



## COUNTY OF YELLOWSTONE ZONING COMMISSION

**AGENDA-Monday, December 9, 2019 4:00 PM**

**Miller Building, 1<sup>st</sup> 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 the Yellowstone County Zoning Commission Members and Planning Department Staff.**

**Public Comment**

**Motion. Approval of Minutes: October 15, 2019. (The November 12, 2019 meeting was canceled due to a lack of applications).**

**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. **Zone Change 698** - The applicant is requesting a zone change from Residential-7000 (R-70) to Community Commercial (CC) on Lots 2-6, in Block 1, Lots 2A-6 in Block 2, Laray Subdivision, seven contiguous parcels totaling 2.05 acres. A pre-application neighborhood meeting was held on October 28, 2019, at the Country Inn & Suites at 231 Main Street. Presented by; Karen Husman, Planner I

## **Other Business/Announcements**

## **Adjournment**

The **Board of County Commissioners** public hearing for **Zone Change 698**, will be held **on Tuesday, December 31, 2019, at 9:30 a.m. at 316 N 26<sup>th</sup> Street – 3<sup>rd</sup> Floor, Commissioner’s Hearing Room.** The Board of County Commissioners will hear all persons wishing to speak relative to the proposed **zone change**.

Information on the preceding item may be obtained at the Yellowstone County Planning Department, 2825 3<sup>rd</sup> Avenue North, 4<sup>th</sup> Floor or phone 657-8246. Anyone wishing to be heard on this matter may appear at this hearing. 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 Tammy Deines, Planning Clerk, at 247-8610 or e-mail at [deinest@ci.billings.mt.us](mailto:deinest@ci.billings.mt.us)

**County Zoning Commission**

**Meeting Date:** 12/09/2019

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**Information**

**Subject**

**Motion. Approval of Minutes: October 15, 2019. (The November 12, 2019 meeting was canceled due to a lack of applications).**

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**Attachments**

YZC\_2019\_10\_15\_\_DRAFT

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**Yellowstone County Zoning Commission  
DRAFT Minutes for the Meeting of  
Monday, October 15, 2019**

The County Zoning Commission met on Monday, October 15, 2019 in the Miller Building 1<sup>st</sup> Floor Conference Room, 2825 3<sup>rd</sup> Ave North, Billings, MT at 4:00 p.m. Following the public hearing, the County Zoning Commission will make a recommendation to the Yellowstone County Commissioners.

The Board of County Commissioners public hearing for County Zone Change #697 will be held on Tuesday, October 29, 2019, at 9:30 a.m., 3<sup>rd</sup> Floor of the Stillwater Building at 316 N 26<sup>th</sup> St, Commissioner’s Hearing Room. The Board of County Commissioners will hear all persons wishing to speak relative to the proposed zone change.

Chairman Tyler Bush opened the meeting and introduced the County Zoning Commission members and staff in attendance: Nicole Cromwell, Zoning Coordinator. Commissioner Ray attended via conference call.

Commissioners and Staff		01/14/2019	02/11/2019	03/11/2019	04/08/2019	05/10/2019	06/25/2019	07/28/2019	09/09/2019	10/15/2019	11/12/2019		
Jerry T. Ray	Commissioner	1	1	-	1	1	1	1	1	1	-		
Troy Boucher	Commissioner Chairman	1	E	-	1	1	1	1	1	1	-		
Ryan Wittman	Commissioner	1	1	-	1	1	E	E	E	E	-		
Tyler Bush	Commissioner Chairman	E	1	-	1	E	E	A	1	-	-		
Todd Hewett	Commissioner	1	1	-	1	E	1	1	1	1	-		

**Public Comment**

Chairman Boucher asked if there was anyone wishing to speak during the public comment portion of the meeting. He stated any member of the public can be heard on any subject is not on the agenda; the Yellowstone County Zoning Commission will not take any action on these items at this time, but could choose to add an item to the next meeting agenda for discussion. There was none.

**Disclosure of Ex Parte Communication: County Zone Change #694:** There was none. The Commissioners reported no Ex Parte Communications. Staff received the following outside communications.

**Disclosure of Conflict of Interest: County Zone Change #694:** There was none.

**Motion. Approval of Minutes: September 9, 2019**



**Yellowstone County Zoning Commission  
DRAFT Minutes for the Meeting of  
Monday, October 15, 2019**

**Motion**

Commissioner Hewitt made a motion and Commissioner Ray seconded the motion to approve the September 9, 2019 meeting minutes as submitted. The motion carried with a unanimous voice vote.

**Item 1:**

Zoning Coordinator Nicole Cromwell read the legal notice for County Zone Change #697 into the record.

