

Pre-Application Statement of Owner(s) or Agent(s)

The owner(s), contract purchasers (if any) and agents (if any) are required to submit this completed form and any attachments along with a completed zone change application packet, including any required fees, for a zone change to be processed by the Planning Division.

1. **Present Zoning:** Argiculture
2. **Written description of the Zone Change Plan** including square footage or acres of proposed new zoning: The existing zoning is 12.77 acres of agriculture land and currently sits vacant. The proposed new zoning would split the property into two parcels: C3 Commercial ± 4 acres and NX1 Residential ± 9 acres.
3. **Subject Property Map:** please attach to this form
4. **Legal Description of Property:** S30, T01 N, R27 E, C.O.S. 1901, Parcel A1, AMD (23)
5. **Roster of persons who attended the pre-application neighborhood meeting:** please attach to this form
6. **A copy of the meeting notice.** please attach to this form
7. **A brief synopsis of the meeting results.** please attach to this form
8. **The undersigned affirm the following:**
 - 1) The pre-application neighborhood meeting was held on the 25, day of May, 2023.
 - 2) The zone change application is based on materials presented at the meeting.

Owner (s): Clock Tower Hospitality and Management LLC Telephone: _____

Address: 2511 1st Ave North Email: _____
Billings, MT 59101

Agent (s): IMEG Corp - Anna Vickers Telephone: 406-248-9000

Address: 175 N 27th St. Ste 1312, Billings, MT 59101 Email: anna.m.vickers@imegcorp.com



MEETING NOTES

Date	May 25, 2023
Project	Johnson Lane Clocktower Zone Change
Project Number	23002482.00
IMEG Attendees	Anna Vickers, Renae Heisler
Public Attendees	Peck Family, Jacquelin Robinson, Ken Kunz, Frosty Erben

IMEG Started Presentation

I'm Anna Vickers I'm here with IMEG and this is Renae Heisler my colleague. We are here to discuss a proposed rezoning. The intent of today's meeting is to receive your input, comments, concerns of the area or even any ideas for the property. The zone change on the parcel located at 547 Johnson Lane. We are requesting C3, General Commercial on roughly 4 acres adjacent to Johnson Lane. We are requesting NX1, mixed residential on roughly 9 acres that front Enfield Street. When looking at the plus or minus you see on the exhibit here, I would like to emphasize that these are approximate sizing. At this point, we do not know exactly how much of each zoning will be on the property. We have someone that's interested in buying the property from the Fire Department and these are the two zonings that interest them. When you are looking at a rezoning it's important to realize that once that occurs all uses within said zoning are allowed to be used. I can make you promises about what our interested party is looking to do but overall the zoning, determines all uses.

Public Question: Would it affect our property value?

IMEG: I am not a tax assessor, I cannot answer any affects on property value.

Public Question: My question is, in talking to the people to the north of the property who did not receive a notice, will the property be apartments?

IMEG: We notify parties that are within the list provided to us by County Zoning. We then take that list to the Department of Revenue and pay a fee to receive the list of properties we notify. We also have to certify the mailing was sent to people on that list by having the post office sign off on receiving the notification letter. NX1 allows for single family, duplexes, three and four-plexes. These are not large-scale apartment buildings. The goal of the interested party is to do single family, maybe duplexes, patio homes or row homes not apartments.

Public Question: Would the zoning allow for mobile/manufactured homes?

IMEG: No, the zoning does not allow for mobile homes. The zoning allows for manufactured homes as a special review application. A special review application is similar to a rezoning, in that the adjacent property owners must be notified, there is a hearing by the board of adjustments.

PLEASE NOTE: MANUFACTURED HOMES ARE NOT ALLOWED.

Public Question: What happens when someone does not follow the special review process? Because I don't want manufactured homes.

IMEG: You would have to complain to the County regarding a home being built without undergoing zoning compliance or in compliance with zoning.

Public Question: What kind of development would be in the commercial zone? It is not going to be a storage unit facility right?

IMEG: Right now I am not sure, there has been talk about a restaurant, office space, or a hotel. But I am not completely sure at this time.

Public Question: All the people to the North are worried about the traffic on Mauser street, because there are people that go flying down that street and don't pay attention what so ever.

IMEG: This is meeting is for a rezone, and if the client were to buy the property, they would have to go through the subdivision process dependent on the development. As part of the subdivision process there are rules associated with traffic impact studies. A traffic impact study could be required by the County. At that point the County will work with us to dictate what intersections and streets we need to study. We then produce a report and contribute or improve based on our impacts.

Public Question: Would IMEG design everything?

IMEG: Right now, we are working with clients who are interested in buying the property, but they want to hear from the community and their thoughts before buying the property. The sale is contingent on how the rezoning process goes. If they proceed with the property we could very well design the property but we are not under contract for those services at this time. We are strictly vetting zoning.

