

Application

APPLICATION FORM

CITY ZONE CHANGE Billings Zone Change # 976 - Project # P2-19-00252

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 7,000

Proposed Zoning: Highway Commercial

TAX ID# A029430 CITY ELECTION WARD # 1

Legal Description of Property: Lot 1-2, Block 2, Bede Subdivision, Section 27, Township 01 N, Range 26 E.

Address or General Location (If unknown, contact City Engineering): 727 Lincoln Lane Billings, MT 59105

Size of Parcel (Area & Dimensions): Approximately 0.58 acres, 240' x 105' 25,200 sq

Present Land-Use: Commercial Property (Warehouse)

Proposed Land-Use: Commercial Property (Warehouse)

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): 4 the Store, LLC - Rich Miller

(Recorded Owner)  
713 E Main Street, Billings MT 59105  
(Address)  
406-248-3657 rich@richsflooring.com  
(Phone Number) (email)

Agent(s): Scott Aspenlieder

(Name)  
608 North 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: 12/3/19  
(Recorded Owner)



## Applicant Letter

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

The lots of interest are currently zoned Residential 7,000. The land surrounding the property is Highway Commercial to the north and west 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 Highway Commercial. The issues that will be addressed are described below.

The first issue addressed is that the existing site use is incompatible with the current zoning under the current zoning ordinances and subdivision regulations. The existing site contains a warehouse which is allowed in Highway Commercial zones, but not allowed in Residential 7,000 zones. This issue would be resolved by changing the zoning to Highway Commercial which would match the Highway Commercial directly to the north and west and have little to no impact on the Residential 7,000 to the south and east.

Secondly, neighborhoods experiencing pressures from new development and land use changes also cause issues. The surrounding land is zoned 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 Highway Commercial will accomplish these goals and provide continuity and consistency.

Third, the proposed zone change will further develop an infill property which is a priority in the Growth Policy. The existing zoning has prohibited the lot owner from further expanding his warehouse. 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 expanding the existing warehouse. This type of development is not a high traffic generating facility and would not increase the amount of strain on the adjacent transportation network since the land use is not changing.

### **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 expand the existing warehouse located on the lot. Residential 7,000 zoning will not allow this type of development. The Highway Commercial zone will allow the expansion of the warehouse that sits within the lot. The land surrounding the property is Highway Commercial and Residential 7,000. The proposed land use will match the existing land use having an insignificant impact on the surrounding community.

Neighborhood meeting info

**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 7,000 \_\_\_\_\_
2. **Written description of the Zone Change Plan** including square footage or acres of proposed new zoning: Proposing a zone change from Residential 7,000 to Highway Commercial for an approximately 0.58 acre area of land. \_\_\_\_\_
3. **Subject Property Map:** please attach to this form \_\_\_\_\_
4. **Legal Description of Property:** Lot 1-2, Block 2, Bede Subdivision, Section 27, Township 01 N, Range 26 E. \_\_\_\_\_
5. **Neighborhood Task Force Area:** Heights, Chairperson: Ed Arnold. \_\_\_\_\_
6. **Roster of persons who attended the pre-application neighborhood meeting:** please attach to this form
7. **A copy of the meeting notice.** please attach to this form
8. **A brief synopsis of the meeting results.** please attach to this form
9. **The undersigned affirm the following:**
  - 1) The pre-application neighborhood meeting was held on the 21, day of November, 2019.
  - 2) The zone change application is based on materials presented at the meeting.

**Owner (s):** 4 the Store, LLC - Rich Miller Telephone: 460-248-3657  
Address: 713 E Main Street Email: rich@richsflooring.com  
Billings MT 59105

**Agent (s):** Scott Aspenlieder Telephone: 406-384-0080  
Address: 608 Noth 29th Street Email: scott@performance-ec.com  
Billings, MT 59101



November 14, 2019

Dear Interested Neighbor,

On behalf of 4 the Store, LLC, Performance Engineering, LLC, is writing to inform you of a zoning pre-application neighborhood meeting being held on **Thursday, November 21<sup>st</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 re-zoned to accommodate future development:

**Lots 1-2, Block 2 of Bede Subdivision, S27, T01N, R26E, in Yellowstone County totaling 0.58 acres, located on the south east corner of the intersection of Lincoln Lane and Conway 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 Highway Commercial to accommodate modifications to the existing warehouse. A total of 0.58 acres is included in the proposed zone change. The current zoning code definition for Highway Commercial is as follows:

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 **November 21<sup>st</sup>.**

Sincerely,

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

Scott Aspenlieder, PE  
Principal





November 21<sup>st</sup> 2019 6:00pm  
Country Inn & Suites by Raddison

Meeting Notes  
4 the Store, LLC

Representatives: Scott Aspenlieder (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

Renovating an existing warehouse.