**County Zone Change 697 - 4601 Central Ave - County Zone Change 697 – SE Corner of 60<sup>th</sup> St. & Colton - from A-1 to A-S-** A zone change request from Agricultural Open Space (A-1) to Agricultural Suburban (A-S), on Sunnycove Fruit Farms, Lot 70, an 9.43 acre parcel of land. A pre-application neighborhood meeting was held on August 1, 2019 at 6:30pm, at 60<sup>th</sup> St. & Colton, in the barn on the subject property. Tax ID: D04673

**STAFF PRESENTATION**

**Item #1-YC Zone Change #697-A zone change request from Agricultural Open Space (A-1) to Agricultural Suburban (A-S) on Sunnycove Fruit Farms, Lot 70, a 9.43-acre parcel of land. A pre-application neighborhood meeting was held on August 1, 2019 at 6:30 pm, at 60th St. & Colton, in the barn on the subject property. Presented by Nicole Cromwell, Zoning Coordinator**

**BACKGROUND**

This is a zone change request to allow the subdivision of a 9.43 acre parcel into two lots. The Sunnycove Fruit Farms Subdivision has covenants that allow one division of the original lots, so long as one of the new lots is at least 5 acres in area. The current zoning of A-1 only allows lots of at least 10 acres in area. The proposed A-S zone district allows lots as small as one acre. This area of West Billings has a variety of zone districts including A-1, A-S and Residential 15,000 (R-150). Some parcels within the original Sunnycove Fruit Farms plat have been annexed and subdivided with urban size parcels. These subdivisions include Foxtail Village, Cottonwood Grove, and MK Subdivision to the south and east.

The West Billings Neighborhood Plan (2001) indicates this area is in an "Urban Expansion Area". (Map 9, Planned Growth). Some expansion has occurred with the advent of the city's extension of water and sewer lines in Grand Avenue, 58th St W, 54th St W and Rimrock Road in 2003 to accommodate the Ironwood Subdivision north of Rimrock and east of Molt Road and to serve the existing Yellowstone Club Estates Subdivision. The subject property is within the 5-year limits of annexation for the City of Billings, but the owners are not intending to annex this area at this time.



**Yellowstone County Zoning Commission  
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Monday, October 15, 2019**

Project ReCode is nearly complete and the new zone districts for the County will include a wider variety of rural residential districts. The subject property and other lots south of Colton and north of Grand Avenue are shown in the new "A" zone district in the County. The new "A" zone will be very similar to the existing A-1 and A-S zones in the County zoning regulations. The proposed A-S will have little impact on surrounding uses or neighbors. No comments or objections to the proposed zone change were received by Planning staff.

**RECOMMENDATION**

**Planning staff recommends approval and adoption of the findings of the 11 review criteria for Zone Change #697.**

- Consistent or compatible with adjacent County zoning and neighborhoods
- A predictable or expected County zone in this area
- Property is suitable for proposed uses

**Discussion**

Chairman Boucher called for questions from the Board. There was none.

Chairman Boucher called for presentation by the applicant. Applicants David and Sarah Nigh are not in attendance.

**Public Hearing:**

Chairman Boucher opened the public hearing and called for anyone wishing to speak in favor or against County Zone Change #697. There was none. Chairman Boucher closed the public hearing and called for a motion.

**Motion**

**Commissioner Hewitt made a motion and it was seconded by Commissioner Ray to forward recommendation of approval of County Zone Change #697 as presented by staff and based on the eleven criterion and the Findings of Fact for this zone change.**

**Discussion**

There was no discussion on the motion.



**Yellowstone County Zoning Commission  
DRAFT Minutes for the Meeting of  
Monday, October 15, 2019**

<b>Name</b>	<b>Favor</b>	<b>Against</b>	<b>Abstain</b>	<b>Absent</b>
Chairman Boucher	1			
Commissioner Wittman				1
Commissioner Ray	1			
Commissioner Bush				1
Commissioner Hewett	1			

**The motion carries, 3-0. County Zone Change #697 is conditionally approved.**

**OTHER BUSINESS**

a. **Announcement:** The Yellowstone County Zoning Commission meeting scheduled for Tuesday, November 12, 2019 is canceled due to a lack of applications.

**Adjournment:** The meeting adjourned 4:15 p.m.

**DRAFT. To be approved by a motion at the next scheduled meeting.**  
*Tamara L. Deines, Planning Clerk*



**County Zoning Commission**

**Meeting Date:** 12/09/2019

**SUBJECT:** County Zone Change 698 - 1093 1/2 Lincoln Lane - R-70 to CC

**THROUGH:** Karen Husman

**PRESENTED BY:** Karen Husman

**Information**

**REQUEST**

**Zone Change 698** - The applicant is requesting a zone change from Residential-7000 (R-70) to Community Commercial (CC) on Lots 2-6, in Block 1, Lots 2A-6 in Block 2, Laray Subdivision, seven contiguous parcels totaling 2.05 acres. A pre-application neighborhood meeting was held on October 28, 2019, at the Country Inn & Suites at 231 Main Street. Presented by; Karen Husman, Planner I

**RECOMMENDATION**

Planning Division is recommending denial of Zone Change 698 based on the findings of the 11 criteria for this zone change.

