



ZONE CHANGE PRE-APPLICATION MEETING AFFIRMATION



The owner(s), contract purchasers (if any) and agents (if any) are required to submit this completed form and any attachments along with a zone change application.

Check one: City of Billings Zone Change Yellowstone County Zone Change

Property Address North of Mission Oaks Dr, between Morocco Dr. and Matador Ave.

Legal Description Lots 17-25, Block 31, proposed High Sierra Subdivision 16th Filing

Present Zoning R-70R Residential 7,000 Restricted

Proposed Zoning R-50 Residential 5,000

Neighborhood Task Force Area? Heights Task Force

Task Force Chairperson Jennifer Owen

Task Force Chairperson Mailing Address jennifer@designing-trust.com

Required Uploads to Online Project Attachments:

- o Zone Change Pre-application Meeting Affirmation Form
- o STATEMENT:
Written description of the Zone Change Plan including square footage or acres of proposed new zoning.
- o Subject Property Map
- o Roster of persons who attended the pre-application neighborhood meeting
- o Meeting Notice and a brief synopsis of the meeting results

Affirmation:

1) The pre-application neighborhood meeting was held on: 05/26/2020

2) The zone change application is based on materials presented at the meeting.

Recorded Owner(s) Gary Oakland/High Sierra II, Inc.

Owner's Address 175 N. 27th Street, Suite 900, Billings, MT 59101

Owner's Phone Number 406-248-3641 E-mail goakland@oaklandcompanies.com

Applicant/Agent Sanderson Stewart c/o Gary Owen

Applicant/Agent's Address 1300 N. Transtech Way, Billings Mt 59102

Applicant/Agent's Phone Number 406-869-3342 E-mail gowen@sandersonstewart.com

Date 06/01/2020

**Additional information may be required as determined by the Zoning Coordinator in order to fully evaluate the application.



ZONE CHANGE REQUEST



The undersigned as owner(s) of the following described property hereby request a Zone Change as outlined in the Yellowstone County Regulations.

Check one: **City of Billings Zone Change** **Yellowstone County Zone Change**

Address North of Mission Oaks Dr, between Morocco Dr. and Matador Ave.

Legal Description Lots 17-25, Block 31, proposed High Sierra Subdivision 16th Filing

STATEMENT: Answer the following questions on a separate document and upload to the online project attachments.

1. In what ways is your proposal consistent with the goals and policies of the adopted Growth Policy?
2. Explain your need for the intended zone change and why the property cannot be used under the existing zoning.
3. Explain how the new zoning will fit in with the existing zoning and land uses of the immediate area.

REQUIRED UPLOADS Online Applications: <https://services.billingsmt.gov/citizenaccess/>

--Pre-Application Statement of Owner(s) or Agent(s) affirming pre-application meeting was held, and include the following: 1) the pre-application neighborhood meeting was held, and 2) the zone change application is based on materials presented at the meeting. Include a copy of the meeting notice, written materials mailed or provided at the meeting, the sign-in sheet of attendees, and a brief synopsis of the meeting results.

--Signed Application and Zone Change Statement (Zone Change questions)

--Site Plan

--Typed Mailing Labels Certified Surrounding Property Owners

--Radius Map & Certified List of Property Owners

I understand that the filing fee accompanying this application is not refundable, that it pays for the cost of processing, and that the fee does not constitute a payment for a Zone Change. I attest that all the information presented herein is factual and correct.

Recorded Owner(s) **Gary Oakland/High Sierra II, Inc.**

Owner's Address **175 N. 27th Street, Suite 900, Billings, MT 59101**

Owner's Phone Number **406-248-3641** E-mail **goakland@oaklandcompanies.com**

Applicant/Agent **Sanderson Stewart c/o Gary Owen**

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Applicant/Agent's Phone Number **406-869-3342** E-mail **gowen@sandersonstewart.com**

Signature of Recorded Owner(s)

Date **06/01/2020**

AUTHORITIES: Procedures and Review Criteria for Zone Change requests Billings Montana City Code (BMCC) Section 27-1502 et seq. SEC. 27-1502. AMENDMENTS TO CHAPTER. (a) General. This chapter, including the official zoning map, may be amended only by the city council but no amendment shall be finally approved by the city council unless it has been submitted to the city zoning commission for review and recommendation. Proposals to amend this chapter, including the official zoning map, may be initiated by the city council or by the board of planning. Proposals to amend this chapter, except for the official zoning map, may also be initiated by the city zoning commission. Before enacting an amendment to this chapter, the city council shall give public notice and hold a public hearing thereon. Before enacting on its own motion an amendment to the official zoning map, the city council shall provide written notification by mail of such amendment to each property owner whose name appears on the last tax record of the property subject to the amendment. The notification shall include what the proposed amendment is, the time, date and place of the public hearing on the proposed amendment. Such notification shall be made no less than fifteen (15) days nor more than thirty (30) days in advance of the date of public hearing.

