

ORDINANCE 24-5871

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THE ZONE CLASSIFICATION for Lots 3 and 4 of Amended Plat of Block 4, Lake Hills Subdivision 2nd Filing, BE AMENDED

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS THAT:

Section 1. RECITALS. Title 76, Chapter 2, Part 3, MCA, and Sections 27-1628, BMCC, provide for amendment to the City Zoning Map from time to time. The City Zoning Commission and staff have reviewed the proposed zoning for the real property hereinafter described. The Zoning Commission and staff have considered the ten (10) criteria required by Title 76, Chapter 2, Part 3, MCA. The recommendations of the Zoning Commission and staff have been submitted to the City Council, and the City Council, in due deliberation, has considered the ten (10) criteria required by state law.

Section 2. DESCRIPTION. Lots 3 and 4 of Amended Plat of Block 4, Lake Hills Subdivision 2nd Filing, is presently zoned **Suburban Neighborhood Residential (N3)**, and is shown on the official zoning map within this zone.

Section 3. ZONE DISTRICT AMENDMENT. The official zoning map is hereby amended and the zoning for **Lots 3 and 4 of Amended Plat of Block 4, Lake Hills Subdivision 2nd Filing**, is hereby changed from **Suburban Neighborhood Residential (N3)**, to **Public 2 (P2)**, and from the effective date of this ordinance, shall be subject to all the rules and regulations pertaining to **Public 2 (P2)**, as set out in the Billings, Montana City Code.

Section 4. EFFECTIVE DATE. This ordinance shall be effective thirty (30) days after second reading and final adoption as provided by law.

Section 5. REPEALER. All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.

Section 6. SEVERABILITY. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and, to this end, the provisions of this ordinance are declared to be severable.

PASSED by the City Council on first reading this 26th day of February, 2024.

PASSED, ADOPTED and APPROVED on second reading this 11th day of March, 2024.



CITY OF BILLINGS

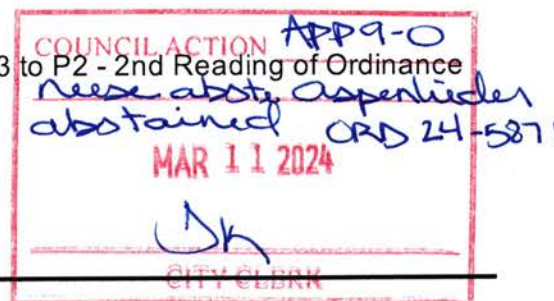
BY: William A. Cole
William A. Cole, Mayor

Attest:

BY: Denise R. Bohlman
Denise R. Bohlman, City Clerk
Zone Change 1042 – 655 W Wicks Lane

City Council Regular

Date: 03/11/2024
 Title: Zone Change 1042 - 655 W Wicks Lane - N3 to P2 - 2nd Reading of Ordinance
 Presented by: Nicole Cromwell
 Department: Planning & Community Services
 Presentation: No
 Legal Review: Not Applicable
 Project Number: PZX-24-00001

**RECOMMENDATION**

The Zoning Commission recommended approval and adoption of the findings of the 10 review criteria for Zone Change 1042. The City Council held a public hearing on first reading on February 26, 2024, and approved the zone change. A second reading of the ordinance at this meeting is required to approve the zone change.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

This is a zone change request for a parcel located at 655 W Wicks Lane and legally described as Lots 3 and 4 of Block 4, of the amended Plat of Block 4, Lake Hills Subdivision, 2nd Filing. The current zoning is N3 -- Suburban Residential Neighborhood and the proposed zone is Public 2 (P2), a zoning that would allow the development of a church. The proposed zoning is compatible and identical to the zoning on the adjacent lots to the east and the small utility lot on the southwest corner established for a pump station operated by the Billings Heights Water District. North across Pebble Beach Road is Mixed Residential 1 (NX1) where there are several two and four family dwellings. To the west of Inverness is a mix of residential and commercial zones including corridor mixed use (CMU), neighborhood mixed use (NMU) and Mixed Residential 2 (NX2) zoning for multi-unit dwellings. Across Wicks Lane is NX2 zoning and several apartment buildings. The property has remained vacant since it was first platted in the county in the 1950s. The church to the east was built in 1982.

The proposed zone change will allow the property to be developed for a new church, Grace Point Church. The proposed zoning does require compatibility with adjacent zoning districts (Sec 27-500 BMCC). For example, any district that is different from the P2 zone that is within 150 feet of the exterior property line will require any construction along that property line to match the adjacent zone. This compatibility requirement includes build-to zones, maximum height and setbacks (Table 27-500.1 BMCC). Height exceptions are allowed for spires and similar un-occupied building appurtenances. Buildings may also exceed the maximum height (for occupied space under a roof) if the building is setback an additional two feet for every foot the building exceeds the height limit.

Churches in general serve as focal points for the community and add significant value to adjacent neighborhoods. The use typically does not generate consistent daily traffic but is day and time dependent on worship services and other activities. Depending on the capacity of the proposed church, a traffic impact study might be required. According to the applicant's agent, access to and from the property would likely be from Wicks Lane and from Inverness Drive.

The P2 zone allows a variety of civic and institutional uses, but individual sites are limited to two primary structures. Sites that intend to develop three or more primary buildings (i.e. college campuses, church/school campuses, medical facilities, Metra Park) would choose a Public 3 (P3) zone district. Residential use is allowed if those homes are offered to persons who are affiliated with a primary use. For religious institutions, this could mean a home for the church leader, or acolytes of the institution. Other uses that may be allowed include schools, government offices, hospice facilities, day care, a cemetery, and some recreational uses.

STAKEHOLDERS

The applicant held a pre-application neighborhood meeting on December 14, 2023, at the Lake Hills Golf Course Clubhouse. Ten surrounding property owners signed in at the meeting. The primary concern expressed by the surrounding owners was regarding parking, traffic (entry and exit) and improvements to Inverness and Pebble Beach. Planning staff sent the required mailed notices, posted the property, posted a synopsis of the application on the Current Zoning Application web page, and published the legal for the Zoning Commission hearing. No public comments were received by the Planning staff prior to this report.