**APPLICATION DATA**

OWNER: Liquid Energy, LLC

AGENT: Scott Aspenlieder, Performance Engineering, LLC

LEGAL DESCRIPTION: Lots 2-6, in Block 1, Lots 2A-6 in Block 2, Laray Subdivision

SIZE OF PARCEL: 2.05 acres

EXISTING LAND USE: Vacant

PROPOSED LAND USE: Commercial storage

EXISTING ZONING: R-70

PROPOSED ZONING: CC

**CONCURRENT APPLICATIONS**

None

**APPLICABLE ZONING HISTORY**

SUBJECT PROPERTY	Zone Change	DATE	FOR	APPROVED (Y/N)	ADDITIONAL DATA
1093 1/2 Lincoln Ln	None – Original Zoning	November 1973			R-70
SURROUNDING PROPERTY	Zone Change	DATE	FOR	APPROVED (Y/N)	ADDITIONAL DATA
517 Lincoln Ln	637	8/28/12	R-70 to RMF-R	Y	Annexed 12/4/15
517 Lincoln Ln	(City) 956	6/12/17	RMF-R to CC	Y	
606 Bench	643	8/27/13	R-70-CC	Y	Bench Auto Repair
334 Bench	136	8/30/77	R-72 to CC	Y	Apartments

**SURROUNDING LAND USE & ZONING**

NORTH: Zoning: CC and NC  
Land Use: Vacant & Residential Multi Family  
SOUTH: Zoning: R-70  
Land Use: Residential  
EAST: Zoning: R-70  
Land Use: Residential  
WEST: Zoning: HC  
Land Use: Mobile Home Court

## **BACKGROUND**

The applicant is requesting a zone change from R-70 to CC. The property is adjacent to low density residential and residential multi-family uses and a mix of zoning. The properties to the west are in a Highway Commercial (HC) district. Across Lincoln Lane to the west of the subject property is a mobile home park and an apartment complex. The subject property is surrounded by residential uses. Based on the staff determinations in the Summary section of this report, the proposed zone change would not be consistent to the character of the area and the preferred land use patterns in the residential areas. Development of these parcels as a commercial use will not preserve the neighborhood integrity.

A pre-application neighborhood meeting was conducted by the applicant on October 28, 2019, at the Country Inn & Suites at 231 Main Street. Details of the neighborhood meeting are included in the attachments.

## **SUMMARY**

### **PROPOSED COUNTY ZONING COMMISSION DETERMINATIONS**

Prior to making a recommendation to the Board of County Commissioners, the Zoning Commission shall consider the following:

1. *Is the new zoning designed in accordance with the Yellowstone County 2008 Growth Policy?*

The proposed zoning does not comply with the following goals of the Yellowstone County 2008 Growth Policy and area plans:

Goal: Predictable land use decisions that are consistent with neighborhood character and preferred land use patterns identified in the growth policy. (Land Use Element, page 6).

*The potential uses with a CC zone are currently limited for this property due to its location in the County. However, this property is adjacent to property in the City, in close proximity to City services, and is within the City's Annexation Petition Area of the City Annexation Map. It is important for the Zoning Commission to consider the many uses allowed in CC zoning that could occur on this property long term and whether they fit in with the neighborhood in the area. Some of those more intense uses include: Convenience store with fuel pumps, car wash, RV or auto dealer, auto repair, and hotels and motels.*

*The proposed zoning is not consistent with the character of the area and the preferred land use patterns in the residential areas nearby and adjacent. This area of the County has the City on the west side and to the north has a variety of residential uses adjacent to nearby from high density apartment buildings to single-family residential areas. The 2008 Growth Policy did not specifically identify this area for future commercial development or expansion, but the City Limits of Annexation Map identifies this entire area of the Billings Heights as able to request annexation at any time and develop in the City.*

Goal: New developments that are sensitive to and compatible with the character of adjacent development. (Land Use Element Goal, page 6).

*This property is adjacent to R-70, CC and HC, but most of the development of those parcels is for residential uses. This parcel would not be compatible with the character of the residential uses.*

*Preserve neighborhood integrity/empower neighborhood groups.*

*Although the westerly properties are in an HC zoning district, the uses closest to the property are residential.*

*Additionally, these properties in the HC district are inside the city limits of Billings near a principal arterial street (Main Street). Development of these parcels for commercial uses will not preserve the neighborhood integrity and create further incompatibility of uses and development patterns.*

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

The subject property is currently served by the Billings Urban Fire Service Area and pays a small assessment based on the structure currently on the property. Any new structures would trigger additional fees to the fire service district. The County determines how those fees are assessed.

