

Attachment A

Staff Analysis and Recommendation

City staff have reviewed the request (See Request Letter included below this analysis) for a variance from Section 23-406 - Streets and Roads (6), City of Billings Subdivision Regulations has been requested. **Dead-end Roads.** The maximum allowable length of dead-end road is six hundred (600) feet. The applicant is asking for a variance from a maximum of a 600-foot dead end road to a maximum dead end length of 800 feet.

City Staff has reviewed this request and is recommending approval of this variance. City Fire Department feels this request is not a problem because they will be installing the required fire suppression systems as required by regulations. They are also providing a cul-de-sac end that is large enough to allow fire trucks to turn around. This will requested variance is allowable because they are providing all the needed requirements to still allow for a safe and functional road with all the needed safety measures in place.

1. The granting of the variance will not be detrimental to the public health, safety, or general welfare or injurious to other adjoining properties. The granting of the variance would not be detrimental to public health, safety and general welfare to any other adjoining properties as the cul-de-sac is only within this proposed subdivision and does not cut off any surrounding property.

2. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, an undue hardship to the owner would result if the strict letter of the regulation was enforced. There are no particular physical surroundings, shape or topographical condition of the land that would prevent the applicant from building a 600 foot dead end road but it would restrict the ability to have 3 lots meet a public road.

3. The variance will not result in an increase in taxpayer burden; The variance will not increase taxpayer burden. There would be no change in taxes for surrounding property owners.

4. The variance will not in any manner place the subdivision in nonconformance with any adopted zoning regulations or Growth Policy; The variance does not place this subdivision in nonconformance of any adopted zoning.

5. The subdivider must prove that the alternative design is equally effective and the objectives of the improvements are satisfied. This alternative design allows for 3 lots to have access from a road that will be built to City of Billings road standards and allow for the future build out within the subdivision. It will also provide the ability to connect internal roads creating, in the future, multiple ways in and out of the subdivision.

Therefore, staff is recommending approval of the proposed variance to the Billings City Council.

May 29, 2019

Mr. Dave Green, Planner II
Billings City-County Planning Division
2825 3rd Avenue North, 4th Floor
Billings, MT 59101

Reference: Western Sky Subdivision, 2nd Amended – Variance Request

Dear Dave:

Per our earlier discussions, the cul-de-sac that is comprised of South 46th Street West and Crescent Street is approximately eight hundred feet long. This exceeds the six hundred feet allowed under Section 23-406-Streets and Roads (6). Due to design constraints revolving around the previously platted property to the east and the size of the parcels being accessed within this subdivision, it is not in the best interest of the developer or the City of Billings to adhere to the strict interpretation of the subdivision regulation. Following review of this matter with you, City Engineering and the Billings Fire Department, all of which are verbally indicating support of this variance, we respectfully submit and request a variance from the strict interpretation of Section 23-406-Streets and Roads (6) to allow for the platting of a cul-de-sac of approximately eight hundred feet within Western Sky Subdivision, 2nd Amended. The following are responses to the five findings as required under the applications.

1. By granting the variance, there will be no detriment to the public health, safety, or general welfare or injurious to other adjoining properties.
2. If the strict letter of the regulation was enforced, the shape of the parcels being created and the physical improvements to the parcels within the subdivision and to those in the adjacent platted property would need to be significantly altered such that an undue hardship upon the owner would result and the resulting development would not be in the best interest of the developer and the City of Billings.
3. There will be no additional tax burden associated with this variance.
4. The granting of this variance will not lead to nonconformance with the adopted zoning regulations or Growth Policy, in any manner.

5. The alternative design of South 46th Street West and Crescent Street is equally effective in providing access to the traveling public and emergency services for the areas being platted, thereby satisfying the required objectives under the subdivision regulations.

You will also find the application and fee attached hereto. Thank you for your time and consideration regarding this variance. We are happy to address any questions or comments you might have and look forward to your favorable review and recommendation.

Respectfully submitted,



Rick Leuthold, PE, LEED AP
Chairman/Dir. Of Business Development

RDL/bc
c: Mont Vista LLC
P: 05082.05_Variance_Request_Ltr_052919_SC

PRELIMINARY PLAT OF WESTERN SKY SUBDIVISION, 2ND AMENDED

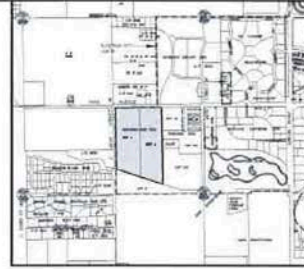
BEING LOTS 3 & 4, BLOCK 1, WESTERN SKY SUBDIVISION
SITUATED IN THE NW1/4 OF SECTION 15, T. 1 S., R. 25 E., P.M.M.,
IN THE CITY OF BILLINGS, YELLOWSTONE COUNTY, MONTANA

PREPARED FOR : MONT VISTA, LLC

MAY, 2019

PREPARED BY : SANDERSON STEWART

BILLINGS, MONTANA



VICINITY MAP

NOT TO SCALE

ZONING DATA

COMMUNITY COMMERCIAL	= 48.5 ACRES
NEIGHBORHOOD COMMERCIAL	= 45.2 ACRES
RESIDENTIAL MULTI-FAMILY	= 415.2 ACRES
RESIDENTIAL / RMH	= 431.1 ACRES

NOTE: FIRE HYDRANTS SHALL BE SPACED
A MAXIMUM OF THREE HUNDRED FEET ON
KING AVENUE WEST, SOUTH 48TH STREET
WEST & SOUTH 46TH STREET WEST



SCALE: 1" = 100'

PLAT DATA

GROSS AREA	= 65.9 ACRES
NET AREA	= 45.93 ACRES
NUMBER OF LOTS	= 5
MINIMUM LOT SIZE	= 43.1 AC
WARRANTY LOT SIZE	= 431.1 AC
LINEAL FEET OF STREETS	= 280 LF
PARKLAND REQUIREMENT	= (SEE S.I.A.)
PARKLAND DEDICATION	= CASH-IN-LIEU
EXISTING ZONING	= PLANNED UNIT DEVELOPMENT
SURROUNDING ZONING	
NORTH	= AG-OPEN & P.U.D.
SOUTH	= PUBLIC & R-7000
EAST	= PUBLIC, R-7000, & R.S.F.
WEST	= AG-OPEN & R-10000
EXISTING LAND USE	= VACANT
PROPOSED LAND USE	= COMMERCIAL/RESIDENTIAL DEVELOPMENT

LEGEND

M	WATER VALVE	-3157-	DOSTING CONTOURS
H	FIRE HYDRANT	-W	WATER
+	CURB STEP	-SS	SANITARY SEWER
⊙	DE WELL	-S	STORM DRAIN
⊙	WARRANTY DRIVE MARKERS	-T	TELEPHONE
⊙	STORM DRAIN MARKERS	-G	GAS
⊙	CATCH BASIN	-P	POWER
⊙	TELEPHONE PEDestal	-FO	FIBER OPTIC
⊙	FIBER OPTIC PEDestal	-DP	ENDHEAD POWER LINE
⊙	POWER POLE	(TYP)	TYPICAL
⊙	CONCRETE	-	SKIN
⊙	TELEPHONE MARKER	-	SKIN
⊙	TV CABLE BOX	-	SKIN

