

**Attachment C**  
Pre-application meeting notes and applicant's Letter



**MEMORANDUM**

**To:** Nicole Cromwell  
**CC:** Richard McComish  
**From:** Rick Leuthold  
**Date:** 9/28/2012  
**Reference:** Pickle Barrel Neighborhood Meeting

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This memo is a brief summary of the neighborhood meeting that was held at the offices of Sanderson Stewart on September 24, 2012 in regards to the proposed Pickle Barrel site located at 3225 Rosebud Drive.

Sign in sheets for those in attendance are attached for your review. Of approximately seventy mailers that were distributed, there were approximately nine people in attendance that were not directly part of the project team.

The meeting provided a detailed overview of the proposed project and the sites history. The group was generally supportive of the project. Items of concern revolved around assuring that sufficient parking was available to meet code and limit the possibility of parking spill over along the frontage of the units to the west on Rosebud. There was also discussion regarding how the lot might be policed to assure parking compliance for adjacent residential units. It was presented that there is a desire to remove the chain link play area and generate up to an additional eight parking stalls. There was also discussion regarding the possible relocation of the primary access.

The other main point of concern was in regard to traffic in the area. Although it was pointed out that the neighborhood sandwich shop most likely would not generate significantly different traffic impacts, the concerns voiced were over the ever increasing traffic on 32<sup>nd</sup> itself. Several in attendance said they were very supportive of the proposal but wanted to know how traffic and the ability to cross 32<sup>nd</sup> at Rosebud could be addressed. There was discussion of ways to shorten the queuing of left turn movements at King Avenue as it seems those create the greatest difficulty at the Henesta and Rosebud intersections.

It was pointed out that a site design would be part of the approval process and that all of these things would be discussed with the City.

One of the owners of an adjacent unit had several questions related to fee structures and property taxes. Dan McComish agreed to work directly with this owner to get her questions answered.

I have been contacted by four other parties that were not able to attend this meeting. Three were in support and one was opposed.

Should you have additional questions regarding the meeting, please do not hesitate to contact me directly.

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ATTACHMENT A - Answers to Questions in Application Packet:

**Question 1.A – In what ways is your proposal consistent with the goals of and policies of the adopted Growth Policy?**

Answer 1.A. - It is important that the proposed use at 3225 Rosebud is in accord with the City's Growth Policy as this plan was a community vision that is the guideline used by the City in insuring that land use is compliant with policy. Our proposal is highly compliant with the Growth Policy for the following reasons:

- a. First, although the Rose Unit property is currently Residential Multi-Family the specific Unit 16 of this PUD was originally set aside as a church site, later amended for day care use. As such, Unit 16 was planned to be a common benefit to the community. Since the building has been vacant for years and is in a state of disrepair, it is arguable that a sandwich shop as proposed is a reasonable modification of use that will benefit residents in the same manner as did the property's past use. All City services exist at the site. RE: Community Goals and Objectives for Land Use No. 4
- b. The proposed use is compatible with the character of adjacent lots, including the Holiday MiniMart, Sweetheart Bakery Outlet and Dairy Queen. An additional local eatery will allow immediate residents to periodically walk to the shop rather than drive to more remote locations in order to have a variety in food choices. RE: Community Goals and Objectives for Land Use No. 2
- c. The proposed use is compatible with the goal for self-contained neighborhoods and live-work environment. An additional local eatery will provide this greater diversity and for a large local populous. It even will allow immediate residents to periodically walk to the shop rather than drive to more remote locations in order to have a variety in food choices. The presence of the sandwich shop provides affordable and accessible food. RE: Community Goals and Objectives for Land Use No. 6 and Community Health Element No. 2.
- d. The proposal addresses a deficiency in the character of the existing property, helping to maintain the quality and character of a clean, vibrant area where people wish to live. RE: Community Goals and Objectives for Economic Development No. 11 and Aesthetics Element No. 1.

The location proposed is also consistent with the City's goal of "urban nodes" where commercial and residential mixed use properties exist. This urban node was part of the original planning for the Harvest Subdivision.

