



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 **ZC-980**
759 Newman Ln

Legal Description **Pinnick subd 3rd Filing, S09, T01 S, R26 E, block 5, lot 1, Less N110FT & Less 7847.3' for King Ave (09)**

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.

Pz x-20-137

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) **Christ the King Lutheran Church**

Owner's Address **759 Newman Ln**

Owner's Phone Number **406-252-9250** E-mail **michael@ldinc.net**

Applicant/Agent **Collaborative Design Architects**

Applicant/Agent's Address **2280 Grant Rd. , Ste. C**

Applicant/Agent's Phone Number **406-248-3443** E-mail **keith@cd-mt.com**

Signature of Recorded Owner(s)

Date **7/2/2020**

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**

Applicant Letter

COLLABORATIVE DESIGN

ARCHITECTS

2280 Grant Road Suite C Billings, MT

T. 406.248.3443 F. 406.248.3765

collaborativedesignarchitects.com

**CHRIST THE KING LUTHERAN CHURCH
759 Newman Ln
Billings, MT 59101**

ZONE CHANGE APPLICATION:

Pre-Application Meeting;

Date: June 29th, 2020
Time: 7:00pm
Location: Christ the King Lutheran Church
759 Newman Ln.
Billings, Montana

Meeting Notice: See attached letter (s)

Letter to property owners – per verified property owner 300feet radius list.

Letter to Neighbors

Hand out information at meeting: See attached.

Sign in Sheet: See attached

Brief Synopsis of meeting;

Three property owners came to the meeting.

In addition to the three property owners 5 church members attended the meeting along with the Architect.

The meeting started at approximately 7:05pm. Keith Myhre explained, briefly, the church's desire to build a new facility on their existing property.

However, due to the current zoning, the church would not be allowed to build the new facility. So a zone change will be required.

Copies of the site plan showing the proposed new building along with basic information about the zone change application and schedule were handed out to those attending.

The property owners who attended were, overall, supportive of the church remaining and improving their property. There were several questions the property owners had that were answered at the meeting.

Those questions were as follows;

1. Property owner wanted to know if there would still be room on the church's side of her fence to allow tree trimmers to come and trim her trees. The church answered by saying the existing utility easement which separates the two properties will be maintained and that the church would make sure access to these areas would not be blocked.

2. Property owner asked about the parking lot lighting and voiced her concern with the possibility of lights shining into her house at night. The church answered by saying the new parking lot lights would meet the current night sky and will be full cutoff shielded fixtures.
3. Property owner asked about the cell phone tower and if the church knew when the tower would be switched to 5G. He voiced his concern about being exposed to the 5G and possible health problems it could cause. The church answered by saying they have no say or ownership in the cell tower.
4. Property owner asked about the location of the new church building and parking lot on the existing site. The architect explained the location in relation to the existing building and Newman.
5. Property owner asked "Will Newman Lane be widened or impacted?" A: No, no curb cuts will be changed, the road will not be widened.

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

Answer: This project meets the goals of the Adopted Growth Policy by performing improvements to a property within the existing City Limits where City infrastructure exists. The proposed improvements to the property will also strengthen the neighborhood. The new facility will improve the aesthetics of the current property. These are stated goals of the adopted Growth Policy.

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.

Answer: The current zoning does not allow the property to be improved upon in its current use. The current use is a church. The current zoning does not allow church's (a non-conforming use) and therefore does not allow improvements to the existing facilities.

The new zoning will fit in with the existing land use by allowing and existing use (church) to continue and allowing that continued use to improve their property.

COLLABORATIVE DESIGN

A R C H I T E C T S

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CHRIST THE KING LUTHERAN CHURCH 759 Newman Ln Billings, MT 59101

TO; Property Owner

Date; June 19, 2020

Re; Zone Change Application - Pre-application Neighborhood meeting.

Dear Property Owner,

This letter is to inform you of an upcoming pre-application neighborhood meeting that you are invited to attend.

The meeting will occur on Monday June 29, 2020 at 7:00pm.

The location of the meeting will be at Christ the King Lutheran Church. 759 Newman Ln, Billings, MT.

CDC Covid 19 protocols will be observed.

Sincerely,

Keith Myhre, AIA

EXISTING ZONING: ENTRYWAY GENERAL COMMERCIAL

PROPOSED ZONING: RESIDENTIAL COMMERCIAL or NEIGHBORHOOD COMMERCIAL



CHRIST THE KING LUTHERAN CHURCH (LCMS)

759 Newman Lane • Billings, MT 59101
406.252.9250 www.ctkbillings.org

Rev. Ryan D. Wendt

Adult Bible Class and Children's Sunday School 8:45AM
Sunday Divine Service 10:00AM, Advent and Lent Midweek Services 7:00PM



6-23-2020

Dear Neighbors,

By now you have received a letter from Collaborative Design Architects regarding a zone change application and announcing a public meeting at Christ the King on Monday June 29th at 7pm.

We thought that it might be beneficial to give you some additional information about our plans. Some time ago the leadership of Christ the King sat down to consider our future at this location. We looked carefully at our needs and also seriously considered the well-being of our neighbors. We all agreed that it was good for us and for our neighbors that we remain on this site and work to add beauty and value to our neighborhood.

Now, we are in the fortunate position to build a new building on our current site that will meet our growing needs. Our plan is a modest expansion coupled with landscaping and an overall beautification of the site. To this end, we are seeking a zone change that is more neighborhood friendly and that better fits the actual use of the property by a church.

The city had planned a zone Re-Code at the beginning of this year that would have made a zone change unnecessary, however, the zone Re-Code was delayed until 2021 due to budget constraints and Covid-19. We have decided not to wait for the zone Re-Code to be completed by the City so we have taken steps to make this zone change now. This new zoning will only be in place until the zone Re-Code occurs, at which point, the zoning will be rewritten for all properties within the city, including ours. The bottom line is that there will continue to be a church at this location. Seeking a zone change now allows us to break ground on our new project and not be tied to the City's uncertain schedule.

We want you to know that we are fully committed to being part of this neighborhood and sincerely hope that we can count on your support for this zone change. Please come to our public meeting to learn more about our plans.

In Christ,

Pastor Wendt and the members of the Christ the King Building Committee.

BE FAITHFUL UNTO DEATH, AND I WILL GIVE YOU THE CROWN OF LIFE. – Revelation 2:10