AUTHORITIES: Procedures and Review Criteria for Zone Change requests Unified Zoning Regulations Section 27-1508 et seq. SEC. 27-1508. AMENDMENTS TO CHAPTER. (a) General. Although each zoning district is primarily intended for a predominant type of use, there are a number of uses which may or may not be appropriate in a particular district depending upon all the circumstances of the individual case. For example, the location, nature of the proposed use, the character of the surrounding development, traffic capacities of adjacent streets and potential environmental effects, all may indicate that the circumstances of the development should be individually reviewed. It is the intent of this chapter to provide a system of review of such uses so that the community is assured that the uses are compatible with their locations and with surrounding land uses, and will further the purpose of this chapter and the objectives of the comprehensive plan. ****Additional information may be required as determined by the Zoning Coordinator in order to fully evaluate the application.**

MEETING MINUTES

PROJECT: Zone Change Amendment - High Sierra Subdivision, 16th Filing			
Project No: 82061.134			
Meeting Location: Virtual Video/Call meeting via Microsoft Teams		Meeting Date: 05/26/20 5:30 P.M.	
Meeting Subject: Neighborhood Meeting/Zone Change Amendment		Prepared by: Teri Tritz	
Attending:	(see attached sign-in sheet)	Gary Owen	Sanderson Stewart
Mac Fogelsong	Sanderson Stewart	Landy Leep	High Sierra II Inc
Jennifer Owen	Heights Task Force	Teri Tritz	Sanderson Stewart
Carol Johnson	Ron Hill Representative	Trent Parks	Developer
Date of Issue: 05/29/20			

Minutes:

- In addition to Gary Owen, the other parties attended the meeting are listed below:
 - Landy Leep, representing the ownership, High Sierra II, Inc.
 - Trent Parks, Developer
 - Jennifer Owen, with the Billings Heights Task Force.
 - Carol Johnson, on behalf of Ron Hill
 - Mac Fogelsong, with Sanderson Stewart.
 - Teri Tritz, with Sanderson Stewart taking notes.
- Mr. Owen gave a general overview of the purpose for this neighborhood meeting, which is that the City of Billings requires a pre-application neighborhood meeting for any zone change request on property located within the city. He further clarified that the proposed zone change request for this property involves a zone change from the current R-7000 Restricted to the proposed R-5000 with a variance to allow up to 50% lot coverage. The proposed zone change would allow for duplex homes on the 2.4 acres of land with 18 units compared to the current zoning with only 13 units. The proposed R-5000 zoning allows for single family and duplexes, but does not allow larger multi-family units.
- Jennifer Owen posed the question on why the higher density living units is becoming more prevalent in the Heights. It was discussed that while these lots would house duplexes, the rest of the High Sierra Development has been single-family homes and the new 14th Filing

was adding 88 single-family lots, currently. The duplexes themselves would be a single level home intended for the retirement community market.

- Jennifer Owen also asked if the Heights water would be impacted by the new development. The lots within High Sierra Subdivision, 16th Filing are served by the City of Billings and therefore will not be affected by the Heights Water District.
- No other questions regarding the Zone Change were received or brought up by anyone else on the mailing invitation list.
- The meeting adjourned at 5:55pm.

June 1, 2020
Project No. 82061.134

PROPOSED HIGH SIERRA SUBDIVISION, 16th FILING ZONING MAP AMENDMENT

Statement of Proposal

The owner, Mr. Gary Oakland/High Sierra II, Inc., is seeking a zone change Map Amendment for a portion of proposed High Sierra Subdivision, 16th Filing, which is located between Morocco Drive and Matador Avenue and north of Mission Oaks Drive in Billings Heights. The overall area requested for a zone change is approximately 2.4 acres. The site is currently annexed in the City of Billings and has been used for agricultural purposes.

The property is currently zoned Residential 7000-Restricted. The applicant is requesting a zone change from Residential 7000-Restricted to Residential 5000. It is the intent of the applicant to construct one level duplex homes on the property. Please note, because the owner intends to construct single level duplexes on the lots, a variance to allow up to 50% lot coverage is also being requested with this zone change. The variance request is a separate process and is running concurrent with the zone change request.