3. *Will the new zoning facilitate the provision of transportation, water, sewerage, schools, parks and other public requirements?*

*Transportation:* The proposed zoning will have a measurable effect on traffic generation when a new business is developed on the property. A new or improved County approved access will be needed to provide safe access to any future development. The current use of the property generates little or no traffic on a daily basis, so any new commercial business would increase the traffic on Lincoln Lane, a local street.

*Water and Sewerage:* The property is currently served by public water system (Billings Heights Water District). The property is currently within the City Annexation Petition Area and City sewer service is available in Lincoln Lane in front of the subject property.

*Schools and Parks:* The proposed zoning should not impact the student population. Residential uses are not currently planned for the property.

*Fire and Police:* The subject property is serviced by BUFSA and the Yellowstone County Sheriff's Department. Fire protection will be evaluated at the time of any development of the site.

4. *Will the new zoning promote health and general welfare?*

The proposed zoning may not promote the health and general welfare. The proposed CC zoning will allow the owner to develop the site into commercial uses allowed in the district. Any commercial use would not preserve the neighborhood integrity or promote the health and general welfare of the surrounding residences.

5. *Will the new zoning provide adequate light and air?*

The proposed zoning would require minimum setbacks, maximum building heights and maximum lot coverage. These requirements should allow adequate light and air to reach the subject property, however any commercial use has greater latitude to build larger buildings, with less setback required. This may impinge on the existing residential properties.

6. *Will the new zoning effect motorized and non-motorized transportation?*

The proposed zoning itself will not generate more traffic on streets. Pedestrian traffic in the area is limited due to the lack of sidewalks and trails on Lincoln Lane. Residential development is surrounding the property and the main motorized access is Lincoln Lane. Generation of traffic will have to be evaluated based on the specific use proposed.

7. *Will the new zoning be compatible with urban growth in the vicinity?*

The proposed zoning is compatible with the adjacent zoning to the north and west, however it is not compatible with existing urban growth in the vicinity and the residential uses on the neighboring properties. Property west of the subject parcel is zoned HC and has a multifamily apartment complex and a mobile home court. There is very low density residential to the south and east. The areas to the south and east are zoned for low density residential neighborhoods and are currently outside the city limits but within the City Annexation Petition Area.

8. *Does the new zoning consider the character of the district and the suitability of the property for particular uses?*

The subject property is in an area adjacent to a local street. The proposed zoning is compatible with the zoning to

the north and west, however these parcels are located within the city limits of Billings and the uses are residential. Future uses will be limited due to the lack of public utility services if the property remains in the County. Commercial uses on this parcel do not consider the character of the district and the suitability of those uses on this parcel.

9. Will the new zoning conserve the value of buildings?

The new zoning is not expected to alter the value of any buildings in the area. It is not known if its proximity to residential property in the area will affect the value of residential buildings. The value of the residential homes are based on their location. Any development of the property will need to meet the site development requirements in the zoning code, including landscaping, screening, building heights and setbacks.

10. Will the new zoning encourage the most appropriate use of land in Yellowstone County?

The proposed zoning does not encourage the most appropriate use of land in this area of the County. The properties to the north and west are inside the city limits. The properties to the south and east are outside the city limits and are all residential zoning and uses.

11. Will the new zoning be as compatible as possible with adjacent zoning in the City of Billings?

The proposed zoning is a zoning that is also present in the City of Billings. CC zoning could allow more intense uses than currently allowed in adjacent zoning districts but the potential universe of intense uses is currently limited due to the lack of access to public facilities including sewer services.

## **RECOMMENDATION**

Planning staff has reviewed this application and is forwarding a recommendation of denial for the proposed zone change based on the statutory (MCA 76-3-304) criteria for zone changes detailed in the Summary section of this memo..

