



CITY ZONING COMMISSION
AGENDA-Tuesday, September 1, 2015, 4:30 p.m.
Miller Building, 1st Floor Conference Room
2825 3rd Avenue North, Billings, Montana

NOTICE TO THE PUBLIC

Public Comment:

There will be a Public Comment Section as noted on the agenda. This is the time members of the public may comment on any item not appearing on the agenda. Under State law, matters presented under this section cannot be discussed or acted upon by the Zoning Commission during this time. For items appearing on the agenda, the public will be invited to make comments at the appropriate time. It is very important to speak clearly, and state your name and address for the record. Please limit your comments to three (3) minutes or less.

Call the meeting to order.

Introduction of City Zoning Commission Members and Planning Department Staff.

Public Comment

Approval of Minutes: August 4, 2015

Disclosure of any Conflict of Interest-Members of the Commission and Staff

Disclosure of an Outside (Ex Parte Communication)-Members of the Commission and Staff
a. The Exparté Communication Binder is available at the Sign-In and Agenda Station.

Regular Business:

- A. Opening of public hearings.
- B. Reading of rules for the procedure by which the public hearings will be conducted.
- C. Reading of notices of the public hearings on the following items:

Public Hearings. Reading of notices of the public hearings on the following items:

- a. Item #1 - **Special Review #931 – 261 Swords Lane – Town Pump Bar & Casino, Nicole Cromwell, Zoning Coordinator** - A special review request to locate an all beverage license with gaming for a new Town Pump Casino, Bar and Liquor Store in a 7,194 square foot proposed building with a 69-stall parking lot and landscaping in a Highway Commercial (HC) zone on the south half of C/S 98, a 2.36 acre parcel of land.

Other Business/Announcements

Adjournment

The City Council has designated **Monday, September 28, 2015**, at 6:30 p.m. in the City Council Chambers as the time and place to hear testimony for or against the special review use.

Before taking any action on an application for a **special review use**, the City Council shall first consider the findings and recommendations of the City Zoning Commission. In no case shall the City Council approve a special review use other than the one advertised. The City Council shall take one of the following actions on these Special Review requests: 1) approve the application; 2) conditionally approve the application; 3) deny the application; 4) allow withdrawal of the application; or 5) delay the application for a period not to exceed thirty (30) days.

The Zoning Commission and City Council will hear all persons wishing to speak relative to the proposed special review. Testimony regarding the above mentioned item may also be submitted in writing to the Planning Division, 2825 3rd Avenue North, 4th Floor, Miller Building, Billings, MT 59101 (247-8676) or to the Mayor and City Council, P.O. Box 1178, Billings, MT 59103.

Additional information on any of these items is available in the Planning and Community Services Office. Public hearings are accessible to individuals with physical disabilities. Special arrangements for participation in the public hearings by individuals with hearing, speech, or vision impairment may be made upon request at least three days prior to the hearing. Please notify Tammy Deines, Planning Clerk, at 247-8610 or e-mail at deinest@ci.billings.mt.us

City Zoning Commission

Meeting Date: 09/01/2015

Information

Subject

Approval of Minutes: August 4, 2015

Attachments

2015_08_04_BZC_Minutes

**City of Billings Zoning Commission
Meeting Minutes- August 4, 2015**

The City of Billings Zoning Commission met on Tuesday, August 4, 2015 in the Miller Building 1st Floor Conference Room, 2825 3rd Avenue North, Billings, Montana

Chairman Leonard Daily called the meeting to order at 4:30 p.m. The City Council has designated **Monday, August 24, 2015**, at 6:30 p.m. in the City Council Chambers as the time and place to hear testimony for or against the zoning applications.

Commission and Staff		01/06/2015	02/03/2015	03/03/2015	04/07/2015	05/05/2015	06/02/2015	07/07/2015	08/04/2015	09/08/2015	10/06/2015	11/10/2015	12/01/2015
Leonard Dailey, Jr.	Chairman	1	1	1		1	1		1				
Barbara Hawkins	Commissioner	1	1	1		1	1		1				
Dan Wagner	Vice Chairman	1	1	1		E	1		1				
Dennis Ulvestad	Commissioner	1	E	1		1	1		1				
Mike Boyett	Commissioner	1	1	1		1	E		1				
Candi Millar	Director, Planning & Community Services	-	-	-		--	-	-	-	-	-	-	-
Nicole Cromwell	Planner II, Zoning Coordinator	1	1	1		1	1		1			-	-
Tammy Deines	Planning Clerk	1	1	1		-	1					-	-
Wyeth Friday	Planning Division Manager	-	-	-		-	-	-	1	-	-	-	-
Juliet Spalding	Planner II	-	-	-		-	-	-	-	-	-	-	-
Lora Mattox	Planner II	-	-	-		-	-	-	-	-	-	-	-
Karen Husman	Planning Assistant	-	-	-			-	1					
Jeannette Vieg	Receptionist					1			1				

Total Number of 2015 Applications	01/06/2015	02/03/2015	03/03/2015	04/07/2015	05/05/2015	06/02/2015	07/07/2015	08/04/2015	09/08/2015	10/06/2015	11/10/2015	12/01/2015	TOTAL
Zone Change	2	2	2	0	0	0		2					8
Special Review	1	1	3	0	3	2		1					11

Chairman Dailey introduced the Planning Department Staff and Commission: Nicole Cromwell, Zoning Coordinator; Wyeth Friday, Planning Division Manager; and Jeannette Vieg, Planning Receptionist.

