

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:** _____

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

3. **Legal Description of Property:**

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

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

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

please attach to on line application

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

1) The pre-application neighborhood meeting was held on the _____, day of _____, 20____.

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

Owner (s):

_____ Telephone: _____

Address:

_____ Email: _____

Agent (s):

 Telephone: _____

Address: _____ Email: _____

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



3412 Colton Blvd., Suite 202 • Billings, MT 59102 • (406) 384-0080

September 15th, 2025

Dear Interested Neighbor,

On behalf of Donna, Diana and Karin Barber, Performance Engineering, LLC, is writing to inform you of a zoning pre-application neighborhood meeting scheduled to be held on **September 22nd, 2025 at Emmanuel Baptist Church at 5:30 PM**. If attending, please utilize the front entrance (east side of the building) and proceed to the Shiloh Room on your left after entering.

The meeting is being held to discuss a proposed zone change regarding the existing property located north of Central Ave. between Double Hall Lane and South 44th Street West (roads currently being constructed on the south side of Central). The owner is requesting the property shown in the attached exhibits, and described below, be re-zoned to accommodate future development.

A portion of Amended Tract 1 of COS 2007 located in the E1/2, SW1/4 of Section 3, T01S, R25E, Yellowstone County, Montana. Having a total area of approximately 55.46 acres.

The intent of the meeting is to make neighboring property owners aware of the proposed zoning change and concurrent annexation for the subject property, discuss the potential for development, and to answer questions about the project. Please note only that area indicated as being included in this application will be subject to the proposed zone change and annexation, not any surrounding county properties. Below is a summary of the existing zoning and the proposed zone changes:

Existing Zone District	Existing Area (acres)	Proposed Zone District	Proposed Area (acres)
A - Agriculture (10+ Acres)	55.46	CMU1	3.41
		N2	41.17
		NX1	3.03
		P1	1.12

The City of Billings generally describes the zoning districts included in this application as:

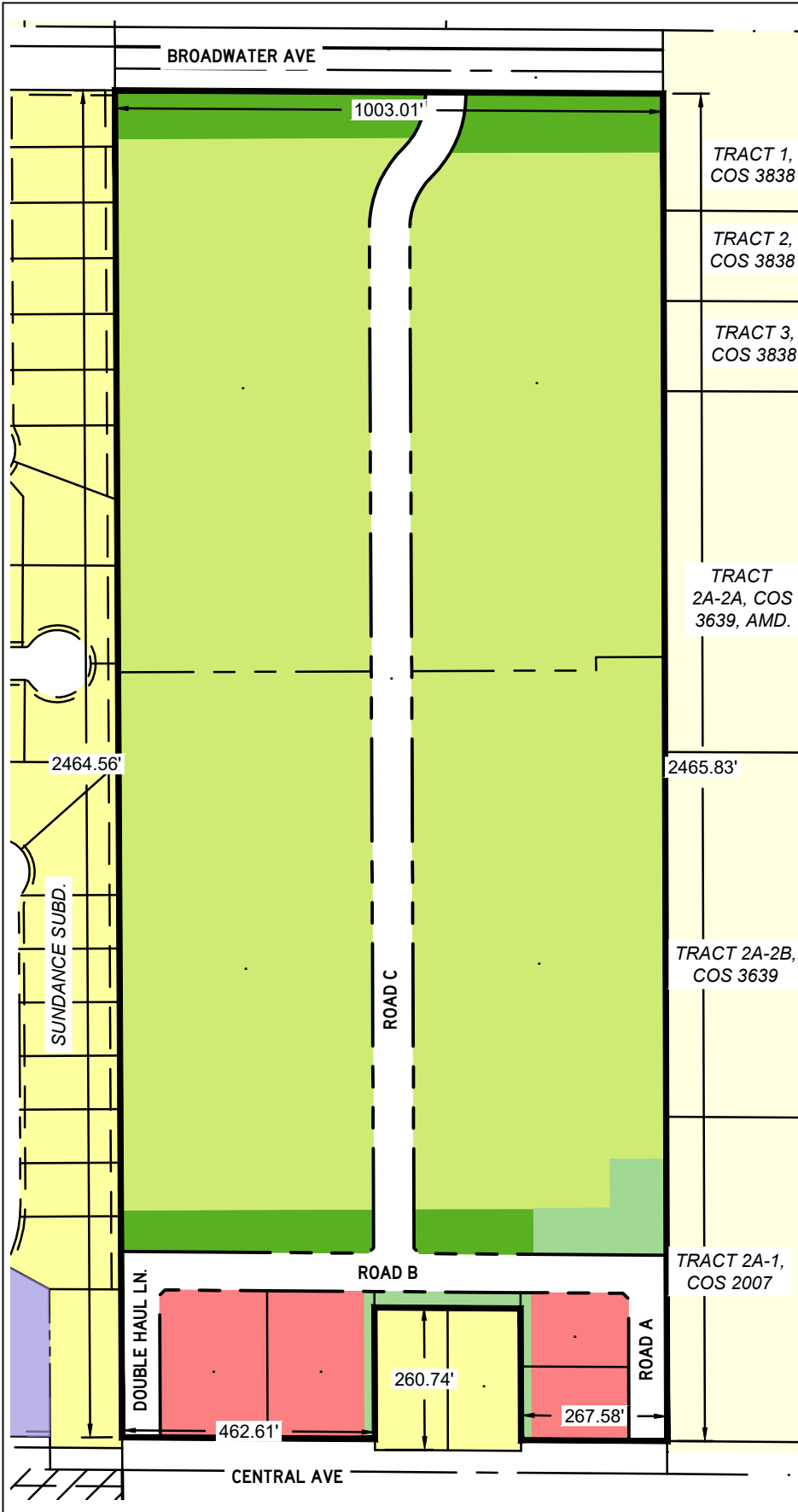
- CMU1: Commercial Mixed Use 1
- N2: Neighborhood Residential 2 (single or duplex dwellings)
- NX1: Mixed Residential 1 (1 to 4 residential dwelling units per building)
- P1: Public Open Space 1 (park)

