



CITY ZONING COMMISSION

AGENDA-Tuesday, February 2, 2016, 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:

The minutes of the Board meeting of January 5, 2016

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:

- a. **City Special Review #938 – 3104 Boulder Avenue – Multi-family in R-60 zone** – A special review request to construct two 4-plexes and two 3-plexes on Lot 6, Wolf Subdivision, in a Residential 6,000 (R-60) zone on a 38,379 square foot parcel of land. Tax ID: A18647 Presented by Karen Husman, Planner I.

Other Business/Announcements

Election of Chairman and Vice Chairman

Adjournment

The City Council has designated **Monday, February 22, 2016**, at 6:30 p.m. in the City Council Chambers as the time and place to hear testimony for or against the special review.

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 items 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 Robbin Bartley, Administrative Assistant, at 247-8676 or e-mail to bartleyr@ci.billings.mt.us

City Zoning Commission

Meeting Date: 02/02/2016

Information

Subject

The minutes of the Board meeting of January 5, 2016

Attachments

BZC_2016_01_05

City of Billings Zoning Commission Meeting Minutes-January 5, 2016

The City of Billings Zoning Commission met on Tuesday, January 5, 2016 in the Miller Building 1st Floor Conference Room, 2825 3rd Avenue North, Billings, Montana
Vice Chairman Wagner called the meeting to order at 4:30 p.m. The City Council has designated **Monday January 25, 2016** 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		01/05/2016	02/02/2016	03/01/2016	04/05/2016	05/03/2016	06/07/2016	07/05/2016	08/02/2016	09/06/2016	10/04/2016	11/03/2016	12/06/2016
Dan Wagner	Vice Chairman	1											
Dennis Ulvestad	Commissioner	1											
Mike Boyett	Commissioner	E											
Michael Larson	Commissioner	1											
James Mariska	Commissioner	1											
Candi Millar	Director, Planning & Community Services												
Wyeth Friday	Division Planning Manager												
Nicole Cromwell	Planner Zoning Coordinator	1											
Tammy Deines	Planning Clerk												
Dave Green	Planner II	1											
Karen Husman	Planner I	1											
Robbin Bartley	Administrative Support	1											

Total Number of 2016 Applications	01/05/2016	02/02/2016	03/01/2016	04/05/2016	05/03/2016	06/07/2016	07/05/2016	08/02/2016	09/06/2016	10/04/2016	11/03/2016	12/06/2016	TOTAL
Zone Change	1												
Special Review	2												

Vice Chairman Wagner introduced the Planning Division Staff and Commission: Attending Staff were Nicole Cromwell, Zoning Coordinator; Robbin Bartley, Administrative Support; Dave Green, Planner II; Karen Husman, Planner I

In Attendance:

- Keith Lavachek
- Steve Zabrocki
- Alex Tommerup
- Karyn Haider
- Keith Rupert, CTA
- Bob Witham
- Jacob Witham
- Mike Tuss, CTA
- Bob LaPeree
- Megan Terry, Sanderson Stewart
- Dan Kirkpatrick
- Pat Davies, Sanderson Stewart
- Gene Culver, Kincaid Land LLC

Public Comment

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

Approval of Minutes: December 1, 2015

Vice Chairman Wagner called for approval of the December 1, 2015 meeting minutes.

Motion

Commissioner Mike Larson made a motion and Commissioner Ulvestad seconded the motion to approve the December 1, 2015 meeting minutes as submitted.

The motion for approval then carried with a unanimous voice vote, 4-0.

Disclosure of Conflict of Interest

Vice Chairman Wagner called for disclosures of conflict of interest. There were none.

Disclosure of Outside Communication

Vice Chairman Wagner called for disclosure of ex parte communications. There were none.