City Zoning Commission Public Hearing February 6, 2024

The Zoning Commission held its hearing on February 6, 2024, and received the staff recommendation and testimony

from the applicant's agent, Taylor Kasperick, P.E. of Performance Engineering. One property owner provided testimony in favor of the application. Rebecca Utter, who owns 621 Pebble Beach Road, spoke in favor of the application. No other testimony was received at the hearing.

Commission Vice Chair Greg McCall closed the public hearing. A motion to recommend approval and adoption of the findings of the 10 criteria was made by Commission member David Goss. The motion was seconded by Commission Vice Chair Greg McCall and was approved on a 4-0 vote. The Zoning Commission welcomed two new members appointed in December, 2023: Andy Megorden and Beau Mulvaney. Commission member Daniel Brooks was absent from the meeting.

City Council Public Hearing February 26, 2024

The City Council held a public hearing and received the recommendation of the City Zoning Commission and testimony from the applicant's agent, Taylor Kasperick of Performance Engineering. There was no other testimony. The Mayor closed the public hearing having received no other testimony. Council member Kennedy made a motion to approve Zone Change 1042 and adopt the findings of the criteria as recommended by the Zoning Commission. The motion was seconded by Council member Neese and the motion was approved on a 11 to 0 vote.

ALTERNATIVES

The City Council may:

- Approve and adopt the findings of the ten review criteria for Zone Change 1042 as recommended by the Zoning Commission and approved by the Council on first reading; or,
- Deny and adopt different findings of the ten review criteria for Zone Change 1042; or,
- Delay action on the zone change request for up to 30 days at the request of the applicant or on its own motion; or
- Refer the application back to the Zoning Commission for an additional public hearing based on 1) new information submitted that the applicant and public has not had an opportunity to examine; or 2) new information has been presented that was never submitted or considered by the Zoning Commission or staff; or
- Allow the applicant to withdraw the zone change request.

The applicant has not requested a delay or withdrawal of the application.

FISCAL EFFECTS

Approval or denial of the proposed zone change will not have an effect on the Planning Division budget.

SUMMARY

Prior to making a decision on the proposed zone change, the City Council shall consider the Zoning Commission's recommended findings of the following criteria:

1) Is the new zoning designed in accordance with the Growth Policy and neighborhood plans?
The proposed zone change is consistent with the following guidelines of the 2016 Growth Policy:

- Infill development and development near existing city infrastructure may be the most cost-effective.
- Walkable neighborhoods that permit convenient destinations such as neighborhood services, open space, parks, schools and public gathering spaces foster health, good will and social interaction.
- Implementation of the Infill Policy is important to encourage the development of underutilized properties.

The Billings Heights Neighborhood Plan (2006) will be updated in 2024. The current plan emphasized the need for more meeting and activity spaces in Billings Heights. This can be provided by government facilities or private facilities. There are more than 30 churches in Billings Heights that serve the entire community, including the only mosque in Billings. Church congregants also come from outside the city limits. Additional space for community gatherings will help meet the goal of providing more meeting and activity space in Billings Heights.

The proposed zoning would allow an existing vacant property to be developed for a religious institution. The parcel is over 8 acres and can accommodate the initial development with space for a future building and activity areas. The existing zoning (N3) was the zone that translated from the previous zoning of R96 for this parcel. Public 2 (P2) was applied to the existing church to the east and to the Billings Heights Water utility parcel. The single-family zoning was put in place first in the County (1973) and remained in place at the time of annexation (1984). The P2 zone is a specific zone for churches, schools and other civic institutions.

The property is located on an arterial street (W Wicks Lane) that currently handles over 5,700 vehicle trips per day (2022). As building activity increases in the High Sierra Subdivision and the Dover Ranch property, traffic volume will increase on W Wicks Lane. In addition, the completion of the Inner Belt Loop connection to Highway 3 will also add traffic. The City Engineering Division will work with the church to properly locate access driveways on the property. This will likely include one access from Inverness.

2) Is the new zoning designed to secure from fire and other dangers?

The new zoning requires minimum setbacks, open and landscaped areas and building separations. The new zoning, as do all zoning districts, provides adequate building separations and density limits to provide security from fire and other dangers. The site will be developed in conformance with Section 27-500 (Public zone district standards).

3) Whether the new zoning will promote public health, public safety and general welfare?

Similar to criteria two, public health and public safety will be promoted by both the existing zoning and the proposed zoning. The proposed P2 zoning would allow the vacant property to be developed. Developed land will increase property values. Vacant land tends to add unpredictability to the area. Public health and safety will be promoted by reducing the calls for service to the Code Enforcement Division for untended grass and weeds. Every summer since 2016, the owner has neglected to mow the grass and weeds on the property, prompting calls for Code Enforcement.

4) Will the new zoning facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements?

Transportation: The proposed zoning should not have any measurable impact on transportation until the church is constructed and occupied. The capacity of the church will determine the need for a traffic impact study. The development will require the completion of the street improvements on Inverness Dr (east side) and Pebble Beach (south side). The streets currently do not have curb, gutters or sidewalks on both sides of the street. Drive approaches will be determined and approved by City Engineering in accord with the access management policy.
Water and Sewer: The City will provide a sewer connection to the property. The Billings Heights Water District will provide water. The property is on the southern boundary of the water district. The Utilities Division voiced no concerns.

Schools and Parks : Schools and parks should not be negatively affected by the proposed zoning. The school district provided no comments on the proposed zone change. Parks should not be negatively impacted by the proposed zoning. The closest public park is across the street from the subject property. This is Castle Rock Park.
Fire and Police: The subject property is served by city public safety services. The Police and Fire Departments had no concerns about the zone change.

5) Will the new zoning provide adequate light and air?

Similar to criteria 2 and 3, the proposed zoning provides for sufficient setbacks to allow for adequate separation between structures and adequate light and air. Any development of the property would follow the requirements of Section 27-500 (BMCC) and other city regulations for development.