Public Comment

Chairman Dailey called for public comments. There were no public comments. Chairman Dailey closed the public comment portion of the meeting.

Disclosure of Conflict of Interest

Chairman Dailey called for disclosures of conflict of interest. There was none.

Disclosure of Outside Communication

Chairman Dailey called for disclosure of ex parte communication. There was none.

Approval of Minutes: July 7, 2015

Chairman Dailey called for approval of the July 7, 2015 meeting minutes.

Motion

Commissioner Boyett made a motion and Commissioner Wagner seconded the motion to approve the July 7, 2015 meeting minutes as submitted.

The motion carried with a unanimous voice vote.

Public Hearings:

Chairman Dailey reviewed the rules and the procedures by which the City Zoning Commission public hearings are conducted and asked Ms. Cromwell to review the first agenda item.

Item #1: City Special Review #930 – 4010 Montana Sapphire Drive – Beer & Wine License with gaming – A special review request to locate a beer & wine license with gaming for a new Dotty’s Casino, a 4,000 square foot tenant space in a proposed new 10,502 square foot building with a 108-stall parking lot and landscaping in an Entryway Light Industrial (ELI) zone on Lot 8C, Block 1 of Montana Sapphire Subdivision a 1.939 acre parcel of land. Tax ID: A34623

RECOMMENDATION

The Planning Division recommends conditional approval and adoption of the findings of the 3 criteria for Special Review 930. The Planning Division is recommending the following conditions:

1. The special review approval is for the location of a beer and wine license with gaming on Lot 8C, Block 1 of Montana Sapphire Subdivision and no other use is intended or implied.
2. Any expansion of the casino greater than 400 square feet will require an additional special review approval.
3. Any increase in the number of parking spaces over 10% of what is shown (118 spaces) will require an additional special review approval.
4. There shall be no outdoor public address system, outside announcement system, whether permanent or temporary, of any kind. There shall be no outdoor event on the grounds that includes amplified music or an amplified sound system of any kind.
5. The solid waste storage area shall have a sight-obscuring enclosure constructed in similar materials and colors of the building. The enclosure will include a sight-obscuring gate.
6. These conditions of special review approval shall run with the land described in this authorization and shall apply to all current and subsequent owners, operators, managers, lease holders, heirs and assigns.
7. The proposed development shall comply with all other limitations of Section 27-613 of the Unified Zoning Regulations concerning special review uses, and all other City of Billings regulations and ordinances that apply.

Discussion

Chairman Dailey called for questions and discussion from the members of the Commission. There was discussion regarding the business adding square footage in the future.

Public Hearing:

Chairman Dailey opened the public hearing and called for proponents or opponents of City Special Review #930.

Proponents

Toby Leichti, Blue Line Engineering 2110 Overland Ave.
Would like to see this built, unsure of actual start date.

Opposition

There was none.

Chairman Dailey closed the public hearing for City Special Review #930.

Motion

Commissioner Boyett made a motion and Commissioner Ulvestad seconded the motion to forward a recommendation to City Council of conditional approval of City Special Review #930.

Discussion

Chairman Dailey called for discussion on the motion.

Discussion on the fact there was a casino approved in this area recently, do not feel there is anything different with Dotty's Casino.

The motion to approve City Special Review #930 carried with a unanimous voice vote,5-0.

Item #2: City Zone Change #938 – East of 54th St West on Grand Peaks Drive – A zone change request from Residential 9,600 (R-96) to Residential 7,000 (R-70) on Lot 1, Block 5 and Lot 5, Block 2 of Grand Peaks Subdivision a 7.8 acre parcel of land. The applicant conducted a pre-application neighborhood meeting on June 24, 2015, at the King of Glory Lutheran Church, 4125 Grand Avenue. Tax ID: A33956 & A33960

RECOMMENDATION

The Planning Division recommends approval and adoption of the findings of the 10 criteria for Zone Change #938.

Discussion

Chairman Dailey called for questions and discussion from the members of the Commission.

Discussion regarding traffic studies in the past and current studies. Update of the traffic study will be done at either the Subdivision level or with the Master Plan.

Public Hearing

Chairman Dailey opened the public hearing and called for proponents or opponents of City Zone Change #938.

Proponents

Dennis Randall, 1300 N Transtech Way, Sanderson Stewart

Mr. Randall discussed the trend toward smaller lots.

The Commission discussed the density of the Subdivision.

Jeff Junkert, 1466 Shade Tree Circle, Billings, MT

Mr. Junkert discussed market driven smaller lots creating blended neighborhoods. Commission discussed the time frame of this subdivision. The estimate build time is 3 to 5 years out.

Chairman Dailey asked if there was anyone else wishing to speak in favor or against Zone Change #938.

Opposition

Jerry Ray, 2245 54th St W

Mr. Ray passed out handouts. Discussed value of his home and others in the County north of the subdivision.

Chairman Dailey discussed concern regarding N boundary addressed by application.

The Board Members had a discussion regarding SIA for the subdivision. Requested the Board deny or table this Zone Change.

Chairman Dailey closed the public hearing for City Zone Change #938.

Rebuttal

Jeff Junkert, 1466 Shade Tree Circle, Owner

Discussed the lot size, quality of homes, future road construction.