Public Hearings:

Vice Chairman Wagner reviewed the rules and the procedures by which the City Zoning Commission public hearings are conducted, and asked Nicole Cromwell to review the first agenda item. Dave Green presented:

Item #1. City Special Review #935 – 450 Main Street – Town Pump Casino – A special review to allow the location of a beer & wine license with gaming at a proposed new Town Pump Casino (with gas station & convenience store) in a Highway Commercial zone on Lots 1, 2, 3A, 4A, 4B and the North 65 feet of Lot 5, Thomas Subdivision, a 2.11 acre parcel of land generally located at 450 Main Street. Tax ID: A17026

RECOMMENDATION

The Planning Division is recommending conditional approval based on the findings of the 3 review criteria for **Special Review #935**.

PROPOSED CONDITIONS

1. The special review is limited to Lots 1, 2, 3A, 4A, 4B and the North 65 feet of Lot 5, Thomas Subdivision generally located at 430 / 450 Main Street.
2. The special review approval is for the location of beer and wine license with gaming and no other use is intended or implied.
3. Any expansion of the interior space of the casino area of more than 10% will require an additional special review approval.
4. All exterior lighting, including security lighting shall have full cut-off shields so no part of the fixture or lens projects below the cut-off shield. The maximum height of any light pole in the outdoor areas shall be 20 feet above grade. Exceptions to this requirement are allowed for entry doorway lighting.
5. There shall be no outdoor public address system or outside announcement system, whether permanent or temporary, of any kind.
6. No construction or demolition activity will occur before 7 am or after 8 pm daily.

7. New parking lot construction will meet the Highway Commercial zoning requirements for landscaping. In addition there will be one street tree planted every 40 feet in the proposed landscape area along both frontages, Lake Elmo and Main Street. Street trees are trees that can have their lowest branches at 8 feet, without disfiguring the tree, within 4 years. New trees shall not be any tree with the genus scientific name of Populus or any of its subspecies including any variety of aspens. Also no Salix (willows), Acer negundo (Box Elder) or Ulmus (Elms). Small ornamental trees do not qualify as street trees. All installed landscape will be continuously maintained and replaced as necessary by the owner as outlined in Section 27-1110 BMCC, Installation and Maintenance .

8. Any centralized solid waste storage shall be enclosed by a wall on 3 sides and a closing gate or gates. The wall and gates for the solid waste storage shall be similar or complimentary in color to the new building and shall be sight-obscuring. The wall and gates shall be tall enough that no part of the interior dumpster(s) are visible from the outside.

9. 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.

10. 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

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

Commissioner Ulvestad asked Dave Green about a traffic study. Mr. Green replied he was not aware of one. Vice Chairman Wagner asked about enough parking spaces if a 10 percent expansion were to happen in the future. Mr. Green replied that those issues would be addressed in the Special Review necessary to expand. Commission Mariska asked about hazardous waste studies on the property as it has been used for engine repair. Mr. Green said he was not aware of any.

Bob Witman, owner of laundry facility across the street from the newly built Starbucks and proposed Town Pump, he expressed large concerns about traffic and safety, stating this is the most dangerous intersection in Billings and recalling the fatality accident last year. He also had special concerns regarding the entrances on Lake Elmo Drive.

Applicant/Agent

Vice Chairman Wagner asked for presentation by the applicant.

AT Architecture, Alex Tommerup

Mr. Tommerup represents Reiter's Marina. Offered to answer any questions possible.

Public Hearing:

Vice Chairman Wagner opened the public hearing and called for proponents or opponents of **City Special Review #935**.

Vice Chairman Wagner asked if anyone else wanted to speak in opposition of **City Special Review #935**.

Commissioner Ulvestad asked Mr. Tommerup about the Kawasaki shop on the property. It was explained that this was the same property, Reuters Marina. Commissioner Mariska asked Mr. Tommerup about the deceleration lane for ingress on the east side (Main Street). Vice Chairman Wagner asked Mr. Tommerup about the traffic issues. He replies. Commissioner Ulvestad expressed more concerns about the traffic flow, specifically exiting to the south on Lake Elmo Drive. Vice Chairman Wagner asked how far the entrance on the Lake Elmo side is from the Main Street intersection. Nicole Cromwell displayed the aerial view for consideration. Nicole Cromwell showed the existing approaches for both Starbucks and the property being considered. The distance to the intersection was pointed out.

