create a strong neighborhood. Open spaces will be designed to foster health, good will and social interaction. The development will have trail access to the Shiloh Conservation area and convenient access to services in Montana Sapphire and Shiloh Crossing Subdivisions.

*HOME BASE (HEALTH, SAFE AND DIVERSE HOUSING OPTIONS)*

*A mix of housing types that meet the needs of a diverse population is important.*

The proposed development is intended to provide a mixture of duplex and single-family dwelling units on the north half of the property and manufactured housing on the south half. The north half of the development will provide small-footprint dwellings that will be a cost-effective option for transitional housing for young families and other individuals. The development provides an option for maintenance-free living as common elements such as lawns, landscaping, streets, and sidewalks will be maintained by a homeowner's association (HOA).

*Common to all types of housing choices is the desire to live in surroundings that are affordable, healthy and safe.*

The proposed development is intended to provide affordable dwellings that are small and in a dense urban environment. As stated above, the development will be well-landscaped and have sidewalks and connectivity to nearby walking trails. A traffic impact study has been completed, which identifies traffic improvement needs to promote safety of the public transportation system.

*Planning and construction of interconnected sidewalks and trails are important to the livability of Billings.*

The neighborhood will have sidewalks along public access roads and internal to site developments. The development will include construction of a trail along the Hogan's Slough that will connect to the existing multi-use trails in the Shiloh Conservation area. The trails within the Shiloh Conservation area connect to the city-wide trail system at Shiloh Road, which extends the length of the Shiloh Road corridor.

*Homes that are safe and sound support a healthy community.*

Dwellings in the proposed development will be of new construction and meet code requirements for building construction, energy conservation, and other trades. Adopted codes and permit inspections should provide reasonable assurance that dwellings within the development are safe and sound. Manufactured homes in the proposed manufactured home park will be restricted to newer and well-maintained homes. Strict restrictions are proposed to preserve the integrity of the park and uphold a high standard for quality of the units as well as the park.

***MOBILITY AND ACCESS (TRANSPORTATION CHOICES IN PLACES WHERE GOODS AND SERVICES ARE ACCESSIBLE TO ALL)***

***Connecting people to places with transportation choices is vital to the well-being of Billings' residents, businesses and visitors.***

In addition to vehicular transportation options, the neighborhood will have internal sidewalks and also have nearby access to the existing multi-use public trails in the Shiloh Conservation area and to the trail system along Shiloh Road. The MET transit system has Bus Route 13 WESTEND that can be accessed in the nearby Montana Sapphire Subdivision. It should be noted, however, that pedestrian access from the property along King Avenue West has portions where no sidewalks are constructed between the site and Montana Sapphire Subdivision. There are also no formalized trail connections from the Shiloh Conservation area to Montana Sapphire Subdivision other than at Shiloh Road.

***Planning and construction of interconnected sidewalks and trails are important to the livability of Billings.***

The neighborhood will have sidewalks along public access roads and internal to site developments. The development will include construction of a trail along the Hogan's Slough that will connect to the existing multi-use trails in the Shiloh Conservation area.

***1B. 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 in the immediate area.***

The property has zoning consistent with what is contemplated on the north half of the property, which is RMF-R. As proposed, the zoning boundary is to be relocated to match the lot lines of the minor subdivision that is being reviewed concurrently with the zone change application. A zoning variance to allow an increased density is also being requested to allow for a more efficient use of the land while providing a mix of single-family and duplex homes with common elements (Bungalows). The proposed development of the RMF-R area is consistent with recent local, regional, and national urban development trends. The RMF-R zone best fits the proposed development model. The City of Billings currently has no zoning designations that allow for the proposed density. Adjacent properties are also zoned RMF-R to the north, which consist primarily of larger apartment buildings.

