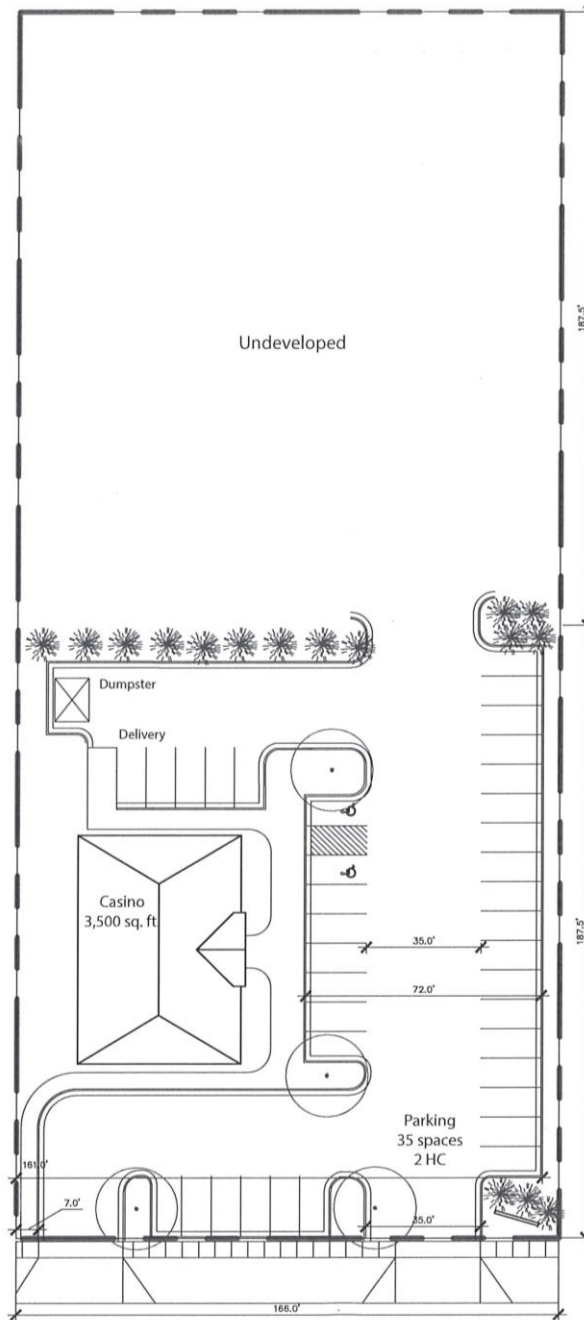


Site Plan

Exhibit for
Item 2 (A)



SCALE: 1" = 30'

