

CITY ZONE CHANGE Pre-Application Statement of Owner(s) and 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:** N3 Suburban Neighborhood

2. **Written description of the Zone Change Plan** including existing and proposed new zoning:

Zone Change Request from N3 Suburban Neighborhood Residential to N1 First Neighborhood Residential, NX1 Mixed Residential 1, NX3 Mixed Residential 3, CMU1 Corridor Mixed Use 1, and P1 Parks and Open Space

3. **Legal Description of Property:**

Attached Exhibit B

4. **Neighborhood Task Force Area:** Yes /// No . If Yes, Name of Task Force

Yes, Heights Neighborhood Task Force

5. **Roster of persons who attended the pre-application neighborhood meeting:** please attach to on line application Exhibit C

6. **A brief synopsis of the meeting results including any written minutes or audio recording.**

please attach to on line application Exhibit D

7. **The undersigned affirm the following:**

1) The pre-application neighborhood meeting was held on the 12th, day of June, 2024.

2) The zone change application is based on materials presented at the meeting.

Owner (s):

Oakland, Gary Telephone: 406-248-3641

Address:

175 N 27TH ST STE 900 BILLINGS, MT 59101 Email: goakland@oaklandcompanies.com

Agent (s):

John Halverson Telephone: 406-869-3311

Address: 1300 N Transtech Way, Billings, MT 59102 Email: jhalverson@sandersonstewart.com

Complete this form and upload to your on-line Zone Change application

CITY ZONE CHANGE APPLICATION FORM

CITY ZONE CHANGE Billings Zone Change # 1056 Project # PZX-24-00202

The undersigned as owner(s) of the following described property hereby request a Zone Change as outlined in the **City of Billings** Zoning Regulations.

Present Zoning N3 Suburban Neighborhood

Proposed Zoning: Zone Change Request from N3 Suburban Neighborhood Residential to N1 First Neighborhood Residential, NX1 Mixed Residential 1, NX3 Mixed Residential 3, CMU1 Corridor Mixed Use 1, and P1 Parks and Open Space

PARCEL TAX ID# D05244 & A37164 CITY ELECTION WARD 2

Legal Description of Property: Attached Exhibit B

Address or General Location (If unknown, contact City Engineering): CS 3776 AM TR1B High Sierra 14th Block 33, Lt 1A1

Size of Parcel (Area square feet or acres): 53.26 Acres

Present Land-Use: Residential

Proposed Land-Use: Residential, Commercial

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

Owner(s) Oakland, Gary

(Record Owner)

175 N 27TH ST STE 900 BILLINGS, MT 59101

(Address)

406-248-3641

(Phone Number)

goakland@oaklandcompanies.com

(email)

Agent(s): John Halverson

(Name)

1300 N Transtech Way, Billings, MT 59102

(Address)

406-869-3311

(Phone Number)

jhalverson@sandersonstewart.com

(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 Zone Change. Also, I attest that all the information presented herein is factual and correct.

Signature:  Date: 8/7/2024

(Record Owner – Digital Signature Allowed)

Exhibit B

ZONE CHANGE BOUNDARY DESCRIPTION

A tract of land situated in the SE1/4 of Section 8 and NE1/4 of Section 17, T. 1 N., R. 26 E., P.M.M., in the City of Billings, Yellowstone County, Montana, said tract being more particularly described as follows, to wit:

