

Big Sky Rock, LLC
Application for Conditional Use Permit
Planned Unit Development with Cluster Development
(Sections 12.1, 12.4(g), 36.6(b),38 and 19.4(q))

Request: The property is legally described as Tract 2 of Certificate of Survey No. 2450 (“Property”). The Property consists of approximately 175.11 acres and contains two zoning sub-districts: Commercial Industrial (C-I, 39.61 acres) and Residential Cluster Single-Family One (RC-SF-1, 135.5 acres). As part of Applicant’s development plan for the Property, this application is being submitted for a Planned Unit Development (“PUD”) that includes both subdistricts (RC-SF-1 and C-I). The Applicant requests a conditional use permit pursuant to Sections 12.4(g) and 19.4(q) of the Zoning Regulation to allow for a “planned unit development” within the RC-SF-1 and C-I subdistrict. Likewise, this request is combined with the request to cluster the residential development pursuant to the RC-SF-1 subdistrict and Section 38 of the Zoning Regulation, as well as, a request for an Alternative Master Sign Plan per Section 39.6b of the Zoning Regulation.

Proposed Development Specifications: The table below includes the proposed development specifications for the planned unit development and summarizes the requested entitlements.

Residential Zone		
Total Acres	26.9 acres	
Proposed Lots	12 Lots	
Dwelling Unit Entitlements	135 Units	Dwelling Type: single-family detached condominiums
Commercial Zone		
Total Acres	22.7	
Proposed Lots	11 Lots	
Commercial Entitlements	170,000 sq. ft.	Total Square Footage
Multi-Family Entitlements	130 Units	Dwelling Type: multi-family attached condominiums on second and subsequent stories above commercial
Open Space		
Total Acres	109.544 acres	
Acres > 40% slope	19.193 acres	
Acres < 40% slope	90.351 acres	

Background Information on Property: The property is legally described as Tract 2 of Certificate of Survey No. 2450. The Property consists of approximately 175.11 acres and contains two zoning sub-districts: Commercial Industrial (C-I, 39.61 acres) and Residential Cluster Single-Family One (RC-SF-1, 135.5 acres). The only portion of the Property that has been actively utilized is within the C-I zone. The C-I zone has been the location of an active gravel pit, the North Site, since 2006 pursuant to state and county permits. As part of Applicant’s development plan for the Property, a Planned Unit Development has been proposed

that includes a Residential Zone and Commercial Zone. The North Site would be reclaimed and included in the proposed Commercial Zone with the remainder to be included within the Residential Zone. This development plan is the vision of four local Big Sky families to create a new mixed-use community where Big Sky locals can put down roots and raise their families.

Responses to the pertinent sections of the Zoning Regulation are included below.

Section 26 Planned Unit Development (PUD) Overlay District

Section 26.1 Intent:

Response: An affirmative response is not warranted for this Section.

Section 26.2 Application Procedure

26.2a. Pre-application Meeting. A minimum of 30 days prior to the date of application submittal, the applicant shall meet with a member of the Planning Staff to review the appropriate procedures, standards, documentation and any other requirements, including design standards, necessary for the complete processing of the application. Staff may consult with service providers regarding the planned unit development impacts.

Response: A pre-application meeting was held on May 30, 2019 with planning department staff, Mayana Rice and Mathieu Menard, as well as, Levi Ewan, County Engineer.

26.2b. The application shall be submitted by the legal owner(s) or authorized agent(s).

Response: Big Sky Rock, LLC is the legal owner of the Property and submitted the Application.

Documentation	Reference	Tab # in Binder
Deed	n/a	5

26.2c. The planned unit development shall be reviewed as a conditional use according to the provisions of Section 54.

Response: Pertinent responses to Section 54 are included in this narrative.

Section 26.3 Submittal Requirements

26.3a. Completed and signed conditional use permit application form.

Response: A completed and fully executed conditional use permit application is included with this packet.