Motion

Commissioner Larson made a motion and Commissioner Mariska seconded the motion to recommend conditional approval based on the findings of the 3 review criteria for **Special Review #935**.

Discussion

Vice Chairman Wagner called for discussion on the motion

The motion carried with a voice vote, 3-1, Commissioner Ulvestad opposed.

Vice Chairman Wagner asked Nicole Cromwell to review the second agenda item. Karen Husman presented:

Item #2. City Special Review #937 – 2055 Woody Drive – Addition to St. Thomas the Apostle Church – A special review request to allow the addition of 9,172 square feet to an existing church in a Residential 9,600 (R-96) zone, on Lot 1, Block 1, St. Thomas Subdivision, a 5.219 acre parcel of land generally located at 2055 Woody Drive. Tax ID: D04810

RECOMMENDATION

The Planning Division is recommending conditional approval of **City Special Review #937**. approval based on the findings of the 3 review criteria.

PROPOSED CONDITIONS

1. The special review is limited to Lot 1, Block 1 of St Thomas Subdivision generally located on the corner of Colton Boulevard and Woody Drive.
2. The special review approval is for the addition of 9,172 square feet to an existing church in a Residential 9,600 (R-96) zone, on Lot 1, Block 1, St. Thomas Subdivision, a 5.219 acre parcel of land generally located at 2055 Woody Drive. No other use is intended or implied by this approval.
3. Any expansion of the proposed building or parking greater than 10 percent of what is shown on the submitted site plan will require an additional special review approval
4. All exterior lighting, including security lighting shall have full cut-off shields so no part of the fixture or lens projects below the cut-off shield. The maximum height of any light pole in the outdoor areas shall be 20 feet above grade. Exceptions to this requirement are allowed for entry doorway lighting.
5. All proposed drive approaches will be reviewed by City Traffic Engineering for final approval and location.
6. No construction activity will occur before 7 am or after 8 pm daily.
7. The site will be developed in substantial conformance with the submitted site plan including landscaping, parking and building locations with the exception of condition 5.
8. 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.
9. 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

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

Commissioner Larson asked about a proposed school on the adjacent property to the south. Nicole Cromwell advised that the City Council will be reviewing this proposal next week. Commissioner Larson asked if it is the same owner. Karen Husman advised that she did not have that information and that there is indication on the site plan that parking may be shared, she also stated that the applicant is in audience and available to answer.

Public Hearing:

Vice Chairman Wagner opened the public hearing and called for proponents of **City Special Review #937** .

CTA, Inc. 13 North 23rd Billings, Mt 59102

Mike Tuss who represents St. Thomas the Apostle Church, introduced the audience attendees from the Church. He then explained the need for increased seating in the sanctuary and an enhanced entrance and pull-out for several congregation functions, meeting ADA requirements. After describing the renovations he noted that 28 parking spaces will be added, making 47 new spaces available with the shared use agreement with Billings Catholic Middle School intended for the adjacent property. The interior seating would be increased by 110. The renovation of the gymnasium would enhance space for fellowship activities and expand the kitchen for the same purpose. The multi-use area will also include much needed staff office areas.

Commissioner Larson asks about parking coordination with the school and reducing approaches from five to one, which is positive.

One approach will be a private road on the property line for access to both the church and private Catholic school. Commissioner Larson asked about the curb bulb. Mr. Tuss explained that the church preferred enhancement of the existing pullout and not do the corner bulb.

Vice Chairman Wagner asked if anyone else wanted to speak in favor or opposition of **City Special Review #937**. There were none.

