

APPLICATION FORM

CITY ZONE CHANGE Billings Zone Change # 963 - Project # PZ-18-00028

The undersigned as owner(s) of the following described property hereby request a Zone Change as outlined in the City of Billings Zoning Regulations.

Present Zoning: Residential 9600

Proposed Zoning: Neighborhood Commercial (NC)

TAX ID# D01590

CITY ELECTION WARD # 1

Legal Description of Property: Easterly 195.83 Feet of That Part of Lot 2 of the Subdivision of Section 9, T. 1 S., R. 26 E., P.M.M., Described in Quit Claim Deed Document No. 3626032

Address or General Location: 4130 State Avenue

Size of Parcel (Area & Dimensions): 24,643 SqFt; (195.93 x 125.84-feet)

Present Land-Use: Residential

Proposed Land-Use: Unknown; neighborhood commercial in future

Covenants or Deed Restrictions on Property: Yes _____ No X

If yes, please attach to application

*** Additional information may be required as determined by the Zoning Coordinator in order to fully evaluate the application.

I understand that the filing fee accompanying this application is not refundable, that it pays for the cost of processing, and that the fee does not constitute a payment for a Zone Change. Also, I attest that all the information presented herein is factual and correct.

Owner(s): Guy C. Romero (Recorded Owner)
4130 State Avenue, Billings, MT 59101

Contract Purchaser: King and King, LLC
Attn: Skip King
2264 Central Avenue, Billings, MT 59102
406-656-1446 Ext. 1301
sking@kingacehardware.com

(Phone Number)

X _____

X  _____

Agent(s): Sanderson Stewart
1300 North Transtech Way, Billings, MT 59102
(406) 656-5255
bmorgan@sandersonstewart.com

X  _____

MEETING MINUTES

PROJECT: King's Ace Hardware Zone Change			
Project No: 78105.07			
Location: Southside Community Center, 901 S. 30th Street		Meeting Date: 1/29/2018 at 6:00 PM	
Meeting Subject: Neighborhood Meeting		Prepared by: Bill Morgan, PE	
Attending:	Jack Dobbins (Ace)	Dave Korf (Ace)	Bill Morgan (SS)
	Ken Siroky	Roger Siroky	
Date of Issue: 1/31/18			

Minutes:

Bill, Jack, and Dave moderated the meeting, which was held in an open house style;

- Bill gave a summary of the proposed project elements, which included the following:
 - The proposed project property is approximately 24,500 square feet of land between the now vacant restaurant, just east of the King's Ace Hardware Store, and Van Buren Street.
 - The proposed zone change will allow for consistent zoning of Neighborhood Commercial along State Avenue.
- Jack and Dave reiterated how important it is to hear about the neighbor's concerns so that issues could be discussed and addressed up front. Questions from the surrounding property owners included:
 - What is going to happen to the property being rezoned? Ace representatives responded that the property will be cleaned up and a fence will be installed on the southern property line. There are no current plans for further development of the property at this time.
 - Are there any other big projects in the area? It was discussed that there are no other known projects in the area that attendees are aware of.
 - How big is the property being rezoned? Bill responded that the property is approximately 24,500 square feet.
- No other specific concerns with the proposed Zone Change were expressed by the property owners in attendance.

The meeting was adjourned at approximately 6:45 pm.

King and King, LLC
ZONE CHANGE APPLICATION FROM RESIDENTIAL 9600
TO NEIGHBORHOOD COMMERCIAL (NC)

Statement of Proposal

The contract purchaser, King and King, LLC, is seeking a zone change for a portion of property located at 4130 State Avenue. The property is approximately 24,643 square feet in size, or 0.565 acres. The existing zoning is Residential 9600 and the applicant is requesting a zone change to Neighborhood Commercial. The proposed zone change will allow for consistent zoning of Neighborhood Commercial along State Avenue, and the applicant's intent is to remove/clean up the existing buildings and debris on the site and add a fence along the southern property line. The future owner, King and King, LLC, currently has no immediate plans to develop the property, however wants to clean up the property to make it safer and more attractive for neighborhood commercial uses.

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?

Essential Investments (Relating Public and Private Expenditures to Public Values)

- ***Landscaping of public rights-of-way and entryways makes Billings more visually appealing to residents and visitors***

To enhance the visual appeal of the proposed zone change property, the existing buildings will be demolished and the site will be removed of all clutter and debris. In the future, at the time of property re-development, landscaping along State Avenue will be irrigated and better maintained. A privacy fence will be installed along the southern property line to provide a better buffer with the adjoining residential uses.