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## **Attachments**

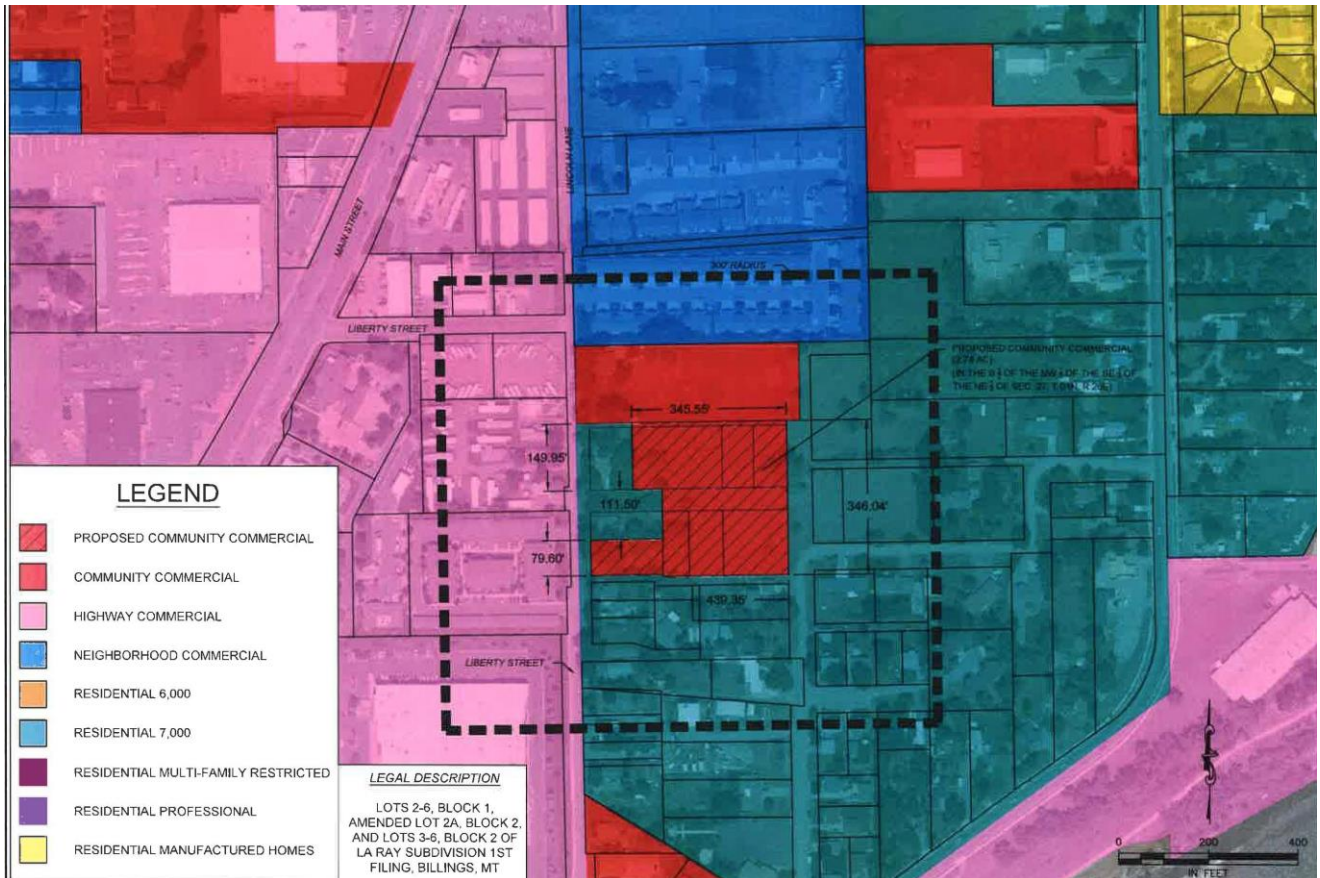
Zoning Map & Site Photos  
Application, Applicant Letter  
Neighborhood Mtg. Info, Site Plan

