



**CITY ZONING COMMISSION**  
**AGENDA-Tuesday, July 5, 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 June 7, 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 Zone Change 947 – 505 & 521 S Billings Blvd** – A zone change from Residential 6,000 (R-60) to Controlled Industrial (CI) on the south 2 acres of the north 4 acres of Lot 5 in the SW1/4 of Section 9, Township 1 South, Range 26 East, a 2-acre parcel of land generally located at 505 and 521 S Billings Blvd. A pre-application neighborhood meeting was held on May 24, 2016 at 430 S Billings Blvd. Tax ID: D01753. Presented by Nicole Cromwell, Zoning Coordinator
  
- b. **City Special Review 944 – 505 & 521 S Billings Blvd** – A special review request to locate a motor vehicle wrecking yard on the south 2 acres of the north 4 acres of Lot 5 in the SW1/4 of Section 9, Township 1 South, Range 26 East, a 2-acre parcel of land generally located at 505 and 521 S Billings Blvd. Presented by Nicole Cromwell, Zoning Coordinator

## **Other Business/Announcements**

### **Adjournment**

**The City Council** has designated **Monday, July 25, 2016**, at 6:30 p.m. in the City Council Chambers as the time and place to hear testimony for or against the zone change and special review.

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

As provided in Montana Code Annotated, Section 76-2-305(2), in the event of a protest petition against such **zone change** signed by the owners of twenty-five (25) percent or more of: (1) the area of the lots included in any proposed change; or (2) those lots or units, as defined in MCA 70-23-102, **one hundred fifty (150) feet from a lot included in a proposed change**, such proposed amendment shall not become effective except by the favorable vote of two-thirds ( 2/3) of the present and voting members of the city council. For purposes of this protest provision interest in the common elements of the condominium, as expressed in the declaration, included in the calculation of the protest. If the property, as defined in 70-23-102, spans more than one lot, the percentage of the unit owner's undivided interest in the common elements must be multiplied by the total number of lots upon which the property is located. The percentage of the unit owner's undivided interest must be certified as correct by the unit owner seeking to protest a change or by the presiding officer of the association of unit owners. The protest petition must be received in the Planning Division office by 5:00 p.m. on the Friday preceding (July 22, 2016) the first reading of the amendment by the City Council.

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 zone change and special review. Testimony regarding the above mentioned items may also be submitted in writing to the Planning Division, 2825 3<sup>rd</sup> Avenue North, 4<sup>th</sup> 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](mailto:bartleyr@ci.billings.mt.us).

**City Zoning Commission**

**Meeting Date:** 07/05/2016

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**Information**

**Subject**

The minutes of the Board meeting of June 7, 2016.

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**Attachments**

BZC\_2016\_06\_07

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## City of Billings Zoning Commission Meeting Minutes June 7, 2016

The City of Billings Zoning Commission met on Tuesday, June 7, 2016 in the Miller Building 1<sup>st</sup> Floor Conference Room, 2825 3<sup>rd</sup> Avenue North, Billings, Montana

Chairman Wagner called the meeting to order at 4:30 p.m. The City Council has designated **Monday June 27, 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	Chairman	1	1	-	1	1	1						
Dennis Ulvestad	Commissioner	1	1	-	1	1	1						
Mike Boyett	Vice Chairman	E	1	-	1	1	E						
Michael Larson	Commissioner	1	1	-	1	1	1						
James Mariska	Commissioner	1	1	-	1	1	1						
Candi Millar	Director, Planning & Community Services	-	-	-	-	-	-						
Wyeth Friday	Division Planning Manager	-	-	-	-	-	-						
Nicole Cromwell	Planner Zoning Coordinator	1	1	-	1	1	1						
Tammy Deines	Planning Clerk	-	-	-	-	-	-						
Dave Green	Planner II	1	-	-	-	-	-						
Karen Husman	Planner I	1	1	-	-	-	-						
Robbin Bartley	Administrative Support	1	1	-	1	1	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	0	-	1	0	0							2
Special Review	2	1	-	4	1	1							9

Chairman Wagner introduced the Planning Division Staff and Commission: Attending Staff were Nicole Cromwell, Zoning Coordinator; Robbin Bartley, Administrative Support.

**In Attendance:**

Jason Smith, 6770 S. 900 E. Ste#102, Midvale, UT 84047  
 Matt Johnson

**Public Comment**

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

**Approval of Minutes: May 3, 2016**

Chairman Wagner called for approval of the May 3, 2016 meeting minutes.

**Motion**

Commissioner Mariska made a motion and Commissioner Larson seconded the motion to approve the May 3, 2016 meeting minutes.

COMMISSIONER	Yes	No	ABSTAINED	ABSENT
Dan Wagner	x			
Mike Boyett				x
Dennis Ulvestad	x			
Mike Larson	x			
James Mariska	x			

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

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

**Disclosure of Conflict of Interest**

COMMISSIONER	Yes	No	ABSTAINED	ABSENT
Dan Wagner		x		
Mike Boyett				x
Dennis Ulvestad		x		
Mike Larson		x		
James Mariska		x		

**Disclosure of Outside Communication**

<b>COMMISSIONER</b>	<b>Yes</b>	<b>No</b>	<b>ABSTAINED</b>	<b>ABSENT</b>
Dan Wagner		<b>x</b>		
Mike Boyett				<b>x</b>
Dennis Ulvestad		<b>x</b>		
Mike Larson		<b>x</b>		
James Mariska		<b>x</b>		

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

**Public Hearings:**

Chairman Wagner reviewed the rules and the procedures by the City Zoning Commission public hearings are conducted and advised the audience this would be heard by the City Council on June 27, 2016. He then asked Nicole Cromwell to review the first agenda item. Nicole Cromwell presented:

**City Special Review #943 – 741 S 24<sup>th</sup> St West – Service Station** – A special review request to allow the construction of a service station (Jiffy Lube) in a Neighborhood Commercial (NC) zone on a 13,068 square foot parcel of land described as Lot 9A, Block 2, Justiss Subdivision, 1<sup>st</sup> Amended. Tax ID: C01676.

**RECOMMENDATION**

Planning staff recommends conditional approval and adoption of the findings of the 3 criteria for **Special Review #943**.

**Discussion**

Commissioner Mariska asked if Condition #6 (one bicycle staple installed) is mandatory. Staff indicated all conditions are suggestions to the Commission and may be approved, modified or other conditions may be added. Commissioner Mariska does not see the need for Condition #6. Chairman Wagner believes a bicycle rack would not take a lot of space. Commissioner Mariska understands the concept of a bicycle rack and appreciates it but does not feel it is a necessary condition. Chairman Wagner asked about lot usage and measurements. The building foot print uses 50 percent of the lot. Chairman Wagner expressed concerns about traffic flow and direction when turning off Rosebud into the service station bays. Staff explained and deferred to the owner.

Chairman Wagner asked for the applicant of **Special Review #943**.

### **Jason Smith, Terra Form Companies**

Mr. Smith stated he appreciates the opportunity to meet with the Commission and thanked staff for the presentation. Jiffy Lube is new to the Heights area and is excited to serve the community and offer jobs. A west end location will also meet these needs. He then addressed the access concerns voiced by Chairman Wagner. They will be marked with directional signage to help with the traffic flow both on the property and on the building. The proposal is a 3 bay building not a 4 bay building and the photos are correct regarding the color scheme and will be used at this site. Commissioner Mariska asked about the building elevations. Mr. Smith pointed out the actual differences to the printed information and designated bay would be eliminated. He also asked if the land is purchased or leased. The land was purchased. The question was asked regarding other Jiffy Lubes in Billings and in the State of Montana. There are others in the state and just one other location in Billings on Main Street. A third and possibly a fourth station are being considered in the Billings area. Commissioner Mariska asked whether a traffic count at the corner of Henesta and 24<sup>th</sup> Street West was done and how did Jiffy Lube determine where to build. Mr. Smith stated no independent traffic study was done, and the City of Billings traffic map was used as well as population and income demographics to choose this location. Mr. Smith stated a 3-mile radius is the focus. Mr. Mariska asked if Terra Form has observed the traffic at rush hours. Commissioner Mariska expressed concerns about the stack up of traffic at this location during rush hour. Chairman Larson explained the traffic preferences. Mr. Smith stated a really good Jiffy Lube services 30 customers a day. When this is compared with a fast food use, 30 cars is nothing.