Representatives for Performance Engineering, LLC will be present at the meeting to answer questions from those who attend. For those unable to attend the meeting, written letters can be directed to Performance Engineering at 3412 Colton Blvd., Suite 202, Billings, MT 59102, attention Taylor Kasperick, or emails may be sent to taylor@performance-ec.com. We look forward to discussing the proposed zone change with you and hope to see you on **September 22nd, 2025 at Emmanuel Baptist Church at 5:30 PM**.

Sincerely,

Taylor Kasperick, PE

9/15/2025 10:09 AM
 COLTON TEL. PE Standard.dwg



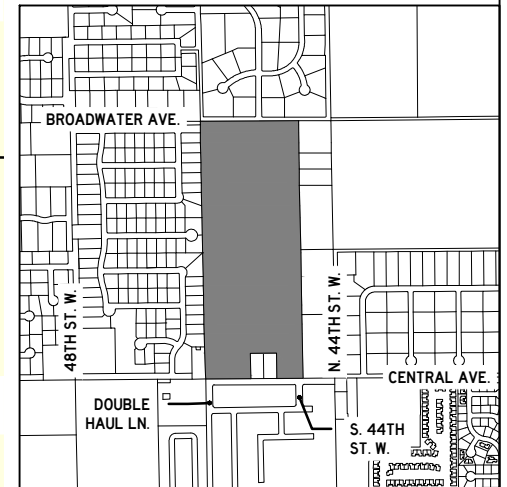
LEGAL DESCRIPTION

TRACT 1A OF CERTIFICATE OF SURVEY NO. 2007, AMENDED, S03, T01S, R25E, P.M.M.