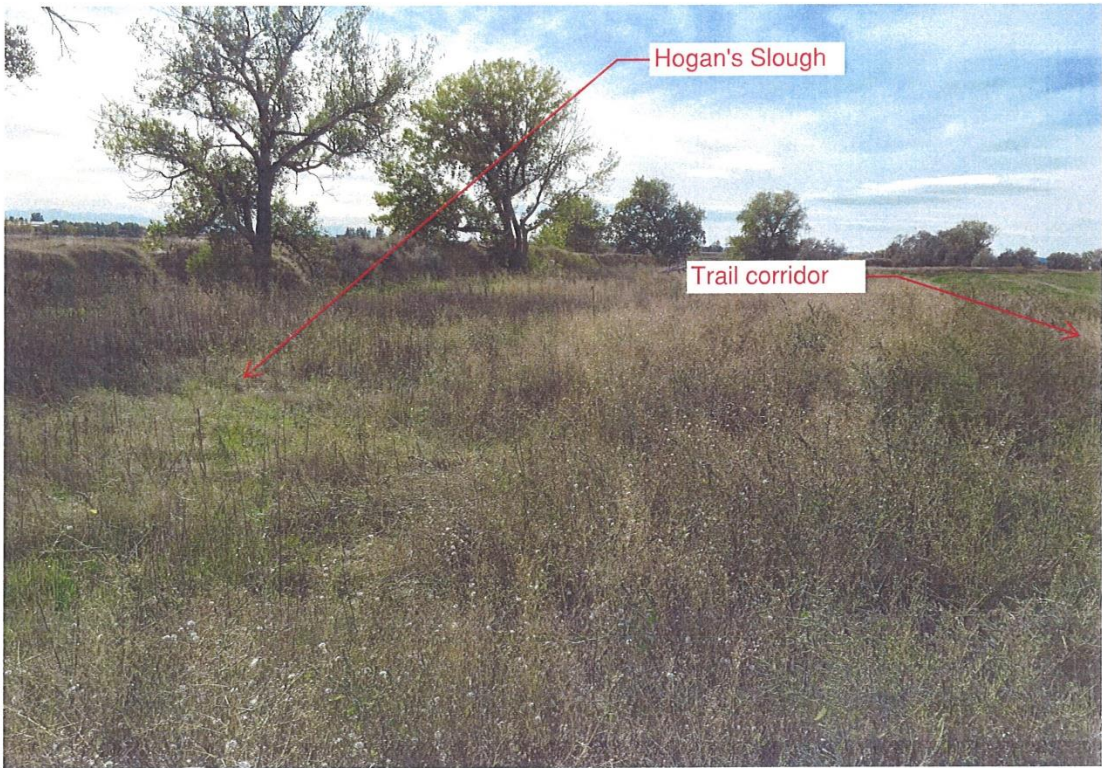
The south half of the property is zoned R-7000, which allows for medium density single-family and duplex housing. A residential manufactured home park is contemplated within the proposed RMH-zoned property. The proposed RMH zone would allow for the manufactured home park and for the development of single-family dwellings. A zoning variance to allow an increased density is also being requested to allow for a more efficient use of the land while providing an affordable density under today's urban design standards. The existing property located immediately to the west of the

property is zoned Planned Unit Development with a defined RMH land use, so the proposed RMH zoning is consistent with land use designations in the vicinity.

The area of Public zoning will match the proposed trail improvements along the Hogan's Slough. In addition, cash-in-lieu will be provided for the required park contribution as part of the minor subdivision process. The site is adjacent to significant existing and proposed public open spaces including the Shiloh Conservation area and the future City Lakes project.







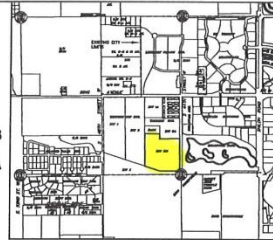
PRELIMINARY PLAT OF  
**44 WEST SUBDIVISION**  
 BEING LOT 2A-1, BLOCK 1, WESTERN SKY SUBDIVISION  
 SITUATED IN THE NW1/4 OF SECTION 15, T. 1 S., R. 25 E., P.M.M.,  
 IN THE CITY OF BILLINGS, YELLOWSTONE COUNTY, MONTANA