6) Will the new zoning affect motorized and non-motorized transportation?

The existing property has a fully developed sidewalk on W Wicks Lane. The curb, gutter and sidewalk will need to be installed on Inverness and Pebble Beach. This will have a positive effect on pedestrian safety and access. The development of a new church may require a traffic impact study if the anticipated number of new trips is 500 or more per day. The two closest intersections -- Inverness and Broadmoor -- are stop controlled intersections. There is a signalized intersection further west at Gleneagles and W Wicks Lane and one to the east at Lake Hills Dr and W Wicks Lane. The signalized intersections can act to regulate traffic flow and safe turning movements can be accomplished at Broadmoor and Inverness. During peak traffic times, drivers can navigate to these signalized intersections along internal streets to decrease their wait times at these unsignalized intersections.

7) Will the new zoning promote compatible urban growth?

The proposed zoning is compatible with the adjacent zoning and existing urban growth in the vicinity. Property east and southwest are also zoned P2. North of Pebble Beach is NX1 zoning and to the west of Inverness in mixed use zoning and NX2 zoning. The development of the adjacent property matches the zoning for the properties. The P2 zoning is compatible with the surrounding property and development. The zoning does promote compatible urban growth.

8) Does the new zoning consider the character of the district and the peculiar suitability of the property for particular uses?

The proposed zoning does consider the character of the district and the suitability of the property for the proposed use or uses. The proposed zoning will allow the development of this vacant parcel to complete the infill of this section of Lake Hills Subdivision.

9) Will the new zoning conserve the value of buildings?

The new zoning is not expected to alter the value of any buildings in the area. Any development of the property will need to meet the code requirements for Public zoning, and other city development and building regulations. New development tends to increase surrounding property values.

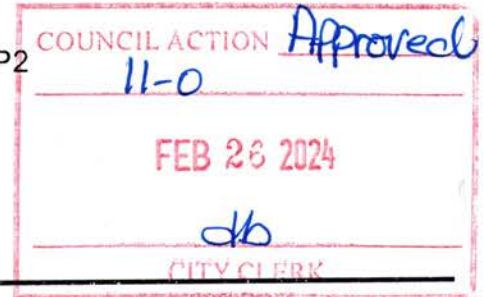
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The proposed zoning will allow the development of property in a desirable neighborhood in Billings Heights. Public and private service organizations add value to neighborhoods. Infill on large vacant parcels also contributes to neighborhood stability. The proposed zoning and use will encourage the most appropriate use of the parcel.

Attachments

ZC 1042 Ordinance

City Council Regular

Date: 02/26/2024
Title: Zone Change 1042 - 655 W Wicks Lane - N3 to P2
Presented by: Nicole Cromwell
Department: Planning & Community Services
Presentation: Yes
Legal Review: Not Applicable
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Zoning Map and Site Photos