### **Matt Johnson, 33 years as a Franchisee**

The Heights Jiffy Lube does approximately 28 cars a day. Service needs vary from day to day. On a very busy day a serviced vehicle is leaving approximately every 10-20 minutes. Employees will be ready to mediate traffic exiting the site. The Commissioners expressed their concerns about State employees and local car dealerships in the area and the traffic created Monday thru Friday at 5pm. Mr. Johnson reiterated the 10-20 minute intervals cars from this shop would be exiting and does not anticipate a problem. Commissioner Mariska asked if soil studies have been done for hazardous materials, stating the previous user was a dry cleaner. Mr. Johnson stated a phase one analysis done. Fortunately this was a pick up and drop off location and no actual dry cleaning was done and no contaminants were found. Commissioner Mariska asked how Jiffy Lube processed the oil and such which is removed from the vehicles being serviced. Jiffy Lube has no floor drains. All fluids are picked up and properly disposed of. Commissioner Mariska then asked who is responsible for landscaping at the facility. Mr. Johnson stated no agreement for landscaping and maintenance is currently in place. It will be the responsibility of the Jiffy Lube Franchisee to engage a landscaper. Chairman Wagner asked when the building construction will start. Mr. Johnson stated the goal is to begin construction Mid-September and will take 105 days to completion. He stated there will be 8 employees, 3-6 at a time depending on the shift. Commissioner Mariska asked if there will be adequate employee parking off street. The current site plan includes 8 parking stalls. Customers vehicles are in the service bays. Commissioner Ulvestad expressed his concerns about parking. Mr. Johnson stated Jiffy Lubes are located throughout the region with much more challenging traffic environments. They have not had any substantial issues and feel well equipped to mitigate traffic.

Chairman Wagner asked for a motion.

Commissioner Larson made a motion and Commissioner Mariska seconded the motion to conditionally approve **Special Review #943**, with applicants option of Condition #6.

<b>Commissioner</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAINED</b>	<b>ABSENT</b>
Dan Wagner	x			
Mike Boyett				x
Dennis Ulvestad	x			
Mike Larson	x			
James Mariska	x			

**The motion carried with a unanimous verbal vote of 4-0.**

**Other Business:**

**The next meeting is scheduled for Tuesday, July 5, 2016.  
Commissioners Mariska, Ulvestad, and Wagner confirmed their attendance.  
Commissioner Larson will not be attending.**

**Adjournment:** The meeting adjourned at **5:12 p.m.**

**DRAFT:** To be approved by a motion: **July 5, 2016.**

**ATTEST:**

**Robbin Bartley, Administrative Assistant I**



## City Zoning Commission

**Meeting Date:** 07/05/2016

**SUBJECT:** Zone Change 947 - 505 & 521 S Billings Blvd

**THROUGH:** Nicole Cromwell

**PRESENTED BY:** Nicole Cromwell

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### Information

#### REQUEST

**City Zone Change 947 – 505 & 521 S Billings Blvd** – A zone change from Residential 6,000 (R-60) to Controlled Industrial (CI) on the south 2 acres of the north 4 acres of Lot 5 in the SW1/4 of Section 9, Township 1 South, Range 26 East, a 2-acre parcel of land generally located at 505 and 521 S Billings Blvd. A pre-application neighborhood meeting was held on May 24, 2016 at 430 S Billings Blvd. Tax ID: D01753. Presented by Nicole Cromwell, Zoning Coordinator

#### RECOMMENDATION

The Planning Division recommends approval and adoption of the findings of the 10 criteria for Zone Change 947.

#### APPLICATION DATA

OWNER: Hanser's Properties LP; Ralph Hanser

AGENT: Sanderson Stewart, Bill Morgan, P.E.

LEGAL DESCRIPTION: South 2 acres of the North 4 acres of Lot 5 in the SW1/4 of Section 9, Township 1 South, Range 26 East

ADDRESS: 505 and 521 S Billings Blvd

CURRENT ZONING: R-60

EXISTING LAND USE: 2 Single family homes

PROPOSED USE: Vehicle Wrecking Yard

SIZE OF PARCEL: 2 acres

#### CONCURRENT APPLICATIONS

Special Review 944 - To allow the use of the property as a vehicle wrecking yard.

#### APPLICABLE ZONING HISTORY

Subject Property - County Zone Change 14 was approved in May, 1974, to change the zoning from R-96 to R-60. Surrounding Property - Property north of the subject property was changed from R-96 to R-60 and then to RMF in the mid 1970s and early 1980s. In 2004, Hanser's purchased these tracts of land and subsequently requested zone changes and special review approval to convert the property from vacant land to a vehicle wrecking facility. Hanser's completed these requests and expansion from 2004 until 2010. The current facility on the east side of S Billings Blvd. is approximately 11 acres in area. Hanser's also operates an approximately 7 acre wrecking yard, office and towing service on the west side of S Billings Blvd. directly across the street from the subject property.

#### SURROUNDING LAND USE & ZONING

NORTH: Zoning: CI  
Land Use: Hanser's vehicle wrecking yard

SOUTH: Zoning: R-60 and R-70  
Land Use: Single family homes

EAST:                   Zoning: R-70  
                          Land Use: Single family homes  
WEST:                 Zoning: CI  
                          Land Use: Hanser's Wrecking Service

## **BACKGROUND**

This is an application to change the zoning on a 2-acre parcel of un-platted land from R-60 to CI for the purpose of expansion of the existing Hanser's wrecking yard just north of the subject property. The vehicle storage yard is primarily used as a "pick-a-part" yard where customers may come into the yard and take parts off vehicles themselves. Prior to storage in the yard, all vehicles are drained of fluids and any hazardous materials. Vehicles are not stacked and rows of vehicles are spaced apart for easy and safe access by staff and customers. The 11 acres north of the subject property has been converted from residential zoning to CI zoning and special reviews were approved to allow this use.

The property has frontage on S Billings Blvd., a principal arterial street, on the west and frontage along Newman Lane on the east. Newman Lane is a local residential street. No access is proposed from this property to Newman Lane. Access to the subject property will be through the existing wrecking facility to the north. The two existing dwellings on the site will be demolished for the development. S Billings Blvd. currently carries about 10,000 vehicle trips per day north of King Avenue East. South of the subject property is Newman Elementary School and west across S Billings Blvd is Amend Park, a regional soccer field. Improvements to S Billings Blvd over the past 10 years have added traffic volume capacity including a center turn lane. There is no on-street parking along this section of roadway. The existing street improvements include a 10-foot wide multi-use path on the east side of the street in addition to a curb walk on the west side. There are two existing curb cuts to the subject property. These will be removed and the boulevard will be restored when the development of the property occurs.

Zoning surrounding the property is mixed from CI to the north and west to R-70 and R-60 to the south. Normally, the uses allowed in a CI zone, would be incompatible with the existing zoning and development in the residential zones. The proposed use, a "pick-a-part" wrecking facility storage yard, will have less impact than many other allowed uses in the CI zone. The existing storage yard has been a benign use of the property and has little impact on the surrounding neighbors since it was first development more than 10 years ago. The wrecking yard will need a license from the State of Montana as well as the zoning approval of the City Council. The proposed zone change and special review use are supported by the Southwest Corridor Task Force.

The Planning Division has reviewed the zone change and the 10 criteria for the application and is recommending approval. The zoning is compatible with the existing zoning to the north and west. The proposed special review use, a wrecking yard, will need to be approved prior to the expansion on to this property. The special review will have several conditions of approval to mitigate the potential impacts on the surrounding neighbors to the south and east. The zone change will not alter the character of the adjacent neighborhood because of site development requirements and no access will be allowed to Newman Lane. The proposed zoning is compatible with the surrounding zoning and neighborhood character.

## **RECOMMENDATION**

The Planning staff recommends approval and adoption of the findings of the 10 review criteria for Zone Change 947.