Beginning at a point being the S1/4 corner of Section 8,

T. 1 N., R. 26 E., P.M.M.,; thence, from said Point of Beginning, N 00°33'28" W a distance of 1319.60 feet; thence S 89°45'01" E a distance of 1755.72 feet; thence S 00°14'59" W a distance of 382.47 feet; thence S 11°07'26" W a distance of 48.76 feet; thence S 08°31'23" E a distance of 57.87 feet; thence along a non-tangent curve to the right with a central angle of 30°37'56", a radius of 1107.00 feet, and a length of 591.84 feet (chord bears S 17°03'07" W a distance of 584.82 feet); thence S 32°22'05" W a distance of 56.30 feet; thence S 61°52'49" E a distance of 35.62 feet; thence along a curve to the left with a central angle of 4°20'21", a radius of 815.00 feet, and a length of 61.72 feet (chord bears S 64°02'59" E a distance of 61.71 feet); thence along a non-tangent curve to the left with a central angle of 37°59'13", a radius of 20.00 feet, and a length of 13.26 feet (chord bears S 85°12'46" E a distance of 13.02 feet); thence N 75°47'37" E a distance of 13.91 feet; thence along a non-tangent curve to the left with a central angle of 67°13'26", a radius of 60.00 feet, and a length of 70.40 feet (chord bears S 38°13'28" E a distance of 66.43 feet); thence S 18°09'49" W a distance of 122.49 feet; thence S 42°15'08" W a distance of 86.57 feet; thence S 17°01'17" W a distance of 54.93 feet; thence along a curve to the left with a central angle of 13°26'08", a radius of 116.00 feet, and a length of 27.20 feet (chord bears S 10°18'13" W a distance of 27.14 feet); thence S 03°50'30" W a distance of 59.85 feet; thence

N 86°24'51" W a distance of 16.81 feet; thence along a curve to the right with a central angle of 16°41'06", a radius of 40.00 feet, and a length of 11.65 feet (chord bears N 78°04'18" W a distance of 11.61 feet); thence along a curve to the right with a central angle of 7°50'57", a radius of 1185.00 feet, and a length of 162.34 feet (chord bears N 65°48'17" W a distance of 162.21 feet); thence N 61°52'49" W a distance of 131.01 feet; thence along a curve to the right with a central angle of 5°12'06", a radius of 4225.00 feet, and a length of 383.57 feet (chord bears N 59°16'46" W a distance of 383.43 feet); thence N 60°18'01" W a distance of 56.06 feet; thence S 32°22'05" W a distance of 197.69 feet; thence along a curve to the right with a central angle of 41°00'22", a radius of 64.00 feet, and a length of 45.80 feet (chord bears S 52°52'16" W a distance of 44.83 feet); thence along a curve to the right with a central angle of 7°49'27", a radius of 1652.00 feet, and a length of 225.59 feet (chord bears S 77°17'10" W a distance of 225.42 feet); thence along a curve to the left with

Exhibit B

a central angle of $48^{\circ}46'55''$, a radius of 228.00 feet, and a length of 194.12 feet (chord bears $S\ 56^{\circ}48'26''\ W$ a distance of 188.31 feet); thence $N\ 55^{\circ}02'32''\ W$ a distance of 211.71 feet; thence $N\ 78^{\circ}17'12''\ W$ a distance of 76.13 feet; thence $N\ 69^{\circ}38'50''\ W$ a distance of 143.75 feet to said Point of Beginning; said described tract containing a gross area and net area of 53.244 acres, more or less.

Exhibit C

Name	Address	Phone
George Zorzakis	2239 W. Skokie Dr.	409-9793
Cheryl Zorzakis	2239 W. Skokie Dr.	409-9793
Terry Odegard	2101 Lake Hills St.	406-855-4351
T. J. Smith	^{Chair for} 2238 Ridgeway Drive _{Heights Task Force}	406-690-7845
Stacey Torture	627 Pinehurst R	406-861-1276
Deanna Redfern	2143 Gleneagles	406-698-5918
JOAN ROLL	838 HERMOSA ST.	505-275-0692
Trent Parks	2259 Gleneagles	406-208-4146
Chris Tolzien	2424 Cleo Circle	406-281-0609
Brendon Hill	2241 Clubhouse Way	406-860-1765
Ron Hill	142 Annandale	406-860-8844
Joe Wallace	2201 Club House Way	406-256-5099

MEETING MINUTES

PROJECT: HIGH SIERRA II CONCEPT & ZONE CHANGE			
Project No: 82061_154			
Meeting Location: 1930 Clubhouse Way, Billings, MT 59105		Meeting Date: 06/12/24 5:30 PM	
Meeting Subject: Zone Change Neighborhood Pre-Application Meeting		Prepared by: John Halverson	
Attending:	(See attached sign-in sheet)		
Sanderson Stewart:	John Halverson	Gary Owen	
Oakland Co.	Landy Leep		
Date of Issue: 7/31/ 24			

