

December 1, 2022

Ms. Nicole Cromwell
Ms. Monica Plecker
2825 3rd Avenue North 4th Floor
Billings, MT 59101

Reference: Variance Request
COS 2828 Tracts 1 & 2 (Vista West fka Dorn/Bell property)

Dear Ms. Cromwell and Ms. Plecker:

Per our discussions on this project, we are making application for a Variance to the strict interpretation of Section 27-804 of the City Zoning Code under paragraph C which calls for all Streets to connect and continue as they either exist or are planned for from adjacent developments. We provide the following reasons for this request as is associated with the Concept 2 illustrative plan.

1. A previous zone change submittal for this project included access to Bell Avenue because of its importance as an east/west connector in the area, but no access to Obie Lane as it was deemed a low volume short run county access road.
2. As part of the earlier submittal, we provided a summary review of the project traffic impacts that demonstrated the acceptability of the connection under the City's standard requirements.
3. During the processing of the earlier submittal there was significant neighbor input at the Neighborhood Meeting and the Zoning Commission meeting as well as City Council and Mayor comments both at a council meeting and in other forums that acknowledged the neighbor concern about the connection and indicated support of the elimination of that connectivity.
4. The development of the site has been reviewed in consideration of no additional access to Bell Avenue or Obie Lane, but rather providing two accesses to Rocky Vista Way. This is a standard development layout for many developments of this nature throughout our community. Once again, the access and road impacts have been initially reviewed and such a layout would meet all requirements with the exception of the connectivity aspect.
5. It should be noted that the land uses as indicated in the separate zone change request for this project are in full compliance with City of Billings zoning regulations regardless of which Concept layout is chosen.

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It is on this basis that we have prepared Concept 2 of this development, and it is under this layout that we are requesting a Variance to the strict interpretation of that section of the Zoning Code. It should be noted, that through discussion with staff, we have also prepared a Concept 1 layout, that meets in full the requirements of Section 27-804, C as it applies to connectivity. Concept 1 is also a part of the overall zone change for this project and will allow the City Council the ability to weigh the various merits of each option and approving the one they find to be most beneficial.

Please feel reach out to me directly if you have an y immediate comments or questions.

Respectfully,



Rick Leuthold, PE, LEED AP
Principal | Chairman