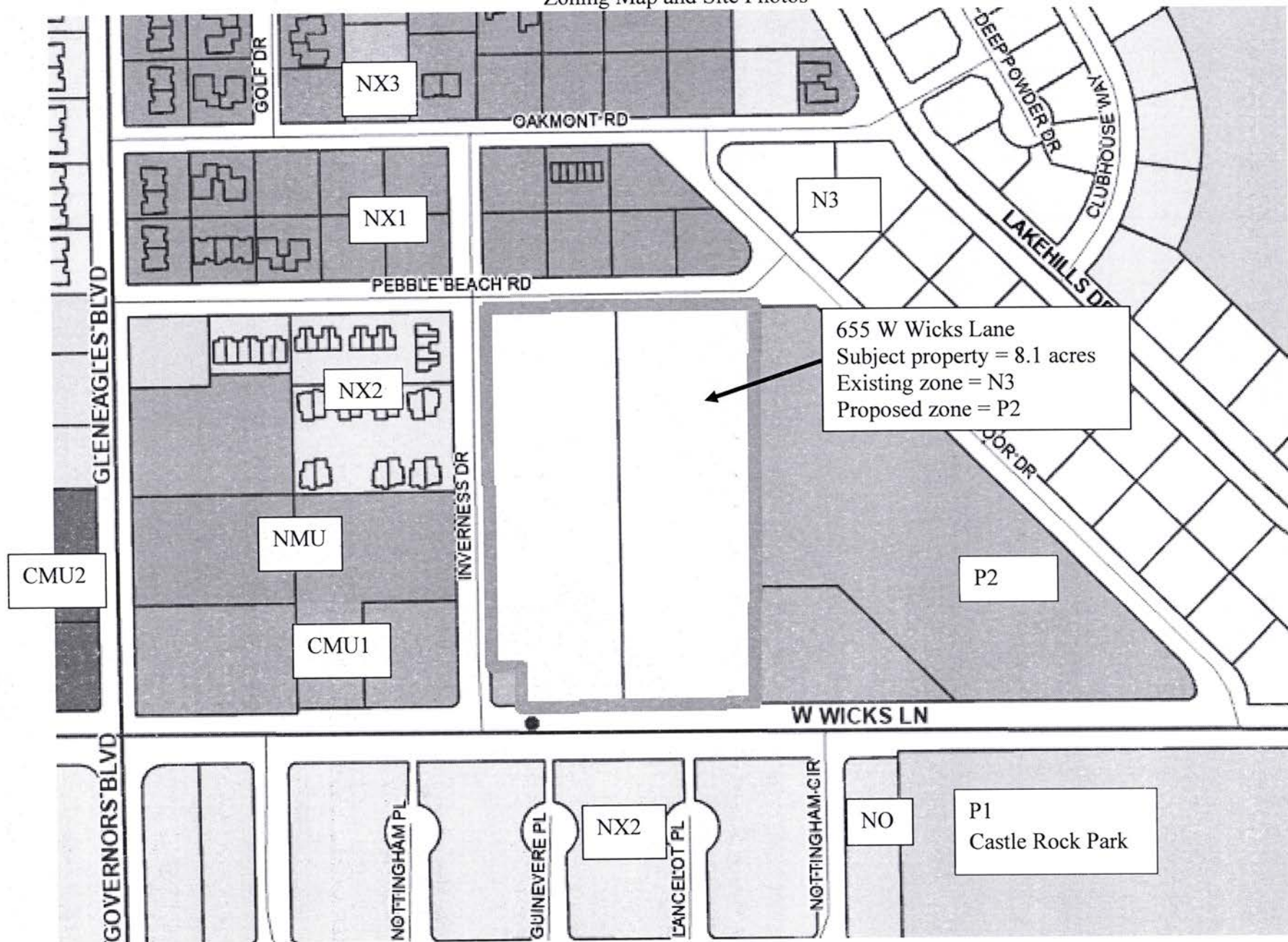
Zoning History ZC 1042

Application and Letter ZC 1042

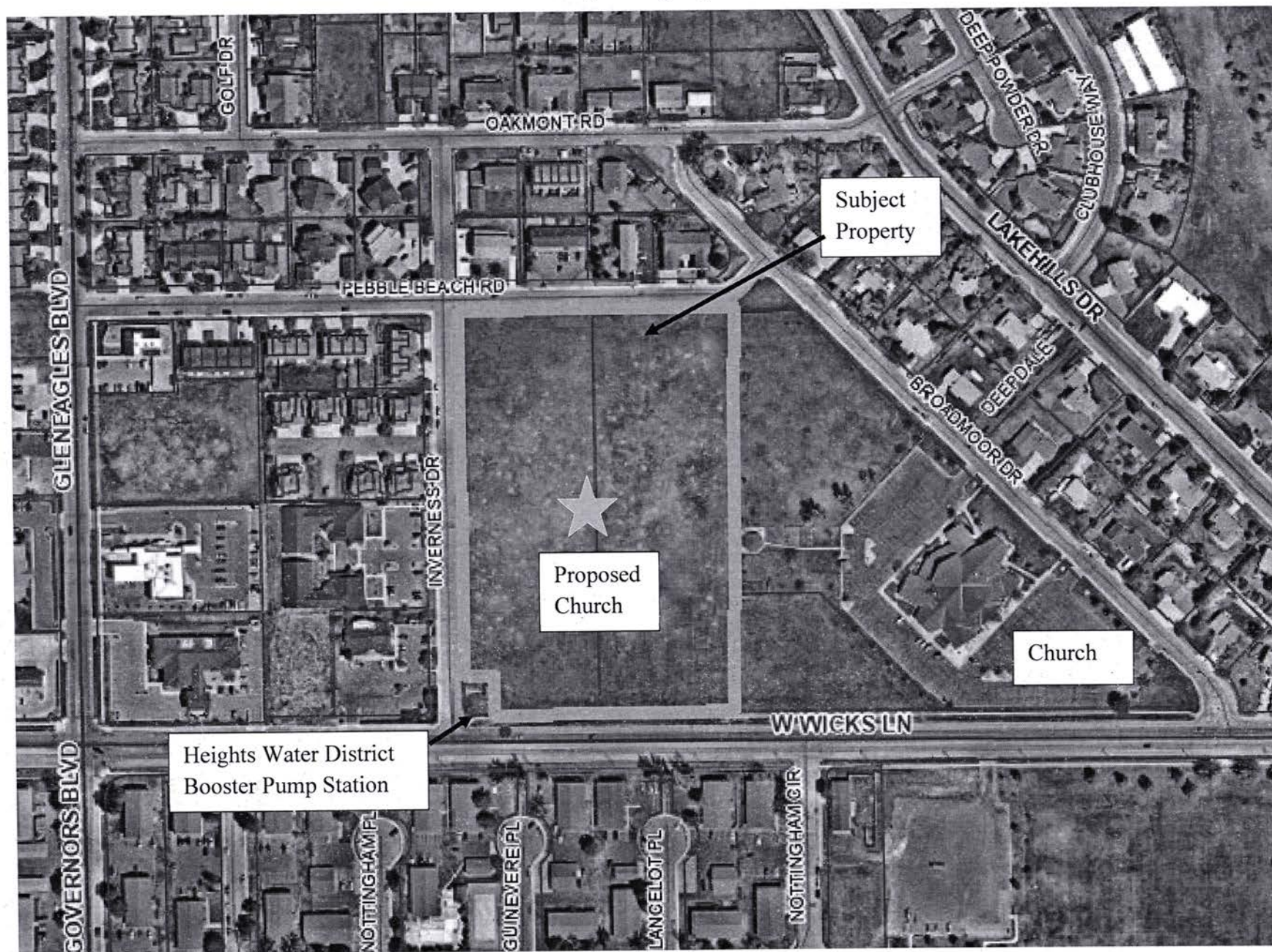
Pre application meeting info ZC 1042

ZC 1042 Ordinance

City Zone Change 1042 – 655 West Wicks Lane