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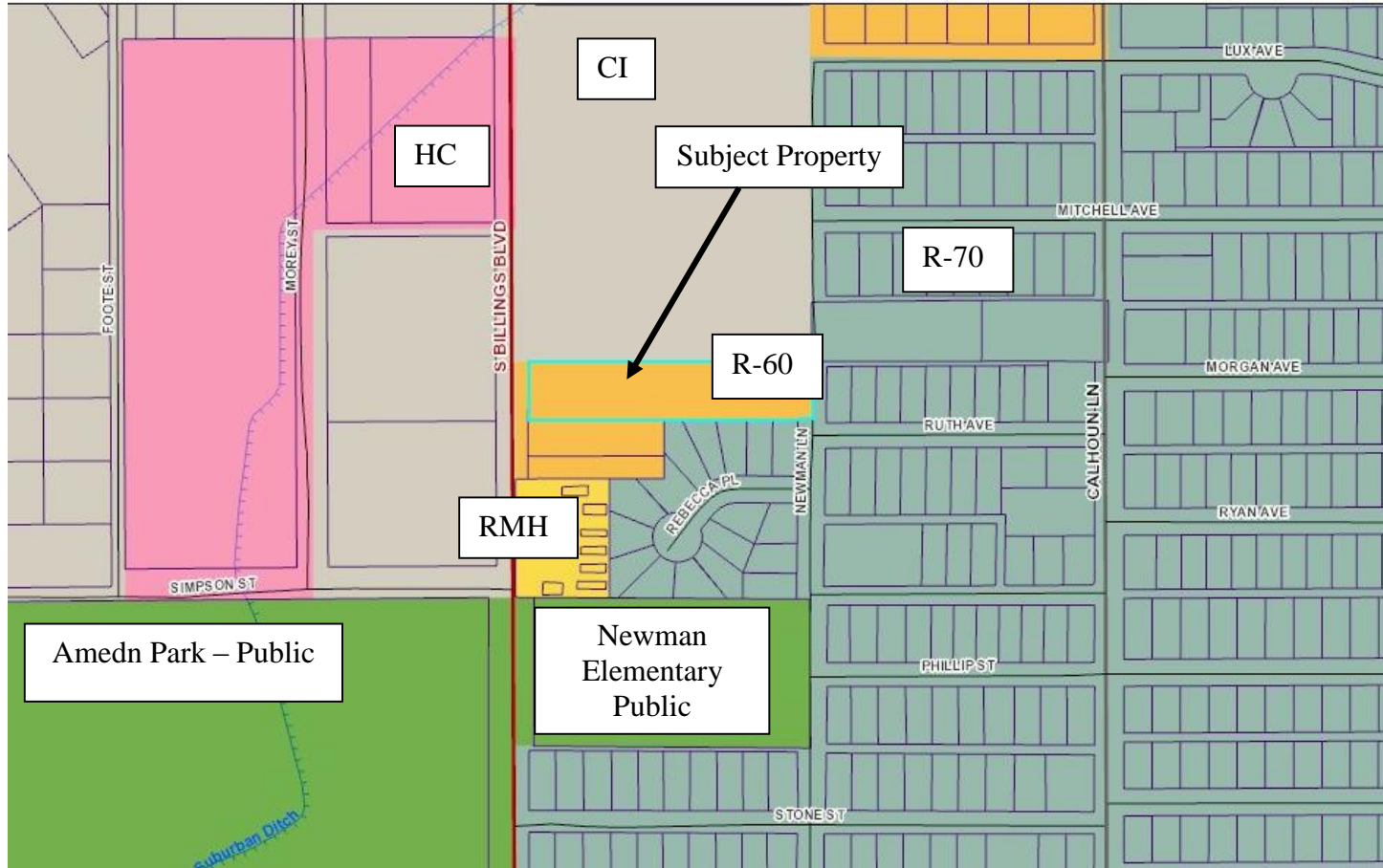
### **Attachments**

Zoning Map and Site Photos  
Findings of the Review Criteria  
Pre application meeting and Applicant Letter

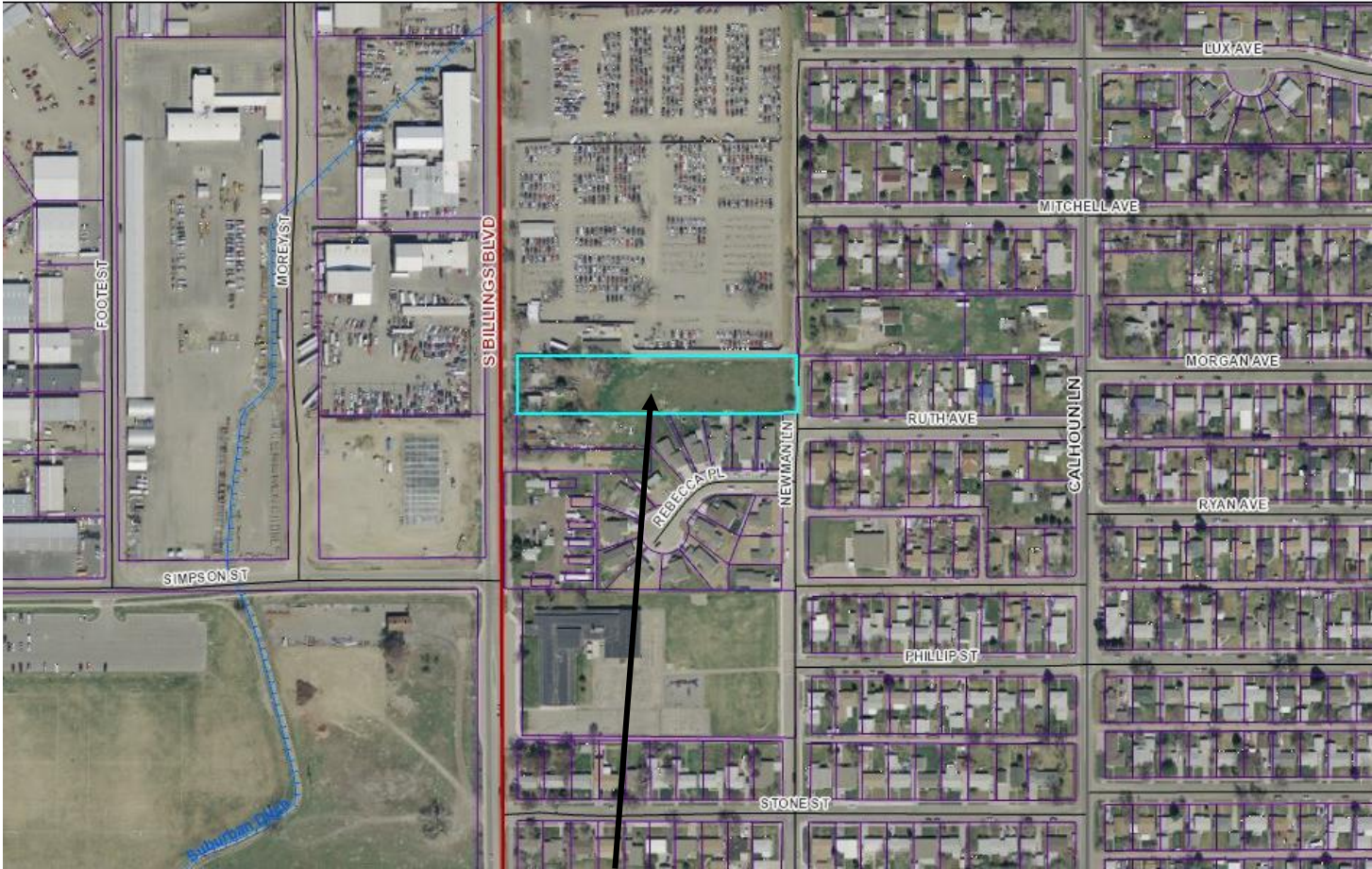
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**Surrounding Zoning**  
Zone Change #947 – 505 and 521 S Billings Blvd