Motion

Commissioner Boyett made a motion and Commissioner Hawkins seconded the motion to forward a recommendation to City Council of approval of City Zone Change #938 with the recommendations and Findings of Fact presented by Staff.

Discussion

Chairman Dailey called for discussion on the motion. Discussion regarding trends of Subdivision in the area.

The motion to approve City Zone Change #938 carried with a unanimous voice vote, 5-0.

Item #3-City Zone Change #939 – Exposition Gateway Overlay District – An amendment to the Unified Zoning Regulations pertaining to the development of land within the Exposition Gateway Area of the East Billings Urban Renewal area generally located east of N 10th Street to Exposition Drive and from 6th Avenue North to 1st Avenue North. The district overlay will not change the underlying zoning but will provide for enhanced site development requirements and restrict some industrial uses. The Yellowstone County Board of Planning initiated the amendment on June 23, 2015.

RECOMMENDATION

Staff recommends that the City Zoning Commission conduct the public hearing and recommend approval of the text and map amendment to City Council to amend the Unified Zoning Regulations for the purpose of establishing the Exposition Gateway Overlay District Zone for the Exposition Gateway Concept Plan Area. Wyeth Friday, Planning Division Manager presented a power point on the Exposition Gateway Area.

The Exposition Gateway Area straddles City and the County boundaries at the east end of the East Billings Urban Renewal District (EBURD). The Exposition Gateway Concept Plan was adopted by the City and County in May 2013. The plan outlined a potential future for the area through strategic public investments, creative marketing, and the use of a variety of development tools, as a lively, evolving, and a unique community and regional destination. In order to protect the public and private investments planned for this area, a zoning overlay district that will apply both inside the city limits and on county lands has been drafted through a collaborative effort of Planning staff and the staff and board members of the Billings Industrial Revitalization District. A future zoning

district distinct and unique for the Exposition Gateway Area is also planned. Until this new zoning district is formulated and adopted, this overlay district shall apply to all the property within the Exposition Gateway Area (See attached Draft Overlay Zoning District and Area Map). This Overlay District would be a new section of code. Staff is proposing that it be established as Section 27-1470 in the Unified Zoning Regulations.

Discussion

Chairman Dailey called for questions and discussion from the members of the Commission. The Commission discussed long term planning, funding source, restrictions in the Exposition Gateway Area. County vs City land use, the long range transportation corridor plan. Parking requirements being different in this area than the City requires.

Public Hearing:

Chairman Dailey opened the public hearing and called for proponents or opponents of City Zone Change #939.

Proponents:

There were none.

Opposition:

Bob Young, 720 1st Ave N.

Mr. Young stated that in the past this property had been an oil refinery, the DEQ is currently cleaning it up and is monitoring the water ground conditions. Mr. Young does not think his land has value that his business does. Does not support Zone Change #939.

Mike Kautzman, 813 3rd Ave N.

Mr. Kautzman is a business owner, property owner and landlord in this district and employees individuals. He feels he would not be able to sell his property/business for enough money to relocate to another part of Billings. He is opposed to Zone Change #939.

Cliff Hanson, 1281 Lonesome Pine

Mr. Hanson is a property owner in this district. He thinks the proposed Zone Change is against the current landowners. Is opposed to Zone Change #939.

Tom Converse, 905 2nd Ave N.

Mr. Converse, owns property that has been in business 50 yrs. as a wholesale distribution. He does not like the idea of not being able to expand nor sell the business. He feels it affects his property values by limiting who he can sell it to and if there is a gap in occupancy not being able to start up again. He thinks if he sold the business it would have to be for the value of his property and doesn't think it is worth much, the value is in the business. He is opposed to Zone Change #939.

Jerry Ray, 2245 54th St W

Mr. Ray owns a parking lot in the area and is opposed to Zone Change #939.

Curt Brumfield, 1719 4th Ave N.

Mr. Brumfield concurs with the previous speakers. He is concerned about future business, stated that retail has not survived in the area. He is opposed to Zone Change #939.

Dave Doll, 710 Tepee Trail

Mr. Doll has two properties one in the county and one in the city. His property was zoned Controlled Industrial and was changed. He feels he cannot sell his property. He is opposed to Zone Change #939.

Bill Hoy, 917 3rd Ave N.

Mr. Hoy thinks the Zone Change jeopardizes his investment and retirement. If his business is only worth the the land is, he thinks he would be unable to sell for a profit. He is opposed to Zone Change #939

Kathy Grott, 813 2nd Ave N.

Mrs. Grott passed out handout and agrees with the previous speakers, thinks the criteria review is in conflict with original ordinance. There was to be adequate land and space for commercial uses. EBURD master plan was to ensure the existing industrial uses to continue as desired, the changes conflict with exposition gateway plan does not assume displacement of existing business. She is opposed to Zone Change #939

Gary Donovan, 2580 Patricia Lane

Mr. Donovan bought controlled industrial. He owns the property, wants to use it as he wants. He is opposed to Zone Change #939.

Sandy Doll, 710 Tepee Trail

Ms. Doll feels that no one is asking what she wants to do with their property, they are telling her what she will be doing with her property. She is opposed to Zone Change #939.

Mike Deganat, 115 N 9th

Mr. Deganat has been in business since 1952 with the oldest machine shop and the busiest. He feels if he cannot resale the business, the land is not worth much. He is opposed to Zone Change #939.

Clint Hall, 808 4th Ave N.