Zoning Map and Site Photos

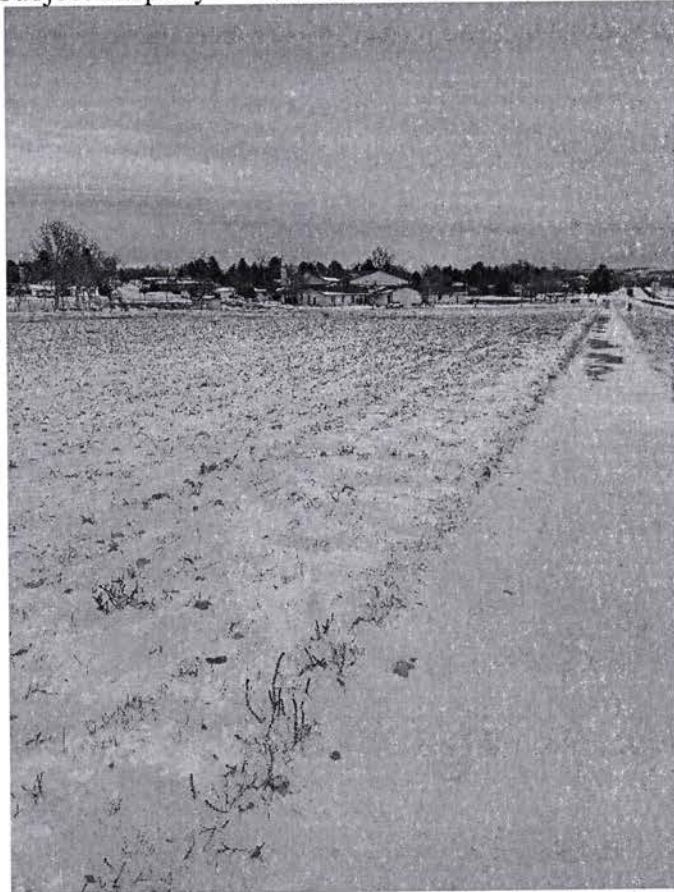


Subject Property

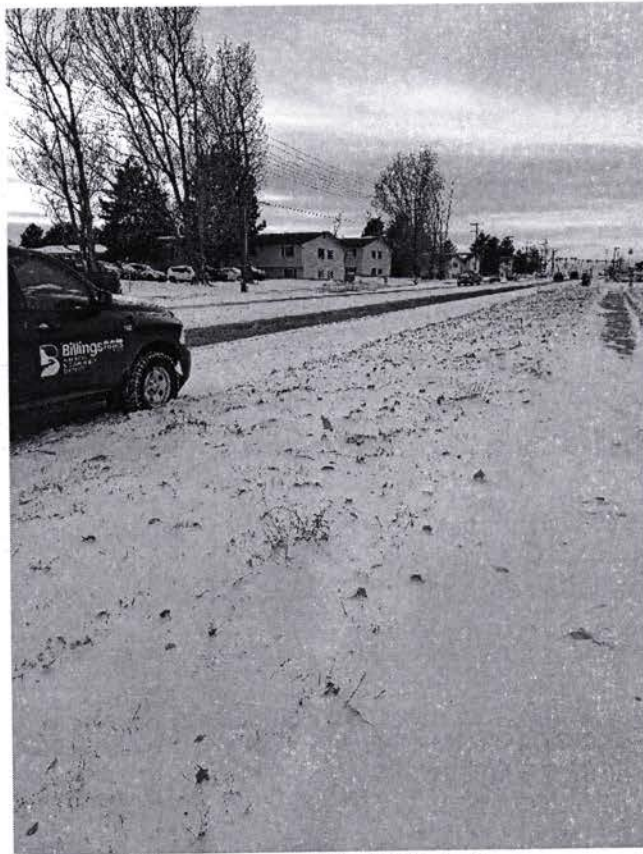




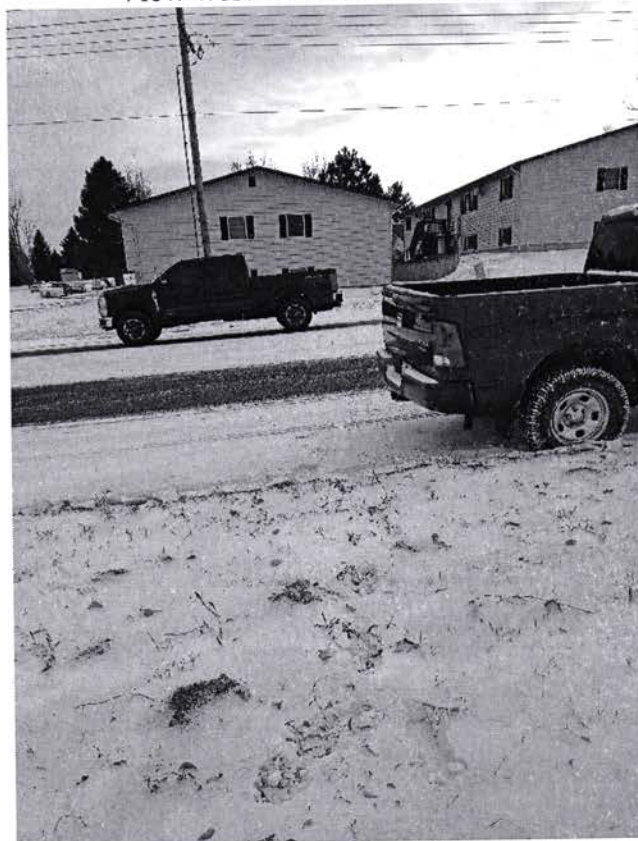
Subject Property – view north from West Wicks Lane