ZC 947 505 S Billings Blvd

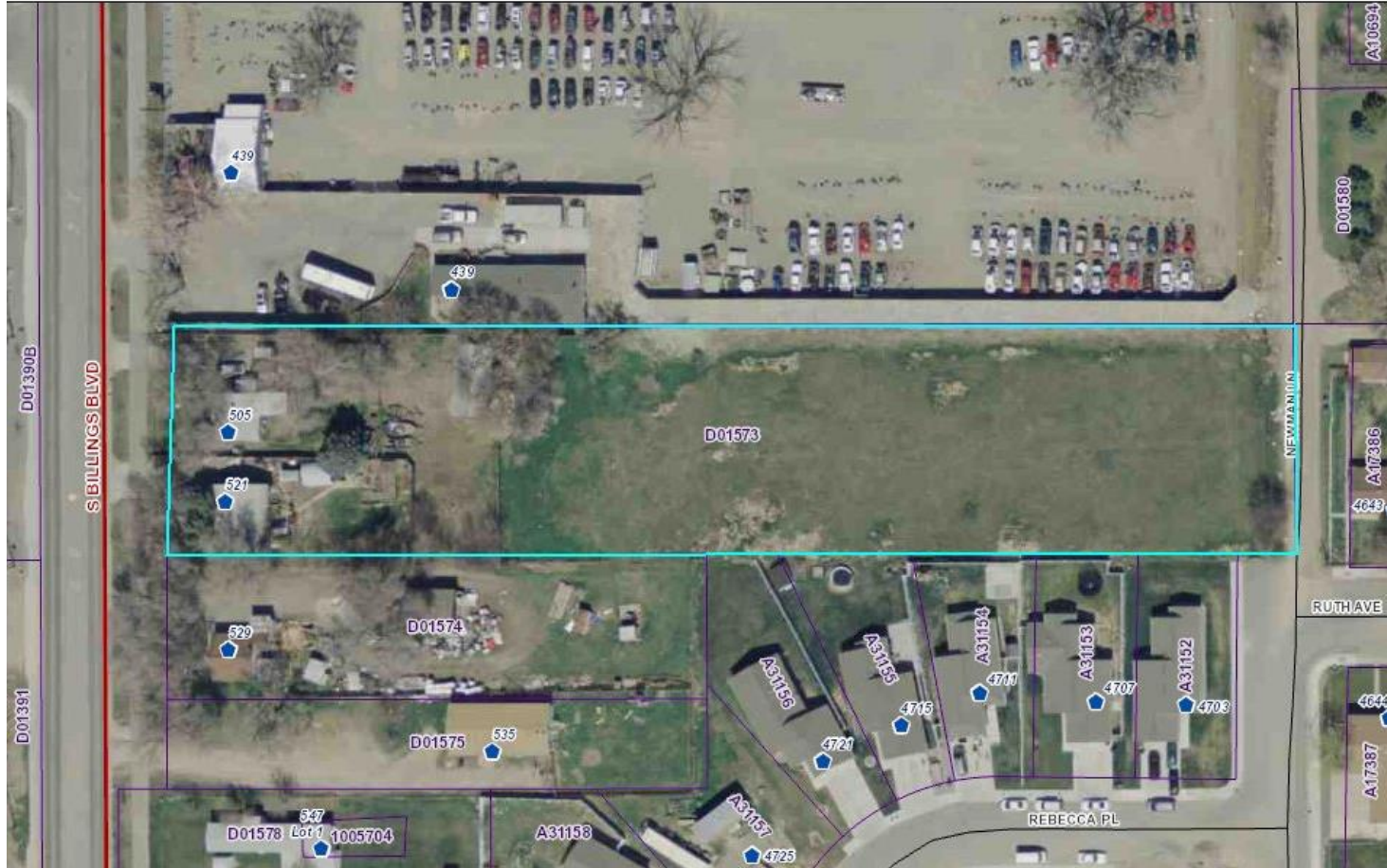


ZC 947 505 S Billings Blvd



Subject Property

ZC 947 505 S Billings Blvd





Subject Property from S Billings Blvd



View north along S Billings Blvd



View south along S Billings Blvd



View southwest across S Billings Blvd



View west across S Billings Blvd



View east along north property line of subject property



View east along south property line of subejct property

Zone Change #947 – 505 & 521 S Billings Blvd

Prior to any recommendation to the City Council, the Zoning Commission shall consider the following:

1. *Is the new zoning designed in accordance with the Growth Policy?*

The proposed zone change is consistent with the following goals of the Growth Policy:

- *Predictable land use decisions that are consistent with neighborhood character and land use patterns. (Land Use Element Goal, page 6)*

The proposed zoning would allow the expansion of the existing 11 acre wrecking facility directly north of the subject property. The existing land use, 2 single family dwellings, underutilizes the 2-acre site. Re-development under the existing zoning could allow up to 12 new dwelling units, although this is unlikely given the shape of the lots, the access to a principal arterial street and the surrounding commercial development. The zoning district is compatible with the neighborhood character and land use patterns. Adjacent residential zones will be protected through the special review process for the proposed use.

- The Infill Policy encourages development of vacant and undervalued property within the city limits with emphasis on efficient use of existing city infrastructure and services.

2. *Is the new zoning designed to secure from fire and other dangers?*

The new zoning requires minimum setbacks, open and landscaped areas and building separations. The new zoning, as do all zoning districts, provides adequate building separations and density limits to provide security from fire and other dangers.

3. *Whether the new zoning will promote public health, public safety and general welfare?*

Public health and public safety will be promoted by the proposed zoning. Re-development of the vacant land in the city will promote the public health and safety as well as the general welfare by improving the appearance of the area, reducing the number of driveway opening on the arterial street and adding value to the taz increment district. The adjacent residential neighborhood will be protected through the conditions of special review approval for the proposed use.

4. *Will the new zoning will facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirement?*

Transportation: The proposed zoning will have little impact on the surrounding transportation systems. The City Engineering Division will work closely with the owner to ensure any impacts are minimized.

Water and Sewer: The City will provide water and sewer to the property if requested. There will be no additional impact to the system from the proposed zoning.

Schools and Parks: Schools and parks should be unaffected by the proposed zone change.

Fire and Police: The subject property is served by city public safety services. The Police Department had no concerns with the zone change and the Fire Department will be involved in any development plan and building permit(s).

5. *Will the new zoning provide adequate light and air?*  
The proposed zoning provides for sufficient setbacks to allow for adequate separation between structures and adequate light and air.
6. *Will the new zoning effect motorized and non-motorized transportation?*  
The new zoning will have an effect on vehicle and pedestrian traffic. Removing 2 drive approaches from S Billings Blvd will improve the safety of the multi-use trail on the east side of the street. Construction and demolition on the site may disrupt traffic patterns for short periods of time.
7. *Will the new zoning will promote compatible urban growth?*  
The new zoning does promote compatibility with urban growth. The proposed zoning will allow commercial activity on an underutilized property as an infill project.
8. *Does the new zoning consider the character of the district and the peculiar suitability of the property for particular uses?*  
The proposed zoning does consider the character of the district and the suitability of the property for a the proposed use.
9. *Will the new zoning conserve the value of buildings?*  
The property is currently developed with 2 older single family dwellings at a density of 1 dwelling unit per acre. The existing homes can remain but the proposed development plan is to demolish the dwellings if the zoning and special review are approved.
10. *Will the new zoning encourage the most appropriate use of land throughout the City of Billings?*  
The proposed zoning will permit commercial and industrial uses similar to surrounding uses to the north and west. Existing residential neighborhoods to the south and east will be proptected through the application of conditions during the special review.

Applicant letter and pre-application meeting notes  
Zone Change #947 – 505 and 521 S Billings Blvd

**Hanser's Properties LP**  
ZONE CHANGE APPLICATION FROM RESIDENTIAL 6000  
TO CONTROLLED INDUSTRIAL

**Statement of Proposal**

The owner, Hanser's Limited Partnership, is seeking a zone change for the property. The property is located at 505 and 521 South Billings Boulevard, and is approximately two acres in size.

The existing zoning is Residential 6000 and the applicant is requesting a zone change to Controlled Industrial in order to match the adjacent property they own to the north. The applicant's intent is to expand their existing auto storage facility into these two acres. A concurrent Special Review is also being undertaken to allow the salvage and storage operation use. The existing residential houses on the site will be removed (probably in a few years), and the site will be improved with one to two feet of gravel. The site's elevation will blend with the adjacent residential houses to the south, and similar screening and landscaping will be constructed along all property frontages. Most importantly, storm water run-off from the constructed site will be contained on-site, and storm water will be cleaned and monitored through a State-approved Stormwater Pollution Prevention Plan (SWPPP).

**Accompanying Responses to Questions in Zoning Application Form**

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

***LAND USE ELEMENT***

***Goal 1. Predictable land use decisions that are consistent with neighborhood character and land use patterns.***

The adjacent properties include a mix of zoning and uses. Directly to the north and west, the properties are zoned Controlled Industrial. Properties to the south and east are zoned Residential 6000 and 7000. The proposed zoning and use would be consistent with the adjacent Controlled Industrial zoned properties adjacent to South Billings Boulevard.

***Goal 4. Contiguous development focused in and around existing population centers separated by open space.***

The development would be an expansion of an existing and long-standing business base consisting of towing and recovery, truck and car repair, used and rebuilt automatic transmissions, and a salvage company which provides auto parts to Billings and the surrounding population. The proposed

zoning would allow for a contiguous development in an existing and well established population center southwest of the Billings Central Business District. The overall Hanser's business consists of about 24 acres of development, and the proposed two acres of expansion would equate to an 8% increase in land area. All surrounding properties are within the City of Billings and most have been developed already, and the proposed use will be sensitive and compatible with the character of the adjacent neighborhoods and properties. There is an existing elementary school to the south (Newman Elementary) and a regional soccer field (Amend Park) to the southwest. These provide good open space areas for the neighborhoods and community. In addition, South Billings Boulevard offers quick and convenient access to Interstate 90 via a modern interchange. City infrastructure surrounds the property and development will make use of city resources in a cost effective manner.

### ***ECONOMIC DEVELOPMENT GOALS***

#### ***Goal 1. Coordinated economic development efforts that target business recruitment, retention, and expansion.***

Hanser's is a 51 year old company multi-divisional company specializing in automotive repair, automatic transmission rebuild and wholesale distribution, and salvage dismantling for late model used cars and pickups. Parts are sold both locally and across the United States, and they are a part of a towing/recovery network that spreads across southeastern Montana from Livingston, Big Timber, Columbus, Lewistown, Billings, and Hardin. Within this towing recovery network, Hanser's has an emergency spill and hazmat response team that works closely with the local fire departments, large trucking companies, law enforcement, and other hazardous spill response teams.

In 2015, the Hanser's payroll was \$4.8 million for an average of 98 fulltime equivalent employees throughout all of its divisions. The fulltime equivalent employee earns an average of \$55,000 a year, and the employee benefits include health insurance, life insurance, dental and vision insurance, 401K, personal time off (PTO), and holiday pay.

Because Hanser's does business outside the area, over 50% of the money generated from its operations comes from other states. This outside money is then regenerated into the economic base of the community through payroll and purchases.

The zone change and special use permit approval will allow for retention and expansion of an existing business in Billings. It will also strengthen the area economy by bringing in outside money which will be "turned over" many times via payroll, medical, purchases and sustaining living wage jobs.