Motion

Commissioner Larson made a motion and Commissioner Ulvestad seconded the motion to forward a recommendation to City Council for conditional approval of **City Special Review #937** and adoption based on the approval criteria.

Discussion

Vice Chairman Wagner called for discussion on the motion.

The motion carried with a unanimous voice vote, 4-0.

Vice Chairman Wagner asked Nicole Cromwell to review the final agenda item.

Item #3. City Zone Change #945 – 2512 Shiloh Rd – A zone change request from Residential 9,600 (R-96) to Residential Professional (RP) on Lot 4A2, Blue Meadows Acreage Tracts, Amended, a 1.06 acre parcel of land generally located at 2512 Shiloh Road. A pre-application neighborhood meeting was held on November 16, 2015, at King of Glory Church at 4125 Grand Avenue. Tax ID: C01757

RECOMMENDATION

The Planning Division recommends approval of the zone change to RP and adoption of the findings of the 10 criteria for **Zone Change 945**.

Discussion

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

Vice Chairman Wagner asks where the tunnel under Shiloh is in relation to subject property.

Vice Chairman Wagner asks if the duplex burns down can it be rebuilt. Nicole Cromwell explains that it would have to be rebuilt as a single family residence or mixed use structure.

Commissioner Ulvestad asks if the owner is here. Vice Chairman invites Mr. Culver, the owner, to address the board. Mr. Culver defers to his engineer, Pat Davies of Sanderson Stewart. Vice Chairman Wagner requests that the representative, Pat Davies, please come forward.

Vice Chairman Wagner opened the public hearing and called for proponents or **City Zone Change #945**.

Kincaid Land, LLC (Gene Culver), 3208 Rugby Drive, Billings, Mt 59102

Mr. Culver is the property owner.

Pat Davies, P.E., Sanderson Stewart, 1300 Transtech Drive, Billings, MT 59102

Mr. Davies represents Kincaid Land, LLC. He corrects the existing residence is a single family home, not a duplex and offers to answer any questions. Commissioner Ulvestad asks Mr. Culver what his intention is for this property. Mr. Culver states that he has been using it for storage and such. Commissioner Ulvestad inquires about the white building seen on the aerial. Mr. Culver explains that it is not his but his neighbors, Mark Dawson. He explains his intent to put offices in this location and that Mark Dawson supports this project.

Vice Chairman Wagner asked if anyone wanted to speak in opposition of **City Zone Change #945**. There was none.

Vice Chairman Wagner closed the public hearing at **5:27 p.m.** and called for a motion.

Motion

Commissioner Ulvestad made a motion and Commissioner Larson seconded the motion to forward a recommendation to City Council for approval and adoption of the findings of the 10 criteria for **Zone Change #945**.

Discussion

Vice Chairman Wagner called for discussion on the motion.

The motion carried with a unanimous voice vote, 4-0.

Other Business:

Nicole Cromwell stated that she had passed out a current roster of Commissioner information and if there are any changes to please state them. There were none.

Election of 2016 Officers

Having only 4 of 5 commissioners, the elections were postponed until the next meeting

The next meeting is scheduled for Tuesday, February 2, 2016.

Adjournment: The meeting adjourned at **5:29 p.m.**

DRAFT: To be approved by a motion: **February 2, 2016.**

ATTEST:

Robbin Bartley, Administrative Assistant I



City Zoning Commission

Meeting Date: 02/02/2016

SUBJECT: City Special Review #938 - 3104 Boulder Avenue

THROUGH: Candi Millar, Planning & Community Services Department Director

PRESENTED BY: Karen Husman

Information

REQUEST

City Special Review #938 – 3104 Boulder Avenue – Multi-family in R-60 zone – A special review request to construct two 4-plexes and two 3-plexes on Lot 6, Wolf Subdivision, in a Residential 6,000 (R-60) zone on a 38,379 square foot parcel of land. Tax ID: A18647

Presented by Karen Husman, Planner I.