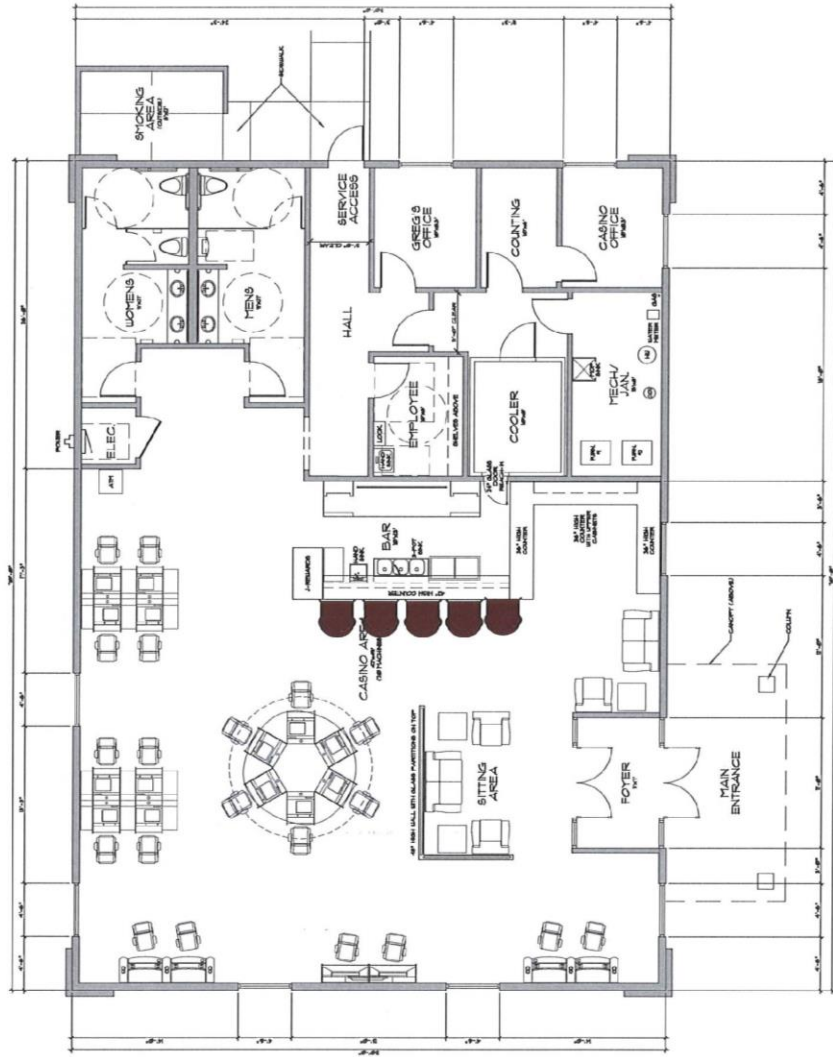
June 2016

Trillium Sub - Lot 3B, Block 2
Conceptual Sketch Plan

SANDERSON STEWART 

Interior Plan

Exhibit for Item 2 (A), (B)



BUILDING AREA 3,500 SQ. FT. OF FINISHED
 FLOOR PLAN - PRELIMINARY
 SCALE 1/4" = 1'-0"

Applicant Letter
SPECIAL REVIEW APPLICATION
CITY OF BILLINGS

Planning & Community Services Department
2825 3rd Ave North, 4th Floor
Billings, MT 59101
Phone: 247-8676 Fax (406) 657-8327
Website: <http://ci.billings.mt.us>

NOTICE TO PETITIONER

The Zoning Coordinator will check the application for completeness after the deadline date. If the application is unacceptable, you will be notified as to what changes need to be made. Incomplete and/or unacceptable applications may delay the review process by four weeks or longer. Make sure your application is totally complete or your request will be delayed.

INSTRUCTIONS

All applications shall be submitted to the Planning & Community Services Department, 2825 3rd Ave North, 4th Floor. The filing fee must accompany the application in order for it to be accepted.

All questions must be answered fully. Please type or print. You may attach further pages if additional space is needed. All plans and other exhibits submitted with this application will be retained as a part of the permanent record.

1. Answer the following questions:
 - 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. This proposal places a casino and bar in an area that is already home to other commercial enterprises, instead of mixing it into or close to residential neighborhoods. This proposal also takes the casino and bar out of an area that is directly across the parking lot from a church.*
2. **ISSUE:** *The current zoning ordinances and subdivision regulations do not always prevent incompatible uses in and adjacent to existing City neighborhoods and County townsites. This proposal will place a high quality atmosphere and construction that is in keeping with the character of nearby commercial businesses.*
3. **ISSUE:** *Rural townsites are not prepared to handle increased growth.* **NA**

City Special Review Application.2016-2017 updated 6/24/16

4. **ISSUE:** *Urban sprawl threatens the rural character of land surrounding Billings, increases the cost of providing public services, and threatens the vitality of the city core and downtown area. This proposal places a new business in an established commercial space. This proposal also places the casino and bar in a commercial area that separates the enterprise from the current location by the church, with several buildings and neither the church nor casino and bar can be seen by the other in compliance with City of Billings Sec. 27-612 (a)(1).*
5. **ISSUE:** *There is a serious lack of affordable housing for low to moderate income households.*
NA
6. **ISSUE:** *There is a desire for more mixed use neighborhoods. This proposal will place an alternative entertainment destination for the other commercial businesses in the area.*