PREPARED FOR : PROPRIEDAD LLC

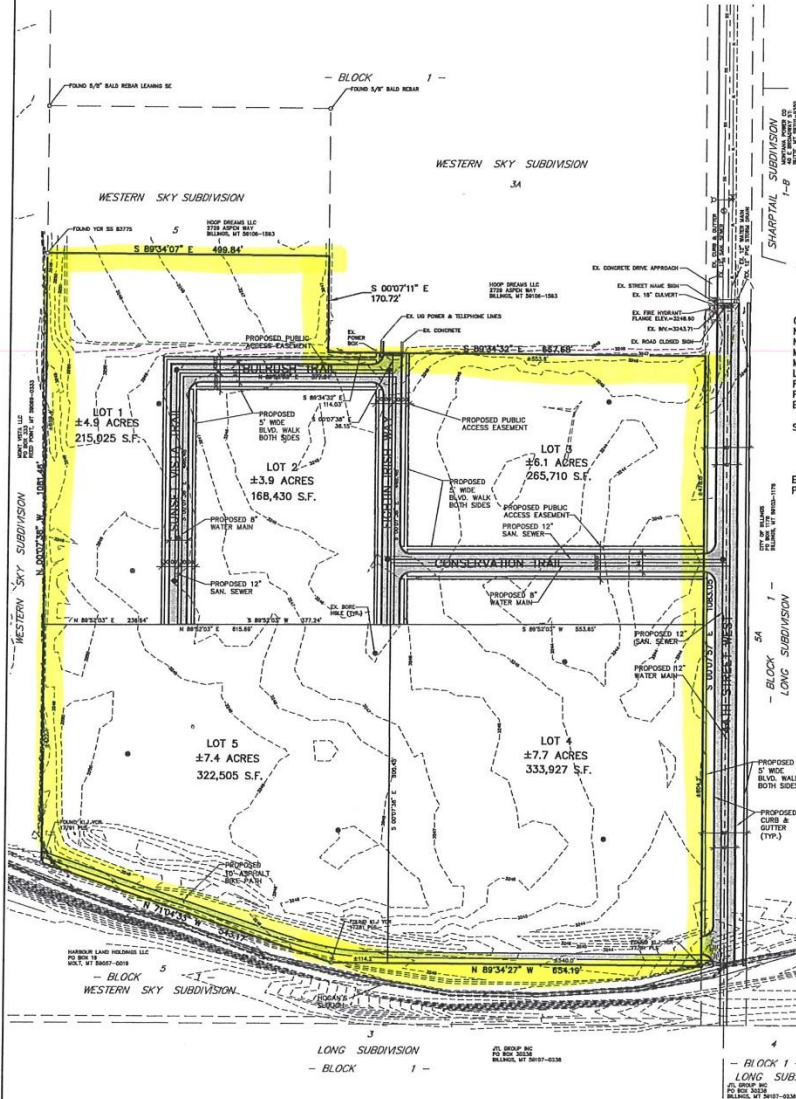
OCTOBER, 2018

PREPARED BY : SANDERSON STEWART

BILLINGS, MONTANA



VICINITY MAP  
 NOT TO SCALE



**PLAT DATA**

GROSS AREA	=	29.97 ACRES
NET AREA	=	29.97 ACRES
NUMBER OF LOTS	=	5 LOTS
MINIMUM LOT SIZE	=	±3.9 ACRES
MAXIMUM LOT SIZE	=	±7.7 ACRES
LINEAL FEET OF STREETS	=	0
PARKLAND REQUIREMENT	=	3.30 ACRES
PARKLAND DEDICATION	=	0
EXISTING ZONING	=	RMF-R/R7000 /PUBLIC
SURROUNDING ZONING:		
NORTH	=	RMF-R/PUBLIC
SOUTH	=	PUBLIC
EAST	=	PUBLIC
WEST	=	R8500
EXISTING LAND USE	=	AG
PROPOSED ZONING	=	RMF-R/RM