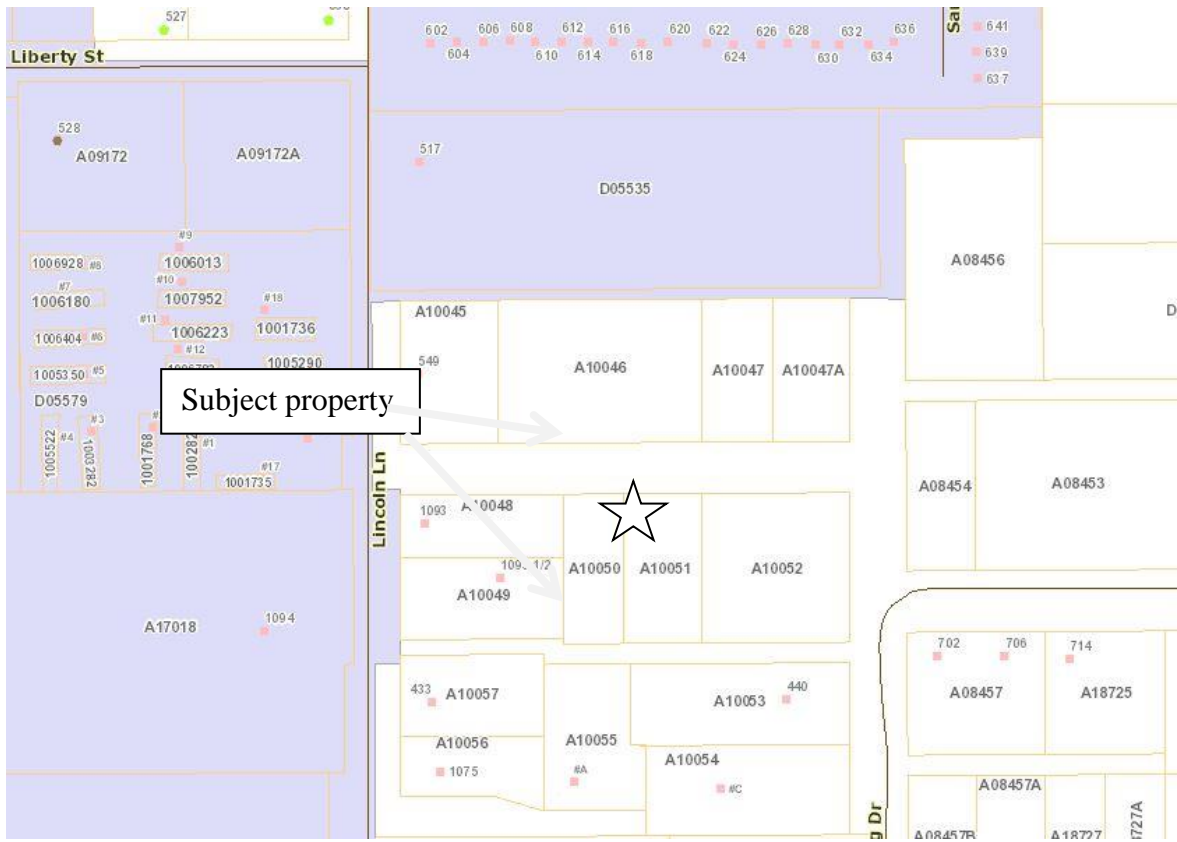
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## Zoning Map