- ***Infill development and development near existing City infrastructure may be the most cost effective***

This property is located on State Avenue between the existing Ace Hardware and Van Buren Street and has existing City infrastructure. This zone change will allow for efficient infill development near existing City infrastructure improvements.

- ***Neighborhoods that are safe and attractive and provide essential services are much desired***

Ace Hardware will be able to better serve this community if the zoning of Neighborhood Commercial is continued along State because the additional property will give them more options to provide for safer traffic flow for customers using their existing site. Also, removing the existing homes and structures, while also adding the privacy fence, will make the neighborhood far more safe and attractive.

Place Making (Enhance, Maintain, Preserve, and Improve Existing Public Places)

- ***Enhancements and maintenance of public spaces and buildings through City stewardship is integral to a vibrant community***

The existing King's Ace Hardware store on State Avenue provides an important service to the Southside of Billings. An existing and well-established local business will be able to better promote vibrancy in the community through this proposed zone change. By removing the existing home and adding a fence along the southern property line, the entire neighborhood will be improved visually.

- ***The history and heritage of Billings are cornerstones of our community***

The southside of Billings is an integral part of our community and improving the appearance and safety of the properties located there further enhances the overall image of Billings for both local residents and visitors.

Community Fabric (Attractive, Aesthetically Pleasing, Uniquely Billings)

- ***Cost-effective landscaping of public rights-of-way and entryways makes Billings more visually appealing to residents and visitors***

Upon future redevelopment from Residential 9600 to Neighborhood Commercial, this property will comply with current City standards on landscaping both within the property itself and adjacent to the public right-of-way. State Avenue is an important corridor for Billings, and Ace Hardware will be extending irrigation and grass along the parking area that it will be purchasing.

Strong Neighborhoods (Livable, Safe, Social and Resilient Neighborhoods)

- ***Walkable neighborhoods that permit convenient destinations such as neighborhood services, open space, parks, schools and public gathering spaces foster health, good will and social interaction***

By allowing a change in zoning to Neighborhood Commercial, a company that prides itself in providing excellent neighborhood and customer service will be allowed to expand in the short term by providing additional parking, and in the long term by being allowed to consider options like expansion or services and convenience for community members.

- ***Neighborhoods that are safe and attractive and provide essential services are much desired***

By appropriate and planned expansion of Neighborhood Commercial properties along State Avenue, essential services can better be provided for underserved neighborhoods in Billings. This in turn will provide a safer and more attractive focus for community development and cohesion.

- ***Implementation of the Infill Policy is important to encourage development of underutilized properties***

The current property being considered for purchase and rezoning is considered an underutilized property along an important corridor in Southside Billings. Infilling will be enhanced if this property can be re-zoned to Neighborhood Commercial east to Van Buren Street.

Prosperity (Promoting Equal Opportunity and Economic Advancement)

- ***Successful businesses that provide local jobs benefit the community***

King's Ace Hardware is locally owned and locally operated, and wants to be the hardware store of choice. At the State Avenue store, they serve the Billings' Southside neighborhoods with a full-service paint center, plus a large selection of plumbing, hardware, tools and fasteners. The store provides local jobs that greatly benefit the community, and many of the store employees live in nearby neighborhoods.

The Ace Hardware Foundation serves as an umbrella over the charitable efforts of Ace Hardware Corporation, retailers and vendor partners for the benefit of [Children's Miracle Network \(CMN\)](#) and the American Red Cross.

Locally, the Southside Task Force awarded Ace Hardware the Good Neighbor Award in 2016 for its assistance in providing paint and resources for control of graffiti in the community.

- ***Retaining and supporting existing businesses helps sustain a healthy economy***

By supporting this zone change, an existing business that helps sustain and build a healthy economy in each neighborhood that it is located will be retained and supported.

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.

King and King, LLC intends to make the property around Ace Hardware on State Avenue a more visually appealing and safer shopping experience. By changing the zoning to Neighborhood Commercial, it will allow for more businesses like Ace Hardware to expand or develop ancillary services on the property along State Avenue while making the zoning consistent. While there are no current development plans for the proposed zone change property, changing the zoning to Neighborhood Commercial and removing the existing structures and debris on the existing property will allow for vibrant future development and growth for the community.