Public Question: So you are working with people who are interested in buying the property, they have not actually bought the property?

IMEG: Correct, we only have a contract with our clients for the rezoning process. This process will help them determine whether to move forward with the property.

Public Question: We have kids and when people come down these street they are going so fast and we are worried about having our kids at the bus stops.

IMEG: I can understand the concern for children safety, it would be mine as well. Unfortunately, we cannot address bus stops or speeding during zoning. However, we can note this on the project, so that if we go forward, we are aware of these concerns.

Public Question: It looks like there are a few people here that weren't on the mailing list, I just think that 300 feet is frustrating and the whole neighborhood should be invited to these.

IMEG: I can understand that it's frustrating for whole neighborhoods to not get invitations. We follow County regulations regarding who we notify. The only advice I can give you, is that in areas where there are a neighborhood task force, we have to notify a neighborhood task force. At that point, the neighborhood task force can notify whoever they would like to notify. So you could try forming a neighborhood task force.



Q: What time is the city commissioners meeting?

IMEG: A commissioners meeting has not yet been scheduled as we will be submitting our application for rezoning on June 1st. There's typically a process where the County Planning staff will be reviewing our application and then we go before a zoning commission and then the County Commissioners.

Public Question: So you haven't even put in the application yet.

IMEG: That is correct, this is part of the application process and all your comments, questions and concerns will be submitted with the application as part of public comment for the record and review of Commissioners, staff, and zoning commission.

Public Question: The other meeting that I attended already had a date for a commissioners meeting.

IMEG: Well, I'm sure it's easy to project what day you'll be in these hearings based on the schedule. I'm just not aware and hesitate to do so in case we decide to delay a hearing or submittal.

Public Question: When is the next neighborhood meet for this project.

IMEG: The next neighborhood meeting would be when you receive notification from the County for the Zoning Commission Meeting and the Board of County Commissioners meeting.

Public Question: I thought that 2020 Recode was supposed to make it easier to understandable, but in reality it is still just as confusing.

IMEG: I can understand that it's a large code but believe it or not it is easier than the old code.

Anna: Well if no one else has any other questions, thank you for coming and if you do have questions or know someone that couldn't make it tonight that does, my contact information is at the bottom of the letter you received.

Public Question: Can you send us an email so that we have your contact information if we didn't receive a letter?

IMEG: Yes, we have your emails from the sign in sheet and I will send out an email to you guys so that you have my contact information. Thank you for attending.



Anna Vickers

From: Anna Vickers
Sent: Thursday, May 25, 2023 2:01 PM
To: Jacquelin Robinson
Subject: RE: 547 Johnson Lane

Hi Jacquelin,

I appreciate hearing your perspective regarding Project RE:Code and find it disappointing on your behalf. These emails become part of the public record for County Commissioner Review.

It's always hard to pick a time within the hour limitations set by the regulations. I'll continue to be reachable at the information below, for those with questions. Please encourage them to reach out to me. I do the best I can to give honest information, as I live within the County too.

Kindly,

Anna M. Vickers

IMEG | Billings Lead Land Use Planner



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This email may contain confidential and/or private information. If you received this email in error please delete and notify sender.

From: Jacquelin Robinson <robinj50@hotmail.com>
Sent: Thursday, May 25, 2023 1:50 PM
To: Anna Vickers <Anna.M.Vickers@imegcorp.com>
Subject: RE: 547 Johnson Lane

External Email: Treat links and attachments with caution.

Thank you for your responses. No one is home that I wanted to contact. Community input tonight could be very limited with the 300 feet notice. Many people are not home from work at 5:30. I understand you are just doing your job. Just please consider people who own homes and possible affects. If community preferences were a consideration by the county, then it should have been part of the process of Project RE: Code to involve homeowners close to zoning changes. People I have spoken to in this neighborhood have never heard of it.

Jacquelin Robinson

Sent from [Mail](#) for Windows

From: [Anna Vickers](#)
Sent: Thursday, May 25, 2023 12:10 PM

To: [Jacquelin Robinson](#)
Subject: RE: 547 Johnson Lane

Hi Jacquelin,

The rezoning request is for NX1 and C3. The C3 would be adjacent to Johnson, amongst the other commercial uses. Adjacent to your neighborhood would be NX1. This being said, the full plans for the property are largely unknown with the intent of tonight's meeting to get community input regarding concerns and even preferences for the property. I can understand your frustration and have not/do not dispute them. I can only act within the limitations of my role within this process.

Anna M. Vickers
IMEG | Billings Lead Land Use Planner



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From: Jacquelin Robinson <robinj50@hotmail.com>
Sent: Thursday, May 25, 2023 12:55 PM
To: Anna Vickers <Anna.M.Vickers@imegcorp.com>
Subject: RE: 547 Johnson Lane

External Email: Treat links and attachments with caution.