**Question 1.B – Explain your need for the intended zone change and why the property cannot be used under the existing zoning. Explain how the new zoning will fit in with the existing zoning and land uses of the immediate area.**

Answer 1.B. – The existing zoning of this PUD Unit is Residential Multi-Family; the allowed use for this property was previously amended through a special use application to all use as a child day care. Operation of a sandwich shop is not allowed within this zoning. As mentioned above, the immediate area includes a strip mall with restaurant and other retail shops, the Holiday Gas and MiniMart, Dairy Queen Restaurant and Sweetheart Bakery Outlet. It is our belief that the sandwich shop is highly compatible with the area.

OUR PROPOSAL  
TO SAVE THE BILLINGS  
PICKLE BARREL SANDWICH SHOP

SEPTEMBER 10, 2012

### SOME HISTORY

Most long-term residents of Billings know and love the Pickle Barrel Sandwich Shop. It operated for over 15 years until financial difficulties of the prior owners resulted in its closure about 5 months ago. It has been a local icon famous for great food and value.

### LOCATION DETAILS

The Pickle Barrel operated at 13<sup>th</sup> Street West and Grand Ave. The McComish Family has an agreement with the past owner to acquire the business assets and the restaurant franchise license. Unfortunately, the owners of the previously leased past location have other plans for their property; thus, the need for finding a great new location.

A search of practical locations in Billings for relocation of the business was completed. Through this effort, we believe the former day care structure at 3225 Rosebud Drive will be an ideal location. We are committed to make the construction and operation of this business highly compatible with the needs of the Homestead community.



## ADDITIONAL PROPOSAL DETAILS

- *About Us*
- *Neighborhood Concerns*
- *Venue*
- *Hours of Operation*

OUR GOALS  
↔  
YOURS

### *About the McComish Family*

Our family has been long term business owners in the Billings area for over 25 years. We are strong supporters of the community, serve on non-profit boards and the Downtown Billings Business Assn. Our original home in Bilings was on Myrtle Drive, just east of the proposed sandwich shop location.

### *Venue Details*

The current property is an eyesore for the community. The building and grounds would be completely updated to a modern, attractive facility. Plans would be presented to the neighboring property owners for review and comment. Signage would be appropriate and attractive for the location.

Although the food at the Pickle Barrel is the main attraction, it is intended that the culture and “feel” will be trendy, youthful and environmentally conscious. Plans will include an outdoor seating area in front, maintaining the disabled access ramp.

### *Hours of Operation*

Hours of operation for the sandwich shop are anticipated to be 10:00 am to 8:00 pm Monday thru Sunday.

### *Neighborhood Concerns*

We are aware that parking for residents in the Rose Assn. unit is a concern. To improve the existing site, the fenced area along 32<sup>nd</sup> Street would be replaced with 10 additional parking spaces. An agreement with residents for shared parking would be reached.

All plans will be openly communicated with residents. This proposal will only be successful if we are sensitive and honest with each other.

FAMILY BUSINESS

Contact: *Richard McComish*

1922 Stillmeadow Drive

Cell: (406) 672-5307

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## OUR STATUS

1. Bank has accepted conditional offer  
On the 3225 Rosebud building
2. City Planning has been contacted.  
Planned Unit Development and  
Condominium rules will require a  
zone change for restaurant use.

## OUR REQUEST

3. The City Planning Dept. requires  
that property owners within 350 feet  
provide their written agreement  
to proceed with the zoning review.

**YOUR AGREEMENT TO SIGN THE APPLICATION IS NOT AN INDICATION OF APPROVAL OF ANY ZONE CHANGE OR THE BUSINESS PROPOSAL; IT WILL SIMPLY BE THE ASSURANCE TO THE CITY THAT THE REVIEW PROCESS AND COMMUNITY MEETINGS SHOULD PROCEED. THERE WILL BE A COMPLETE, FORMAL REVIEW AND YOU WILL VOTE FOR OR AGAINST THE PROPOSAL AT THE END OF THE PROCESS.**



