

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:** Agriculture and Unzoned _____
2. **Written description of the Zone Change Plan** including square footage or acres of proposed new zoning: We intend to leave the unzoned portion unzoned. We estimate this to approximately +/- 40 acres. We would like to rezone the area currently zoned Agriculture to RR3, Rural Residential 3. We estimate this to be approximately +/- 206.2 acres. _____
3. **Subject Property Map:** please attach to this form _____
4. **Legal Description of Property:** _____
Northwest one-quarter and the northeast one-quarter of the southwest one-quarter of Section 4 and the East one-half of the northeast one-quarter of Section 5, Township 02 South, Range 26 east, less COS 2156 and COS 2331, PMM, Yellowstone County, MT
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 9th, day of November, 2023.
 - 2) The zone change application is based on materials presented at the meeting.

Owner (s): AA Properties, LLC _____ Telephone: _____
Address: 33630 County Road 103 _____ Email: aaproperties59101@gmail.com
Savage, MT 59626 _____

Agent (s): IMEG Corp. - Anna Vickers _____ Telephone: 406-532-0263
Address: 175 N 27th St. Ste 1312 _____ Email: anna.m.vickers@imegcorp.com
Billings, MT 59101 _____



October 30, 2023

RE: Pre-application Neighborhood Meeting - Yellowstone County Zone Change request on Less COS 2156 and 2331, Yellowstone County, MT

To Whom it May Concern,

The purpose of this notification is to inform you of a Pre-Application Neighborhood Meeting to discuss a proposed rezoning. The meeting will take place on Thursday, November 9th, 2023, at 6:00 p.m. The meeting will be held at Valley Bible Church, located at 3603 Oshea Circle, Billings, MT 59101.

The intent of this meeting is to discuss any concerns, hear comments, and answer questions regarding the proposed rezoning for the parcel located at Less COS 2156 and 2331 off of Collier Road. The subject property is located in Sections 04 and 05, Township 02 south, Range 26 east, P.M.M., Yellowstone County, Montana. The property totals approximately 246.2 acres in size. Approximately 206.2 acres of the parcel is currently zoned as Agriculture. The proposed Yellowstone County Zoning for this portion of the property is RR3 - Rural Residential (3 to 9.9 acres). The remaining 40 acres of the parcel is currently unzoned and will remain so.

We look forward to hearing from you at the meeting. If you are unable to attend, please feel free to send your questions and/or comments to anna.m.vickers@imegcorp.com or by using the contact information at the bottom of this page.

Sincerely,

IMEG Consultants Corp.

A handwritten signature in blue ink, appearing to read "Anna Vickers", written over a light blue horizontal line.

Anna Vickers
Billings Lead Land Use Planner
anna.m.vickers@imegcorp.com

AMV/hsc
\\files\Active\Projects\2023\23007562.00\Design\Civil\CC07 PLANNING\Zoning\20231025 Letter for Preapplication Meeting Notice AA Prop.docx



ATTENDANCE RECORD

IMEG #: 23007562.00

Project: AA Collier Rd Development

Meeting Description: Re-Zone Neighborhood Meeting

Date: 11/09/2023

Time: 5:30pm

Place: Valley Bible Church (3603 Oshea Circle, Billings, MT 59101)

ATTENDEE NAME

PHONE #

E-MAIL

| | | |
|------------------|-----------------|---------------------------|
| Mariah Anderson | | |
| Shawn Thorson | | |
| Anna Vickers | | |
| John Stricker | (406) 256-2063 | johnwstricker@hotmail.com |
| Crystal Burkett | 406 3180694 | burkett2@yahoo.com. |
| Jeff Fjelstad | 406-633-5032 | |
| Tina Fjelstad | 701 770 3238 | Kfjelstad@hotmail.com |
| ALAN R. DOWNER | 406 927-2303 | alandowner51@yahoo.com. |
| Johnny E. Berger | 406-855-3584 | je-berger@hotmail.com |



