

PETITION FOR VARIANCE

Bretz RV & Marine respectfully requests Administrative Relief from the application of the landscaping regulations that govern the construction of its new dealership in the Lockwood area.

Background Information

Bretz RV & Marine (Bretz) is a family-owned business that was started in Missoula in 1967. Over the years, the business has continued to grow and in January, 2008, Bretz expanded and purchased a dealership in Billings. Business has been good in Billings and as a result the company outgrew the capacity of its original facility. As a result, in March of 2015, Bretz purchased new property, of which approximately 34 acres of vacant land is being developed at 2999 Old Hardin Road in Lockwood, Montana. This parcel is zoned as Entryway General Commercial.

This parcel was selected as the site of Bretz' new dealership due to the fact that it has approximately 1780 feet of frontage on Interstate 90 and it also has easy access via the Johnson Lane interchange and Old Hardin Road. It is important to note that other suitable property was available at a much lower price, but these other parcels did not have frontage on the Interstate that would allow for effective public display of motorhomes, recreational vehicles, and boats.

Applications and drawings were submitted by Bretz to the Planning and Community Services Department. During this process, Bretz was notified by the Planning Division that several elements of its proposed landscape plan did not satisfy the requirements of Article 27-1006 of the Landscape Zoning Requirements. Therefore, in order to avoid delaying the start of construction, Bretz amended its proposal to address these concerns and as a result, on August 14, 2015, Building Permit # PLN-15-5394 was issued for the construction of the new dealership.

Landscaping Standards

A total of four landscaping regulations and one building design zoning regulation are at issue:

BERM - Zoning Regulation Section 27-1006 provides that "All commercial zones are required to place a bufferyard (landscaping strip) adjacent to and along all rights-of-way, excluding driveways. Rights-of-way include...Interstate 90." The regulations further provide that this bufferyard must include a berm, and as a result Bretz has installed a 25 **foot** wide berm that is 3 feet in height along its Interstate 90 frontage at a cost of \$75,390.00. This berm will be covered with sod.

TREES & SHRUBS - The regulations state that the owner must plant five canopy or evergreen trees and 10 shrubs on every 100 feet of frontage. In other words, one tree every 20 feet and one shrub every 10 feet. Since we have 1780 feet of frontage, we would need to plant 89 trees and 178 shrubs along

Interstate 90. Similarly, Bretz has 180 feet of frontage along Old Hardin Road, and therefore would need to plant an additional **18 trees** and **36 shrubs** here.

GROUND COVER – “All landscaped areas shall contain ground cover such as sod, shrubs, flowerbeds or organic materials. No more than ten (10) percent of the landscaped area shall contain fountains, rock, bark chips, stepping stones, or similar material.”

PARKING LOTS – Two trees and five shrubs are required for every nine parking spaces. The maximum unbroken length of the rows of parking is 100 feet. Landscaped areas within parking lots must be protected from vehicular traffic through the use of continuous concrete curbs or other permanent barriers. Based on the size of Bretz’ parking lots, **21 trees** and **53 shrubs** are required around the parking area.

FACADES – Section 27-1007 provides that “Buildings over one hundred (100) feet in length shall incorporate one of the following: recesses, off-sets, angular forms, landscaping features or other architectural features...to provide a visually interesting shape. The break in the façade shall be minimum of eight (8) feet in length. A single uninterrupted length of a façade shall not exceed one hundred (100) lineal feet.” Bretz’ new building is 300 feet long by 110 feet wide. It is designed with garage doors that are recessed 8 inches and with siding that transitions from one color to another color at the top of the doors. In addition to this, Bretz is being required to install a landscape planter and install 3 trees between three of the doors.

Request for Relief

Bretz believes that the regulations noted above are inappropriate when considering the intended use of its property as a recreational vehicle and boat dealership. While a vast majority of businesses display their merchandise indoors, RV and boat dealers are largely prevented from doing so due to the extremely large size of their vehicles and boats. Indeed, the need to display and maneuver a large number of these units is the very reason that Bretz needed to purchase 34 acres of land for its new dealership location and display lots.