***GOAL 2 : Increase the median income of households and individuals.***

Hanser's has a continued employee training program in all of its divisions. This continual investment in employees helps increase median income of households and individuals. In the transmission department, Hanser's belong to AAA, ATRA and ATSG. In the salvage department, they belong to URG8000 and ARA Gold Seal. In the wrecker department, the company belongs to the Towing & Recovery Association of America, the Montana Tow Truck Association, and other organizations that enhance the towing industry. Hanser's also partners with the Billings College of Technology to help with training of potential mechanics. This partnership helps reduce dependency on other education or social programs in the community.

Hanser's spends \$1,000 to \$5,000 per employee each year to keep up-to-date with the latest technology in their specific divisions. For example, wrecker operators maintain current Hazardous Waste Operator and Emergency Responder (HAZWOPER) certification, hold a commercial driver's license (CDL) with all endorsements in double, triple, and hazardous material transport, maintain certification in traffic incident management including flagging certification, and are certified by the Montana Disaster and Emergency Response Services (DES). Hanser's houses classes annually for forklift training, flagging certification/re-certification, HAZWOPER certification, and confined spaced entry training. Operators are also Wreck Master certified in towing and recovery. All of this training and support for employees helps improve the quality of life for all residents.

***NATURAL RESOURCES ELEMENT***

***GOAL 6: Protection of groundwater, surface water, riparian areas, air quality, and productive agricultural land.***

As previously stated, the existing Hanser's facility is under full compliance with the Montana Department of Environmental Quality (DEQ) General Permit through its Stormwater Pollution Prevention Plan (SWPPP). Maintaining and protecting the public health through the SWPPP is critical for the continued protection of surface and subsurface water. The SWPPP (which has been attached to this application) is developed and maintained by the establishment of control measures that keep pollutants from being discharged from the site.

Before any salvaged vehicle is stored on the site, all fluids from each vehicle is safely drained and disposed at the on-site automotive parts dismantling center. In addition to removing all fluids, there are prescribed control measures that provide further protection from petroleum products, antifreeze and sediment reaching any stormwater outfall. The two acres being proposed for a zone change will contain Oil-Water Separators (OWS) and Absorbent Booms to collect any residual pollutants of concern. The existing salvage yard and the one being proposed will be designed to slope towards storm drain inlets that are connected to the Oil-Water Separators. As stated in the SWPPP, every Oil-Water Separator and Absorbent booms are inspected by trained and dedicated staff every 7 days and after a storm event, and all necessary repairs or cleaning is performed. Good Housekeeping

practices like these are followed on the entire Hanser's site, and are important features that will protect groundwater, surface water, and related natural resource and public health elements.

***1B. 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 in the immediate area.***

Hanser's was started in 1963 as a two-bay service station. Today, it has over 60,000 square feet of automotive repair and salvage supported building space on approximately 24 acres of land. The success of Hanser's has always been by steady and measured growth. This has allowed the company to grow and respond to customer's demands, thereby creating a sustainable business. The proposed two acres of land lies directly south of the existing 12 acre pick-a-part and salvage operation. The existing zoning of the land is Residential 6000 and it fronts on South Billings Boulevard, an important arterial connecting many commercial and industrial properties to I-90. The new zoning will fit with the existing zoning because it will match the Controlled Industrial zoning to the north and west. More importantly, the development of the property under this zoning and property ownership will be mindful of being a good neighbor by the following actions:

- Sight obscuring screening fences will be constructed along all property frontages. Special attention will be given to the south portion of the lot where there are adjacent residences living on Rebecca Place, and along Newman Lane where there are long established neighborhood residences.
- As a result of the Neighborhood Meeting held on May 24<sup>th</sup>, there will be a gap of about 2 to 4 foot between the backyard fences along Rebecca Street and the new sight obscuring fence for Hanser's. Along this transitional area, Hanser's will place heavy duty weed fabric and crushed landscape rock, and will maintain this area against weeds and debris. In addition, a security gate will be installed at each end of the fence along the residential property to secure the gap area from unwanted activity.
- The property will be designed so that there is not as much fill and gravel placed on the site. This will provide for better transitional grades with the adjacent residential properties.
- The property inside the fences will be graded to drain to internal storm inlets, which will be tied into Oil-Water Separators and Absorbent Booms. As outlined in the section above, the site will be monitored and tested under a State-issued Stormwater Pollution Prevention Plan (SWMPP) permit.

## MEETING MINUTES

<b>PROJECT: Hanser's Zone Change and Special Review</b>			
Project No: 16032			
Meeting Location: Hanser's Automotive, 430 S Billings Blvd		Meeting Date: 5/24/16 4:00 to 6:00 PM	
Meeting Subject: Neighborhood Meeting		Prepared by: Bill Morgan	
Attending:	Ralph Hanser (H)	Scott Hanser (H)	Jim Johnson (H)
Chad Hasler (H)	Bill Morgan (SS)	Leon Pattyn	Alma Cabillan
	Morris Nielsen	Tom Ruschewicz	Barbara Prewitt
Date of Issue: 5/25/16			

Minutes:

Ralph Hanser and Bill Morgan moderated the meeting, which was held in an open house style;

- o Ralph gave a summary of the Hanser Business, including the steady growth and expansion of the existing 12 acre facility on South Billings Boulevard, and how this proposed 2 acre expansion would fit in well and serve the community.
- o Bill gave a summary of the proposed project elements, which included the following:
  - o The property to be expanded upon is just south of the current facility and is approximately two (2) acres in size.
  - o The existing buildings on the site will be removed (within a 2 to 5 year period of time) and the area cleaned up.
  - o A new building may be constructed in the future to help support the pick-a-part and salvage operation.
  - o The site will be improved with one to two feet of gravel, and will taper to the south to blend with the adjacent residential houses.

- Similar screening fences will be constructed along Newman Lane and adjacent to residences to the south.
- All storm water run-off will be contained on-site.
- Similar to the existing facility, no access will be from Newman Lane. All access will be from South Billings Boulevard and the existing site.
- The property will also need a concurrent Special Review to allow the salvage and storage operation use.
- Tentative meeting dates for the Zoning commission and City Council were discussed.
- Ralph reiterated how important it was to hear about the neighbor's concerns so that issues could be discussed and addressed up front.
- Questions from the homeowners included a request for more information on how all storm drainage was to be retained on site. Jim and Chad of Hanser's discussed how the existing site is designed to keep all stormwater on site, and that the site has a Stormwater Pollution Prevention Plan (SWPPP) with the Department of Environmental Quality (DEQ). Residents toured the existing facility to see the features of the stormwater system.
- Another question neighbors to the south living on Rebecca Place had to do with the location and height of the screening fence. General discussion ensued regarding a plan to have about 2 to 3 feet between the site's fence and the fencing along the back of the lots, and that this space could be constructed with a sturdy weed fabric and gravel (all maintained by Hanser's). In addition, in order to provide for good security, a locked gate would be constructed between these two parallel fences in order to keep people from walking in this area.
- There were also some questions and discussions regarding if it was possible to help ease existing drainage ponding along Newman Lane. Pending City approval, it was discussed how Hanser's could help by partnering with City to build some storm inlets on Newman Lane near the Mitchell Street intersection. The inlets would help get water off of the Newman Lane grade, which would then help ease the potholes and deterioration of the gravel driving surface. There is existing storm drain pipe in this vicinity that the inlets could tie into.
- No specific other specific concerns with the proposed Zone Change and Special Review were expressed by the homeowners in attendance.

The meeting was adjourned at approximately 6:00 pm



**Southwest Corridor Task Force  
P.O. Box 80441  
Billings MT 59108  
406 670-4395**

June 5, 2016

Zoning Commission and City Council

**Re: Proposed Zone Change and Special Review for Hanser's**

Dear Zoning Commission and City Council:

It is our pleasure to write a letter of support for the submitted Zone change and Special Review applications for Hanser's on South Billings Boulevard. The Southwest Corridor Task Force heard a presentation by Hanser's at our May 26, 2016 meeting and is fully supportive of the proposed two acre expansion. We understand that a Zone Change from Residential 6000 to Controlled Industrial is necessary and that a concurrent Special Review will allow Hanser's to expand their automotive salvage and storage operation.

Throughout the years, Hanser's has been a responsible neighbor and has; provided support for many working families in the task force area. We offer our full support to these two planning actions in front of you.

Sincerely,



Tom Ruschkewicz  
Chairman



## City Zoning Commission

**Meeting Date:** 07/05/2016

**SUBJECT:** Special Review 944 - 505 and 521 S Billings Blvd

**THROUGH:** Nicole Cromwell

**PRESENTED BY:** Nicole Cromwell

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### Information

#### REQUEST

**City Special Review 944 – 505 & 521 S Billings Blvd** – A special review request to locate a motor vehicle wrecking yard on the south 2 acres of the north 4 acres of Lot 5 in the SW1/4 of Section 9, Township 1 South, Range 26 East, a 2-acre parcel of land generally located at 505 and 521 S Billings Blvd. Presented by Nicole Cromwell, Zoning Coordinator

#### RECOMMENDATION

The Planning staff recommends conditional approval and adoption of the findings of the 3 criteria for Special Review 944

#### APPLICATION DATA

OWNER: Haner's Properties LP, Ralph Hanser

AGENT: Sanderson Stewart, Bill Morgan, P.E.

