



January 3, 2025

City Of Billings Planning & Community Services
Zoning Commission
316 N 26th St.
Billings, MT 59101

Reference: January 07, 2024, Hearing on City Zone Change 1056

Commissioners,

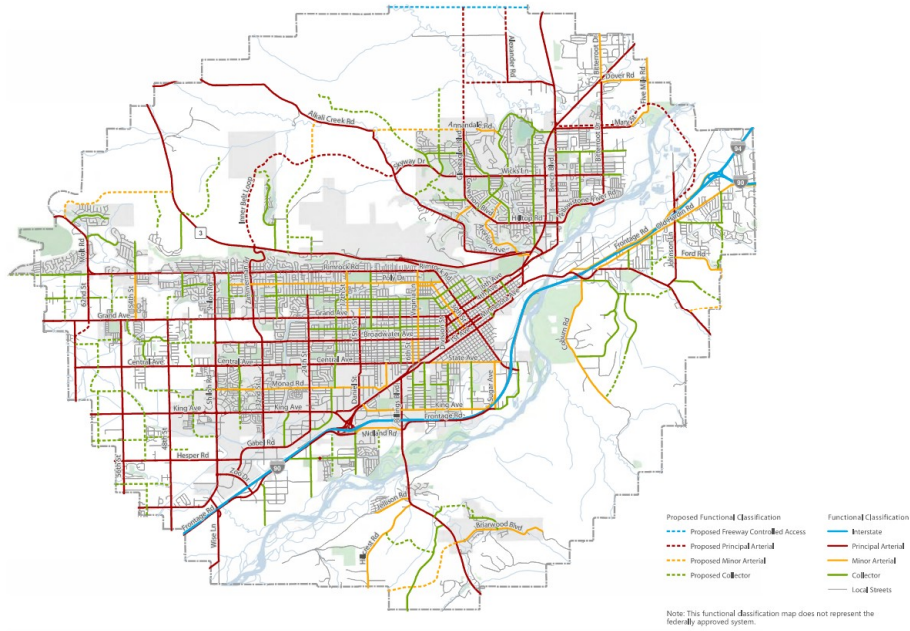
Sanbell, on behalf the applicant for City Zone Change 1056, Gary Oakland, submits this letter to provide clarification and response to questions posed by the Zoning Commission during the public hearing on December 03, 2024. We thank the commission for its consideration.

I. Traffic - 2023 LRTP Projections and Roadway Capacity

The 2023 Long Range Transportation Plan (LRTP) projects future trips on the planned and existing street network within the MPO boundaries. The extents of the 2023 LRTP include some undeveloped areas, and uses a traffic travel demand model based on existing zoning and development to project future traffic volumes.

The Traffic Analysis Letter prepared by Sanbell was reviewed by City Traffic Engineer Martonen, who accepted its methods and findings, which demonstrated that the existing and added trips generated by Zone Change 1056 would be well within the capacity of Gleneagles Blvd. (resulting 27% capacity) and High Sierra Blvd. (resulting 49% capacity). These projections do not account for future street connections planned to the north and west, which would reduce the impact of this development on High Sierra Blvd. and Gleneagles Blvd.

FIGURE 35. FUNCTIONAL CLASSIFICATION



2. Traffic - Process for Allocation of System Development Costs

During the Commission’s deliberations on December 3, commissioners asked how costs associated with development resulting from this application would be allocated. Per City of Billings Subdivision Regulations section 23-406, the High Sierra development would be required to construct all internal roadways (Local Streets, Collectors, and Arterials) to the City standards at 100% development cost. Those regulations also require that a Traffic Accessibility Study (23-406(b)(4)) must be completed and approved by a city engineer as a condition of approval. The city will also require a comprehensive traffic impact study at the time of site plan approval that reviews traffic and safety operations of Collector/Arterial intersections within a mile or more of the development at the discretion of the City’s Traffic Engineer. At the conclusion of the traffic impact study, the city will calculate the portion of all collector/arterial intersections, for which the developer is responsible, based on the proposed development’s density, (i.e., the higher the development density, the higher transportation fees that will be required.) These fees are collected by the City and used for intersection traffic and safety upgrades across the City on the Collector and Arterial intersection.