RECOMMENDATION

The Planning Division is recommending conditional approval and adoption of the findings of the 3 criteria.

APPLICATION DATA

OWNER: Twenty-O Five Corporation
AGENT: Travis McDowell
PURPOSE: To allow two triplexes and two fourplexes
(14 dwelling units)
LEGAL DESCRIPTION: Lot 6, Wolf Subdivision
ADDRESS: 3104 Boulder Avenue
SIZE OF PARCEL: 38,379 square feet
EXISTING LAND USE: Vacant
PROPOSED LAND USE: Residential Multi-Family
EXISTING ZONING: Residential-6000 (R-60)

CONCURRENT APPLICATIONS

None

APPLICABLE ZONING HISTORY

Surrounding Property – The City has approved 3 similar applications for new multi-family dwellings in R-60 zones in this neighborhood. Prior to 1997, the City did not require special review approval for multi-family dwellings in R-60 zoning districts. There are at least 10 existing multi-family dwellings with multiple units in the immediate vicinity constructed prior to 1997.

SURROUNDING LAND USE & ZONING

NORTH: Zoning: R-60
Land Use: Residential Single Family and Multi Family
SOUTH: Zoning: Residential 9,600 (R-96)
Land Use: Residential Single Family
EAST: Zoning: R-60
Land Use: Residential Multi Family
WEST: Zoning: R-60
Land Use: Residential Multi Family

BACKGROUND

This is a request to allow two triplex and two fourplex multifamily dwellings on Lot 6, of Wolf Subdivision. The City requires a special review for this use in the R-60 zoning district. The applicant is proposing to construct a total of 14 units on property that fronts Boulder Avenue on the north and Colton Boulevard on the south. Each unit will be two stories and consist of either three or four bedrooms with an attached single car garage. The property is currently vacant. There are several large multi-family developments on Boulder Ave., as well as the north side of Colton Blvd. The applicant will be responsible for street improvements along Boulder Avenue. The submitted site plan shows one drive approach from Colton Blvd. and one from Boulder Ave.

The Planning Division has reviewed this application and is recommending conditional approval. Before a recommendation of approval or conditional approval can 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) the application 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, in so far, that it is in a district that allows multifamily dwellings by special review. The site plan submitted indicates the proposed buildings would meet all required setbacks and lot coverage limitations. The application conforms to the second criteria as it meets the purposes of the zoning regulations and some of the goals and policies of the 2008 Growth Policy.

The application conforms in part to the third criteria and conditions of approval are recommended to mitigate any potential impacts to surrounding property, as well as safety concerns to future residents of the subject property. This property is in close proximity to Boulder Elementary School, which is at the west end of Boulder Ave. and Colton Blvd. During school hours, heavy vehicle and pedestrian traffic moves along Boulder Ave., Colton Blvd., and 32nd Street West (the street fronting Boulder Elementary School). The traffic congestion leads drivers to try and drop off students along Boulder Ave. and Colton Blvd. and avoid the traffic directly in front of the school. Drivers look for ways to exit the area as quickly as possible. Planning and Engineering staff are concerned that a very wide, unobstructed thoroughfare provided by this project connecting Boulder Ave. and Colton Blvd. will provide a cut-across for school traffic to exit the area and negatively affect safety of drivers and pedestrians within this development and on the surrounding streets.

Planning staff, in consultation with Engineering Division and Fire Department staff has suggested modification to the site plan to separate the development into a north neighborhood and south neighborhood with pedestrian connection only near the middle of the development to eliminate cut-through traffic in the development, discourage school pick up and drop off traffic at the entrances to the development, and increase the safety of residents of the development. It appears from the submitted site plan that a separation of the driveway accesses could be made at the open space between the buildings about mid-point on the lot between Colton Blvd. and Boulder Ave. This area could contain landscaping and a pedestrian walkway to connect the two driveways and parking areas for the units.

