

Zone Change 981 – 750 Broadwater Ave – Amending PD-NC

Authentication ID: 427499BB-C80D-4241-9C4B-A81548C2CABB

One (1) of the following described property hereby request a



Zone Change as outlined in the Yellowstone County Regulations.

981



Check one: City of Billings Zone Change Yellowstone County Zone Change

Address 750 BROADWATER AVE, BILLINGS, MT 59102

PZ-20-00155

Legal Description YELLOWSTONE ADD, S04, T01 S, R26 E, BLOCK 4, Lot 27 - 31, & 26A 26B (1ST ADD TO BLK 4) / LESS

STATEMENT: Answer the following questions on a separate document and upload to the online project attachments.

- 1. In what ways is your proposal consistent with the goals and policies of the adopted Growth Policy?
2. Explain your need for the intended zone change and why the property cannot be used under the existing zoning.
3. Explain how the new zoning will fit in with the existing zoning and land uses of the immediate area.

REQUIRED UPLOADS Online Applications: https://services.billingsmt.gov/citizenaccess/

--Pre-Application Statement of Owner(s) or Agent(s) affirming pre-application meeting was held, and include the following: 1) the pre-application neighborhood meeting was held, and 2) the zone change application is based on materials presented at the meeting.

--Signed Application and Zone Change Statement (Zone Change questions)

--Site Plan

--Typed Mailing Labels Certified Surrounding Property Owners

--Radius Map & Certified List of Property Owners

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. I attest that all the information presented herein is factual and correct.

Recorded Owner(s) CHERRY, RUSSELL C & M COLLEEN

Owner's Address 601 LUTHER CIR, BILLINGS, MT 59102

Owner's Phone Number 504-756-9372 E-mail russcherry@me.com

Applicant/Agent DUSTY AND TIFFANY SIMS

Applicant/Agent's Address 3514 STONE BROOK DR, BILLINGS, MT 59101

Applicant/Agent's Phone Number 406-671-6091 E-mail autooutletmt@gmail.com

Signature of Recorded Owner(s)

Authentication

Russell C. Colleen Cherry

Date

07/02/2020

AUTHORITIES: Procedures and Review Criteria for Zone Change requests Billings Montana City Code (BMCC) Section 27-1502 et seq. SEC. 27-1502. AMENDMENTS TO CHAPTER. (a) General. This chapter, including the official zoning map, may be amended only by the city council but no amendment shall be finally approved by the city council unless it has been submitted to the city zoning commission for review and recommendation.

AUTHORITIES: Procedures and Review Criteria for Zone Change requests Unified Zoning Regulations Section 27-1508 et seq. SEC. 27-1508. AMENDMENTS TO CHAPTER. (a) General. Although each zoning district is primarily intended for a predominant type of use, there are a number of uses which may or may not be appropriate in a particular district depending upon all the circumstances of the individual case.

Hello,

My name is Dusty Sims and my wife's name is Tiffany Sims and we own Auto Outlet Inc at 4750 Underpass Ave in Billings. The reason for this letter is because we are looking to purchase the property at 750 Broadwater Ave, Billings, MT 59102 that is currently owned by Russell and Colleen Cherry (601 Luther Circle, Billings, 59102) which is currently listed with Carlos Davey with UBARS Real Estate. Unfortunately, the property is currently not zoned to allow used car sales, although it does allow for car rentals, car washes and car repair shops. I am requesting a zone change to add the before mentioned use of used car sales to the current zoning, I believe that this change will have no negative effect on the surrounding neighborhood and actually will have the same or less impact than the uses that are currently allowed there. I will be making improvements to the look of the building and generally cleaning up the property which will only add positively to the neighborhood. Thank you for your consideration of this matter.

Sincerely,

Dusty and Tiffany Sims

Cell # 406-671-6091

autooutletmt@gmail.com

Carlos Davey

UBARS Real Estate

406-690-2564

cadavey@ubars.net

Legal Description: Yellowstone Addition, Block 4, Lots 26a, 26B and Lots 27 through 31


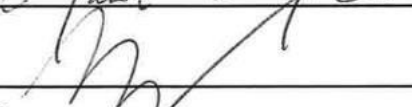
Lot area = 24,450 square feet

Tax ID: A18912

ZONE CHANGE - 750 BROADWATER

SIGN-IN SHEET

29-Jun-20

- 1  - Howard Ave
- 2  Broadwater Ave
- 3 Jerry & Leona 743 Broadwater
- 4 Nancy Peterson 744 Yellowstone
- 5 Karen McDonald 813 Broadwater Ave
- 6 Wayne Williams 750 Wyoming
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15

Pre-app Meeting Notes – 6/29/2020 5:30 p.m.

Q. Are you going to be open on weekends?

D. Only by appointments on the weekends.

Q. Are you going to have two locations?

D. No, we are just moving our car lot here if approved.

Q. Are you going to have junk cars parked in the front?

D. No, we try to keep nice cars. Wanting to put up a fence around the back of building for cars that need repairs

Neighbor: She lives a few houses down on Broadwater on the opposite side of the street. Currently, she has a lot of people walking thru and her yard. Worried the people walking down the street will stop to look at the vehicles on the lot and stay between the vehicles.

Realtor: The owners have had calls people living in a parked vehicle in the back because it's vacant.

D: Read the email from Lisa

Neighbor: Objects to car lot. He said it doesn't bring value to the neighborhood. Will bring values down. He thinks there are too many car lots and casinos in Billings. Wants a mom and pop business to go in.

Realtor: This building is specific for Automotive. We just want to add the Auto Sales to the list of approved automotive businesses.

Neighbor 2: Lives across the street all lights are working. Worried if there is a problem with people during the night there isn't enough police force to come check it out unless the person is actually breaking into building.

All neighbors agree there is a lot of foot traffic down the allies.

Neighbor 2: Live here for 20+ years and the building has always been used for an automotive business of some type.

Neighbor 3: What are your plans for the garage?

D: Maybe lease part of it to a person who does tint or something like that. Plan on using the wash bay and part of the garage for our vehicles.

Neighbor 2: Last time a repair shop was there it had wreckers and broken down cars everywhere he would rather have a car lot than a mechanic shop.

Neighbors: Would like a 8-5 person here to look after the property.

Dusty explained that we don't have any other employees at this time although that could change after we move into the building. In the meantime, he might not be physically at the building 8-5 during the day while buying vehicles, running vehicles to repair shops and other misc. work, but that he is there several times throughout the day always.

Neighbor 4: What does this vacant lot do to the values at its current state?

Realtor: Explains the area is considered a business section and it depends on the owner and how the property is being taken care of. Mentioned that the Sims' are buying this for an investment so they will be taking care of it because it's a huge personal investment. They are more likely to take care of the property than someone who is leasing it.

Neighbor 1: Has it been for sale long?

Realtor: for a month at \$500,000

Neighbor 3: Are you going to have mock ups of what the building going to look like?

D: No, we plan on painting the building and doing the landscaping. We want to add a fence but we have to still have to check into whether that would be allowed.

Neighbor 1: Hope if it goes thru, Dusty will keep his word.

Neighbor: Who was concerned about it creating more walking traffic at the end of the meeting said that she was now ok with the idea of a car lot there.