Documentation	Reference	Tab # in Binder
PUD Application	n/a	1

26.3b. All applicable fees

Response: The fees as determined by the Planning Department are included with the Application packet.

26.3c. A traffic study, if the proposed development will generate 500 or more vehicular trips per day.

Response: At the completion of all phases, the development will generate 500 or more vehicle trips per day; therefore, a traffic study was completed by Abelin Traffic Services and is included in this Application.

Documentation	Reference	Tab# in Binder
Traffic Study	n/a	10

26.3d. A site plan showing (see below in the response for the list of 13 requirements):

Response: The PUD Site Plan, Existing Conditions plan, Slope Map, PUD Landscape Plan, PUD Circulation Map, the Wildlife Study, Wetland Study are included with this Application that address the criteria for Section 26.3d. Due to the volume of data required for this Section, several maps are provided.

Section	Requirement	Documentation/ Reference	Tab # in Binder
32.3 d1	Property lines and easements, with dimensions and area.	COS	6
32.3 d2	Topographic information.	Slope Map	12
32.3 d3	Existing vegetation, wildlife habitat, watercourses, wetlands, soil types and floodplains.	Existing Conditions Wildlife Study Wetland Study	15 8 9
32.3 d4	Existing land uses.	Existing Conditions	15
32.3 d5	Location and dimensions of existing and proposed structures, utilities, trails and improvements.	Existing Conditions PUD Site Plan	15 13
32.3 d6	Land use designations.	Existing Conditions	15
32.3 d7	General circulation system, including streets and multi-use pathways.	PUD Circulation Plan	14
32.3 d8	Number and types of dwelling units.	PUD Site Plan – see “Unit Type”	13
32.3 d9	Number of off-street parking places.	PUD Circulation Plan – see “Proposed Parking Spaces”	14
32.3 d10	General landscape plan.	PUD Landscape Plan	16
32.3 d11	Amount and location of open space.	PUD Site Plan – see “Area Summary” Slope Map – see “Legend”	13 12
32.3 d12	Amount, location and use of common space.	PUD Site Plan – see “Area Summary” Slope Map – see “Legend”	13 12
32.3 d13	Proposed treatment of perimeter boundary of the planned unit development.	PUD Site Plan PUD Landscape Plan	13 16

26.3e. Proposed covenants and homeowner's association, documents which provide for the maintenance of common areas, appropriately limit the use of open space, assign the right to use common property to each lot owner and provide for association assessments.

Response: A set of draft covenants, bylaws and articles of incorporation for The Quarry at Big Sky, as well as a template for the residential condominium sub-associations within The Quarry at Big Sky are included with this application.

Documentation	Reference	Tab # in Binder
Section 38	Response to 38.11f	22
Declaration	n/a	17

26.3f. Standards for principal and accessory uses:

1. Minimum lot areas.
2. Minimum lot width.
3. Minimum yard setbacks.
4. Maximum building heights.
5. Maximum lot coverage.

Response: The development standards for the Residential Zone and the Commercial Zone are included in this application in the PUD Manual.

Documentation	Reference	Tab # in Binder
PUD Manual	n/a	19

26.3g. If a planned unit development is not required to be reviewed as a subdivision, the applicant must submit information on water supply and sewage treatment, public safety (including fire, police, emergency medical response and road access) and historic or archeological resources.

Response: This project will be required to go through subdivision review.

26.3h. Projected population.

Response: At full build-out of the Residential Zone, the projected population for the residential portion will be 337 people. This is based on an approximation of 135 dwelling units in the Residential Zone, estimating 2.5 people per dwelling unit. At full build -out of the Commercial Zone, the projected population for the attached multi-family residential portion of the Commercial Zone will be 325 people. This is based on an approximation of 130 dwelling units in the Commercial Zone, estimating 2.5 people per dwelling unit.

26.3i. Proposed development schedule and phasing, if applicable.

Response: The planned unit development will encompass the entirety of the Property, the PUD is not intended to be phased.