ZONING LEGEND

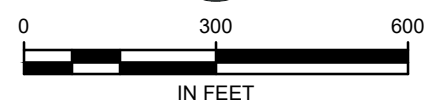
- A - Agricultural (10+ acres)
- CMU1 - Corridor Mixed- Use
- N2 - Mid-Century Neighborhood
- N4 - Large Lot Suburban Neighborhood
- NMU - Neighborhood Mixed-Use
- NX1 - Mixed Residential 1
- P1 - Open Space, Parks, Recreation
- RR1 - Rural Residential (1 to 2.99 acres)

PROPOSED ZONE CHANGE BOUNDARY



ZONING INFORMATION

ZONING DISTRICT	ACRES
CMU1	3.41
N2	41.17
NX1	3.03
P1	1.12



PROJECT TITLE
BARBER FARM SUBDIVISION

SHEET TITLE
PROPOSED ZONING MAP

DRAWN BY
 BGR

DATE
 Sep-25

CHECKED BY
 TJK

CLIENT
**DONNA, DIANA,
 AND KARIN BARBER**

**PERFORMANCE
 ENGINEERING**

3412 COLTON BLVD, SUITE 202
 BILLINGS, MT 59102

(406) 384-0080
 www.performance-ec.com

EXHIBIT
A

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PERFORMANCE
ENGINEERING

A Portion of Tract 1A of Certificate of Survey No. 2007, Amended - Zone Change (A to CMU1, N2, NX1, P1)

9/22/2025

NAME	ADDRESS	Email
Lisa Hansen	4613 Sun Pacing	lz8691@yahoo.com
GARY & MARGARET HARDEF	675 CANDL LIGHT LN	garyj@midrivers.com
Bill & Sheryl Duke	735 Bluegrass West	bill.duke@icloud.com
Jim - Temper Lemon	775 11 11	Jim Lemon 775 Hmtl.com
Joe Cvikshank	1330 Bluegrass Dr	jcvikshank@bresnan.net
Steve Taylor	1275 Cloverleaf Pl	stevetaylor@gmail.com
Jim Berve		Jaberve@gmail.com
Michael Berve	378 LIGHT STREAM	michael.berve@gmail.com
Mike Broschwein	1210 Blackberry Way	m.broschwein1@gmail.com
Jeff Tuttle	1355 Cloverleaf Pl	jeffdtuttle@gmail.com
Alan & Susan	4740 Alyson Ave	No thanks
KAREN EHRMAN	4613 Junbunt Ln	kehresman@gmail.com
Brian & Holly Wheeler	4646 Liahona Lane	bnhwheeler@gmail.com
Jess & Kelly Grossman	1250 Timothy Pl	kjgrossman@hotmail.com
Amy Wilde	840 Paintbrush Pl.	wadeandamy@hotmail.com
Brandon Reiter		breiter55@gmail.com
Melissa Townsend	4610 Sticka Cir.	notant71@gmail
Lorinda Grosso	925 Bluegrass Dr E	ljgrosso@yahoo.com
Gary & Kathi Workman	930 Bluegrass Dr. E.	gary.workman93@gmail.com
Kathy Johnson	940 Bluegrass Dr E	m64johnson@gmail.com
Ryan Larsen	1145 Bluegrass Dr. W.	RyanLarsenDUD@juno.com
CHARLIE BREWER	1365 TIMOTHY PL.	BREWERBUILTHOMES@gmail.com

Lot 3 of Barber Farm Subdivision

Being a Portion of Tract 1A of COS 2007
Section 03, T01S, R25E, Yellowstone County, Montana

Zone Change Neighborhood Meeting Notes

The meeting was conducted from 5:30-7:00 PM on September 22, 2025 at the Emmanuel Baptist Church. The meeting was hosted by Taylor Kasperick of Performance Engineering (agent).

There were 48 public participants for the meeting.

The meeting began with Taylor Kasperick giving an overview of the property and the current owners of the land (the Barbers). Taylor discussed the zoning districts that are being proposed within the development as CMU1, N2, NX1 and P1. While describing the zoning districts, pertinent information regarding the density allowed in either of the residential districts, height limitations within all districts as well as allowable uses within the commercial districts were provided.

Taylor discussed how this proposed zone change will be submitted in conjunction with a petition for annexation as the project area will need to be annexed into the city to allow for the proposed zoning districts. Taylor discussed how the PND process works and provided the expected timelines for application submittal and public hearings (anticipated November 4th and November 24th) for zoning commission and city council.