LEGAL DESCRIPTION: South 2 acres of the North 4 acres of Lot 5 in the SW1/4 of Section 9, Township 1 South, Range 26 East

ADDRESS: 505 and 521 S Billings Blvd

CURRENT ZONING: R-60 (proposed CI)

EXISTING LAND USE: 2 single family dwellings

PROPOSED USE: Vehicle Wrecking Yard

SIZE OF PARCEL: 2 acres

#### CONCURRENT APPLICATIONS

Zone Change 947 - A zone change proposed from R-60 to CI.

#### APPLICABLE ZONING HISTORY

Subject property - No special reviews of record for this property.

Surrounding property - Property to the north, the existing 11-acre Hanser's vehicle wrecking yard, received 3 separate special review approvals over the past 12 years to develop and expand to its existing size. Property to the south along King Ave East has received special review approvals for on-premise alcohol service at restaurants and casinos.

#### SURROUNDING LAND USE & ZONING

NORTH:	Zoning: CI Land Use: Hanser's wrecking yard
SOUTH:	Zoning: R-60 and R-70 Land Use: Single family homes
EAST:	Zoning: R-70 Land Use: Single family homes
WEST:	Zoning: CI Land Use: Hanser's Wrecker Service

## BACKGROUND

This is a special review request to allow the expansion of Hanser's wrecking facility to the south of its existing location. The property is zoned R-60 and a companion application to change the zoning to CI is pending. Approval of the zone change is required for the special review to be effective. Vehicle wrecking facilities require special review approval prior to development. Wrecking yards and ancillary uses can have a detrimental impact on the surrounding neighborhood and are heavily regulated by the state and the city to ensure those potential impacts are mitigated. Hanser's currently operates an 11-acre storage yard directly north of the subject property. This storage yard is used primarily for a "pick-a-part" operation where customers can pay a lower price for used parts if they remove those parts themselves. Consequently, this storage yard does not contain stacked vehicles and all fluids and potential hazardous materials are removed from the vehicles before they are placed in the yard. The facility hours are limited and it is not open 24 hours per day.

There are 2 existing single family homes on the 2 acre site. The proposal will require demolition and removal of these homes. The expansion area will only have access through the existing yard so the 2 drive approaches on S Billings Blvd. will be closed and the boulevard restored. The applicant has agreed to a special treatment of the area adjacent to the residential subdivision to the south. The sight obscuring fence along this property line will be set in so a gap will exist between the residential fences and the wrecking yard fence. In between the fences, the applicant will install a heavy duty weed fabric and crushed landscaped rock. The owner will maintain this area in a weed-free condition and install security gates at each end of the landscaped gap to prevent un-authorized access. The interior of the site will be graded to drain to the center of the lot and all storm water will go through an oil/water separator system. A state permit for storm water pollution prevention will be obtained along with the required Wrecking Facility license. The state license has separate conditions of approval and a yearly inspection is required for license renewal.

The Planning Division has reviewed the request and is recommending conditionally approved based on the findings of the 3 review criteria. 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, the 2008 Growth Policy including any neighborhood plans, 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 in so far it will be in a zoning district where vehicle wrecking facilities may be allowed by special review approval. The application is consistent with the objectives and purposes of the Unified Zoning Regulations and the site plan appears to meet all of the requirements of those regulations. The application is consistent with the adopted Growth Policy and Infill Policy to encourage development or re-development of property with compatible uses in existing neighborhoods where city infrastructure already exists and can readily serve the property. The City and County have also adopted the South Billings Boulevard Urban Renewal Master Plan as part of the tax increment district for this area. The master plan emphasizes the need to preserve existing stable neighborhoods, take advantage of commercial expansion opportunities and completion of missing city infrastructure including water, sewer, paved streets and pedestrian facilities. The proposed re-zoning and special review use is compatible with the goals of this master plan. The proposed use may have some adverse impact to the immediate vicinity and the Planning staff is recommending several conditions of approval to ensure these potential impacts are minimized. The staff proposes the following conditions of approval:

1. The special review approval shall be limited to the South 2 acres of the North 4 acres of Lot 5 in the SW1/4 of Section 9, Township 1 South, Range 26 East (unplatted) generally located at 505 and 521 South Billings Boulevard.
2. Development of the site shall be as shown on the submitted site plan and consist of screening fencing, landscaping and no vehicle access to either S Billings Boulevard or Newman Lane. Modifications to the site that show additional area greater than 10% of the proposed area will require additional special review approval.
3. The area between the screening fence along the south property line and the adjacent residential neighborhoods shall have a heavy duty weed fabric barrier covered with crushed landscape rock. The owner shall maintain this area in a weed and debris free condition. Security gates between the owner's fence and the adjacent residential fences at each end (east and west) of this gap area will be installed to secure against un-authorized access.
4. All outdoor lighting of the salvage yard area shall be equipped with full cut-off shields so that the lighting

does not spill onto surrounding properties. Outdoor lighting within 50 feet of the south property line and the east property line will be a maximum height of 15 feet above grade in addition to the full cut-off shield requirement.

5. All inoperable vehicles shall be stored within the fenced area and shall not be stacked in such a way that they are visible above the fence line.
6. Business hours shall be limited to between 7:00 am and 7:00 pm.
7. A state Motor Vehicle Wrecking License shall be obtained within 12 months of the approval of this special review. A copy of the license shall be provided to the Planning Department. There will be special restrictions placed on the state licensure during the written document period of the state application process, which can take up to 120 days, specifying that there shall be no crushing of vehicles. The vehicles in the yard shall be hauled to a licensed wrecking yard when no longer needed.
8. All storm water shall be retained on-site, and not discharged into the City's storm drain line, unless otherwise approved by the City of Billings.
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.

## **RECOMMENDATION**

Planning staff recommends conditional approval and adoption of the findings of the 3 criteria for Special Review 944.

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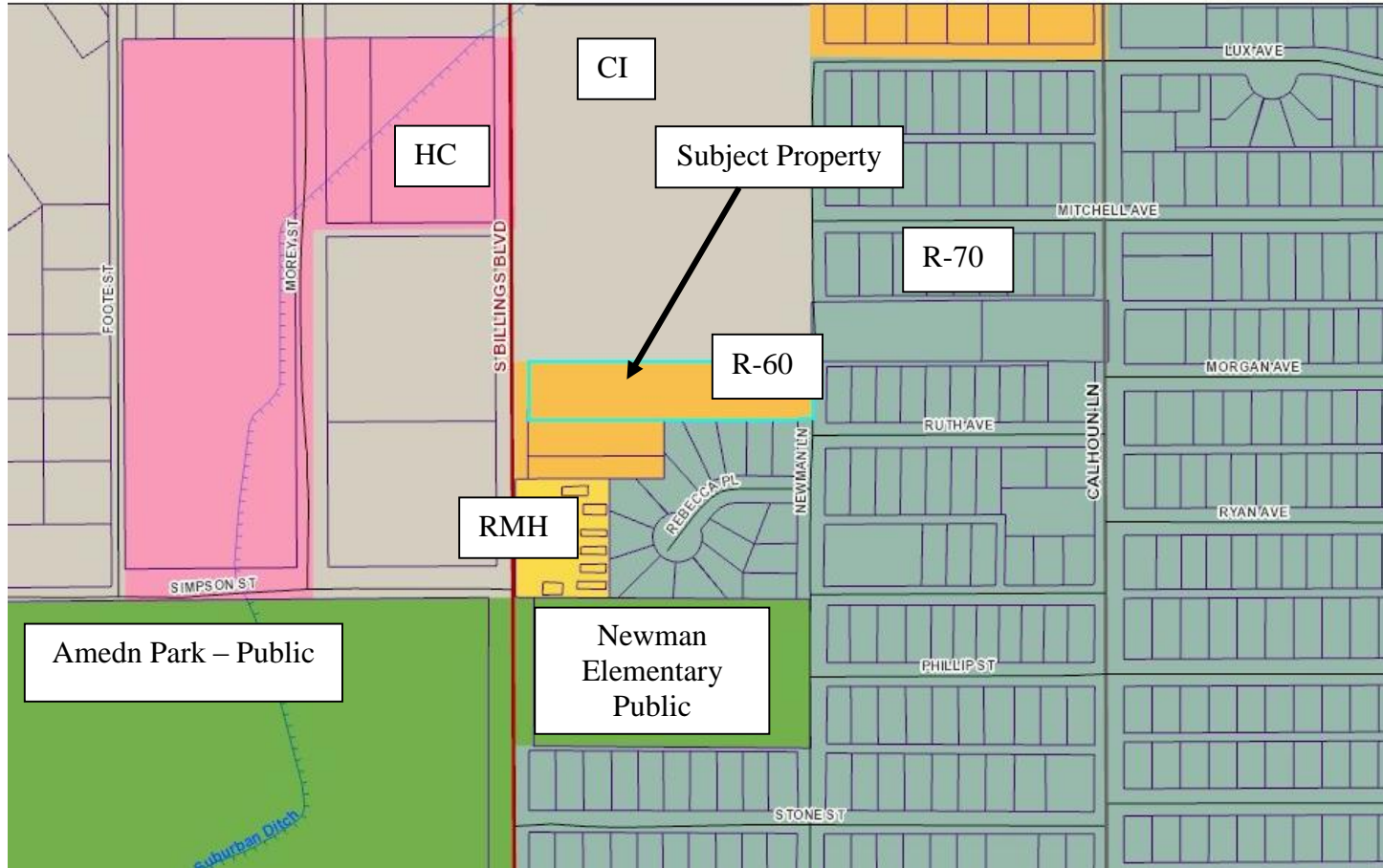
### **Attachments**