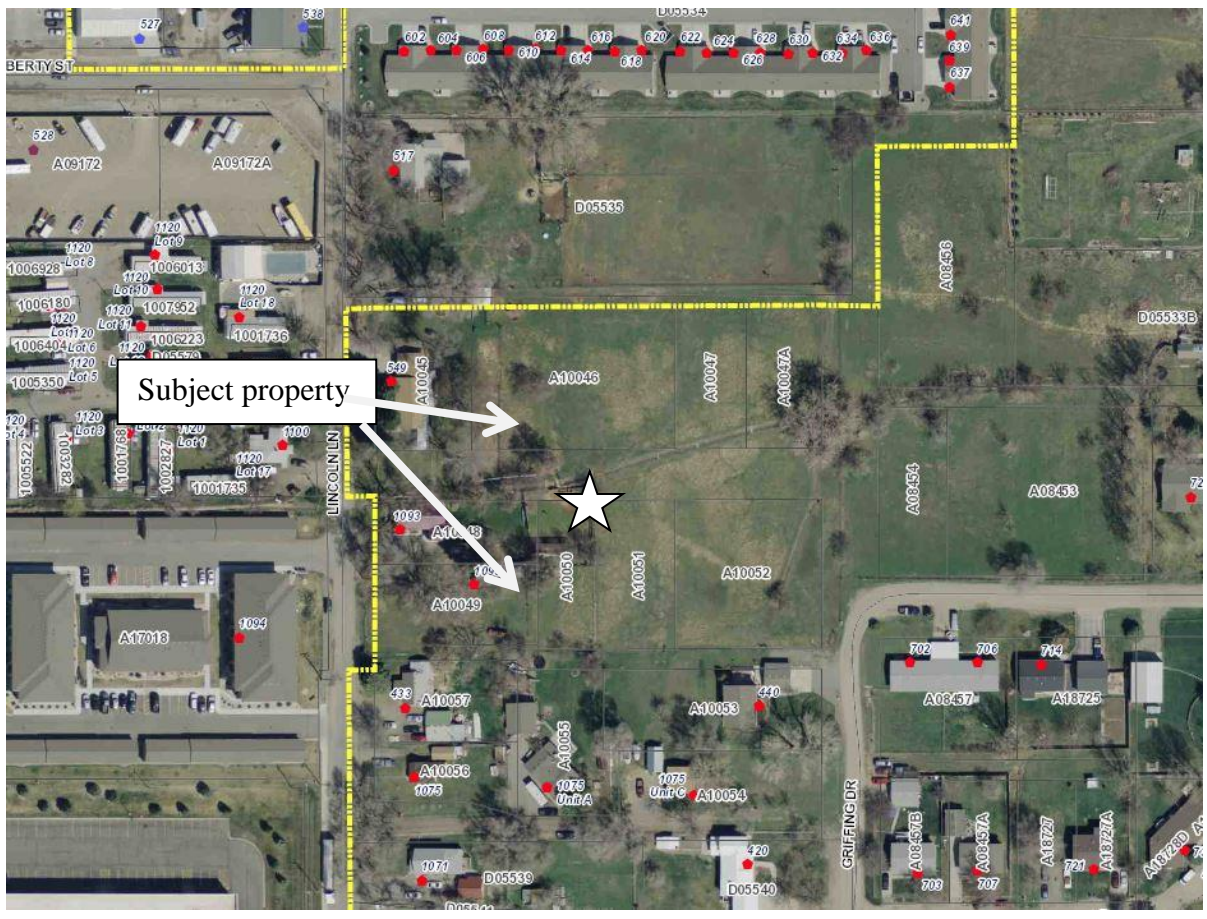


## Zoning Map





City Limits





Subject Property





North



South



East



West

APPLICATION FORM

COUNTY ZONE CHANGE County Zone Change # 1098 - Project # P-7-19-00229

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

Present Zoning: Residential 7000

Proposed Zoning: Community Commercial

Tax ID # A10046, A10047, A10047A COUNTY COMMISSIONER DISTRICT # 2  
A10049, A10050, A10051, A10052

Legal Description of Property: Laray Subdivision Block 1, Lots 2-6, Block 2, Lots 2A-6 within the  
NE 1/4 of Section 27N, Township 01 N. Range 26 E

Address or General Location (If unknown, contact County Public Works): \_\_\_\_\_  
1093 1/2 Lincoln Ln, Billings, MT 59105

Size of Parcel (Area & Dimensions): 2.74 acres

Present Land-Use: Vacant

Proposed Land-Use: Commercial Property (storage)

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.

Owner(s): Liquid Energy, LLC  
(Recorded Owner)  
2233 W. Kagy #1, Bozeman, MT 59718  
(Address) (406) 624-6340 clint@bridgervc.com  
(Phone Number) (email)

Agent(s): Performance Engineering, LLC  
(Name)  
608 29th Street, Billings, MT 59101  
(Address) (406) 384-0080 scott@performance-ec.com  
(Phone Number) (Email)

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.

Signature: [Signature] Date: 10/31/19  
(Recorded Owner)



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

The tracts of interest are currently zoned Residential 7,000. The land surrounding the property is Highway Commercial and Residential 7,000 to the west, Community Commercial to the north, and Residential 7,000 to the east and south. The Growth Policy has several goals that would be met by changing the zoning of the property from Residential 7,000 to Community Commercial. The issues that will be addressed are described below.

The first issue addressed is neighborhoods experiencing pressures from new development and land use changes. The surrounding land is zoned Community Commercial, Highway Commercial, and Residential 7,000. The goal is to have predictable land use decisions that are consistent with neighborhood character and preferred land use patterns. Having the land zoned Community Commercial will accomplish these goals and provide continuity and consistency.

Secondly, the current zoning ordinances and subdivision regulations do not always prevent incompatible uses to existing City neighborhoods. This issue is resolved by having a similar zone as the surrounding areas. The proposed zoning will match the Community Commercial directly to the north and marry up with the Highway Commercial to the west, providing a stepping down of use away from Highway Commercial.

Weeds detract from the beauty of an area, pose a fire danger, and reduce the productivity of open land. By landscaping and maintaining the development, the weeds in the area will be minimized. This will reduce the spread of weeds throughout the community and to adjacent lands. Fewer weeds will reduce the fire danger.

Third, the proposed zone change will develop an infill property which is a priority in the Growth Policy. The existing zoning has led to stagnation of the property. Rezoning will revitalize the area and create growth in the Billings Heights.

One of the other major factors when considering development within the community is the strain on transportation services. The proposed project would entail constructing dry storage. This type of development is not a high traffic generating facility and would reduce the amount of strain on the adjacent transportation network as opposed to the existing use.

**2. 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 of the immediate area.**

The proposed development plan is to construct storage on the lot. Residential 7,000 zoning will not allow this type of development. The Community Commercial zone will allow the development of storage units that fit within the local community. The land surrounding the property is Highway Commercial and Residential 7,000 to the west, Community Commercial to the north, and Residential 7,000 to the east and south. Many of the surrounding developments align with the same heavy commercial development feel as the proposed site use.

**Pre-Application Statement of Owner(s) or Agent(s)**

The owner(s), contract purchasers (if any) and agents (if any) are required to submit this completed form and any attachments along with a completed zone change application packet, including any required fees, for a zone change to be processed by the Planning Division.