RECOMMENDATION

The Planning Division recommends conditional approval.

PROPOSED CONDITIONS

1. The special review approval is for the two triplexes and two fourplexes on Lot 6, of Wolf Subdivision, a 38,379 square foot parcel of land located at 3104 Boulder Ave. (14 dwelling units total). No other use or development is intended or implied by this approval.
2. Any expansion in gross floor area of the proposed buildings or off-street parking greater than 10 percent of what is shown on the submitted site plan will require an additional special review approval.
3. All exterior lighting, including security lighting shall have full cut-off shields so no part of the fixture or lens projects below the cut-off shield. The maximum height of any light pole in the outdoor areas shall be 15 feet above grade.

4. All proposed drive approaches will be reviewed by City Traffic Engineering for final approval and location.
5. No construction activity will occur before 7 am or after 8 pm daily.
6. Prior to Building Permits being issued, a Master Site Plan Review must be submitted to the Planning Division and approved for the project.
7. The developer will redesign the plan so there is not vehicular access between Colton Blvd. and Boulder Ave. and install 4 trees at each private street entrance on Boulder Ave. and Colton Blvd. Mature trees that exists at the Boulder Ave. frontage may be preserved and counted toward the 4 tree total in this area. New trees shall not be any tree with the genus scientific name of Populus or any of its subspecies including any variety of aspens. Also no Salix (willows), Acer negundo (Box Elder) or Ulmus (Elms). The site will otherwise be developed in substantial conformance with the submitted site plan including landscaping, parking and building locations.
8. A trash receptacle must be provided with a three sided site obscuring fence and a closing gate.
9. 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.
10. 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.

Attachments

Zoning Commission Action
Zoning Map
Photos
Site Plan
Applicant Letter

Attachment A
Zoning Commission Action

The City Zoning Commission shall make a recommendation to the City Council to:

1. Deny the application for a special review use.
2. Grant the application for a special review use.
3. Conditionally grant the application for a special review use.
4. Delay action on the application for a period not to exceed thirty (30) days.
5. Give reasons for the recommendation.

Before approving a special review use, the Zoning Commission shall find that the contemplated use:

1. Complies with all requirements of this Article (27-1500);
2. Is consistent with the objectives and purposes of Chapter 27 and the Comprehensive Plan;
3. Is compatible with surrounding land uses or is otherwise screened and separated from adjacent land in such a way as to minimize adverse effects.

Further the Zoning Commission shall consider and may impose modifications or conditions concerning, but not limited to the following:

1. Street and road capacity;
2. Ingress and egress to adjoining streets;
3. Off-street parking;
4. Fencing, screening and landscaping;
5. Building bulk and location;
6. Usable open space;
7. Signs and lighting; and/or
8. Noise, vibration, air pollution and similar environmental influences.

Attachment C
Site photos



Subject Property – View from Colton Blvd.



View east on Colton Blvd.

Attachment C, continued
Site photos



View south of the subject property



View west on Colton Blvd.

Attachment C, continued
Site photos



Subject property looking south from Boulder Ave.