MEETING NOTES

| | |
|-------------------------|---|
| Date | November 9, 2023 |
| Project | AA Collier Rd Development Zone Change |
| Project Number | 23007562.00 |
| IMEG Attendees | Anna Vickers, Shawn Thorson, Mariah Anderson |
| Public Attendees | John Stricker, Burkett Family, Jeff & Tina Fjelstad, Alan Downer, Johnny Borger |

IMEG Started Presentation

I'm Anna Vickers I'm here with IMEG and this is Shawn Thorson and Mariah Anderson, my colleagues, who are civil engineers. 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 Less COS 2156 and 2331 off of Collier Road. We are requesting RR3, Rural Residential (3-9.9 acres), on roughly 206.2 acres of the property, which is currently zoned as Agricultural. When looking at the plus or minus you see on the exhibit here, I would like to emphasize that these are approximate sizing. 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: How long is the rezoning process?

IMEG: We are planning on submitting the rezoning application on December 1st, and the county will take about a month to review. The county will notify adjacent property owners of the hearing dates associated with the rezoning request. There will be two hearings, one by the Zoning Committee and one by the County Commissioners. Those two meetings should take place sometime in January. Mariah is here capturing notes from today's meeting. All input we receive is being documented. If you corresponded with me prior to this meeting that will be included within the submittal as well.

Public Question: I know that Collier Road is paved. I have concern about how beat up the road will get due to a new subdivision, especially when all the lots will be hauling water.

IMEG: This is a great question and I can understand how it would be a concern. As part of the subdivision process the property will have to undergo a traffic impact study. This study is done by coordinating with Yellowstone County Public Works Department regarding intersections to include within the study. As part of the study we will be required to list impacts and mitigate the impacts in accordance with Public Works requirements. This impact study is approved and reviewed, often multiple times, by Public Works.

Public Question: What is the purpose of this neighborhood meeting?

IMEG: The intent of today's meeting is to receive your input, comments, concerns of the area or even any ideas for the property. It is the first step of the rezoning process that is required, so that they public/neighbors in the direct vicinity are noticed by the potential zone change.

Public Question: What is the maximum number of lots that can be built?

IMEG: Max of 56 to minimum of 17 houses, depending on the lot size we always include road design within calculations as well.

Public Question: What is the major access to the subdivision?

IMEG: Collier Road.

Public Question: What are the chances that this rezone gets approved?

IMEG: It is always about a 50/50 chance.

Public Question: Will Blue Creek be affected by the subdivision?

IMEG: No. No one is allowed to touch Blue Creek due to surface water rights and riparian area standards as well as floodplain standards are within the subdivision regulations. We must follow the subdivision regulations and can also not affect any downstream water right holders without permitting.

Public Question: Will there be any of access into the subdivision other than Collier Road? What about Basin Creek Road N.

IMEG: No, all other surrounding roads of the subdivision are private, so they will not be able to be utilized for access into the subdivision. If one of the private roads were proposed to be utilized that would take a negotiation between the property owners and those using the road, typically a homeowner's association. Essentially, utilizing anything except for a public road would require some sort of agreement with those using the private road already.

Public Question: We are neighbors to the south of the property, and we sit lower in elevation of the property. We are concerned about having a house right on top of us.

IMEG: During the subdivision design process, this will be taken into account. There are no guarantees, but IMEG will relay this concern to the owners.

Public Question: Will the owners be trying to do the most lots they are allowed to?

IMEG: During the design process, the property's terrain and slopes will have to be accounted for. A drainfield is not allowed on a slope that is 25% or larger, so some lots will inevitably have to be larger than 3 acres. Roads will have to be designed according to terrain and Yellowstone County Public Works requirements. Once those types of things are taken into consideration then a subdivision layout of lots is completed. Due to the terrain and slopes it's reasonable to think that maximum density may not be achieved. However, this would be more clear once we start the design process and we are currently not within that phase. Zoning is the first step in our process.