Minutes:

- Mr. Halverson opened the meeting at 5:30 PM by introducing himself and outlining the agenda, which included a presentation on the zone change, a brief explanation of the new zoning code and why zoning is necessary for municipalities, and time for questions and comments. He also outlined the planned approval timeline of a July 1 submittal, August 6 Zoning Commission hearing, and August 26 City Council hearing.
- Mr. Halverson showed a map of the proposed zone change and its location at the NW corner of the High Sierra subdivision and anticipated development in the Dover ranch to the NW of the High Sierra subdivision. He also pointed out the major roadways that will handle the added traffic from this development: Annandale, Gleneagles, and High Sierra Blvd.
- Mr. Halverson gave an overview of the existing zones in the vicinity of the proposed zone change and that the proposal would add approximately 670 residential dwellings to the subdivision.
- Mr. Halverson distributed pages from the Billings zoning code pertaining to the zones proposed. He showed examples of the kinds of

Exhibit D

buildings that the NX3 zoning allows, which have a 4-story maximum and tend to be built as 3 stories in the Billings market.

- Mr. Halverson then showed examples of NX1 and N1-zoned development and neighborhoods in Billings where those zones exist, and how the proposal creates a stepping transition from the NX3, to the NX1, to N1 to N3.
- After completing that presentation, Mr. Halverson took questions and comments from the attendees.
- An attendee asked what the purpose of the zone change was, and stated that the original intent of the subdivision was to be exclusively single family. They expressed concern that the heights is patrolled by 2 police officers, and that BPD is struggling to properly patrol the city, and that they do not want to be put in danger by multifamily residential land uses.
 - Mr. Halverson mentioned that the City of Billings had just recently approved budget to hire additional police.
 - The attendee vigorously disagreed.
 - Mr. Halverson stated that BPD will have an opportunity to comment on the development during subdivision.
- An attendee stated that there is a need for the kind of development proposed in the zone change, but that they do not want it at the location proposed. They expressed a concern that higher density would negatively affect safety, and that they like the neighborhood as it is.
 - Mr. Leep stated that the additional 670 residents this development will host need to live somewhere.
- An attendee stated that they were impressed that the developer built starter homes in High Sierra.
 - Mr. Leep stated that the people buying starter homes come from apartments and multifamily developments.
- An attendee expressed concern with traffic, stating that Gleneagles is a specific concern.
 - Mr. Halverson responded that the proposal locates additional density on collectors and arterials, High Sierra (collector), Annandale (minor arterial), and Gleneagles (principal arterial) to help disperse traffic and that the subdivision approvals process identifies traffic impacts and required contributions for improvements by the developer. He also stated the recently-opened inner belt loop will receive much of the west-end-bound traffic from the proposed development.

Exhibit D

- Mr. Ron Hill stated that he likes duplexes on Annandale and expressed concern with larger density.
- An attendee asked about water service to the NX3 buildings and Heights Water System Development Fees (SDF).
 - Mr. Owen responded that Gleneagles BLVD is the boundary between Heights Water and City of Billings water service, and that the entirety of the proposed zone change area is within the City of Billings service area.
- An attendee asked what the benefit of such development is to the area residents.
 - Mr. Halverson responded that the density of NX3 development makes provision of services less costly on a per-capita basis and can reduce taxes. He also stated that such development makes commercial uses more viable.
 - Several attendees responded positively to the idea of commercial uses being included in the zone change. One stated that commercial development at this location "could be very nice." Another stated that a neighborhood restaurant had recently closed and that they did not want to see another car wash at this location.
- An attendee expressed their view that NX3 is too much for the area.
- An attendee stated that city departments like police fire and school districts should weigh in at this stage of the development process.
- Mr. Halverson closed the meeting by stating that any further questions could be directed to him.