3. Why Here?

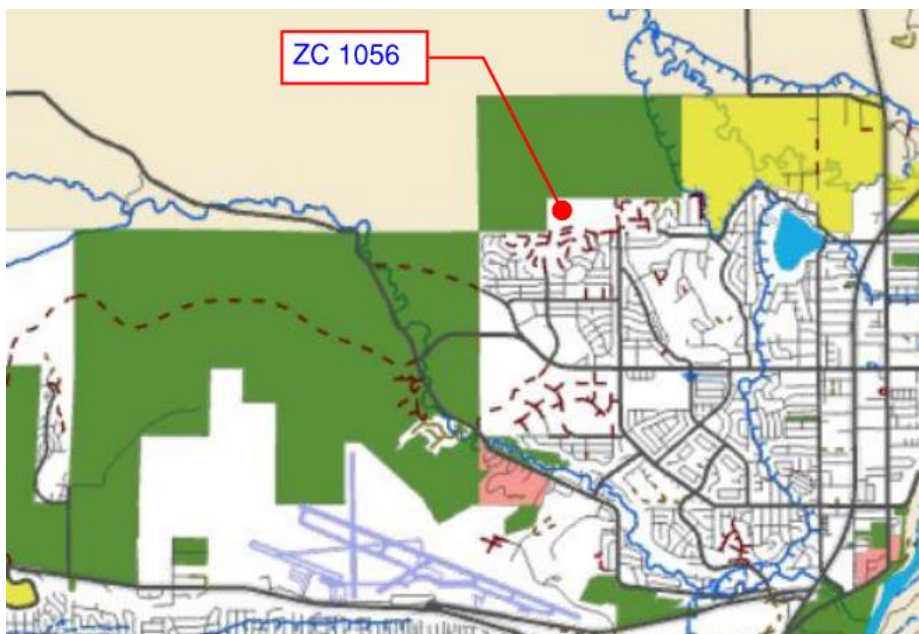
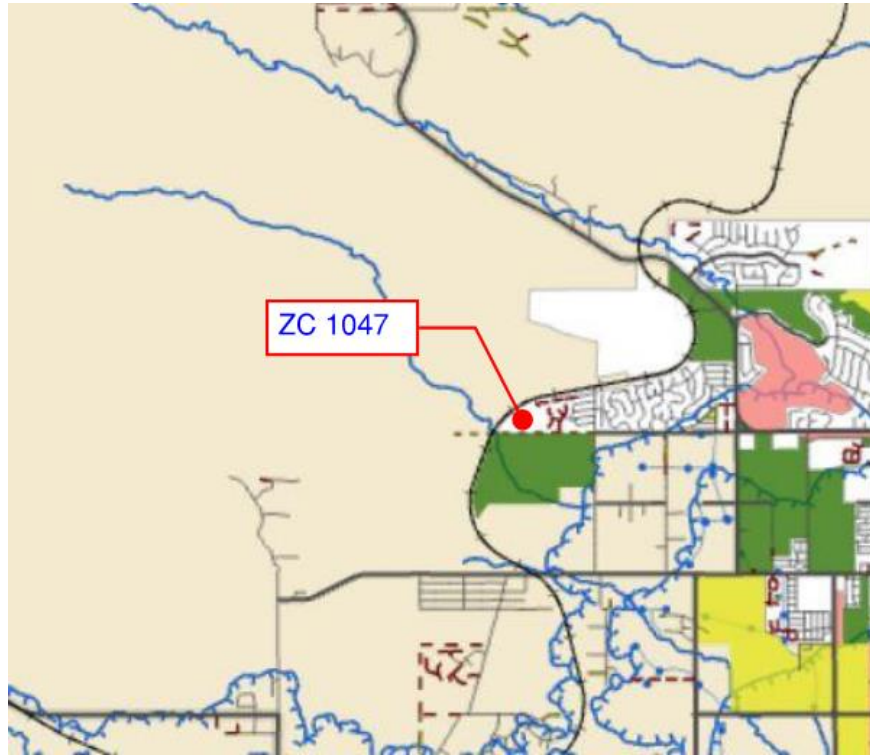
During deliberations, some commissioners mentioned that they would be more supportive of the application were it on Main Street. Unfortunately, no developable parcels with sufficient acreage to support multifamily residential are available on Main Street. Unlike a smaller, more centrally located property, introduction of multifamily residential at the proposed location allows for a planned transition between building scales, insulating existing residences with buffers N3 of more than a hundred yards in all directions.

4. Why this application is not like Copper Ridge

At several points during the commission's deliberation on Zone Change 1056, Commissioners compared this application to zone change 1047, Copper Ridge 7th and 8th filings. Those applications are not comparable for several reasons.

While both applications address zoning for property located at the edge of city limits, the similarities end there. Zone change 1047 sat at the end of a narrow, disconnected outgrowth of annexed land (white), surrounded, with one exception, by county land outside of the petition (green) or long-range annexation area (yellow), i.e. land not planned for future urban development of any kind in the 2016 Growth Policy.