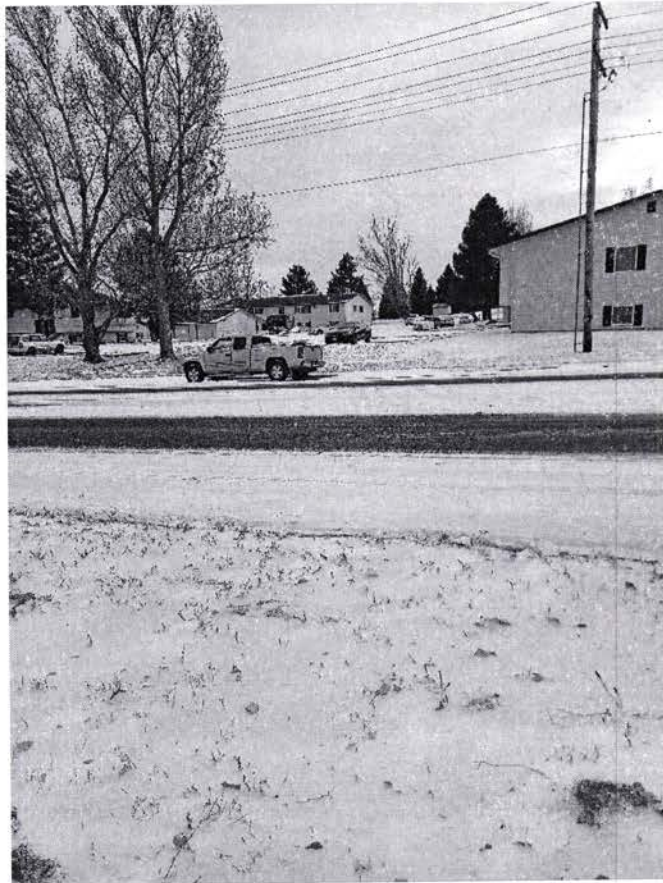
View east along West Wicks Lane



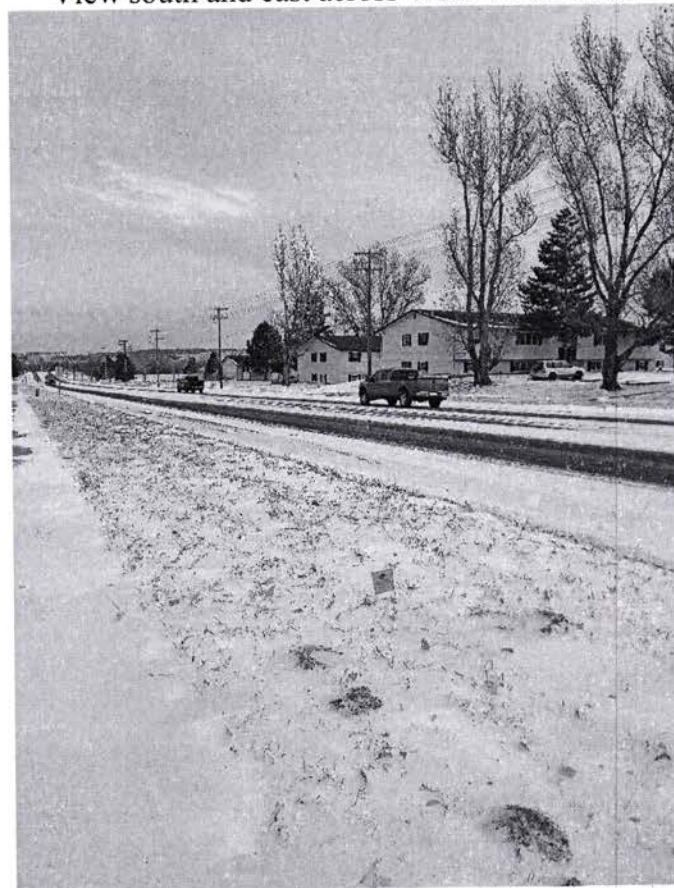
View west on West Wicks Lane



View south across West Wicks Lane



View south and east across West Wicks Lane



View south east across West Wicks Lane



Aerial View of Property

Zoning History for City ZC 1042 – 655 West Wicks Lane

SUBJECT PROPERTY	Zone Change	DATE	FOR	APPROVED (Y/N)	ADDITIONAL DATA
655 W Wicks Lane	None				Zoning was R-96 Update to N3
SURROUNDING PROPERTY	Zone Change	DATE	FOR	APPROVED (Y/N)	ADDITIONAL DATA
1640 Broadmoor	Var 61	9/14/1979	Increased height for new church	Yes	Churches were allowed uses in R zones in 1979
Lake Hills, 1 st , 3 rd , 4 th , 6 th , 15 th , 17 th and 18 th Filings	County ZC 16	7/1974	From R-96 to RMF and CC	Yes	
1706 St Andrew's Dr	County ZC 330	9/1/1982	R96 to R70	No	Request for duplex lot
2 Almadin Ln	City ZC 665	2/26/2001	R96 to R70	Yes	Now P1 zone
2 Almadin Ln	City ZC 753	2/14/2005	R70 to Public	Yes	Heights Water Pump Station
2107 Clubhouse Wy	County ZC 95	7/6/1976	R96 to R60	Yes	4-unit bldg.
1645, 1649 & 1653 Lake Hills Dr	County ZC 319	4/23/1982	Public to R96	Yes	
241 & 301 Glenhaven	City ZC 791	10/10/2006	Public to R96	Yes	
North & south of Lake Hills Golf Clubhouse	City ZC 817	9/10/2007	Public to R80	Yes	Lots still vacant
Lots between Fantan and Picador Place	City ZC 496	4/28/1996	R96 to CC	No	Developed as SFR
Lots between Fantan and Picador Place	City ZC 516	4/28/1996	R96 to NC	No	Developed as SFR
1000 to 1100 blocks of Siesta Ave, El Rancho Dr, Sierra Granda Blvd, 1100 blocks of Cortez Ave and Matador Ave	City ZC 712	4/14/2003	R96 to R70	Yes	Developed as SFR
1200 to 1400 blocks of Sierra Granda Blvd, Cortez Ave and Matador Ave	City ZC 719	9/18/2003	R96 to R70	Yes	Developed as SFR
All land north of Matador Ave and Annandale Rd in High Sierra Sub and Marsiela Sub	City ZC 822	11/13/2007	Agriculture to R96 & R70R	Yes	Dover Ranch 400 acres
Skyview Ridge – State Land south of Wicks Lane	City ZC 814	12/5/2006	Agriculture to CC, NC, RP, RMF- R, R60, R70, R70R, R96 and Public	Yes	Undeveloped State Lease land
800 to 900 Blocks on the north of Mission Oaks Dr	City ZC 979	8/10/2020	R70R to R50	Yes	2-unit townhomes

CITY ZONE CHANGE APPLICATION FORM

CITY ZONE CHANGE

Billings Zone Change #

1042

Project # 24-00001

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 Residential

Proposed Zoning: P2- Public, Civic, and Institutional, Small

TAX ID# A22021B & A22021C CITY ELECTION WARD 2

Legal Description of Property: Lots 3 and 4, Block 4, of the Amended Plat of Block 4 Lake Hills Subdivision 2nd Filing

Address or General Location (If unknown, contact City Engineering): 655 W. Wicks Lane

Size of Parcel (Area square feet or acres): Total Area = 8.108 Acres

Present Land-Use: Vacant Land

Proposed Land-Use: Church Building

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

Owner(s): Gracepoint Church of Billings, Montana

(Recorded Owner - Printed)