Zoning Map and Site Photos  
Applicant Letter and Site Plan

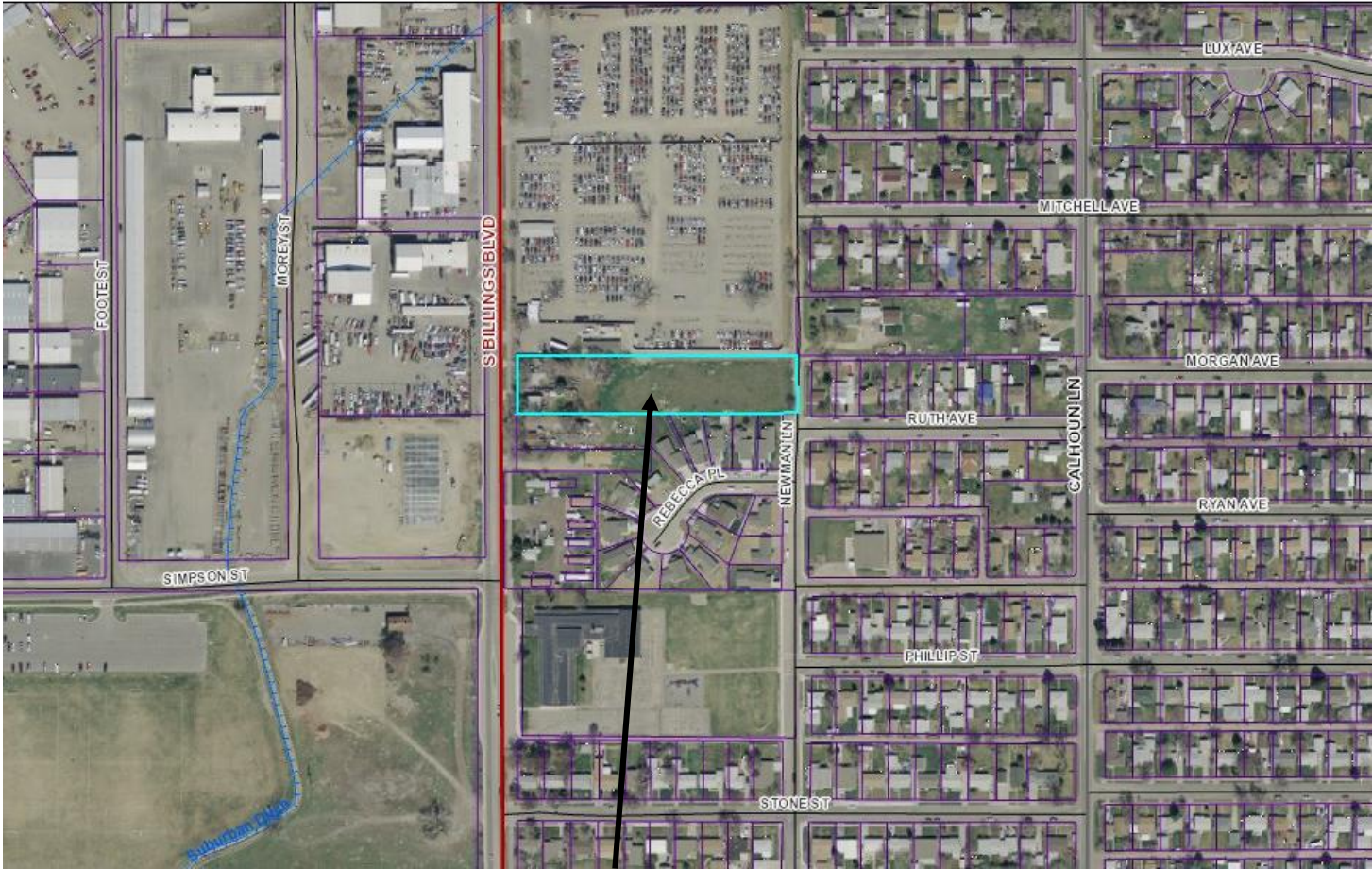
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**Surrounding Zoning**  
Zone Change #947 – 505 and 521 S Billings Blvd

ZC 947 505 S Billings Blvd



ZC 947 505 S Billings Blvd



Subject Property

ZC 947 505 S Billings Blvd





Subject Property from S Billings Blvd



View north along S Billings Blvd



View south along S Billings Blvd



View southwest across S Billings Blvd



View west across S Billings Blvd

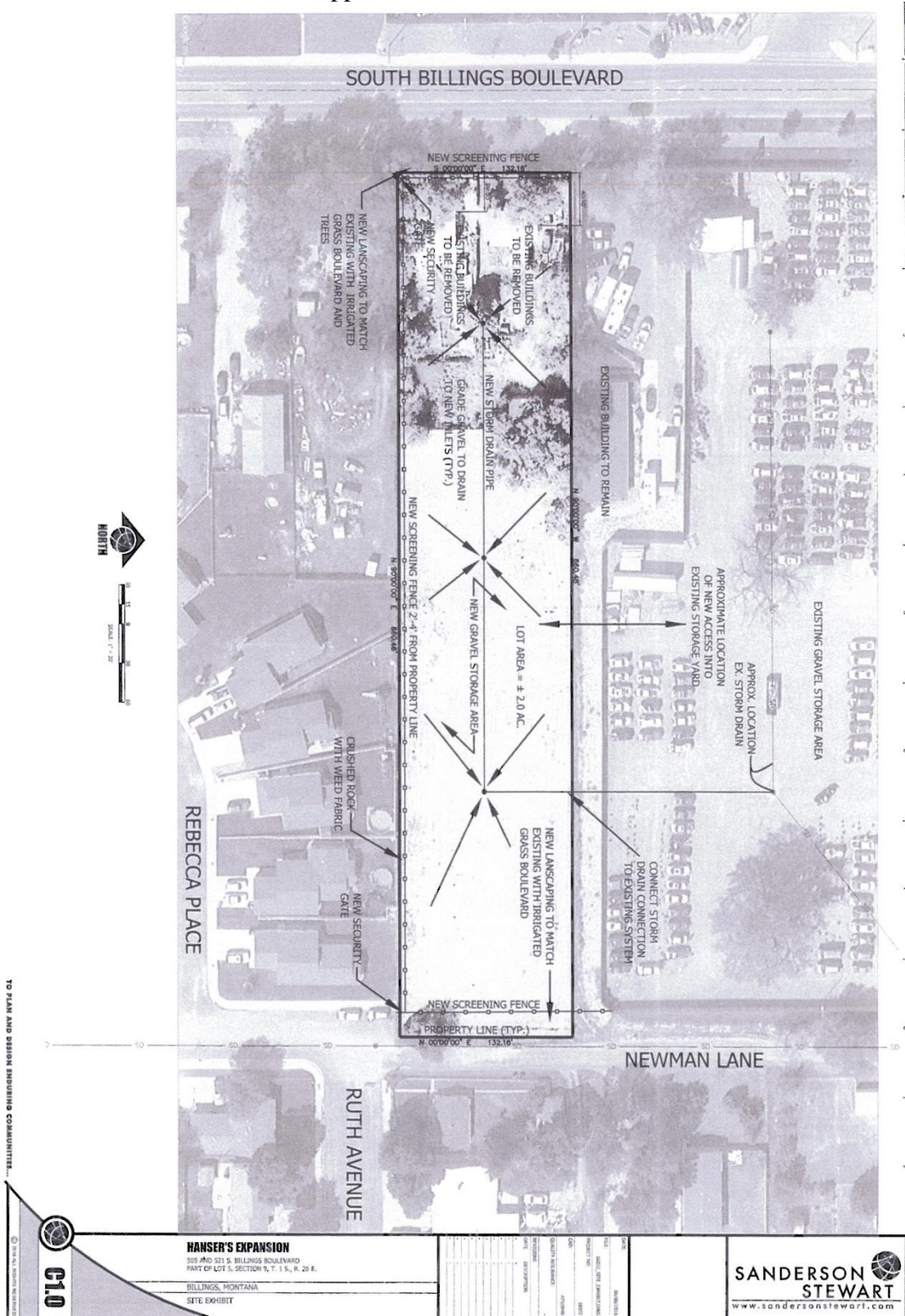


View east along north property line of subject property



View east along south property line of subejct property

# Special Review 944 Applicant Letter and Site Plan



**Hanser's Properties LP**  
SPECIAL REVIEW APPLICATION TO ALLOW AUTO SALVAGE AND STORAGE  
OPERATION

**Accompanying Responses to Questions in Special Review Application Form**

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

***LAND USE ELEMENT***

***Goal 1. Predictable land use decisions that are consistent with neighborhood character and land use patterns.***

The adjacent properties include a mix of zoning and uses. Directly to the north and west, the properties are zoned Controlled Industrial. Properties to the south and east are zoned Residential 6000 and 7000. The proposed zoning and use would be consistent with the adjacent Controlled Industrial zoned properties adjacent to South Billings Boulevard.