Section 26.4 Applicability: The PUD district may be combined with any other district except the PL District to provide superior design in development. Planned unit developments within the RC-SF-1 through RC-SF-100 districts shall comply with the requirements of Section 38 Residential Cluster Development.

Response: The two sub-districts for the Property are RC-SF-1 and C-I, thus the PUD overlay district can be combined. All development within the RC-SF-1 sub-district will comply with the standards set forth in Section 38, Residential Cluster Development of the Zoning Regulation as addressed below in this narrative.

Section 26.5 Standards

26.5a. The minimum size for a PUD shall be 10 acres.

Response: The Property that will be subject to the PUD is 175.11 acres in size.

Documentation	Reference	Tab # in Binder
COS	n/a	6

26.5b. Planned unit developments may be composed of a single use or a mixture of uses, when consistent with the underlying district, and the GC/BS Plan.

Response: The PUD as proposed will be composed of a mixture of uses that are consistent with the underlying subdistricts: RC-SF-1 and C-I. However, the certain uses although permitted or conditionally permitted within the subdistricts, will not be permitted.

Documentation	Reference	Tab # in Binder
PUD Manual	n/a	19

26.5c. Structures in a planned unit development need not comply with the specific height and building size requirements of the underlying zoning classification.

Response: The PUD Manual as well as the Design Standards provide development standards for the Residential Zone and Commercial Zone located within the PUD. Included with this application is the PUD Manual and Design Standards, which specifically addresses height, building size.

Documentation	Reference	Tab # in Binder
PUD Manual	n/a	19
Design Standards	n/a	20

26.5d. The site design shall consider the relationship of the site to the surrounding area. The site perimeter shall be designed to minimize undesirable impacts between the site and surrounding uses.

Response: The Property is located in the Gallatin Canyon/Big Sky Zoning district and more specifically in the Canyon Area. The Canyon Area is a mixture of residential and commercial zoning along the Highway 191 corridor from the intersection with Highway 64 south to the Big Sky School District #72. Section 5 where the Property is located is residential and mixed-use commercial. To the west is Tract 1 of COS 2450 that has received preliminary plat for the Blackfoot Hills Subdivision and Tract 3 of COS, both zoned RC-SF-5. To the south of the Property is the remainder of Tract 1 of COS 2450 a portion of which is unplatted and zoned C-I and the rest is the Lazy J South Subdivision that is zoned C-I with the following existing uses: storage units, second floor residential, nursery and warehouses. The PUD perimeter will be buffered by open space, the residential units will be clustered to keep the density in one are of the property adjacent to the proposed commercial uses and the commercial uses will be buffered by entry corridor setbacks and landscaping. Development of the Property for clustered residential and light commercial will actually benefit the surrounding properties since the current use of the Property is a gravel pit. The standards set forth in the PUD Manual and Design Standards will also minimize impacts to the surrounding areas and uses.

Documentation	Reference	Tab # in Binder
PUD Site Plan	n/a	13
PUD Manual	n/a	19
Design Standards	n/a	20

26.5e. The development shall comply with the applicable standards of Section 31 General Development Standards.

Response: The provisions of Section 31 are specifically addressed in the Section 31 narrative.

Documentation	Reference	Tab # in Binder
Section 31	n/a	22

26.5f. Open space areas may either be held/owned perpetually in common by an owners' association, dedicated as a park, permanently preserved through a conservation easement, or a combination thereof. The application shall specify the means of maintaining common open space or of permanently preserving it. Open space owned in common by an owners' association shall comply with the criteria established under Section 38.11.f of these regulations.

Response: The open space that is proposed in the PUD consists of 109.544 acres for the benefit of the Residential and Commercial Zones. All open space will be owned and maintained by the community property owners' association.

Documentation	Reference	Tab # in Binder
Declaration	n/a	17
Section 38	n/a	22

Section 26.6 and 54.2 Review Criteria

The review criteria for a PUD/CUP is set forth below and includes proposed findings to address each of the criteria.