Proposed roadways within the development were also discussed by Taylor, stating the development would be accessed from two points along Central Avenue. These roads would align with the development to the south of this property. From these two access points, a single north/south public road will be constructed through the development, eventually connecting to Broadwater Avenue, which will be extended along the northern property boundary.

Following Taylor'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 without implementation of residential dwelling densities higher than large lot

single family residences. 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 350-400 dwelling unit range.

- What is going to be done to address the increase in traffic in the area?
Residents from Sundance Subdivision stated they already have issues at intersections around the subdivision (i.e., 48th and Central and subdivision access points).

A Traffic Impact Study (TIS) has been contracted and is being prepared to be submitted with the concurrent Subdivision application. The TIS will study the Central Avenue corridor between 48th 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?

The height restrictions for NX1 and N2 were discussed, with NX1 allowing for buildings up to 2.5 stories and N2 allowing for buildings up to 2 stories. CMU-1 was not asked about so it was not front of mind to respond to, but for record purposes CMU-1 allows up to 4-story buildings. The proposed CMU-1 district is solely proposed immediately adjacent to Central Avenue, and did not appear to be the intent of the questions posed.

- Where will utilities for the development be coming from?

As part of the development to the south, a 16" Ø water main was extended along Central Avenue along the entire frontage of the subject property. Additionally, an 8" Ø sewer main was stubbed out of West 44th Street South as part of the same development. This proposed project will tie onto the water and sewer from the aforementioned mains.

- What type of commercial developments will be built along Central Avenue?

It is unknown at this time what exactly will be built in these commercial districts, however, it was noted that because this property is requesting annexation into the city it cannot be a marijuana dispensary as it is not allowed within the city. It was also brought up how there have been preliminary discussions of a gym/fitness center potentially being built within one of these commercial zone districts.

- Why isn't this property being developed as a county subdivision?

In accordance with the Yellowstone County Subdivision Regulations and Montana Department of Environmental Quality requirements, any subdivision within 500 feet of a public sanitary sewer or water system must connect to those systems rather than having onsite water and sewer. Due to the development to the south constructing public sanitary sewer north to Central Avenue, the proposed subdivision is now within 500 feet of public sanitary sewer and would be required to connect onto these public utilities.

- Why does the property have to annex into the city while the two lots surrounded by the subdivision stay in the county.

While it would be required for this 55.46 acre lot be annexed into the city prior to development, it is not required for the two lots surrounded by the project be annexed because they are already developed containing residential homes and having appropriate septic permits. It was noted that should the water supply or septic system fail for either property, it is anticipated they would be required to tie into the City's water and sewer systems rather than being granted replacement permits for the existing systems.

- Will the parkland indicated in the exhibit double for stormwater management?

The preliminary plans of the development will utilize the parkland area for underground stormwater management. This would allow the parkland area to double as usable park as well as help the development manage stormwater in accordance with the Billings Stormwater Management Manual. It was also pointed out that while the exhibit shows the minimum area of park required, it is anticipated that more parkland will be dedicated throughout the development.

- What stops multi-story apartment buildings from being constructed within the development.

In order for multi-story apartments (greater than 4 units) to be constructed on this property, the developer would be required to perform a zone change. With a zone change, a neighborhood meeting exactly like this one would be required. This is where neighbors would be able to voice their concerns with a project that would propose multi-story apartments. It was noted by attendees that it has been shown that this can occur after the initial zone change.

- Will the middle road connect to Cloverleaf Meadows Subdivision?

It is not the developers intent to propose nor is it desired for the developer to connect the middle road (Road C in the mailer exhibit) through to Bluegrass Drive West. Any connection to Cloverleaf Meadows would be a requirement put forth by the City, and would be fought by the developer.

- Why not do a “traditional” single-family subdivision as opposed to utilizing the lots for rental homes.

As identified in the City of Billings Growth Policy, smaller affordable rental units are the most in demand households in Billings. This development would help fill a market that has been missed not only on the West End, but throughout Billings.

- Why did we only get a seven day notice for this meeting? Why was the meeting at 5:30 PM and not later?