Economic Development Element

1. **ISSUE:** *We need to continue a cohesive focus in economic development.*
2. **ISSUE:** *Lack of living-wage jobs*
This proposal will create living wage jobs for multiple employees and suppliers of the services.
3. **ISSUE:** *Entryways to our communities should be attractive and not present physical barriers discouraging economic development.*
This proposal will locate a viable business in an area that is close to other businesses frequented by newcomers to Billings and those from surrounding communities, including hotels and restaurants. This will anchor customers into an area close to the Interstate and thoroughfares of Billings so they do not have to drive through town.
4. **ISSUE:** *Government supported programs and improvements are not sufficiently funded.* NA
5. **ISSUE:** *Like many other Montana cities, the economic viability of Downtown Billings is uncertain.* NA
6. **ISSUE:** *Safety in the Downtown Billings is an important element.* NA
7. **ISSUE:** *Surrounding communities in the County need economic development to sustain them.* NA
8. **ISSUE:** *Billings needs to attract businesses that pay higher wages.*
This proposal will meet the objectives of improving the quality of life for residents, strengthening the local economy and creating living wage jobs.
9. **ISSUE:** *The economic development of Billings Heights is overlooked.* NA
10. **ISSUE:** *The quality of our schools is a determining factor for whether businesses locate in Billings.* NA
11. **ISSUE:** *Neighborhoods provide the character and strength of the community and the quality of neighborhoods should be preserved.* NA

12. **ISSUE:** *The Billings economy faces a severe shortage of skilled workers in a number of sectors (a problem that will worsen as the population ages).* **NA**

Aesthetics Element

1. **ISSUE:** *There are areas in the City and County that are unattractive and present a poor image of the community.
This proposal will include construction of a new building, parking space and signage on a current vacant lot between commercial business. This should make the area more attractive.*
2. **ISSUE:** *New development and signs, cell towers, power lines and other structures could reduce the visual quality of the rims.* **NA**
3. **ISSUE:** *Urban interstate corridors through the County are unattractive.* **NA**

Natural Resources Element

1. **ISSUE:** *The quality of the Yellowstone River and the associated riparian habitat is threatened.* **NA**
2. **ISSUE:** *Water is an important resource and it is becoming scarcer.* **NA**
3. **ISSUE:** *Due in part to the arid nature of our environment and the remoteness of some developments, there is an increased risk to human life and property from wildfires.* **NA**
This proposal will be in an already established commercial district.
4. **ISSUE:** *Weeds detract from the beauty of an area, pose a fire danger, and reduce the productivity of agricultural land.
This proposal will place a building, paved parking spaces and landscaping on an otherwise vacant lot with weeds.*
5. **ISSUE:** *Human encounters with wildlife often result in a painful consequence for wildlife, pets, and humans.* **NA**
6. **ISSUE:** *Certain development is damaging our natural resources.
This proposal will have no adverse effect on sensitive natural resources, including established trees or waterways.*

Open Space and Recreation Element

This proposal will have no negative impact on the open space and recreation elements addressed in the Growth Policy Statement.

1. **ISSUE:** *Some neighborhood parks appear to receive more funding for improvements than other neighborhood parks.* **NA**
2. **ISSUE:** *Billings and Yellowstone County need more major recreation facilities and need to improve those we already have.* **NA**
3. **ISSUE:** *Private land development sometimes restricts access to public land.
The vacant land being built on is a small lot in a commercial area that is not zoned for, or a*

corridor to, public land.

4. **ISSUE:** *Billings and surrounding County townsites need more multiple use trails. The vacant land being built on is a small lot in a commercial area that is not zoned for, or a corridor to, public access to trails or trailheads.*

Transportation Element

1. **ISSUE:** *Speeding in City neighborhoods and outlying communities. NA*
2. **ISSUE:** *Safe and efficient traffic circulation around and through the City. This proposal will place the casino and bar on established thoroughfares and immediate interstate highway access.*
3. **ISSUE:** *Lack of adequate traffic control. This proposal will situate the new business where traffic flow has been already established and safely monitored.*
4. **ISSUE:** *The design of roads, streets, and pedestrian facilities can be more attractive and functional. The proposal is for a commercial area on a strict two-lane street with no turn outs or passing zones.*
5. **ISSUE:** *Obstacles to efficient and safe traffic flow. This proposal will situate the new business where traffic flow has been already established and safely monitored.*
6. **ISSUE:** *Deteriorated conditions of City streets and County roads. This proposal is on a street that is in good condition.*
7. **ISSUE:** *Resources for transportation improvements should be rationally allocated throughout City neighborhoods and County townsites. NA*
8. **ISSUE:** *More convenient bus schedules are needed to attract MET ridership. NA*
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. The proposal is in a commercial area that has no sidewalks.*
10. **ISSUE:** *Lack of adequate bicycle facilities. The proposal is in an area that is conducive to bicycle transportation.*
11. **ISSUE:** *MET Transit is underfunded. The proposal is in an area that can be accessed by MET Ridership.*
12. **ISSUE:** *Deterioration of air quality due to vehicle emissions.*

This proposal will locate the casino and bar in a centrally located commercial, restaurant and motel district. By doing this, the proposal will create less need for potential customers to drive to reach the destination.