PO Box 50759, Billings, MT 59105

(Address-Printed)

406-318-7731

(Phone Number-Printed)

jim@gracepointbillings.com

(email-Printed)

Agent(s): Performance Engineering, LLC; Taylor Kasperick, PE

(Name - Printed)

608 N. 29th Street, Billings, MT 59101

(Address - Printed)

406-384-0080

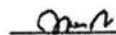
(Phone Number-Printed)

taylor@performance-ec.com

(email-Printed)

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:


James T. Taber (Jan 2, 2024 12:56 MST)

Pastor

Date: Jan 2, 2024

(Recorded Owner - Digital Signature Allowed)



608 North 29th Street • Billings, MT 59101 • 406-384-0080

Lot 3 and 4, Block 4, of the Amended Plat of Block 4 Lake Hills
Subdivision, 2nd Filing.
Zone Change Written Statement

1. Explain how the proposed project is consistent with the adopted Growth Policy, Neighborhood Plans, and other applicable city development policies.

Essential Investments - The proposed project is already within the Heights Water District boundary and service from the City sewage infrastructure is readily available making it a very cost-effective, in-fill property for the City. In addition, Iverness Drive and Pebble Beach Road are not complete streets that will be improved with the development by the Owner per City of Billings improvement requirements. This will be consistent with the essential investment to improve adjacent property values.

Place Making/Community Fabric - Utilizing the subject properties as Public space will enhance the currently vacant property and facilitate a public space for community members to meet, which is integral to a vibrant community.

Strong Neighborhood - The goal of the proposed project is to focalize a public gathering space that fosters faith, good will, and social interaction. By re-zoning to allow for the intended development as a church, the properties will be developed per the City of Billings development standards, providing safe walking spaces on the east side of Iverness Drive and south side of Pebble Beach Road.

Prosperity - By re-zoning the properties to public space, additional civic gathering spaces will be provided that further foster a sense of community and togetherness that make Billings attractive for a strong, skilled, and diverse workforce.

2. Explain how the proposed project meets the 10 zone change criteria.
 - a. Is the new zoning designed in accordance with the growth policy?
The new zoning to construct a public place of worship aligns with the City of Billings growth strategy aiming to develop adjacent to existing infrastructure, provide a low cost of service, and enhance strong, clean, safe neighborhoods.
 - b. Is the new zoning designed to secure from fire and other dangers?

There are fire hydrants located in close proximity to the site on the North and South corners of Lot 4. Fire Station #6 happens to be on the same street (Wicks Ln) and less than 2 minutes away from the site. Construction of the site will comply with building regulations and zoning code to allow for appropriate separation of buildings and proper lighting for public safety and security. The site is located outside of any floodplain.

- c. **Will the new zoning promote public health, public safety, and general welfare?**

The proposed zone change opens the possibility of active engagement in community support services. Churches contribute to the overall well-being of individuals in the community, addressing health and safety needs. The buildout of this vacant land will bring social interaction and support networks within a community to positively impact mental health and general welfare.

- d. **Will the new zoning facilitate the adequate provision of transportation, water, sewage, schools, parks and other public requirements?**

The change in zone will not require any major water or sewer improvements to the site as it can already be serviced readily by mains underneath Wicks Lane and Iverness Drive. Parking, landscaping, sidewalks, and storm retention will be addressed in the individual site layout per City of Billings development requirements. The development is served by MET transportation, with the closest stop being on Wicks Lane, and a multi-use trail within close proximity at the intersection of Governors Boulevard and Wicks Lane. The development does serve as a central point between elementary, middle, and high schools within the Heights.

- e. **Will the new zoning provide adequate light and air?**

The proposed zone change will have minimal impact on light and air in the surrounding area. The required open space within the proposed P2 district will allow for adequate lighting and air for the property and surrounding area. Any improvements to the land must adhere to the zoning requirements for lighting laid out by the City's Zoning Code which directly addresses open areas and light.

- f. **Will the new zoning affect motorized and nonmotorized transportation?**

As the zone change will convert vacant lots to public development, additional community members will travel to the area creating an impact on the motorized transportation in the area. The large number of existing and proposed sidewalks and multi-use trails in the area leading to popular residential areas, nearby parks, and schools within the Heights will also help mitigate additional unnecessary traffic. It should be noted that traffic generated by the development will see peaks on

weekends days when traffic flow is lower on adjacent existing residential streets.

- g. Will the new zoning promote compatible urban growth?**
The P2 zoning will promote compatible urban growth by constructing a church. Churches historically preserve a city's cultural heritage while accommodating modern needs. Like a downtown cathedral or an iconic silhouette against the city's horizon, the design and architecture of the church remains nestled between residents. This zoning will allow for new residents to move into a vibrant and aesthetically pleasing neighborhood that can easily meet most of their needs in the immediate area.
 - h. Does the new zoning consider the character of the district and the peculiar suitability of the property for particular uses?**
With this zone change, the entire Block 4 of Lake Hills Subdivision 2nd Filing will become a public zone. East of the subject lots is an existing church providing adequate buffering and minimizing impacts to surrounding areas. Through proper planning and tiering away from existing neighborhoods, the proposed zone change from N3 to P2 will not impact the character of the existing community.
 - i. Will the new zoning conserve the value of buildings?**
The new zoning will conserve the value of buildings in the area by providing a community benefit to the surrounding neighborhoods and community. In addition, development of the property will improve both Iverness Drive and Pebble Beach Road to City standards, thus improving adjacent amenities.
 - j. Will the new zoning encourage the most appropriate use of land throughout the City of Billings?**
As the subject properties are considered infill, the development of the land in conjunction with this zone change will provide the most appropriate use of the land, changing readily developable land from vacant to occupied. The proposed development integrates public health and safety, without strain to city infrastructure or EMS services, and acknowledges the heritage of the Heights community with respect to religious land usage.
- 3. Does the new zoning fit with the existing or planned developments within the area?**
The new zoning will fit seamlessly into the existing or planned developments due to a diverse and inclusive neighborhood. The residences that surround the area of interest will be provided with a community gathering space that complies with the city's regulations to foster health, goodwill, and social interaction of all ages and income levels.