Mr. Hall said he doesn't know what he would could with his building if he wasn't in it. Doesn't see the reason for developing the area. He is opposed to Zone Change #939.

Don Stanaway, 900 First Ave N.

Mr. Stanaway has a large building sitting on RR land. He would not be able to add onto his building nor would he be able to grow. He is opposed to Zone Change #939.

Chairman Dailey called for rebuttal.

Rebuttal

Wyeth Friday discussed the long range big picture, clarified the non-conforming use. The Exposition Gateway is adopted, has been amended to the Growth Policy and the City plans to go forward in its long range plan. Mr. Friday showed power point again to explain some of the points. The Board members discussed the concerns brought up by the citizens.

Chairman Dailey asked if there was anyone else wishing to speak in favor or against Zone Change #939. There were none.

Chairman Dailey closed the public hearing for City Zone Change #939.

Motion

Commissioner Wagner made a motion and Commissioner Hawkins seconded the motion to forward a recommendation to City Council for denial of City Zone Change #939 based on the Findings of Fact presented by Staff.

Discussion

Chairman Dailey called for discussion on the motion.

Chairman Ulvestad asked why EBURD was not testifying in favor of the Zone Change.

Mr. McCarthy stated his intent tonight was to listen to concerns.

The motion to deny City Zone Change #939 carried with a unanimous voice vote, 5-0.

Other Business:

Nicole Cromwell announced the next meeting is scheduled for September 1, 2015.

Adjournment: The meeting adjourned at 7:25 p.m.

ATTEST:

Leonard Dailey, Chairman

Jeannette Vieg, Receptionist



City Zoning Commission

Meeting Date: 09/01/2015

SUBJECT: Special Review 931 - 261 Swords Lane - Town Pump Bar and Casino

THROUGH: Candi Millar, Planning & Community Services Department Director

PRESENTED BY: Nicole Cromwell

Information

REQUEST

Item #1 - **Special Review #931 – 261 Swords Lane – Town Pump Bar & Casino, Nicole Cromwell, Zoning Coordinator** - A special review request to locate an all beverage license with gaming for a new Town Pump Casino, Bar and Liquor Store in a 7,194 square foot proposed building with a 69-stall parking lot and landscaping in a Highway Commercial (HC) zone on the south half of C/S 98, a 2.36 acre parcel of land.

RECOMMENDATION

The Planning Division is recommending conditional approval based on the findings of the 3 criteria for Special Review 931.

APPLICATION DATA

OWNER: Z & B Enterprises
AGENT: Alex Tommerup, AT Architecture
LEGAL DESCRIPTION: C/S 98
ADDRESS: 261 Swords Lane
CURRENT ZONING: HC
EXISTING LAND USE: Vacant repair shop
PROPOSED USE: Town Pump Bar, Casino and Liquor Store
SIZE OF PARCEL: 2.36 acres

CONCURRENT APPLICATIONS

None.

APPLICABLE ZONING HISTORY

The City Council has approved the location of 13 liquor licenses in this area of Billings Heights since 1987. The licenses are primarily located within restaurants although there are at least 2 casinos located in the immediate neighborhood.

SURROUNDING LAND USE & ZONING

NORTH:	Zoning: HC Land Use: Alkali Creek & Vacant
SOUTH:	Zoning: CC Land Use: Hotel, Gas Station
EAST:	Zoning: HC Land Use: Restaurant
WEST:	Zoning: HC Land Use: Warehouse

BACKGROUND

This is a special review request to allow an all beverage license for a new Lucky Lil's bar, casino and liquor store at 261 Swords Lane, the former Zane's Truck Repair Shop. The property has frontage and access to Swords Lane and is directly west of the Golden Phoenix restaurant. Lucky Lil's has 2 other locations in the Billings area. Lucky Lil's is part of the Town Pump Corporation. Town Pump also owns the Montana Lil's and Lucky Diamond casinos and there are 6 of these located in the Billings area. There is one bar and casino in the immediate area but it serves a different market than the Lucky Lil's bar and casino. The property is in a Highway Commercial (HC) zone and the existing building is proposed to be demolished and the site completely redeveloped with paved parking, landscaping and a new building. The proposed 7,194 square foot building will have approximately 4,130 square feet for the bar & casino, 1,400 square feet for the liquor store and 1,764 square feet for storage and utility space. The 69-space parking lot exceeds the minimum required for the intended uses and the landscaping shown exceeds the minimum requirements for the zoning district. The applicant does not intend to utilize the north half of the property to protect the integrity of Alkali Creek and its floodplain. There are no churches, parks with playing fields or playgrounds, or schools within 600 feet of this proposed location. The location will not have an outdoor patio.

Swords Lane (aka Airport Road) carries about 13,000 vehicles per day on this section of the roadway. The intersection with Main Street just east of the subject property is one of the busiest intersections in the state. Main Street carries nearly 50,000 vehicle trips per day near its intersection with Airport Road. The Billings Police Department ranks this intersections #3 for vehicle crashes in its 2014 annual report. There were 37 vehicle crashes at this intersection in 2011. Crash data is not available for subsequent years. There are currently 2 accesses to the property from Swords Lane. The eastern access drive is proposed to be closed and the western access drive will be maintained. This should increase the traffic safety for vehicles entering and exiting the site. The type of traffic will change with the proposed new use. Vehicles heading east on Airport Road to the Main Street intersection will have the most difficult traffic movement, crossing four lanes of traffic to enter the right-turn lane on the south side of Airport Road. The City Traffic Engineer has not provided comment on the proposed use but may have additional questions at the time of building permit application.