As required by the City of Billings Zoning Code, written notifications shall be mailed at least (7) calendar days prior to the scheduled meeting. The City of Billings Zoning Code also states meetings may be held after 5:00 PM on any weekday. The neighborhood mailers were mailed on October 15th in conformance with the zone change procedural requirements.

- Why did the mailer only go out to some people in neighboring subdivisions?

As part of the PND zone change process, address labels and a radius map are obtained from the City/County Planning department. As stated in the City of Billings Zoning Code, all PND zone changes must notify property owners within 1,320' of the property boundary.

- What will the quality of the homes built within this development be like?

As opposed to county subdivisions, any residential home built within the city limits will be required to be inspected to ensure the residences are built to code and of quality. In a typical county subdivision, residential homes are not required to be inspected to ensure they comply with these codes outside of an electrical inspection and sanitation inspection.

Generally, among the attendees of the meeting there were frustrations voiced and a general discontent about the proposed development. In their attendees opinion, the property is better suited for a single-family county subdivision, with larger lot sizes and less density. This is counter to the City of Billings Growth Policy, the City of Billings Zoning Code requirements for a PND, and the desires of the City of Billings to find a better density balance to help better sustain the cost to operate and maintain city infrastructure and provide a range of housing options for residents.

Email and written correspondence received regarding the application is also included for reference.

Taylor Kasperick

From: Taylor Kasperick
Sent: Wednesday, October 1, 2025 1:51 PM
To: 'Bill Duke'
Subject: RE: Barber Farm Zone Change Follow Up

Sorry for the delayed response, Mr. Duke.

As noted and confirmed in the neighborhood meeting, the owner under contract (buyer) of the subject property is Cal Kunkel.

Thank you!

Taylor

Taylor Kasperick, PE
Project Manager
taylor@performance-ec.com
Mobile: 801.657.0372



From: Bill Duke <bill.duke@icloud.com>
Sent: Monday, September 29, 2025 2:31 PM
To: Taylor Kasperick <taylor@performance-ec.com>
Subject: Barber Farm Zone Change Follow Up

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Thank You, Our concern was "WHO" the developer/builder for the project might be?
Thanks again,
The Duke's

On Sep 29, 2025, at 14:17, Taylor Kasperick <taylor@performance-ec.com> wrote:

Mr. and Ms. Duke,

Thank you again for attending the neighborhood meeting last week regarding the proposed zone change for the proposed Lot 3 of Barber Farm Subdivision. As discussed following the meeting with Sheryl, I wanted to reach back out with contact information for the seller of the property (current owners). I do not have a direct line of communication with the sellers and only their realtor (Mike Burschwein), so upon asking for the contact information it was requested that I forward you his contact information as their representative. Mike's information is included below. Thank you and please let me know if you have any questions.

<image001.png>

Thank you,

Taylor

Taylor Kasperick, PE

Project Manager

taylor@performance-ec.com

Mobile: 801.657.0372

<image002.png>

RE: Proposed Zone Change - Billings, MT

From Taylor Kasperick <taylor@performance-ec.com>
Date Thu 9/25/2025 2:59 PM
To Daniel Beierwaltes <danielbeierwaltes1@gmail.com>
Cc Brody Roberson <brody@performance-ec.com>

Hey Daniel,

Apologies for the delayed response, but thank you for reaching out.

The proposed zone change includes four different zoning districts: Corridor Mixed Use 1 along Central Avenue, NX-1 (mixed residential with 1-4 dwelling units per building) immediately in from the commercial and just south of Broadwater, N2 (single family residential allowing 1 to 2 units per building) and the P1 (park space). Predominantly (~82%) the proposed zoning is N2.

We are still working through layouts on the proposed development, so unfortunately don't have any renderings to share at this time.

For Broadwater Avenue, it is being required to be pulled through from the east side of Sundance to the east side of this property. This is a requirement of the County minor subdivision that has been approved to break off the Barber's homesite lots off Central Avenue, and Broadwater would be required to be constructed upon development of the project. Please note the project is planned to be broken into two phases, with the northern ~1/2 (when Broadwater would be constructed) being included in the second phase.