***Goal 4. Contiguous development focused in and around existing population centers separated by open space.***

The development would be an expansion of an existing and long-standing business base consisting of towing and recovery, truck and car repair, used and rebuilt automatic transmissions, and a salvage company which provides auto parts to Billings and the surrounding population. The proposed zoning would allow for a contiguous development in an existing and well established population center southwest of the Billings Central Business District. The overall Hanser's business consists of about 24 acres of development, and the proposed two acres of expansion would equate to an 8% increase in land area. All surrounding properties are within the City of Billings and most have been developed already, and the proposed use will be sensitive and compatible with the character of the adjacent neighborhoods and properties. There is an existing elementary school to the south (Newman Elementary) and a regional soccer field (Amend Park) to the southwest. These provide good open space areas for the neighborhoods and community. In addition, South Billings Boulevard offers quick and convenient access to Interstate 90 via a modern interchange. City infrastructure surrounds the property and development will make use of city resources in a cost effective manner.

## ***ECONOMIC DEVELOPMENT GOALS***

### ***Goal 1. Coordinated economic development efforts that target business recruitment, retention, and expansion.***

Hanser's is a 51 year old company multi-divisional company specializing in automotive repair, automatic transmission rebuild and wholesale distribution, and salvage dismantling for late model used cars and pickups. Parts are sold both locally and across the United States, and they are a part of a towing/recovery network that spreads across southeastern Montana from Livingston, Big Timber, Columbus, Lewistown, Billings, and Hardin. Within this towing recovery network, Hanser's has an emergency spill and hazmat response team that works closely with the local fire departments, large trucking companies, law enforcement, and other hazardous spill response teams.

In 2015, the Hanser's payroll was \$4.8 million for an average of 98 fulltime equivalent employees throughout all of its divisions. The fulltime equivalent employee earns an average of \$55,000 a year, and the employee benefits include health insurance, life insurance, dental and vision insurance, 401K, personal time off (PTO), and holiday pay.

Because Hanser's does business outside the area, over 50% of the money generated from its operations comes from other states. This outside money is then regenerated into the economic base of the community through payroll and purchases.

The zone change and special use permit approval will allow for retention and expansion of an existing business in Billings. It will also strengthen the area economy by bringing in outside money which will be "turned over" many times via payroll, medical, purchases and sustaining living wage jobs.

### ***GOAL 2 : Increase the median income of households and individuals.***

Hanser's has a continued employee training program in all of its divisions. This continual investment in employees helps increase median income of households and individuals. In the transmission department, Hanser's belong to AAA, ATRA and ATSG. In the salvage department, they belong to URG8000 and ARA Gold Seal. In the wrecker department, the company belongs to the Towing & Recovery Association of America, the Montana Tow Truck Association, and other organizations that enhance the towing industry. Hanser's also partners with the Billings College of Technology to help with training of potential mechanics. This partnership helps reduce dependency on other education or social programs in the community.

Hanser's spends \$1,000 to \$5,000 per employee each year to keep up-to-date with the latest technology in their specific divisions. For example, wrecker operators maintain current Hazardous Waste Operator and Emergency Responder (HAZWOPER) certification, hold a commercial driver's

license (CDL) with all endorsements in double, triple, and hazardous material transport, maintain certification in traffic incident management including flagging certification, and are certified by the Montana Disaster and Emergency Response Services (DES). Hanser's houses classes annually for forklift training, flagging certification/re-certification, HAZWOPER certification, and confined spaced entry training. Operators are also Wreck Master certified in towing and recovery. All of this training and support for employees helps improve the quality of life for all residents.

#### **NATURAL RESOURCES ELEMENT**

##### ***GOAL 6: Protection of groundwater, surface water, riparian areas, air quality, and productive agricultural land.***

As previously stated, the existing Hanser's facility is under full compliance with the Montana Department of Environmental Quality (DEQ) General Permit through its Stormwater Pollution Prevention Plan (SWPPP). Maintaining and protecting the public health through the SWPPP is critical for the continued protection of surface and subsurface water. The SWPPP (which has been attached to this application) is developed and maintained by the establishment of control measures that keep pollutants from being discharged from the site.

Before any salvaged vehicle is stored on the site, all fluids from each vehicle is safely drained and disposed at the on-site automotive parts dismantling center. In addition to removing all fluids, there are prescribed control measures that provide further protection from petroleum products, antifreeze and sediment reaching any stormwater outfall. The two acres being proposed for a zone change will contain Oil-Water Separators (OWS) and Absorbent Booms to collect any residual pollutants of concern. The existing salvage yard and the one being proposed will be designed to slope towards storm drain inlets that are connected to the Oil-Water Separators. As stated in the SWPPP, every Oil-Water Separator and Absorbent booms are inspected by trained and dedicated staff every 7 days and after a storm event, and all necessary repairs or cleaning is performed. Good Housekeeping practices like these are followed on the entire Hanser's site, and are important features that will protect groundwater, surface water, and related natural resource and public health elements.

##### ***1B. Why is there a need for the intended use of the property at this location?***

Hanser's was started in 1963 as a two-bay service station. Today, it has over 60,000 square feet of automotive repair and salvage supported building space on approximately 24 acres of land. The success of Hanser's has always been by steady and measured growth. This has allowed the company to grow and respond to customer's demands, thereby creating a sustainable business. The proposed two acres of land lies directly south of the existing 12 acre pick-a-part and salvage operation. The existing zoning of the land is Residential 6000 and it fronts on South Billings Boulevard, an important arterial connecting many commercial and industrial properties to I-90. The intended use

of the property will fit with the surrounding use because it will match the Controlled Industrial zoning to the north and west. The intended use of the property will allow a modest expansion of an existing and well-established business in Billings.

***1C. How will the public interest be served if this application is approved?***

Hanser's has been a long-standing business partner in the Billings Community for 51 years. It has been able to stay in a central location on South Billings Boulevard due to past expansions similar to this one. The overall public interest is served when businesses can provide for steady growth, while still providing family wage jobs and benefits.

More importantly, the development of the property under this zoning and use approved by special review will be mindful of being a good neighbor by the following actions:

- Sight obscuring screening fences will be constructed along all property frontages. Special attention will be given to the south portion of the lot where there are adjacent residences living on Rebecca Place, and along Newman Lane where there are long established neighborhood residences.
- As a result of the Neighborhood Meeting held on May 24<sup>th</sup>, there will be a gap of about 2 to 4 foot between the backyard fences along Rebecca Street and the new sight obscuring fence for Hanser's. Along this transitional area, Hanser's will place heavy duty weed fabric and crushed landscape rock, and will maintain this area against weeds and debris. In addition, a security gate will be installed at each end of the fence along the residential property to secure the gap area from unwanted activity.
- The property will be designed so that there is not as much fill and gravel placed on the site. This will provide for better transitional grades with the adjacent residential properties.
- The property inside the fences will be graded to drain to internal storm inlets, which will be tied into Oil-Water Separators and Absorbent Booms. As outlined in the section above, the site will be monitored and tested under a State-issued Stormwater Pollution Prevention Plan (SWMPP) permit.

**1D. Statement of Proposal**

The owner, Hanser's Limited Partnership, is seeking a Special Review for the property to allow for an expansion of their existing auto salvage and storage operation. The property is located at 505 and 521 South Billings Boulevard, just south of their current operation, and is approximately two acres in size.

The existing zoning is Residential 6000 and the applicant is requesting a concurrent zone change to Controlled Industrial in order to match the adjacent property they own to the north. The applicant's

intent is to expand their existing auto storage facility into these two acres. The Special Review is being undertaken to allow the salvage and storage operation use. The existing residential houses on the site will be removed (probably in a few years), and the site will be improved with one to two feet of gravel. The site's elevation will blend with the adjacent residential houses to the south, and similar screening and landscaping will be constructed along all property frontages. Most importantly, storm water run-off from the constructed site will be contained on-site, and storm water will be cleaned and monitored through a State-approved Stormwater Pollution Prevention Plan (SWPPP).