#### Home/Property Owners Comments & Concerns

Only one person showed up to the meeting and they wanted to know what 4 the Store, LLC was going to be doing on the property.

#### Home/Property Owners Guidance or Suggestions

None

#### 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 December 2, 2019. Send all letters or emails to Scott and/or Nicole Cromwell at City Planning.
2. Zoning Commission Hearing - Public Welcome - January 7, 2020
3. City Commission Hearing - Public Welcome - January 27, 2020

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

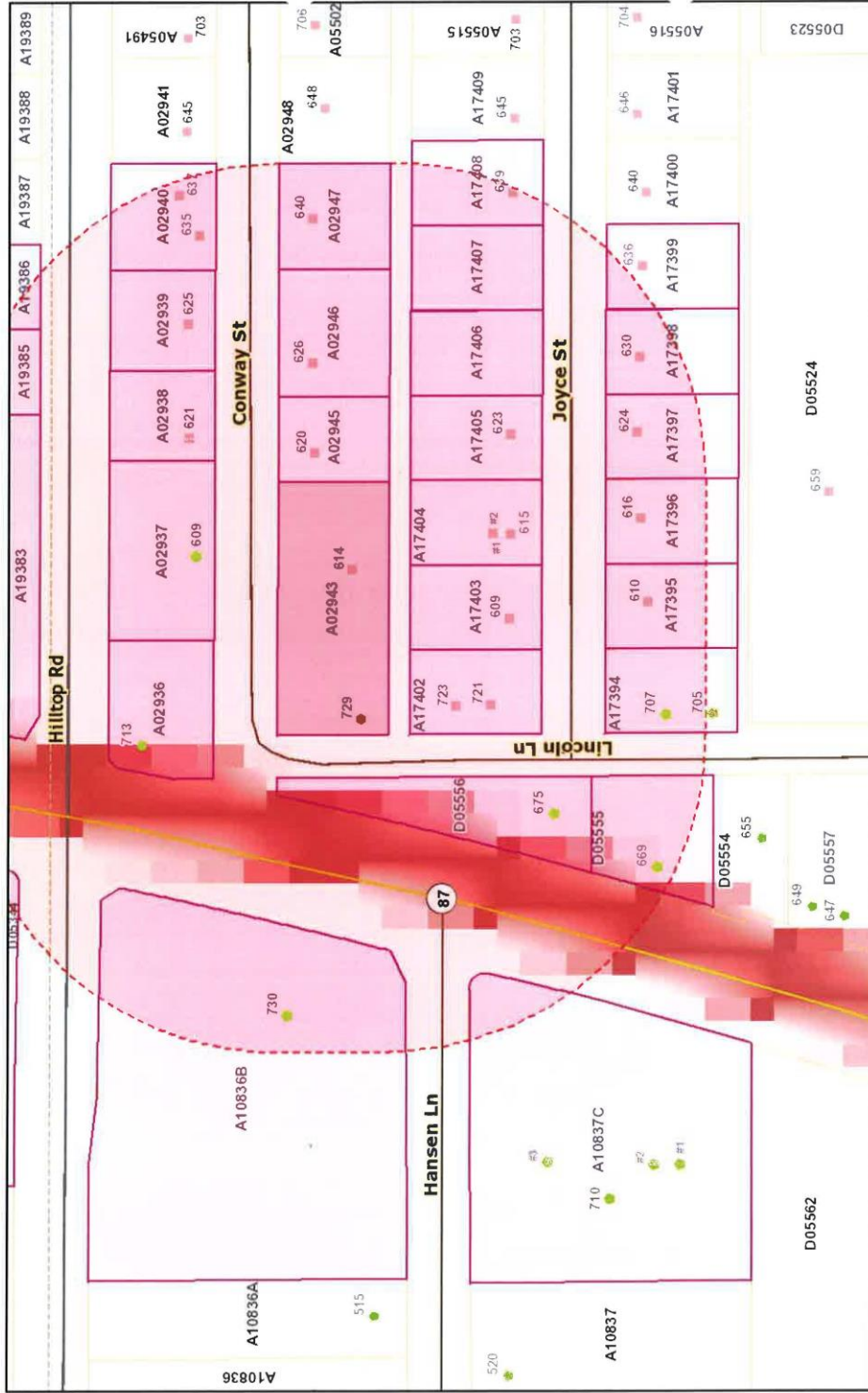
Meeting Adjourned 6:45 pm.

406-384-0080

7100 Commercial Ave. #4  
Billings, Montana 59101

performance-ec.com

# 727 Lincoln Lane - Zone Change R70 to NC



Yellowstone County

November 14, 2019

*Return to TAMARA FRANK  
406-384-0080  
Performance Engineering*