While a lot of concerns were voiced at the neighborhood meeting, the tangible impact that this, as well as any new development, will have is increased traffic. As part of the review process, we will be undertaking a Traffic Impact Study to identify what improvements are needed at present day, what will be needed during the first phase of the project, and what would be needed at full build out to help facilitate traffic operations.

Hopefully this helps answer your questions but please feel free to let me know if not.

Thank you,

Taylor

Taylor Kasperick, PE
Project Manager
taylor@performance-ec.com
Mobile: 801.657.0372



From: Daniel Beierwaltes <danielbeierwaltes1@gmail.com>
Sent: Wednesday, September 24, 2025 3:08 PM
To: Taylor Kasperick <taylor@performance-ec.com>
Subject: Proposed Zone Change - Billings, MT

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Good afternoon, Taylor,

My name is Daniel Beierwaltes. I am a homeowner in the Sundance Subdivision on 48th and Central, and received your letter concerning a proposed zoning change for the land east of the subdivision. I apologize for being unable to make it to the public meeting on Monday night. However, I am still curious as to the plans for the potential future development.

The letter said "mixed residential". Can you please elaborate? Are there any proposed renderings for the neighborhood? Also, my house is on Broadwater Avenue, so I am more interested in what's happening on the northern end of the development. Is Broadwater to be extended through to the new neighborhood? What would be the other impacts on our subdivision?

Thanks, and have a great day,

Daniel Beierwaltes
406.794.4391

From: Karen Ehresman-Oberly <kehresman@gmail.com>

Sent: Thursday, September 25, 2025 2:39 PM

To: Taylor Kasperick <taylor@performance-ec.com>

Subject: Barber Farm Subdivision

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Subject: Opposition to Proposed Zoning Change

Hi Taylor,

My name is Karen Ehresman, and I live in the Sundance subdivision. I attended the meeting on 9/22/25 regarding the proposed zoning change from agricultural use to high-density rental development. After reviewing the information presented, I would like to express my opposition to this change.

Traffic in our area is already congested, particularly along Central and 48th Street. As you mentioned during the meeting, the new housing development on the south side of Central will add even more traffic. Additionally, opening access to Broadwater would create further congestion on the north end of the subdivision. I am concerned that the current infrastructure cannot support the increased traffic volume that such a development would bring.

Beyond traffic, I am also worried about the impact on our property values in Sundance and the surrounding neighborhoods. Large-scale rental development often reduces home values, and I fear it could also contribute to higher rates of crime, including burglaries and other safety concerns.

Thank you for taking the time to consider my perspective on this matter.

Sincerely,
Karen Ehresman

Council Meeting
Nov 4

Linda Baltrusch

5:30

Hi Neighbors,

We need your help fighting this "Proposed Zoning" right next to our subdivision. Please take a moment to read the letter below that was written by Bill Duke and sent to the Billings City Council. I have also included a map of the proposed subdivision. Your attention to this matter is greatly appreciated !!

I am humbly reaching out to you as "members of the Billings City Council." The Cloverleaf Meadows HOA has been notified by "Performance Engineering" of their efforts to change the zoning on the agricultural land due south of Cloverleaf Meadows. The three ladies who now own their parents farm; Donna, Diana & Karin Barber are evidently ready to cash out and sell the farm....

Performance Engineering is leading their effort to rezone 55.46 acres to allow City Services to the area but NOT to include the Barber's personal property, they wish to have that remain in the County.... Potentially, a very unique island posing numerous problems, if permitted! I have included the information provided by PE for your review. It should be noted; the PE Notification, according to legal requirement only reached a small fraction of the potentially effected homes owners within 1,320 feet of the request and the specified "PE information meeting was held with questionable short notice, taking place at 17:30 hours which would not permit many working homeowners to attend!

PE attempted a similar effort several years ago at 48th & Grand Avenue which was soundly rejected. We understand that Mr. SCOTT ASPENLIEDER is the Manager @ PE..... Considering this fact, Mr. Aspenlieder as a Billings City Council Member, should "recluse" himself from all zoning changes without question!