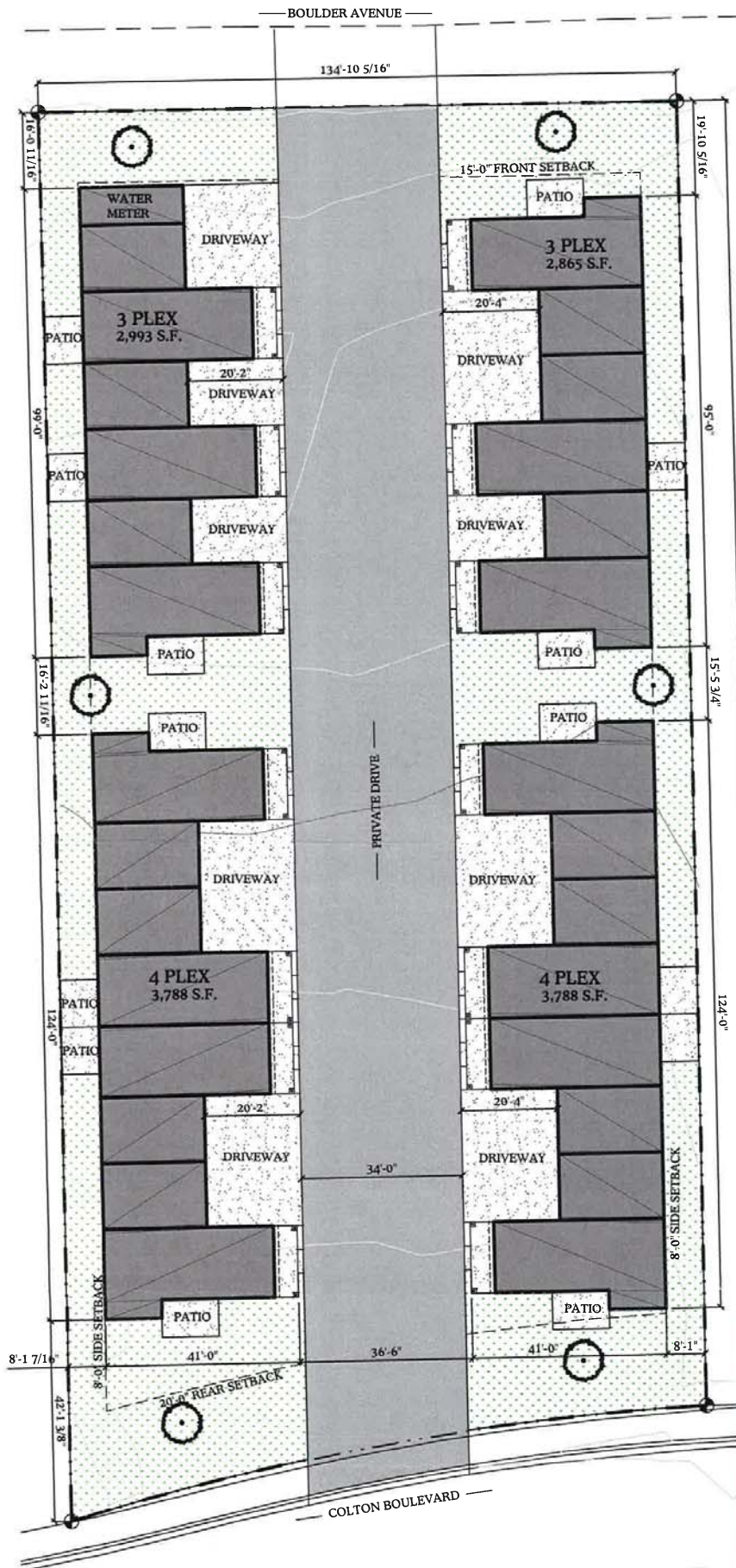


Looking east on Boulder Ave.

Attachment C, continued
Site photos



Looking west on Boulder Ave.



CONSTRUCTION TYPE - VB
 OCCUPANCY CLASSIFICATION - R-3

LOT COVERAGE:

Total Lot Area:	38,379 s.f.
4 plex (3,788 x 2):	7,576 s.f.
3 plex :	2,865 s.f.
3 plex w/ Water Meter :	2,993 s.f.
Total Building Footprint:	13,434 s.f.