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 Residential

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

Change underlying zoning from N# - Suburban Neighborhood Residential to P2- Public, Civic and Institutional to allow for development as a church.

3. **Legal Description of Property:**

Lots 3 and 4, Block 4, of the Amended Plat of Block 4 Lake Hills Subdivision 2nd Filing

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

Heights Neighborhood 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 14th, day of December, 2023.

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

Owner (s):

Gracepoint Church of Billings, Montana Telephone: 406-318-7731

Address:

PO Box 50759, Billings, MT 59105

Email: jim@gracepointbillings.com

Agent (s):

Taylor Karpovich

Telephone: 406-384-0080

Address: 608 N 29th Street, Billings, MT 59101 Email: taylor@performance-ec.com

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

Lots 3 & 4, Block 4 Amended, Lake Hills Subdivision, 2nd Filing

Zone Change Neighborhood Meeting Notes

The meeting was conducted from 5:30-6:30 PM on December 14, 2023 at the Lake Hills Golf Course's upstairs meeting area. The meeting was hosted by Taylor Kasperick of Performance Engineering (Agent) and Jim Taber of Gracepoint Church Billings, Montana (Developer).

There were eleven (12) public participants for the meeting. We did not receive any calls prior to the meeting or following the meeting. In general, questions from the public included what the plan was for the land following the zone change, how much traffic could be expected, and who would be responsible for improvements to bring Iverness Drive and Pebble Beach Road up to City of Billings standards. Specific questions and information provided to the group in attendance are detailed below.

Questions from the individuals and subsequent responses are shown below:

- What is the timeline on the development of the property?

The overall timeline of the project was discussed providing information on the planned zone change, which would be heard by City Council at the February 26th, 2024 meeting, preparation of site layout and design documents, and review by the City of Billings Engineering and Building Departments. Given these steps, it was discussed that commencement of construction would likely be in May of 2024 and the construction process would likely take approximately one year.

- Where will the property be accessed from?

It was discussed that based on the City of Billings proposed access control plan, it is likely that only a single approach off Wicks Lane would be allowable, meaning that the site would likely be accessed from both Wicks Lane and Iverness Drive. It was noted that a complete site plan has not been prepared at this juncture, but this would be coordinated with the City of Billings during review and approval of the site plan permitting process.

- How much traffic would be expected for the proposed church building?

The Developer noted they typically serve approximately 250-300 people in the congregation on a peak weekend service schedule. It was noted by the Agent that the City of Billings has a 500 trip/day threshold for conducting a Traffic Impact Study (TIS), and that should the proposed development trigger that threshold a study would need to be conducted that would recommend traffic measures to address this increased volume.

- Who will be responsible for the cost to improve Iverness Drive and Pebble Beach Road to City Standards? Surrounding owners were assessed the cost for previous improvements in the past and do not want to be assessed for additional improvements.

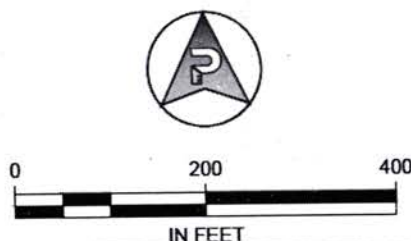
The Agent noted that per the City of Billings development requirements, the Developer will be responsible for improving their frontage to City standards including road widening (if necessary), curb and gutter, and sidewalk as part of the development process. It was noted that depending on final development plan and whether that is both subject lots in their entirety or only a portion, the frontage of the area of development would be required to be improved.

- Does the church plan to house any residents on the premises?

The Developer indicated that at this time there is not plans to house residents on the premises due to the amount of staff and resources it takes to do so. This would be an allowed use, Group Household Living, under the P2 zoning as a permitted use.

EXHIBIT
EX A
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PROPOSED ZONE CHANGE BOUNDARY



ORDINANCE 24-_____

AN ORDINANCE OF THE CITY OF BILLINGS,
PROVIDING THE ZONE CLASSIFICATION for Lots 3 and 4
of Amended Plat of Block 4, Lake Hills Subdivision 2nd
Filing, BE AMENDED

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS THAT:

Section 1. RECITALS. Title 76, Chapter 2, Part 3, MCA, and Sections 27-1628, BMCC, provide for amendment to the City Zoning Map from time to time. The City Zoning Commission and staff have reviewed the proposed zoning for the real property hereinafter described. The Zoning Commission and staff have considered the ten (10) criteria required by Title 76, Chapter 2, Part 3, MCA. The recommendations of the Zoning Commission and staff have been submitted to the City Council, and the City Council, in due deliberation, has considered the ten (10) criteria required by state law.

Section 2. DESCRIPTION. Lots 3 and 4 of Amended Plat of Block 4, Lake Hills Subdivision 2nd Filing, is presently zoned Suburban Neighborhood Residential (N3), and is shown on the official zoning map within this zone.

Section 3. ZONE DISTRICT AMENDMENT. The official zoning map is hereby amended and the zoning for Lots 3 and 4 of Amended Plat of Block 4, Lake Hills Subdivision 2nd Filing, is hereby changed from Suburban Neighborhood Residential (N3), to Public 2 (P2), and from the effective date of this ordinance, shall be subject to all the rules and regulations pertaining to Public 2 (P2), as set out in the Billings, Montana City Code.

Section 4. EFFECTIVE DATE. This ordinance shall be effective thirty (30) days after second reading and final adoption as provided by law.

Section 5. REPEALER. All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.

Section 6. SEVERABILITY. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and, to this end, the provisions of this ordinance are declared to be severable.

PASSED by the City Council on first reading this 26th day of February 2024.

PASSED, ADOPTED and APPROVED on second reading this 11th day of March 2024.

CITY OF BILLINGS

BY: _____

William A. Cole, Mayor

Attest:

BY: _____

Denise R. Bohlman, City Clerk

Zone Change 1042 – 655 W Wicks Lane