The Planning Division has reviewed the application and the 3 criteria for special review and is recommending conditional approval. Before a recommendation of approval or conditional approval may be made, each special review request must demonstrate conformance with three primary criteria: 1) the application complies with all parts of the Unified Zoning Regulations, 2) the application is consistent with the objectives and purposes of the Unified Zoning Regulations and the 2008 Growth Policy, and 3) is compatible with surrounding land uses and is otherwise screened and separated from adjacent land to minimize adverse impacts. This application conforms to the first criteria, and appears to conform to all parts of the Unified Zoning Regulations. Absolute compliance with the off-street parking requirements, landscaping requirements and sign regulations will be evaluated at the time of building and sign permit submittal. The location is in one of the zoning districts that allows an all beverage liquor license with gaming by special review approval. The application is conforming to the purposes of the regulations and the 2008 Growth Policy. The location of an additional license in this area should have no impact on the surrounding uses or neighbors.

The application also conforms to the second and third criteria. The redevelopment of this lot on a principal arterial will help revitalize and support businesses activity in the area. A connection to the existing bike trail system is just east of the property with the added potential for the trail corridor to someday cross the north end of the subject property. Current customer access to this new business with the trail nearby is available via vehicle, bicycle, or on foot. The Planning Division is recommending a condition to add at least 2 bicycle parking racks to accommodate these potential current and future customers. Planning staff is recommending conditions for this special review based on the approval criteria for special review uses.

The Planning Division is recommending the following conditions:

1. The special review approval is for the location of an all beverage license with gaming on C/S 98, generally located at 261 Swords Lane, and no other use is intended or implied.
2. Any expansion of the building floor area greater than 720 square feet will require an additional special review approval.
3. Any increase in the number of parking spaces over 10% of what is shown (69 spaces) will require an additional special review approval.

4. There shall be no outdoor public address system, outside announcement system, whether permanent or temporary, of any kind. There shall be no outdoor event on the grounds that includes amplified music or an amplified sound system of any kind.
 5. The solid waste storage area shall have a sight-obscuring enclosure constructed in similar materials and colors of the building. The enclosure will include a sight-obscuring gate.
 6. The applicant shall provide 2 (two) bike parking racks on the site of the type recommended by the City of Billings Off-Street Bicycle Parking Guidelines. The bike parking racks will be located as recommended in the guidelines.
 7. These conditions of special review approval shall run with the land described in this authorization and shall apply to all current and subsequent owners, operators, managers, lease holders, heirs and assigns.
 8. The proposed development shall comply with all other limitations of Section 27-613 of the Unified Zoning Regulations concerning special review uses, and all other City of Billings regulations and ordinances that apply.
- **NOTE**** Approval of this Special Review does not constitute approval of a building permit, sign permit or fence permit. Compliance with all applicable local codes will be reviewed at the building permit level. This application is for a Special Review as noted above and no other request is being considered with this application. The Planning Division points out that the use and development of the property must be in accordance with the submitted site plan.