PUD/CUP REVIEW CRITERIA AND PROPOSED FINDINGS

Zoning Requirements			
1	Does the proposed planned unit development (“PUD”) satisfy the requirements for a Planned Unit Development? (Section 26.6, Zoning Regulation) <i>If you answer "yes" to questions 1, 1(a) through 1(c), then you find that the proposed PUD satisfies the requirements for a Planned Unit Development.</i>		
	Zoning Provision	Satisfied?	Proposed Findings
1a.	Has the applicant met the intent, purpose and standards of Section 26 (PUD Overlay District)?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<p>The Applicant has completed a wildlife study, wetland study, Geotech report, traffic study, all of which have contributed to the location and development plan as set forth in this application. The Applicant has held numerous meetings with the Planning Department and the development plan has gone through several iterations to achieve the current plan. The Applicant has requested cluster development within the Residential Zone to avoid natural existing features. This development will provide much needed housing for the Big Sky Community.</p> <p>The Applicant has followed the application procedure and the application contains the required submittals.</p> <p>The Property is over 10 acres, the proposed uses within the overlay district is consistent with the underlying sub-districts RC-SF-1 and CI. By virtue of the Applicant’s narrative this application addresses the standards set forth in Sections 31 and 38.</p>
1b.	Has the applicant demonstrated that the PUD serves the public interest; OR Does the development plan for the PUD meet each of the following criteria:	<input type="checkbox"/> Yes <input type="checkbox"/> No	<p>Yes the development plan serves the public interest by providing much needed housing that will serve a variety of demographic needs. This development plan will reclaim the existing gravel pit.</p> <p>The surrounding properties contain mixed use residential and commercial. This plan will contain the same mixtures of uses that are consistent with the underlying sub-districts. The development</p>

	<p>i. There is an appropriate relationship to the surrounding area. The buffer zone shall be landscaped, screened or protected by natural features, so that any adverse impacts on surrounding areas are minimized;</p> <p>ii. When compared to a conventional development, the planned unit development maximizes the preservation of natural features, including trees, drainage areas, recreation, views, wildlife habitat and riparian areas; and</p> <p>iii. Multi-use trails have been designed in terms of safety, convenience and access to points of destination and/or historically used trails have been preserved.</p>		<p>plan shows that the commercial structures will be clustered and buffered by open space and entry corridor setbacks.</p> <p>The development plan clusters the residential and commercial uses and preserves the natural features that currently exist on the Property.</p> <p>Multi-use trails provide connectivity throughout the development and provide connectivity to the greater trail system in Big Sky.</p>
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Zoning Requirements

2	<p>Does the proposed PUD satisfy the requirements for a Conditional Use Permit? (Section 54.2, Zoning Regulation)</p> <p><i>If you answer "yes" to questions 2(a) through 2(d), then you find that the PUD should be approved.</i></p>
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	Zoning Provision	Satisfied?	Proposed Findings
2a.	Does the use conform to the objectives of the Gallatin Canyon/Big Sky Plan and the intent of the Zoning Regulation?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Yes it will provide housing as well as provide a retail commercial center which will benefit Big Sky's economy.
2b.	Will the use <u>not</u> adversely affect nearby properties or their occupants?	<input type="checkbox"/> Yes <input type="checkbox"/> No	The proposed development plan has been developed to screen structures from nearby property owners with a large open space buffer. The uses are consistent with the adjacent property uses (residential and commercial). A traffic study has been completed and the circulation plan has been developed.

2c.	Does the use meet density, coverage, yard, height, and all other regulations of the district in which it is located, unless otherwise provided for in the Zoning Regulation?	<input type="checkbox"/> Yes <input type="checkbox"/> No	The land use permit process will ensure compliance with this requirement.
2d.	Has a public hearing, after notice, been held?	<input type="checkbox"/> Yes <input type="checkbox"/> No	A public meeting was held after notice on _____[date of meeting].