Public Question: Who owned the property before?

IMEG: We have no idea. The clerk and recorder's office should have that information on file for public record.

Public Question: Property lot lines and the neighbor's pins for his property look different than what the map depicts the fence is built over onto our property.

IMEG: As part of the subdivision process we would survey the property. Currently the property has not been surveyed at all. If there is a fence off the property we'd know during this process. The Montana Cadastral is the basis for our exhibit. The cadastral shows things by tax parcel and is not accurate to actual property lines or sizes.

Public Question: Can you explain RR3 and what types of houses are allowed in this zone?

IMEG: You can have a type one modular home or brick and mortar homes otherwise. The type of design for the homes will be due to covenants. The covenants are finalized after the preliminary plat is approved, but before the final plat is recorded. RR3 only allows residential living, no commercial or industrial.

Public Question: What time is the city commissioners meeting?

IMEG: A commissioners meeting has not yet been scheduled as we are planning to submit our application on December 1st this could still change. There's typically about a month where the County Planning staff will be reviewing our application. The county planning staff will then notify the public about the dates and times associated with both the Zoning Commission hearing and the County Commissioners hearing. I would look for that information in the mail.

Public Question: What is the school system situation?

IMEG: During the subdivision process we perform a community impact report and summary of probable impacts, typically as part of that process I reach out to receive comments from the school system.

Public Question: Will Billings have enough water to accommodate for this subdivision?

IMEG: At this point we cannot answer that question. During the subdivision process we have to go through and assess water, sewer, and fire for the subdivision. We must design each of those things to the approval of the fire department, DEQ, etc. Those reviewing bodies would then determine their approval of our design.

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.



Anna Vickers

From: Audrey Swanson <~~XXXXXXXXXXXXXXXXXXXX@XXXXXXXXXXXX~~>
Sent: Thursday, November 9, 2023 8:02 AM
To: Anna Vickers
Subject: Re: Zoning questions

External Email: Treat links and attachments with caution.

Sorry Anna. that was a typo where it read quarter. This was helpful. Thank you so much.

On Thu, Nov 9, 2023 at 7:54 AM Anna Vickers <Anna.M.Vickers@imegcorp.com> wrote:

Hi Audrey,

I'm unsure what you mean by quarter. I've attached a map showing your subdivided lot in relation to the property. Please confirm receipt as often attachments are filtered to spam. Hope this helps.

Kindly,

Anna M. Vickers
IMEG | Lead Land Use Planner



[175 N 27th Street | Suite 1312 | Billings, MT 59101](#)

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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: Audrey Swanson <groundedinmontana@gmail.com>
Sent: Wednesday, November 8, 2023 7:58 PM
To: Anna Vickers <Anna.M.Vickers@imegcorp.com>
Subject: Re: Zoning questions

External Email: Treat links and attachments with caution.

Hi again. I was just curious where the lots are in relation to quarter 4418 Secret Valley, which is my property

On Wed, Nov 8, 2023 at 7:23 PM Anna Vickers <Anna.M.Vickers@imegcorp.com> wrote:

Hi Audrey,

I am sorry to hear you will not be able to make the meeting. I'm happy to answer any questions you may have in the meantime.

At this point, the property has requested to tentatively rezone to RR3, residential zoning. This allows for 3-9.99 acre parcels. This zoning is similar parcel sizes to what is in the area, for the most part. At this point there is no subdivision layout. Should the zoning move forward the goal would be a mix of different sized parcels, gradually.

If you have further questions, please do not hesitate to reach out.

Kindly,

Anna M. Vickers
IMEG | Lead Land Use Planner



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This email was sent from my phone. Please excuse the brevity and any typos.

From: Audrey Swanson <~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~>
Sent: Wednesday, November 8, 2023 8:39:04 AM
To: Anna Vickers <Anna.M.Vickers@imegcorp.com>
Subject: Zoning questions

External Email: Treat links and attachments with caution.