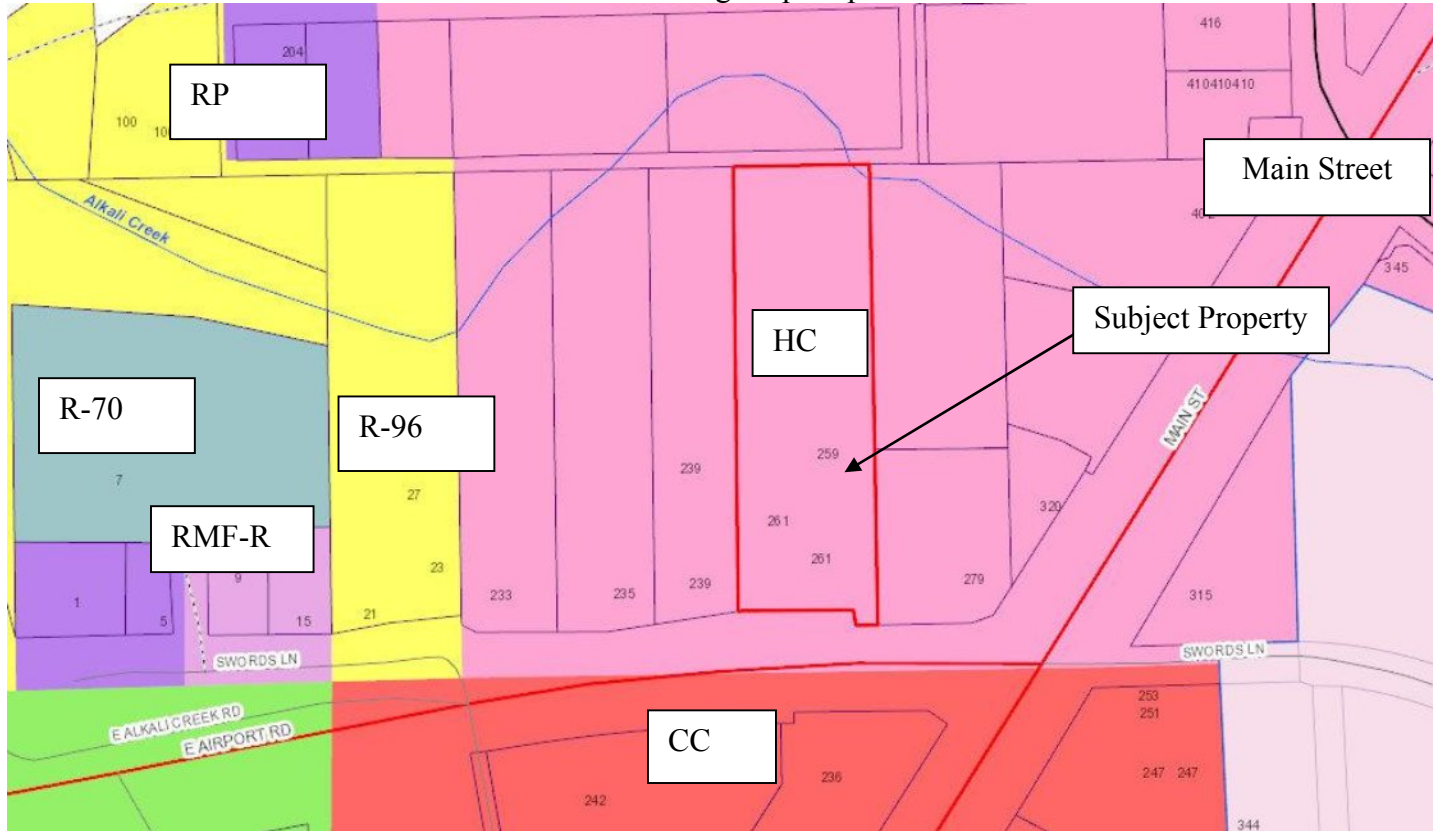
RECOMMENDATION

The Planning Division recommends conditional approval and the adoption of the findings of the 3 criteria for Special Review 931.

Attachments

Zoning Map
site photos
Site plan and applicant letter
Bicycle Parking Guidelines

Zoning Map – Special Review #931



Site Photos – Special Review #931



Subject Property view north from Swords Lane



View east to Golden Phoenix

Site Photos – Special Review #931

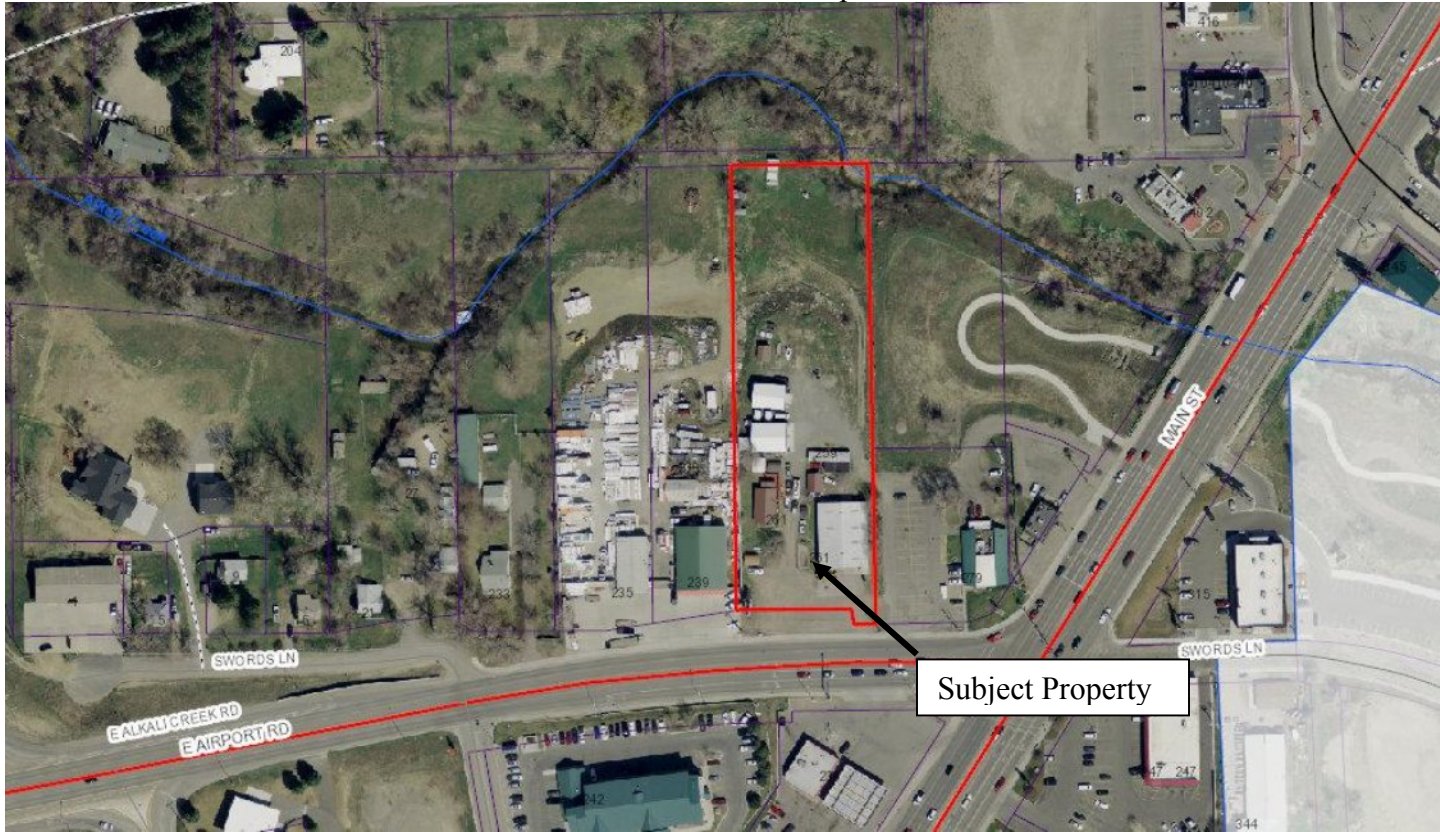


View south across Swords Lane



View west along Swords Lane

Site Photos – Special Review #931



Special Review 931
Site Plan and Applicant Letter



August 3, 2015

Planning & Community Services Department
4th Floor
2825 3rd Ave North
Billings, MT 59102