# EXHIBIT A

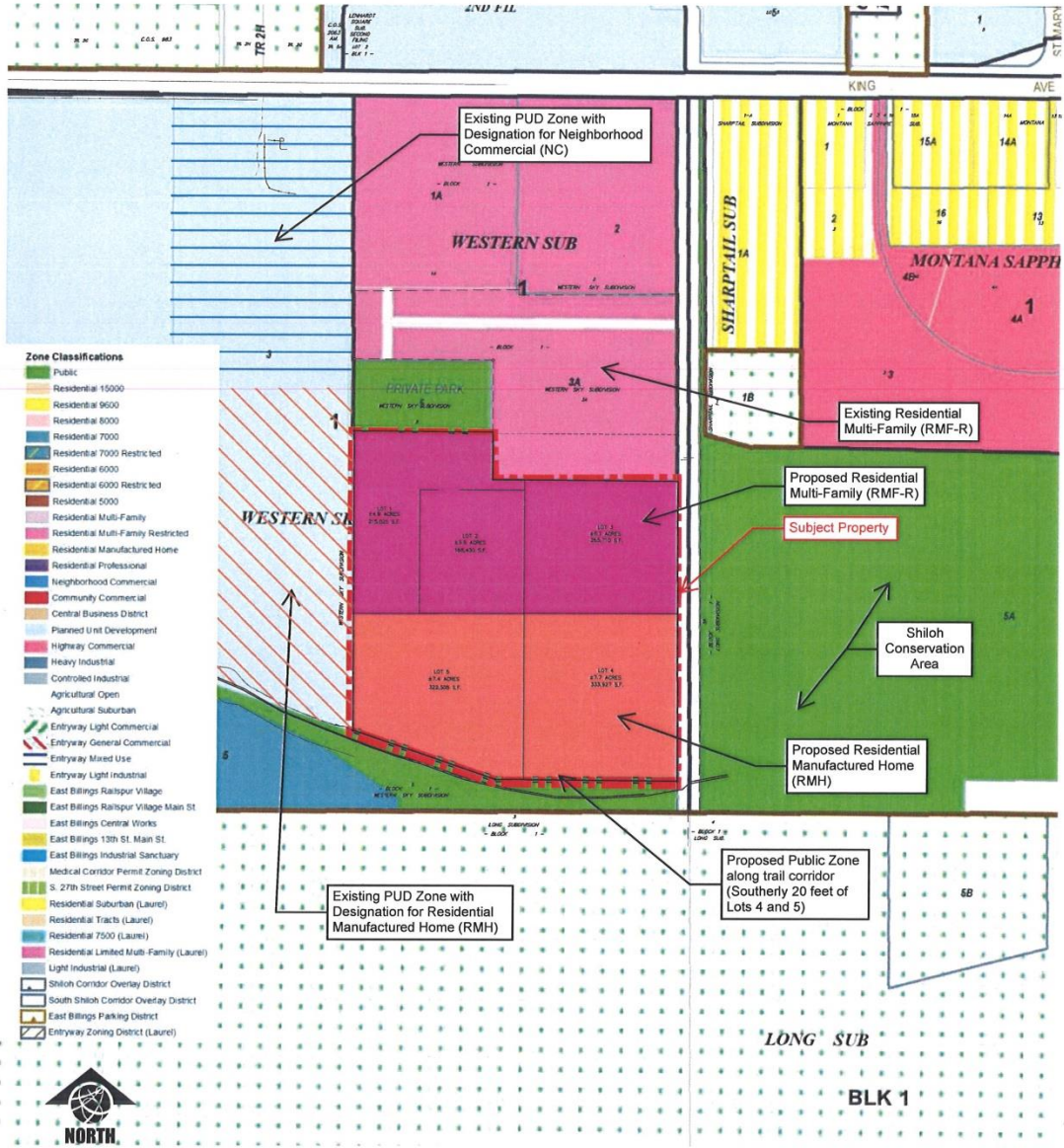
## ZONE CHANGE EXHIBIT

PREPARED FOR : PROPIEDAD, LLC.

OCTOBER, 2018

PREPARED BY : SANDERSON STEWART

BILLINGS, MONTANA



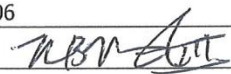
SCALE: 1"=500'

**Pre-Application Statement of Owner(s) or Agent(s)**

The owner(s), contract purchasers (if any) and agents (if any) are required to submit this completed form and any attachments along with a completed zone change application packet, including any required fees, for a zone change to be processed by the Planning Division.

1. **Present Zoning:** RMF-R, R-7000, and Public \_\_\_\_\_
2. **Written description of the Zone Change Plan** including square footage or acres of proposed new zoning: RMF-R 14.9 acres; RMH 14.5 acres; Public 0.55 acres \_\_\_\_\_
3. **Subject Property Map:** please attach to this form
4. **Legal Description of Property:** Lot 2A-1, Block 1 Western Sky Subdivision \_\_\_\_\_  
(Proposed 44 West Subdivision Lots 1-5, Block 1)
5. **Neighborhood Task Force Area:**  Yes // No . If Yes, Name of Task Force and mailing address of Chairperson: Tiffany Wardell, Westend Task Force; 1309 Daybreak Dr.; Billings, MT 59106 \_\_\_\_\_
6. **Roster of persons who attended the pre-application neighborhood meeting:** please attach to this form
7. **A copy of the meeting notice.** please attach to this form
8. **A brief synopsis of the meeting results.** please attach to this form
9. **The undersigned affirm the following:**
  - 1) The pre-application neighborhood meeting was held on the 29th, day of October, 2018.
  - 2) The zone change application is based on materials presented at the meeting.