Zone change 1056, by contrast, sits at the northwestern edge of a contiguous body of annexed land (white), with petition areas (green) of 800 acres to its northwest, and petition area of 4,300 acres to its southwest, both of which are planned in the 2016 Growth Policy for similar intensities of development.



5. Tenth Statutory Zone Change Criteria

During the December 3rd hearing, commissioners stated that this application likely meets all criteria except criteria ten, “whether the new zoning will encourage the most appropriate use of land throughout the City of Billings.”

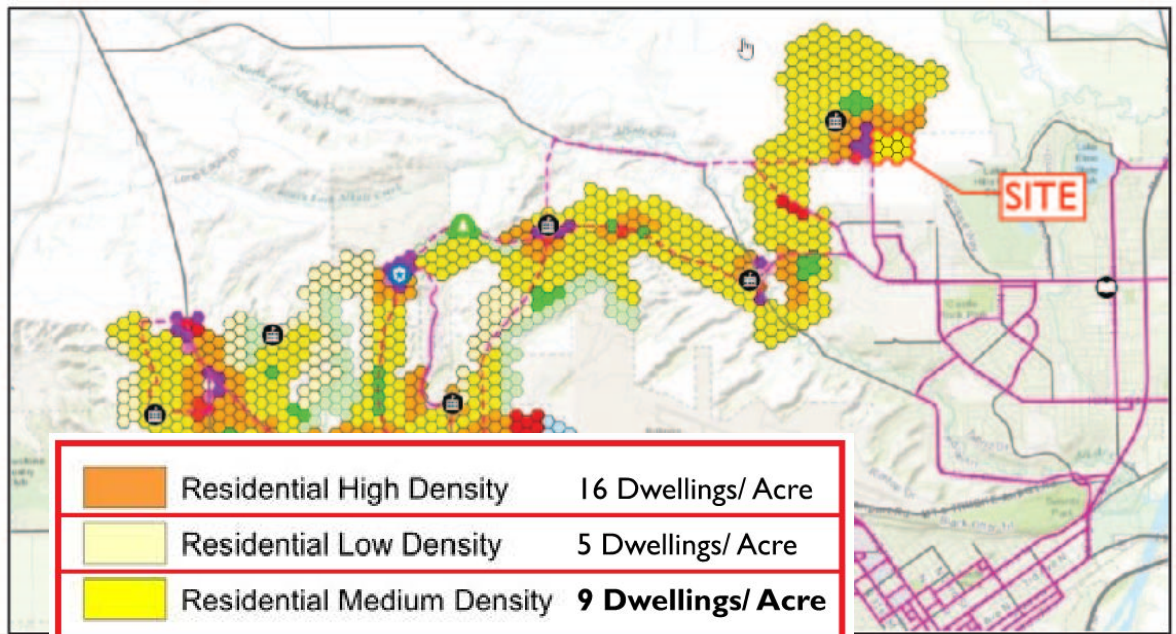
We contend that the best way to judge any zoning application against the vague wording of criterias 2-10 of MCA 76-2-304 is to measure the application’s consistency with the Growth Policy, which is criteria 1, and offers the most detailed analysis of the themes discussed in MCA 76-2-304.

6. Accordance with the 2016 Growth Policy

This application meets the first statutory zone change criteria and is wholly consistent with the City of Billings 2016 Growth Policy, which contains the most in-depth analysis available as to what kind and intensity of development is appropriate and desired by the public for The Heights growth area.

The Heights growth area identified in the 2016 Growth Policy directly abuts Zone Change 1056 to the north and west and plans for development of 9-15 dwellings per acre throughout most of the growth area, with higher densities of 16

NORTH PUBLIC PREFERRED SCENARIO (NPP)



dwellings per acre and mixed-use development planned for the area directly west of the subject property.

With an average residential density of 13.4 dwellings per acre and the inclusion of a small area of commercial use, this application is exactly the kind of development that the 2016 Growth Policy, and the public input that informed it, calls for.

Denial of this application would create one of two scenarios: it would either create a precedent of denial for similar requests in this area, in direct conflict with the Growth Policy, or it would put the commission in the position of having denied zoning on one side of the fence, only to approve it on the other.

Approval of Zone Change 1056 would conform with the Growth Policy, its analysis, and the public vision expressed therein. Approval of this application sows the seeds of fiscally and socially sustainable growth in The Heights, whose fruits will be enjoyed by generations to come.

In accordance with the 2016 Growth Policy, we respectfully request a unanimous recommendation for approval. Thank you.

Sincerely,

John D. Halverson, LEED AP BD+C
Planner

JDH/vp

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