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?

Goal 1. ESSENTIAL INVESTMENTS (relating public and private expenditures to public values)

The adjacent properties include a mix of zoning and uses. This proposed development will provide another housing type within the existing High Sierra Subdivision, located immediately north and west of the subject property. The intent of the zone change is to allow the construction of duplex homes on the lots. This housing type has been very well received in developments adjacent to High Sierra Subdivision. The location of the High Sierra Subdivision, and the product type offered in this project, is also expected to be very well received by the market. It is anticipated the demand for housing in the Billings Heights will continue to be strong.

City of Billings infrastructure serves this portion of High Sierra Subdivision and services are currently being extended to the subject parcel with the construction of High Sierra Subdivision, 14th Filing. The services will be extended into this property at the time of development. The costs associated with providing on-site infrastructure and utility services to the project will be the responsibility of the developer.

Main water and sewer distribution lines will be sized to handle current and future needs to eliminate costly future replacement and/or upgrade costs. All plans will be required to design and construct improvements in accordance with City of Billings standards.

Goal 2: PLACE MAKERS (Enhance, maintain, preserve, and improve public places)

The proposed development plan of High Sierra Subdivision includes a neighborhood park area that would be the public gathering spot within the neighborhood. The proposed neighborhood park will be dedicated with High Sierra Subdivision, 14th Filing and is approximately 5.3 acres in size.

Also, School District No. 2 owns large tracts of land on the south side of Mission Oaks Drive that are planned for a future school site. Once a school is constructed and the property is developed, it is anticipated there will be recreational fields and potentially play equipment would be located on the property. The construction of the school would directly benefit the proposed development.

In addition, the City of Billings Heights Dog Park is located within 1-mile of the property. This would allow the proposed residents of the property another valuable opportunity to utilize existing City of Billings facilities and improve the quality of life of the residents.

Goal 3: COMMUNITY FABRIC (attractive, aesthetically pleasing, uniquely Billings)

The proposed zoning will provide multiple housing types and provide a very walkable community. The development would provide rental and ownership housing options for the city's diverse workforce. The property is already in an area influenced by growth and development within the City of Billings. As the City expands, this area will become increasingly urbanized.

Goal 4: STRONG NEIGHBORHOODS (livable, safe, sociable and resilient neighborhoods)

The zone change will provide for development of the property in a logical manner, fitting with the existing surrounding zoning. The intent is to provide a diversity of housing types within walking distance of schools and future commercial amenities (along Gleneagles Boulevard and Wicks Lane). A neighborhood park, existing and future schools, connected by a network of sidewalks, will provide a public gathering spots from children to grandparents.

Goal 5: HOME BASE (healthy, safe and diverse housing options)

The proposed development is intended to provide the City of Billings with affordable and safe housing option. The development will receive police protection from the City of Billings Police Department and fire protection from the Billings Fire Department. Services provided include: fire suppression, emergency medical response, dispatch and communication services for local fire, police and ambulance services, hazardous materials response and vehicle accident extrication. The Billings

Fire Department Fire Station No. 6, located at Wicks Lane and St. Andrews Drive, is the closest station to the subject property being approximately 1.6 miles from the property.

Goal 6: MOBILITY AND ACCESS (transportation choices in places where goods and services are accessible to all)

The adjacent improvements will be constructed to City of Billings standards, which will include the construction of 5-foot boulevard sidewalks. These sidewalks will promote safety by allowing the residents the ability to safely travel to adjacent parks and schools. The proposed development has also been evaluated for traffic impacts which will promote safety.

Goal 7: PROSPERITY (promoting equal opportunity and economic advancement) - enable "a diverse, welcoming community where people prosper, and business succeeds."

The intent of this development is to build 1-story duplex units that will provide the community with an accessible and economical housing option. The units will be inclusive of first-time home buyers with small children to senior citizens looking for a single level housing option. The development is anticipated to complement existing choices and for residents to have access to reasonable housing choices, thus helping to stabilize the employment base and provide better jobs to households. The intention is for this neighborhood to provide highly sought-after housing opportunities.

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 existing zoning does not allow for the construction of duplex units. Duplex units have been constructed in subdivisions adjacent to the High Sierra Subdivision. It is anticipated the proposed zoning should complement the existing neighborhood, meet a demonstrated market demand for residential development, provide a variety of housing options, and provide an attractive overall development plan of which the applicant and the community can be proud.