Public Facilities and Services Element

1. **ISSUE:** *Residents are not adequately informed of County and City projects. NA*
2. **ISSUE:** *Dilapidated and unsafe properties in City neighborhoods and County townsites. This proposal will decrease the amount of area that is vacant, unused and subject to vandalism.*
3. **ISSUE:** *Safety is a concern in neighborhoods and outlying County townsites. NA*
4. **ISSUE:** *There are safety and functionality issues with City streets. The street at the proposed location is in good condition with normal traffic flow safety items present.*
5. **ISSUE:** *Funding for community facilities and infrastructure is very limited. NA*
6. **ISSUE:** *Public funds are not distributed rationally throughout City neighborhoods and County townsites. NA*
7. **ISSUE:** *There are vacant structures around Billings and in the County that could be reused. NA*
8. **ISSUE:** *Community services are not always available to everyone. NA*
9. **ISSUE:** *Subdivision review, zoning applications, and other development permit review are not always conducted in a streamlined and timely manner. NA*
10. **ISSUE:** *Maintenance of existing K-12 school facilities and planning for new schools is critically important to maintaining existing communities built around the neighborhood school concept and fostering new communities surrounding school sites. NA*
11. **ISSUE:** *Multiple community interests (including local government, arts organizations, and social organizations) are competing for tax dollars for facility development and maintenance, resulting in taxpayer fatigue and overall declining support for capital and maintenance projects. NA*

Cultural and Historic Resources Element

Because this proposal is situated in an established retail and motel area, it will have no negative impact on the cultural and historic resources elements addressed in the Growth Policy Statement.

Community Health Element

This proposal will have no negative impact on the community health elements addressed in the Growth Policy Statement.

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

Locating the proposed casino and bar at this location will reduce the amount of vacant commercial lots in the City of Billings. It will also anchor traffic flow and commerce in an area that is already commercial, instead of adding to new areas on the fringes of the City of Billings.

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

This casino and bar will compliment the restaurants in the area and service the guests of Spring Hill Suites of Billings from this proposed location.

D. Prepare a written statement addressing what is intended to be done with the property, including new construction or change in the use of the property, and why the special review is being sought.

We originally entered into a lease on the property at the current location, 1731 King Avenue West, Billings, in April 2009. It was a commercial retail development and we were one of five businesses operating there. The lease had an initial five year term, with an option to the lessee to extend the term for two additional five year terms. The original owners fell on hard times and the property was purchased, subject to our lease, in May 2013 by the International Church of the Foursquare. The church leaders met with us sometime soon after purchasing the property to inform us they would eventually like to use the space for other church activities and asked if we would consider an amendment to our lease to shorten the potential term. In May 2014, we entered into an amendment together agreeing to extend the term of the lease until June 2017, with no further term extensions. The customer base of our business is established, and so we started looking for other commercial spaces in the same general area that would allow us to maintain our current customer base, but be separate and much further away from the church than we are today. The vacant lot at 545 South 18th Street West is within the target customer area we are hoping for.

There will be new construction for a single level building, paved parking lot and area lighting.

The proposed new location is approximately directly at 600 feet from the closest property boundary of the proposed location to the property owned and used by the International Church of the Foursquare. (The location of the building itself will be beyond the 600 feet, as it will be located within the lot away from the property line.) We feel we have adequate grounds for a waiver to City of Billings Sec. 27-612 (1) on the following points:

1. *The new location is located on a different street (South 18th Street West) than the current and church location of King Avenue West.*

2. *There are several physical barriers between the church and proposed new location:*

a. *The "Charter Communications" (leased) building and parking lot with company vehicles is directly north and behind the church building, although the property is apparently owned by the church;*

b. *Continuing north, a chain link fence with barbed wire on the top separates the*

Charter property from the “CEI-Billings” business property; and

c. The “CEI–Billings” property contains an equipment parking lot in front with service equipment, service vehicles and service trucks and trailers.

d. Continuing north of CEI-Billings, is the vacant lot we propose to locate on.

There is no direct access between the church building and the proposed location. The parking lots of Charter and CEI are enclosed with chain link fences around the property. In addition, with the various intervening businesses and equipment, there is no direct line of sight from the church building to the proposed location.