

Application & Applicant Letter

APPLICATION FORM

CITY VARIANCE

ID: Billings Variance # 1346 - Project # PZX-22-00114

The undersigned as owner(s) of the following described property hereby request a Variance from the terms of the City of Billings Zoning Regulations.

PROPERTY TAX ID # A34337 CITY ELECTION WARD # 5

Legal Description of Property: CARDWELL RANCH SUB 1ST FILING (10), S01, T01 S, R25 E, BLOCK 2, Lot 15A, AMD (18)

Address or General Location (If unknown, contact City Engineering): 1310 30th St West, Billings MT, 59102

Zoning Classification: PD-Planned Development

Size of Parcel (Area & Dimensions): 6.88 AC

Covenants or Deed Restrictions on Property: Yes X No

If yes, please attach to application

Variance(s) Requested: Maximum Height of Buildings to be 45 feet and to allow garages to count as parking with stacked spaces in front and to waive the 20% increase for dedicated stalls.

Facts of Hardship: (attach letter)

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

Owner(s): YEGEN GRAND AVE FARM INC (Recorded Owner) PO BOX 959 BILLINGS, MT 59103

(Address)

(Phone Number)

(email)

Agent(s): Steward Land Holdings LLC

(Name) 1708 E 5550 S Ste 18 Ogden, UT 84403

(Address) (801) 309-0399

brad@stewardland.com

(Phone Number)

(email)

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 Variance. Also, I attest that all the information presented herein is factual and correct.

Signature: [Handwritten Signature] - Recorded Owner Date: 5-2-22

Date Stamp



Dear Chairperson,

Our intention is to build a high-end apartment project within the Cardwell Ranch Project as shown in the attached site plan. It is our opinion that this particular location is ideal for a higher-end, 'legacy' project.

We are requesting a variance on the allowable maximum building height and for an adjustment in the interpretation of the parking code.

#### **Height Variance**

The current PUD ordinance has a height limit of forty-five (45) feet from ground level. The current Design Guidelines, which are referenced as a requirement in the ordinance, have a maximum height for multifamily residential buildings of forty (40) feet. We are requesting an adjustment to the Design Guidelines to allow up to forty-five (45) feet.

The reason for the request for the variance is to allow for a 4-story building while still providing adequate room for architectural roof elements consistent with the existing and future development of Cardwell Ranch. A 4-story product will provide a different, but complimentary, housing option within Cardwell Ranch. This project will be complete with interior corridor, elevator service, upgraded amenities and finishes, all of which are not justified or are at least limited on a three-story project.

The current plan has been reviewed by the Cardwell Ranch Design Review Committee, and they are in support of our plan and agree that that it goes well with the overall development.

This project also aligns strongly with the goals of the City of Billings. It will contribute a new and needed element to a developing community in Cardwell Ranch that will provide an interconnected neighborhood, complete with gathering places, parks, and a diversity of housing options.



### **Parking Variance**

The interpretation of current parking code or 'Recode' as it has been called, is calling for a 20% increase in parking for having dedicated parking spaces, and is not allowing stacked parking spaces or including the garage stalls in the parking calculations.

When we originally went under contract on this property and started designing, our design professionals used, what we were under the impression was the current design standards, which seemed adequate and inline with current industry standards.

Our current design includes 409 stalls (including 79 garages), which would equate to a parking ratio of 1.64 stalls/unit. If we were to have the recommended 482 stalls, that would be a parking ratio of 1.93 stalls/unit without counting the garages. If we also had 79 garages, that would be a total of 2.25 stalls/unit, which is well above the industry standard and would lead to a "sea of parking" that cities typically try to avoid.

We had a Market Study done by Western States Multifamily in which they analyzed the Billings market and they stated that our "proposed parking ratio of 1.7 stalls per unit... is deemed to be adequate of the market." The market study was done early on in our design process and we discussed parking ratio at length with them as we revised our plan, getting their approval along the way. They further did a comparison of other similar projects throughout the city and found most of them to have parking ratios between 1.52 and 1.68 stalls per unit.

The Cardwell Ranch project is unique in that it within walking distance of a host of services including grocery, entertainment, schools, restaurants, and an MET bus stop.



**Suggested Optimal Parking**

<b>PARKING PROVIDED AT COMPETING APARTMENT PROJECTS</b>						
<b>Project</b>	<b>Units</b>	<b>Total Parking Stalls</b>	<b>Parking Ratio (Stalls / Unit)</b>	<b>Garages</b>	<b>Carports</b>	<b>Uncovered</b>
<b>Avenue C</b>	<b>126</b>	<b>192</b>	<b>1.52</b>	<b>65 (0.52)</b>	<b>-</b>	<b>137 (1.09)</b>
<b>InterPointe Apartments</b>	<b>160</b>	<b>269</b>	<b>1.68</b>	<b>120 (0.75)</b>	<b>-</b>	<b>149 (0.93)</b>
<b>InterUrban Apartments</b>	<b>216</b>	<b>339</b>	<b>1.57</b>	<b>168 (0.78)</b>	<b>-</b>	<b>171 (0.79)</b>
<b>Hunter's Pointe</b>	<b>204</b>	<b>328</b>	<b>1.60</b>	<b>50 (0.25)</b>	<b>152 (0.75)</b>	<b>126 (0.62)</b>
<b>Affinity at Billings (55+)</b>	<b>154</b>	<b>269</b>	<b>1.75</b>	<b>85 (0.55)</b>	<b>54 (0.35)</b>	<b>130 (0.84)</b>

The competing projects above offer between 1.52 and 1.75 parking stalls per unit. Excluding Affinity at Billings, the parking ratios are consistent, ranging from 1.52 to 1.68 stalls per unit.

Garage parking is offered by each of the projects listed above. The most modern projects above (excluding Hunter's Pointe) typically offer garage stalls for 52% to 78% of each project's total unit count. Only two projects offer carport stalls.

A parking ratio of 1.50 stalls per unit is required as per zoning and appears to be adequate considering parking ratios at other comparable apartment projects. It is suggested that the project include detached garage stalls for one-third of units and a carport stall for each unit.

As proposed, the subject will provide parking as follows

The reason for the request for a variance in the interpretation of the parking requirement is that it is contrary to previously accepted calculations and typical industry standards. By not allowing the inclusion of the garage space and the stacked parking space in front of the garage as well as assessing a 20% penalty, the costs for this type of structure and desperately needed housing type becomes prohibitive in the market thus rendering a normally amenitized apartment product potentially unviable. We respectfully request that you review the interpretation of the regulation and, if necessary, grant a variance.