**Owner (s):** CK Land, LLC. Telephone: \_\_\_\_\_  
Address: 2729 Aspen Way Email: \_\_\_\_\_  
Billings, MT 59106

**Owner (s):** Propriedad, LLC.  Telephone: (406) 208-7691  
Address: P.O. Box 20853 Email: rmorehead@bigskyed.com  
Billings, MT 59104

**Agent (s):** Sanderson Stewart Telephone: (406) 869-3343  
Address: 1300 N. Transtech Way Email: balexander@sandersonstewart.com  
Billings, MT 59102

## MEETING MINUTES

<b>PROJECT: 44 West Subdivision</b>			
Project No: 18080			
Meeting Location: Sanderson Stewart		Meeting Date: 10/29/18	
Meeting Subject: Zone Change		Prepared by: Bryan Alexander	
Attending:	(see attached sign-in sheet)	Bryan Alexander	Bill Morgan
Rick Leuthold	Rob Morehead	Jane Kukes-Penny	
Date of Issue: 10/30/18			

Minutes:

Bryan Alexander presented the following information:

### EXISTING PROPERTY

- Lot 2A-1, Block 1 of Western Sky Subdivision
- 30 Acres in size
- Existing surrounding development
  - North is existing residential multi-family housing
  - East is 44<sup>th</sup> Street West right-of-way and the Shiloh Conservation Area
  - South is the Hogan's Slough and Knife River pit (future Montana Lakes city project) and undeveloped property to the southwest (Harbour Land Holding)
  - West is undeveloped property (Mont Vista LLC)
- Existing zoning
  - Site currently is zoned RMF-R on north half, R-7000 south of that, and Public in the northwest corner and along Hogan's Slough
  - Adjacent zoning:
    - North is RMF-R
    - East is Public
    - South is Public along Slough and Agricultural Open Space in the Knife River pit
    - Southwest is R-7000 (Harbour Land Holding)
    - West is PD zone with RMH immediately adjacent with other areas NC, CC, and RMF (Mont Vista LLC)

## PROPOSED PROPERTY

- 5-lot Minor Subdivision called “44 West Subdivision”
- Zoning:
  - Proposed zone change maintains existing RMF-R zoning but adjusts boundary to match proposed property lines.
  - The existing R-7000 zone is to be replaced by RMH
  - The Public Zone in the northwest corner will become part of the RMF-R zone and the limits of the Public Zone along Hogan’s Slough will be adjusted to the limits of the trail corridor.
    - Cash-in-lieu for Parks will be provided as part of the platting process.
  - Density Variance or Planned Unit Development to increase density to allow more urban/high-density development similar to what McCall Development is doing in Josephine Crossing and Annafeld
- Development Plans:
  - The developer intends to develop the northerly 3 lots (15 acres; RMF-R zone) into small single-family and twin homes. Each lot will be a separate project that will be reviewed under the City’s master site plan process.
  - The developer intends to develop the southerly 2 lots (15 acres; RMH zone) into a residential manufactured home park.
- Preliminary Plat application includes TIS, Geotechnical Report, and Storm Report that will be part of that package. Preliminary plat submittal will occur on November 1<sup>st</sup>.
- Zone change application will be submitted on November 5<sup>th</sup>.

## QUESTIONS

Jane Kukes-Penney (*representing McDonald Land, which owns triangular property to the southwest of the site*):

- Will there be certain specifications or requirements for homes in the manufactured housing park?
- Rob Morehead answered:
  - They desire a higher end park with strict CC&Rs. Rob suggested the Shiloh Village is a similar park that is a high-end and well-managed park though it is starting to get somewhat dated.
  - Manufactured homes would be single and double-wide of newer construction.
  - The homes on the north portion of the property will be 700 – 1,200 SF houses with walkways and landscape. The target demographic for these homes is transitional housing such as young families and older people prior to the need for assisted living.
  - A clubhouse is also planned for the neighborhood.
  - A primary objective of the development is to tie into the Shiloh Conservation area with trails and walkways.

Jane Kukes-Penney:

- Is there a vision for fences, landscape, or trees to screen the park?
- Rob Morehead answered:
  - Prefer not to use fences, but instead utilize trees and landscaping including berming and stone blocks to create an aesthetic buffer around the park.
  - Internal to the park and to the small home developments, they want to utilize landscape, hardscape, and walks to create common spaces for the residents.
- Jane stated that the family (McDonald Land) will likely have no problem with the project as presented.