The home owners able to make the meeting were advised the PE plan was to accommodate four hundred (400) families on the 55.46 acres and three commercial business locations. When questioned regarding a "Casino" at the location the response was ambiguous, if not elusive. I would respectfully point out; Cloverleaf Meadows is 51 acres and supports 49 Families. Mike, you Sir, will surely remember Cloverleaf Meadows from your days of property ownership here. Bill, we appreciate your friendship and experienced tenure on County Commission as well as the City Council to intelligently address the folly of this proposal. You Gentlemen must also be aware of the PE directed building activity directly to the south of Central Avenue on the former "Dick Hardt Farm." This action will also drastically increase the traffic on the west end in it's own right, now multiply that by an additional four hundred family dwellings!

The PE map shows "Road C" progressing north with a slight jog which indicates a potential opportunity to connect with the cul-de-sac on Bluegrass Drive West. Gentlemen, "WE VEHEMENTLY OBJECT" Cloverleaf Meadows rejects the potential of additional traffic due to four hundred families, as well as the impact on our eleven acre Park which the homeowners pay dearly to maintain. During fall and spring when we accommodate children's sports activity in our park, due to parental parking, our roadway is a single lane. The Billings "west-end infrastructure" has not developed properly to absorb an additional four hundred families driving potentially six hundred vehicles at the designated location! You are cordially invited to attempt to gain entrance to Grand Avenue at 07:30 and 17:30 from the Cloverleaf Meadows entrance.

PE map indicates multifamily (NX1) on the north perimeter of the 55.46 acres along what will one day be Broadwater Avenue. The proposed height of these multiplex units will impede the view of the Beartooth

Mountains, Pryor Mountains and the Big Horn Mountains for many of the Cloverleaf Homeowners which was a consideration upon building in Cloverleaf Meadows twenty-five plus years ago.... Those homeowners in Cloverleaf Meadows constructed "Forever Homes" reflecting "Pride-Of-Ownership" not stop-gap rentals which reflects the entire PE proposal as ill-advised from the logical standpoint point of infrastructure and the ability to support four hundred new families in a highly questionable design layout.

I would hope that we can meet with you to discuss this important issue before the City Council action takes place in early November, as PE advised us last evening.