I am going to try to come to the meeting, but uncertain. If I am unable to attend I will request a meeting with you. This will affect traffic on Mauser and a huge decrease in property value and ability to sell our home that we have lived in for 40 plus years. Yes people are frustrated, you would be too. The saying is true that you can't fight city hall.
Jacquelin

Sent from [Mail](#) for Windows

From: [Anna Vickers](#)
Sent: Thursday, May 25, 2023 11:28 AM
To: [Jacquelin Robinson](#)
Cc: [Cromwell, Nicole](#); [Husman, Karen](#)
Subject: RE: 547 Johnson Lane

Hi Jacquelin,

Tonight's meeting will proceed as scheduled, due to the given public notice for those that can make it. There will be future County meetings held regarding the zoning request. Additionally, if you know of people that cannot make it tonight, please provide them my contact information, I'm happy to discuss all information given tonight with them.

Unfortunately, I cannot change the zoning regulations or the requirements therewithin, only follow them. I have CC'd Nicole Cromwell and Karen Husman with Yellowstone County Planning Department, Zoning Coordination. I encourage you to correspond with the County and your representative for less frustrations in the future.

If you have specific questions regarding the zoning change, or are unable to make it, I'm happy to setup a time for us to meet.

Kindly,

Anna M. Vickers

IMEG | Billings Lead Land Use Planner



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From: Jacquelin Robinson <robinj50@hotmail.com>

Sent: Thursday, May 25, 2023 12:12 PM

To: Anna Vickers <Anna.M.Vickers@imegcorp.com>

Subject: RE: 547 Johnson Lane

External Email: Treat links and attachments with caution.

If invites need to be done by the affected homeowners, then this is quite a job and more time is requested. You personally might not be "sneaky", but the new 300 feet rule by the county is sneaky. Please request more time as the neighborhood is already facing another zone change request right across the street from Mauser.

Jacquelin Robinson

Sent from [Mail](#) for Windows

From: [Anna Vickers](#)

Sent: Thursday, May 25, 2023 10:54 AM

To: [Jacquelin Robinson](#)

Subject: RE: 547 Johnson Lane

Hi Jacquelin,

We send notifications to owners using the County's provided list per Yellowstone County statute. There is not an intent to be sneaky, I apologize if it comes across this way. Please feel free to invite whoever has interest.

Anna M. Vickers

IMEG | Billings Lead Land Use Planner



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From: Jacquelin Robinson <robinj50@hotmail.com>

Sent: Thursday, May 25, 2023 11:51 AM

To: Anna Vickers <Anna.M.Vickers@imegcorp.com>

Subject: 547 Johnson Lane

External Email: Treat links and attachments with caution.

The information about this zone change needs to be sent out to all the residences affected . I live on Mauser St. and did not receive this information. This is being sneaky and will not be tolerated by the homeowners in this area. Our neighbors request all of Pat Dahl subdivision, Bel Air subdivision facing Enfield and the subdivision off Tampico drive be informed of this request.

Sent from [Mail](#) for WindowsT

Thank you.

Jacquelin and Randy Robinson

707 Mauser St.

Billings Mt.

Anna Vickers

From: Anna Vickers
Sent: Friday, May 26, 2023 7:51 AM
To: 'Danielle Milliken'
Subject: RE: Pre-application neighborhood meeting 547 in Johnson Lane

Hi Danielle,

I'm sorry that we missed you at last night's meeting. NX1 is similar to your zoning. The only difference is the allowance for three and four plexes, which would allow for patio homes or row homes. These would not be apartment complexes as the building height limit is 27 feet. Your zoning district allows for 34 feet in height. I will add your comment to the public record. I hope you have a nice Memorial Day.

Kindly,

Anna M. Vickers
IMEG | Billings Lead Land Use Planner



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From: Danielle Milliken <gdmilliken@gmail.com>
Sent: Thursday, May 25, 2023 5:03 PM
To: Anna Vickers <Anna.M.Vickers@imegcorp.com>
Subject: Pre-application neighborhood meeting 547 in Johnson Lane

External Email: Treat links and attachments with caution.

Good afternoon Anna,

This is Danielle Jordan. I live at 2913 Unertal Ave, right across the new zoning that you guys plan. I am unable to make the 5:30 pm meeting tonight.

I just wanted to let you know that I object to the multi residential zoning.

I would be open to the same residential zoning as the rest of our neighborhood.

Thank you,
Danielle Jordan

--

Danielle Jordan

doTERRA & Norwex Wellness Advocate
Cell: (406) 672-3575
Email: gdmilliken@gmail.com