Equally as important is the fact that these large units essentially block the public’s view of the dealership building itself. While the view of most large retail buildings is unobstructed, RV dealerships are unique in that the motor homes and recreational vehicles on display shield the building from view and tend to preoccupy the viewer’s attention and focus. In fact, Bretz has learned through the years that customers are drawn to the dealership when they can easily view our units. It is for these reasons that Bretz made the business decision to purchase property with Interstate 90 frontage, even though this property came at a much higher price than non-frontage property.

Despite the hefty price tag of **\$75,390.00**, Bretz has already installed the 3 foot high berm described above all along Interstate 90, even though none of the other businesses in the area have been required to do so. This berm obviously reduces the visibility of our display lot. Now, if Bretz is also required to

plant 89 trees and 178 shrubs along this frontage, our Interstate 90 frontage will lose much of its value because our customers and potential customers will simply not be able to clearly see our merchandise. The same is true for the required 18 trees and 36 shrubs along Old Hardin Road.

In regards to ground cover, the regulations cited above allow no more than 10 percent of the landscaped areas to be covered with rock. However, it has been Bretz' experience at its dealership in Missoula that river rock placed on a weed barrier makes a very attractive ground cover that is easy to maintain. Perhaps more importantly, the river rock is much more environmentally responsible than sod or other organic materials because it does not require constant watering and irrigation. Simply put, it conserves water resources. It should also be noted that the berm that extends all along our Interstate 90 frontage will be covered with sod, as will one side of our entire entrance drive.

As to parking lots, the size of motor homes and recreational vehicles is again a significant concern. Most of Bretz' customers drive their motorhome or recreational vehicle to the dealership when they visit. The turning radius on some motorhomes is 45 feet, and if we add a boat or tow vehicle behind, which many of our customers do, this radius increases even more. Clearly the regulation noted above that mandates a maximum of 100 feet of unbroken rows of parking is unworkable in an RV dealership environment.

Finally, in addressing the façade requirements, the recessed doors and the transition in the color of the siding on the building fully provides for the desired relief from the appearance of a long, flat uninterrupted wall. And again, large motorhomes and RVs will be displayed between the building and Interstate 90 and Old Hardin Road, thereby breaking up the view of the side of the building. Further, the required addition of islands and trees next to the building is problematic because as the trees mature they will interfere with ingress and egress through the doors of the building, and because the necessary soil and irrigation for these trees will provide an avenue for water to seep down beneath the foundation and pavement and cause freeze damage.

It should also be noted that other businesses in this Entryway General Commercial zoning area appear to not be abiding by the zoning regulations noted above.

In view of this information, Bretz is respectfully requesting that the County Board of Adjustment provide relief from these regulations by approving the following Variance:

1. Reduce the number of trees required from 131 to 60. The trees to be planted would be 32 Quaking Aspen, 7 Corkbar Fir, 15 Canada Red Chokecherry, and 6 Springsnow Crabapple-sterile. These varieties were selected because they will provide a variety of color year round.
2. Reduce the number of shrubs required from 267 to 60. The shrubs to be planted would be 15 evergreen shrubs (Min Mair Birds Nest Spruce), and 45 deciduous shrubs (potentilla in yellow, white and pink); Spirea (Snowmound in white and Anthony Waterer in pink); and Redleaf Barberry.
3. Allow river rock to be used for ground cover on 50% of the area that is required to be landscaped.
4. Eliminate the requirement for concrete islands in the parking lots.
5. Eliminate the islands and trees required next to the building façade.

A sketch of how the property would look with the proposed landscaping is attached. A landscape plan showing the proposed locations of the trees and shrubs is also attached.

In sum, the granting of this Variance will allow the business owner to effectively display his merchandise to the public, it will conserve water, and it will allow for the necessary maneuverability of large motor homes, recreational vehicles and boats. At the same time, it will provide an attractive entryway commercial appearance for this growing area of Lockwood.

Respectfully submitted,



Mark A. Bretz, President
Bretz RV & Marine