Respectfully, on behalf of the Cloverleaf Meadows Homeowners

Bill Duke

735 Bluegrass Drive West

C: (406) 425-9827



Linda Baltrusch

L & C Capital

PO Box 80166









Billings, MT 59108

Cell: 406-671-8137

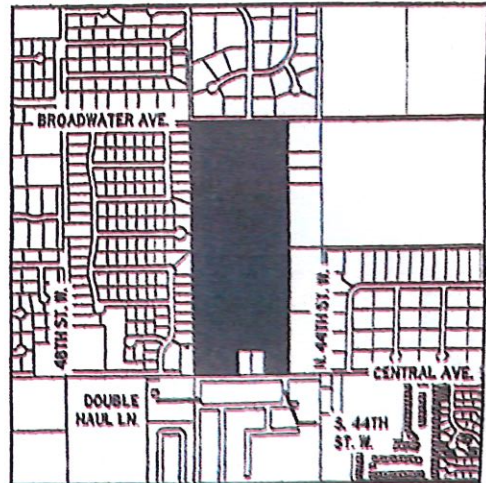
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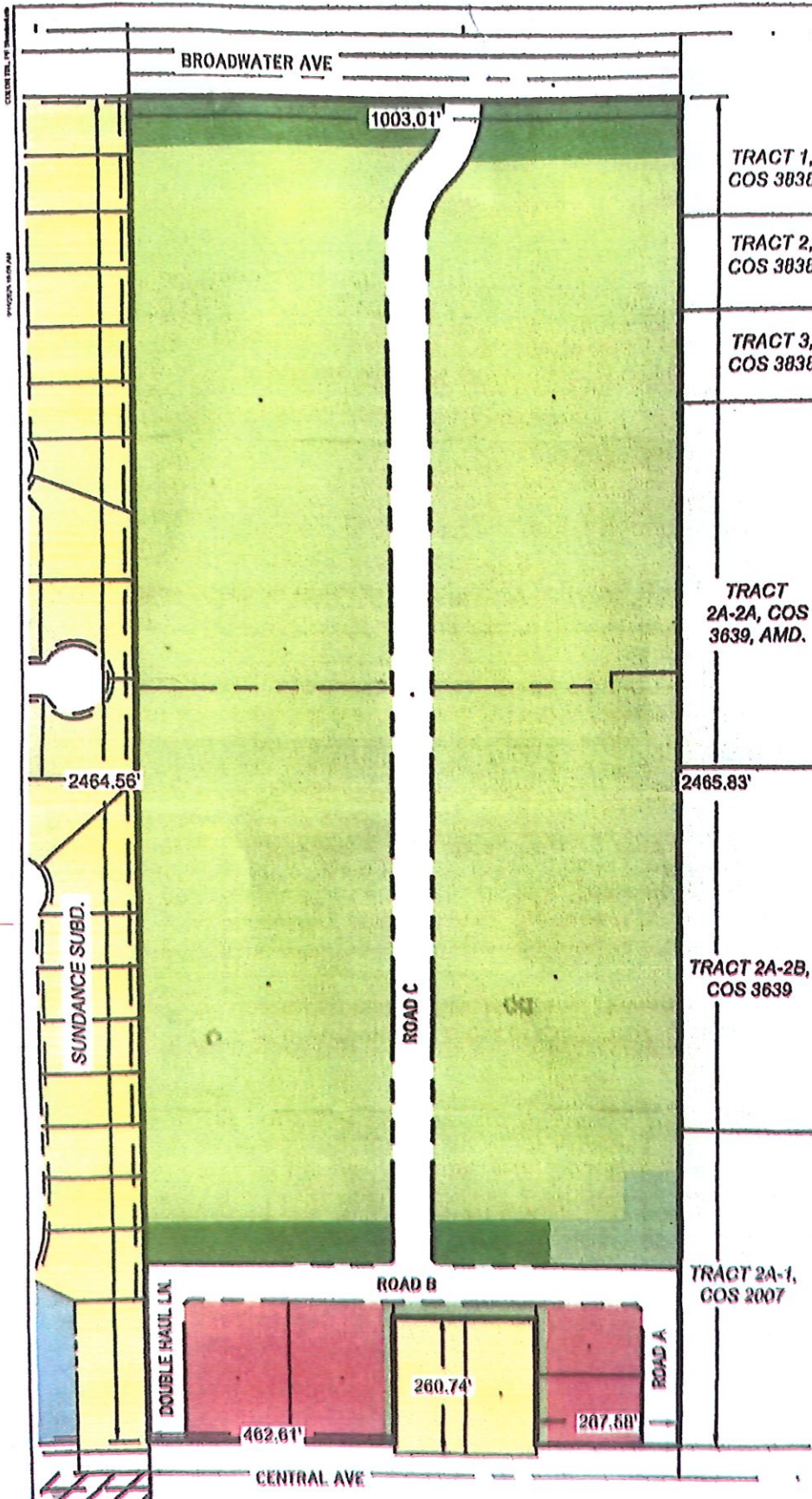
- TRACT 1, COS 3838  A - Agricultural (10+ acres)
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- TRACT 3, COS 3838  N2 - Mid-Century Neighborhood
-  N4 - Large Lot Suburban Neighborhood
-  NMU - Neighborhood Mixed-Use
-  NX1 - Mixed Residential 1
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PROPOSED ZONE CHANGE BOUNDARY



ZONING INFORMATION

ZONING DISTRICT	ACRES
CMU1	3.41
N2	41.17
NX1	3.03
P1	1.12



PROJECT TITLE
BARBER FARM SUBDIVISION

SHEET TITLE
PROPOSED ZONING MAP

DRAWN BY
EGG

DATE
5/20/24

CHECKED BY
JMK

CLIENT
**DONNA, DIANA,
AND KARIN BARBER**

PERFORMANCE ENGINEERING

3112 COLTON BLVD, SUITE 202
BILLINGS, MT 59102

(406) 384-0080
www.performance-ea.com

EXHIBIT
A

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