

**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:** AO – Agricultural Open \_\_\_\_\_
  
2. **Written description of the Zone Change Plan** including existing and proposed new zoning:  
Zone Change from AO to a combination of CMU1, NMU, NX1, NX2, N2 & P1 on 48.49 acres \_\_\_\_\_
  
3. **Subject Property Map:** please attach to this form.
  
4. **Legal Description of Property:**  
Tract 2 of COS 3844 Located in Sec 10, T01S, R25E, Yellowstone County, P.M.M \_\_\_\_\_
  
5. **Neighborhood Task Force Area:** Yes /// No. If Yes, Name of Task Force and mailing address of Chairperson:  
West End Task Force, Steve Zeier \_\_\_\_\_
  
6. **Roster of persons who attended the pre-application neighborhood meeting:** please attach to this form.
  
7. **A copy of the meeting notice.** please attach to this form
  
8. **A brief synopsis of the meeting results including any written minutes or audio recording.** please attach to this form
  
9. **The undersigned affirm the following:**
  - 1) The pre-application neighborhood meeting was held on the 24th day of January, 2024.
  
  - 2) The zone change application is based on materials presented at the meeting.

**Owner (s):** Brown Development, LLC Telephone: (406) 698 - 5970  
Address: 745 South 56<sup>th</sup> St. West Email: tbrownbuilders@yahoo.com  
Billings, MT 59106

**Agent (s):** Performance Engineering, Craig Dalton Telephone: (406) 384 - 0080  
Address: 608 N. 29<sup>th</sup> Street Billings, MT 59101 Email: craig@performance-ec.com



AMD Tract 1 COS 2715 and Tract 1 COS 2719 PND Neighborhood Meeting Sign-In

January 24th, 2024 @ 6-7PM

NAME	ADDRESS
Doug Reiter	1945 Parkhill Dr. (Bell Farm)
JERI TOLSTEDT	1310 BROADWATER AVE (BELL FARM)
Clyde Seifer	116 Big Pine CRT-
Terr Kaufman	110 Big Pine CRT
Randall Adams	4206 Limber Pine Ln
ANDREW Wilson	4355 Wells Pl
LAURA Wilson	4355 Wells Pl
Julie Larson	103 Saddle Tree Pl.
BRYAN LEITZ	4420 CENTRAL AVE.
Chris Merrill	4319 Wells Pl
Ed Hoffman	4246 CENTRAL
Howard Holz	1120 BLACKBERRY WAY
Beth Smith	4430 Central Ave
Tim & Lindy Morgan	2157 Kangarooview Ct.
Norm Tjeltveit	4650 Sunbeam Cir.
George Allen	4240 Wells Pl.
Charlotte Allen	4240 Wells Pl.
Frank Kolondich	4237 Wells Pl.
Chad Martonen	12 Double Tree Pl
Thad Fanton	285 S. 41st St W
Tom Brown	745 S. 56th St W
Julia Armencã	22 Saddle Tree Place
Vickie Jardine	110 Saddle Tree Place
HANS HUNGER	4 Twin Pines Lane
KRISTEN HUNGER	4 Twin Pines Lane
Dave Biegl	4221 Wells place

## Tract 2 of Certificate of Survey 3844

Being Amended Tract 1 of COS 2715 and Tract 1 of COS 2719 and the E1/2, NW1/4 of Section 10, T01S, R25E, Yellowstone County, Montana

### Zone Change Neighborhood Meeting Notes

The meeting was conducted from 6-7:15 PM on January 24<sup>th</sup>, 2024 at the Grace Montessori School. The meeting was hosted by Craig Dalton of Performance Engineering (agent) and Todd Brown (developer).

There were 26 public participants for the meeting.

The meeting began with Craig Dalton giving an overview of the property. He discussed who the previous owners were (Hardt family). Craig covered how the project went through a pre-application meeting with the County in 2022. The City, however, viewing Central as an important corridor, worked with the developer to extend water and sewer services to the property in exchange for annexation. Craig covered how the City had already constructed sewer to the property as part of the Monad sewer extension project and has plans to extend water down Central to the property this spring/summer.

Craig described how the PND process works and gave out the expected timelines for application submittal and public hearings (anticipated March 5<sup>th</sup> and 25<sup>th</sup>). He said that anyone who received a neighborhood meeting notice would also receive a public hearing notice from the city confirming the meeting dates.