1. **Present Zoning:** Residential 7000 \_\_\_\_\_
2. **Written description of the Zone Change Plan** including square footage or acres of proposed new zoning: Proposing a zone change from Residential 7000 to Community Commercial for an approximately 2.74 acre area of land. \_\_\_\_\_
3. **Subject Property Map:** please attach to this form \_\_\_\_\_
4. **Legal Description of Property:** Lots 2-6, Block 1, Lots 2A-6, Block 2 of Laray Subdivision within the NE 1/4 of Section 27N, Township 01 N, Range 26 E \_\_\_\_\_
5. **Roster of persons who attended the pre-application neighborhood meeting:** please attach to this form \_\_\_\_\_
6. **A copy of the meeting notice.** please attach to this form \_\_\_\_\_
7. **A brief synopsis of the meeting results.** please attach to this form \_\_\_\_\_
8. **The undersigned affirm the following:**
  - 1) The pre-application neighborhood meeting was held on the 28th, day of October, 2019
  - 2) The zone change application is based on materials presented at the meeting.

**Owner (s):** Liquid Energy, LLC Telephone: (406) 624-6340  
Address: 2233 W. Kagy#1, Email: clint@bridgervc.com  
Bozeman, MT 59718 \_\_\_\_\_

**Agent (s):** Performance Engineering, LLC Telephone: (406) 384-0080  
Address: 608 29th Street Email: scott@performance-ec.com  
Billings, MT 59101 \_\_\_\_\_



**October 28<sup>th</sup> 2019 6:00pm  
Country Inn & Suites by Raddison**

**Meeting Notes  
Liquid Energy, LLC**

**Representatives: Robbie Neihart (PE)**

### **Points of Discussion**

Brief review of Project Development  
Requesting comments from Home/Property owners  
Addressed Comments/Concerns from Home/Property owners  
Review Timeline for Planned Development of Project

### **Project Development**

Development of dry storage units in the County.

### **Home/Property Owners Comments & Concerns**

1. Does not want access off of Orilla Street
2. There are septic easements near the property
3. Will the development cause nearby property values to decrease?
4. How will the development comply with fire code and will hydrants be installed?
5. Properties south of Cross Street did not get neighborhood meeting letters
6. How much traffic will be generated by the development?
7. What kind of lighting will be installed?
8. Will there be fencing or vegetative buffer between commercial and residential properties?
9. There is an irrigation lateral crossing the property that is used by downstream landowners
10. How will stormwater be address?

### **Home/Property Owners Guidance or Suggestions**

1. Restrict access to Lincoln Ln. only
2. Fence and vegetative buffering on the property perimeter
3. Keep stormwater onsite



### **Timeline for Planned Development**

1. Application – Home/Property owners need to get all requests/comments in as soon as possible with the application being submitted Monday October 4, 2019. Send all letters or emails to Scott and/or Nicole Cromwell at City Planning.
2. Zoning Commission Hearing – Public Welcome – December 9, 2019
3. County Commission Hearing – Public Welcome – December 31, 2019

All three timeline options are for people to express comments and concerns.

**Meeting Adjourned 6:45 pm.**



October 16, 2019

Dear Interested Neighbor,

On behalf of Liquid Energy, LLC, Performance Engineering, LLC, is writing to inform you of a zoning pre-application neighborhood meeting being held on **Monday, October 28<sup>th</sup>**, at **6:00 p.m.** at **231 Main Street, Billings, MT 59105**. The meeting is being held in the Country Inn & Suites by Radisson, to discuss a proposed zone change regarding the existing property. The owner is requesting that the property shown on the attached exhibit and described below be rezoned to accommodate future development:

**Lots 2-6, Block 1, and Lots 2A-6, Block 2 of Laray Subdivision, S27, T01N, R26E, in Yellowstone County totaling 2.74 acres, located near the intersection of Lincoln Lane and Liberty Street.**

The intent of the meeting is to make neighboring property owners aware of the proposed zoning change for the subject property, discuss the potential for redevelopment, and to answer questions about the project. The property is currently zoned as Residential 7,000. The zoning proposal to be presented to Yellowstone County will be to change the zoning of the land described above from Residential 7,000 to Community Commercial to accommodate future development. A total of 2.74 acres is included in the proposed zone change.

Representatives for Performance Engineering, LLC as well as the Owners, will be present at the meeting to answer questions from those who attend. For those unable to attend the meeting, written letters can be directed to Performance Engineering at 608 North 29<sup>th</sup> Street, Billings, MT 59101, attention Scott Aspenlieder, or emails may be sent to [scott@performance-ec.com](mailto:scott@performance-ec.com). We look forward to discussing the proposed zoning change with you and hope to see you on **October 28<sup>th</sup>**.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Scott Aspenlieder'.

Scott Aspenlieder, PE  
Principal