Max. Lot Coverage = 40% = 15,351 s.f.
 Actual Lot Coverage = 35%

Asphalt =	9,594 s.f.
Conc. driveways =	4,130 s.f.
Conc. patios =	2,282 s.f.
Buildings =	12,388 s.f.
Total Impervious Surface =	28,394 s.f. (74%)

Landscaping / Grass = 9,985 s.f. (26%)

PARKING :

1.5 SPACES PER 2 BED UNIT
 14 UNITS x 1.5 = 21 spaces required

PARKING PROVIDED:

Garage Parking = 14 spaces

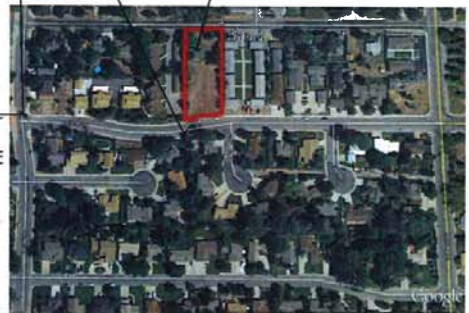
Driveway Parking = 14 spaces

Total Parking = 28 spaces provided

LEGAL DESCRIPTION

3104 BOULDER AVENUE
 LOT 6 (LESS 2,120.77 S.F. STREET)
 WOLF SUBDIVISION
 38,379 s.f.

EXISTING FIRE HYDRANT
 PROJECT LOCATION



COLTON SITE PLAN

1" = 20'-0"

14 UNITS



VICININTY MAP

N.T.S.



01/04/16

Planning & Community Services Department
2825 3rd Avenue North
4th Floor
Billings, Mt. 59101

RE: Request for Special Review For
Colton Townhomes
3104 Boulder Avenue
Billings, MT 59102

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

Land Use Element 1

- *Issue: Neighborhoods are experiencing pressures from new development and land use changes.*

- *Goal: Predictable land use decisions that are consistent with neighborhood character and preferred land use patterns identified in neighborhood plans.*

The proposed 14 unit development is consistent with the surrounding neighborhood. The proposed project will create additional housing in an area of town that greatly needs it.

Land Use Element 11

- *Issue: Neighborhoods provide the character and strength of the community and the quality of neighborhoods should be preserved.*

- *Goal: Preserve neighborhood character and quality of life.*

The proposed development will be a positive addition to the neighborhood. The new buildings will be aesthetically appealing and the landscaping will provide a greater quality of life for the surrounding neighborhood.

Aesthetic Element 1

- *Issue: There are areas in the City and County that are unattractive and present a poor image of the community.*

- *Goal: Visually appealing communities.*

The proposed development will be aesthetically appealing and will improve the image of the community.

Transportation Element 9

- *Issue: The sidewalk system in the City needs upgrading; many sidewalks are cracked and broken, several critical sections are missing, and important sidewalk routes are not adequately maintained.*

- *Goal: Well maintained network of safe and interconnected sidewalks*

As part of this project, all of the sidewalks on this portion of Colton Boulevard and Boulder Avenue will be required to be repaired and maintained to the current city standards. In doing this, public safety will be improved and a healthy lifestyle will be promoted.



B. *Why is there a need for the intended use of the property on this location.*

There is a need for this special review in order to create more housing in this neighborhood and to create a project that improves the surrounding neighborhood.

C. *How will the public interest be served if this application is approved?*

The public interest will be served by creating an infill project with an updated development that will be visually appealing and preserve the existing neighborhood character.

D. *Prepare a written statement addressing what is intended to be done with the property, and why the special review is being sought.*

The proposed new development will consist of 4 new buildings, two three-plexes and two four-plexes. Each unit will be two stories tall and consist of either three or four bedroom living units with an attached garage. The exteriors of the project will be virtually maintenance free, consisting of fibercement siding & thin-cut stone veneer. Landscaped green space & open areas will also be provided on the site. The units will be townhome style, with secure entries & improved site lighting. All of these features combined will greatly enhance the quality of life for the tenants and add value to the neighboring properties. This project will be aesthetically pleasing and a will be a great addition to this neighborhood.

The special review is being sought because development of three-plexes and four-plexes is not allowed in R-6000 zoning without an approved special review.