RE: Request for Special Review For
Lucky Lils Casino, Bar & Liquor Store
261 Swords Lane
Billings, MT 59105

Planning Staff:

The New Inns, Inc, which is an operating company for Lucky Lils casino is looking to build a new building to house a liquor store, bar & casino where Zanes Truck Repair used to be. This project will include demolition of the existing buildings and redesigning and landscaping the develop-able site. See attached Site Plan – Exhibit I. The following outlines the data requested by your application instructions.

A. Forward:

This land consists of the southern half of Lot 4A which has a total of 2.36 acres and is zoned Highway Commercial. The vacant buildings which will be demolished and replaced were originally built in 1931 and 1964. The proposed building will include a casino floor with bar, 'cage' area, liquor store, offices, restrooms & storage room to meet the requirements of the Building Code.

1. Questions:

A. In what ways is your proposal consistent with the goals and policies of the adopted Growth Policy? (Answer to Instructions 1.A)

1. Economic Development - This new building will increase the economy of the area by demolishing the old structures and replacing with attractive structures with vibrant business potential. Lucky Lils and the Liquor Store will also employ additional full time people at this location to manage the businesses. This new facility will help strengthen the area economy through the creation of a viable business which has attracted a steady clientele in the region. This will help support the Billings job markets and the economy of area businesses.

Request for Special Review
Lucky Lils Casino, Liquor Store & Bar
261 Swords Lane, Billings, MT
8/3/15

2. Aesthetics - The site will be redesigned, landscaped and constructed on as a new and attractive building and grounds as well landscaped and traditionally maintained in great condition. A new and attractive sign will be updated which will be a nice addition for the facility identification for potential clients and the neighboring businesses. The new building will improve the appearance of the area.
3. Natural Resources – Lucky Lils keeps their site area free of weeds, well landscaped, etc. which helps with fire management. The site also has Alkalai Creek running through it and it will remain natural around it.
4. Public Services –This new casino will provide an the increasing population that uses these facilities to not only gamble, buy their beverage of choice and also to spend time with family & friends in the bar & casino.
5. Land Use Element – This building will carry a compatible land use to the neighbors such as the motels & restaurants nearby.

- B. Why is there a need for the intended use of the property on this location. (Answer to Instructions 1.B)

Lucky Lils has operated casinos in the City and has seen an increase at all of it's locations. This one would provide a facility in this area where there currently is not a Lucky Lils. This facility will also include a liquor store and bar which there has not been a new one completed for quite some time in this area. It is a great location for existing customers as well as first time customers to discover the Lucky Lils family.

- C. How will the public interest be served if this application is approved? (Answer to Instructions 1.C)

This project will address many issues of public concern including providing a business that operates in an abandoned site & buildings. It will provide for maintenance of the grounds including parking lot & landscaping. Also the service that it provides meets the needs of the area as well as it is located in a neighborhood of businesses that it is very compatible with.

- D. Prepare a written statement addressing what is intended to be done with the property, and why the special review is being sought. (Answer to Instructions 1.D)

The proposed use is a casino, bar & liquor store which will include a casino floor, a cage, a bar & the store for services to the clientele, expanded restrooms, an office, a cooler and back room for supplies, storage and utilities. The exterior will be an attractive & inviting structure and the signage will be new displaying the Lucky Lils brand per the City sign requirements.

The current facility is zoned Highway Commercial. A casino is allowed under a special review approval.

Parking Requirements

Bar/Casino = 4,130 SF x 1 space/100 SF = 41 spaces
Liquor Store = 1,400 SF x 1 space/200 SF = 7 spaces
Storage/Rstrooms = 1,764 ~ 10 spaces

55 spaces required + 3 accessible spaces = 58 total required

66 spaces + 3 accessible spaces = 69 spaces provided

Zoning

Highway Commercial

Lot Coverage 75% Max - 7.27%

Landscape requirements 10% - 10% finish landscaping +
44,940 SF of natural vegetation & Alkalai Creek on north half,
2.36 Total Acres

Legal Description

S27, T01 N, R26E, 9B, Parcel 000, COS 9B IN NESW [Less Hwy]