Hello Anna. My name is Audrey Swanson. I own the land at 4418 Secret Valley Dr. I'm just wondering how this rezoning might impact my land. I do not have a house on it at this point however, I won't be able to make that meeting on Thursday and wanted to understand exactly what was being proposed and how it may affect us at all, 4418 Secret Valley Dr., thank you so very much for your help.

Anna Vickers

From: Crystal Burkett <XXXXXXXXXXXXXXXXXXXX@XXXXXXXXXXXXXX>
Sent: Wednesday, November 8, 2023 7:16 PM
To: Anna Vickers
Subject: Re: rezoning meeting Thursday

External Email: Treat links and attachments with caution.

Thank you for this.

I'm sure I'll have all of my questions lined out for tomorrow.

Kind Regards,

Crystal Burkett

On Wednesday, November 8, 2023 at 06:44:13 PM MST, Anna Vickers <anna.m.vickers@imegcorp.com> wrote:

Crystal,

This is the map that I sent you. Your initial question says unchanged. I took this to be from our letter which is the portion that is unzoned will continue to not be changed regarding zoning. I apologize if this caused confusion.

Kindly,

Anna M. Vickers

IMEG | Billings Lead Land Use Planner



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This email was sent from my phone. Please excuse the brevity and any typos.

From: Crystal Burkett <XXXXXXXXXXXXXXXXXXXX@XXXXXXXXXXXXXX>
Sent: Wednesday, November 8, 2023 6:38:27 PM
To: Anna Vickers <Anna.M.Vickers@imegcorp.com>
Subject: Re: rezoning meeting Thursday

External Email: Treat links and attachments with caution.

Hi Anna

Is there a map showing the 40 acres that will remain unzoned?

Kind Regards,

Crystal Burkett

On Tuesday, November 7, 2023 at 06:47:16 PM MST, Anna Vickers <anna.m.vickers@imegcorp.com> wrote:

Hi Crystal,

At this point, the parceling up for subdivision has not been drawn. Discussions have been high level and speculative as rezoning is the first step. We are only under contract to navigate the rezoning. We are happy to hear inputs and any ideas now, to better navigate that future subdivision process.

Kindly,

Anna M. Vickers

IMEG | Lead Land Use Planner



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This email was sent from my phone. Please excuse the brevity and any typos.

From: Crystal Burkett <XXXXXXXXXXXXXXXXXXXX@XXXXXXXXXXXXXX>
Sent: Tuesday, November 7, 2023 6:39:56 PM
To: Anna Vickers <Anna.M.Vickers@imegcorp.com>
Subject: rezoning meeting Thursday

External Email: Treat links and attachments with caution.

Hello,

I received this letter about the meeting Thursday and was wondering if you can send me a copy of the parcel map as you envision it being divided up for the subdivision. I would like to see this before the meeting so I can compose some questions for the group of developers.

Kind Regards,

Crystal Burkett

Anna Vickers

From: Anna Vickers
Sent: Wednesday, November 8, 2023 5:34 PM
To: Mike
Subject: RE: Question regarding reasoning letter
Attachments: 24x36 Vicinity Map.pdf

Good Evening Michael,
I have attached a vicinity map for your reference. Please confirm receipt as often attachments can be filtered to spam.

Kindly,

Anna M. Vickers
IMEG | Lead Land Use Planner



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From: Mike ~~XXXXXXXXXXXXXXXXXXXX~~
Sent: Wednesday, November 8, 2023 3:01 PM
To: Anna Vickers <Anna.M.Vickers@imegcorp.com>
Subject: Question regarding reasoning letter

External Email: Treat links and attachments with caution.

To whom it concerns,

Is this property currently titled under "AA Properties LLC"? I would like to understand the location of the parcel on the GIS map.

Thank you,
Michael Levine

~~XXXXXXXXXXXXXXXXXXXX~~

Sent from my iPhone