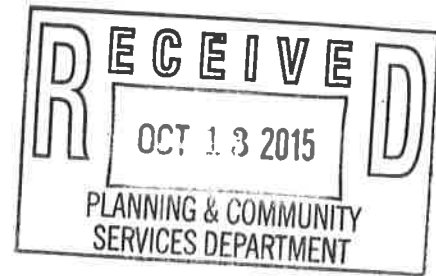




Office of the Superintendent
Lincoln Center, Room 214
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October 8, 2015

Planning Division
City of Billings
2825 3rd Avenue North
4th Floor
Miller Building
Billings, Montana 59101



RE: City Special Review #932

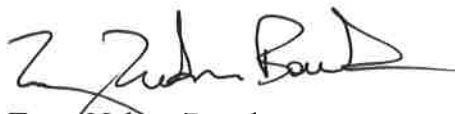
Dear Commission:

This letter serves as Billings Public Schools' ("the District's") testimony regarding Special Review #932—Lot 9, Block 2 Cardwell Ranch. In short, the District asks the Commission to deny the request for waiver of the 600-foot separation to Will James Middle School and the proposed establishment.

As an initial matter, Billings Code provides a 600 foot buffer between our schools and places serving alcohol. The Code does indicate that waiver of this rule may be granted if there are barriers between the buildings. In order for a waiver to be considered, however, a building or buildings must "*entirely* obstruct the view between the separated uses." Sec. 27-612(a)(1)b. (emphasis added). Such is not currently the case here.

In addition, Billings Public Schools asks the City of Billings to deny waiver as a matter of public well-being. The City and the District share an obligation to keep our children as safe as possible and the relevant portions of the City Code of Billings were enacted to insure that our city is mindful of the welfare of all of its citizens, big and small. The 600 foot requirement is in place to protect our children and is not unreasonable. Placing an alcohol establishment next to a middle school undermines the regulations in place. The District asks that waiver not be granted here.

Sincerely,



Terry Nelsen Bouck
Superintendent