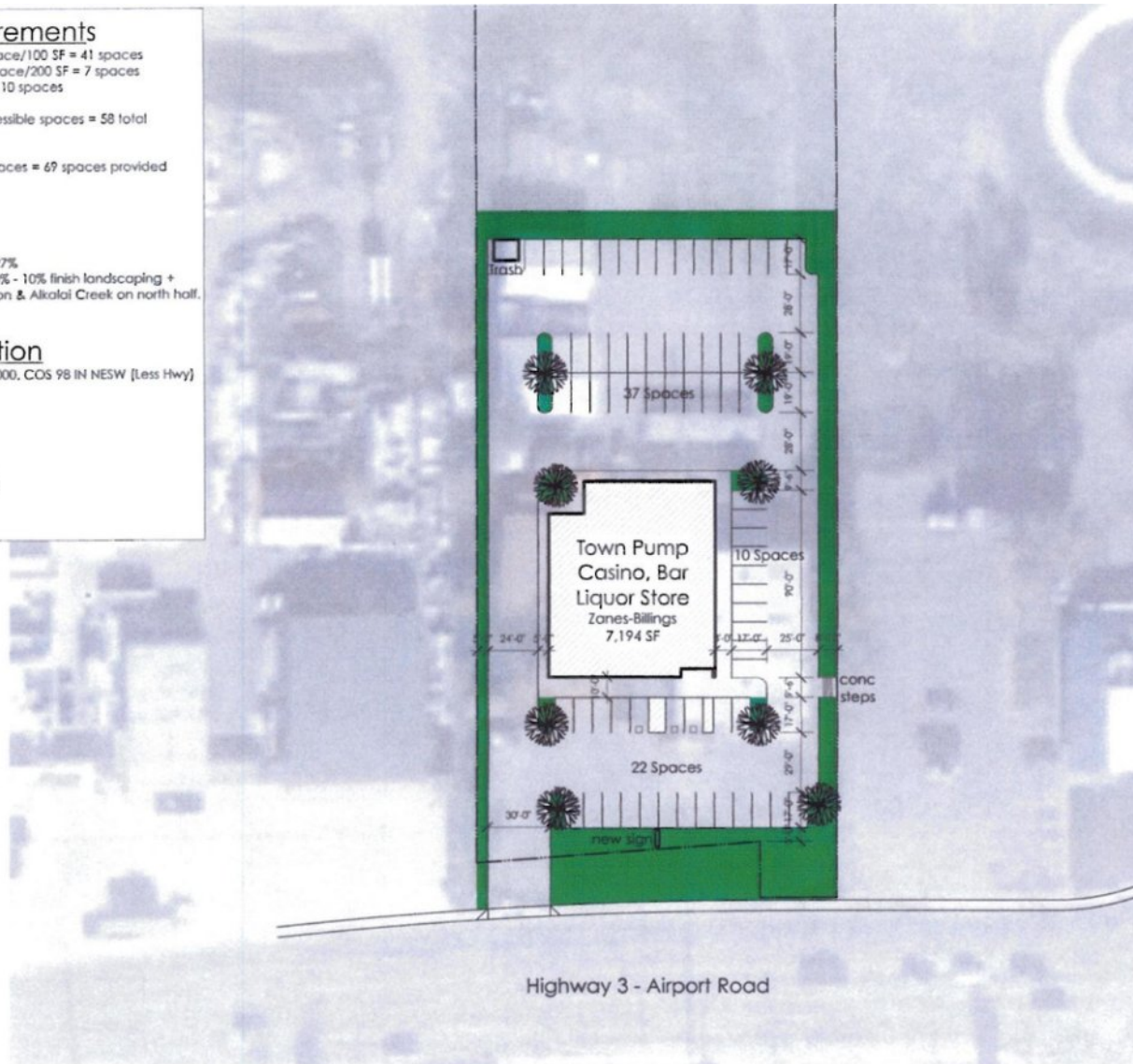
Address

261 Swords Lane

Proposed Use

A-2 Casino & Bar

M Liquor Store



TOWN PUMP CASINO, BAR & LIQUOR STORE at ZANES





LOOK EAST FROM SOUTHWEST



LOOK NORTH FROM SW



LOOKING FROM SOUTH



LOOKING NORTH FROM SE



LOOKING WEST FROM SE



LOOKING S FROM N



City of Billings Off-Street Bicycle Parking Guidelines



Thank you for choosing to provide safe and convenient bicycle parking to your customers, clients, employees and residents. This will help meet the City's goal to improve and prioritize bicycle accommodations within Billings.

Customers and Clients

Bicycle Parking

1. Bicycle parking spaces are at least 2 feet by 6 feet; minimum 7 feet overhead clearance.
2. A minimum 5 feet access aisle behind rack for bicycle maneuvering.
3. Spaces should not block pedestrians; 4 foot throughway recommended, 3 feet required.
4. Bicycle rack installed a minimum of 30 inches from adjacent walls and other edges.

Bicycle Rack Site Location

1. Located in highly visible area outside main entrance of building and easily accessible.
2. On a hard surface, such as concrete.
3. In rows and within 50 walking feet of a main entrance, distributed to serve all entrances and buildings.
4. Shared bicycle parking facilities within 150 feet of main entrances to buildings served.

Bicycle Racks*

1. Two points of contact with bicycle.
2. Supports "U" type shackle-lock.
3. Securely anchored.



*examples only. not an all inclusive set.

Employees and Residents

1. Either located on site or in an area where the closest point is no more than 300 feet from site.
2. To provide security, long-term facilities are recommended in at least one of the following locations:
 - In a locked room
 - In an area enclosed with a fence with a locked gate.
 - Within 100 feet of an attendant or security guard.
 - In an area monitored by a security camera; or
 - In an area that is visible from employee work areas.
3. At least 50 percent of long-term bicycle parking should be covered.
4. A minimum of 30 percent attached to floor or ground.

For Questions Contact:

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