Craig then went through each of the proposed zoning types. He described the allowable density for each of the residential districts, and read the allowed uses for CMU1 and NMU districts from Table 27-1000.1 of the zoning code. Craig stated that bars and casinos are an allowed use in CMU1, but are subject to special reviews with additional setback requirements from residential zones. He discussed that a bar would be able to meet the setback requirements in this area, but that a casino wouldn't meet the 350 ft setback requirement as the property is proposed.

Following Craig's overview, the floor was opened for participants to ask questions.

Questions from the individuals and subsequent responses are shown below:

- **Why not zone the development for single-family homes instead of higher density?**

*One of the objectives of the City's recently updated zoning code and PND process is to promote mixed use neighborhoods to offer multiple levels of housing options. Part of the PND requirements is to pair a lower density "N" district with a higher density "NX" district. Additionally, there is growing concern from city officials on*

*the cost of service to operate and maintain infrastructure throughout the city. One of the answers to this is to increase density to help keep the cost per dwelling served down.*

- **What is the number of units that would be built in this development given the proposed zoning?**

*Final densities will be subject to amount of net acreage left following subdivision which is a subsequent process to zoning. That being said, based on the current layout shown on the map it would be estimated in the 250 dwelling unit range.*

- **What is going to be done to address the increase in traffic in the area?**  
Residents from Shiloh Estates Subdivision stated they already have issues accessing Central at certain times of the day.

*A Traffic Impact Study (TIS) has been contracted and is ready to be commissioned upon finalizing the PND plan. The TIS will study the Central Avenue corridor between 48<sup>th</sup> and Shiloh, in addition to some of the other major intersections within 1-mile of the development. The TIS will provide findings and recommendations for areas that may need improvements or modifications to accommodate increased loads produced by this development.*

*The City doesn't currently have a road improvements project proposed for Central Avenue in their CIP, but as sections of their arterial corridors become more and more developed it tends to move that area's priority up for a major road project. It is important to note that improvements to Central Avenue will only come via a City project which would be driven by City developments. The County hasn't historically constructed major roadway improvements, particularly roadways on the border of the City limits.*

- **How many stories can the buildings be?**

*NX1 allows for buildings up to 2.5 stories. NX2 allows for buildings up to 3 stories. N2 allows for buildings up to 2 stories. NMU allows for buildings up to 2 stories. CMU1 can have buildings up to 4 stories tall. CMU 1 also allows for residential development, however, the first floor must be commercial services (example Shiloh Commons).*

- **Will the City for County properties to annex when water and sewer go by?**  
Referenced properties in the Heights being forced into the City.

*The City does not have a history of forcing properties to annex into the City limits. In the past when County properties residing within City limits were required to annex into the City limits it was typically driven by a failing septic system with no room on the property for replacement. In these cases, the County Health Department/DEQ wouldn't issue a new septic permit and therefore the only remaining option was to tie into City services. In the case of Shiloh Estates Subdivision, that was permitted under more recent DEQ standards which require a*

*spot be reserved on the property for a replacement drainfield. The constraints the older Heights properties encountered wouldn't likely apply here.*

- What will the development be required to do with it's stormwater?

*The development will be required to meet the standards of the Billings Stormwater Management Manual. The property will be required to detain stormwater on-site (example ponds) or in a city owned facility such as the Monad (Bannister) Drain.*

- Why is commercial being proposed along the frontage? Previous commercial zoning reviews on the west end discussed keeping commercial properties at major intersections.

*The current zoning code requires CMU1 to be within 1,320 feet from an arterial or collector street intersection. Where Road B is shown on the map will be 44<sup>th</sup> Street in the future and per the City's classification map this is a collector road that will continue north to Broadwater.*

*The PND guidelines require either a commercial or NX use along arterial corridors. This is in effort to prevent future situations like we see on Grand Avenue as it enters into the downtown area where you have a bunch of commercial businesses operating out of old single-family homes.*

*Ultimately the hope in placing pockets of commercial along these frontages is to draw small business services to these neighborhoods. We often see in areas that have commercial incorporated into the neighborhoods an alleviation of traffic on the adjacent roadways. This is due in part to the fact that people do not need to commute as far to reach these types of businesses.*