

APPLICATION FORM

COUNTY Special Review

COUNTY Special Review # 986 - Project # P2-20-00199

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

Present Zoning: Community Commercial

Special Review Requested: Beer + Wine w/ Gaming

TAX ID# C07979 COUNTY COMMISSIONER DISTRICT # 1

Legal Description of Property: Lampman SUBD, 912, T01 S, R25 E, BLOCK 17A, LOT 2 Lt 2 Blk 17A LAMPMAN SUBD AMD (1-615 HERE)

Address or General Location (If unknown, contact County Public Works): 3189 King Ave W, Suite A Billings, MT 59102

Size of Parcel (Area & Dimensions): 39,907

Present Land-Use: Community Commercial (vacant)

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): DAT Enterprises, LLC (Recorded Owner) 11535 E Caribbean LN Scottsdale, AZ 85255 (Address) 406-670-4222 (Phone Number) Dougjenkins250@gmail.com (email)

Agent(s): Josh Benson (Name) 312 Falcon Ridge Way Billings, MT 59106 (Address) 763.607.3400 (Phone Number) joshbenson@umgads.com (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 Special Review. Also, I attest that all the information presented herein is factual and correct.

Signature: Douglas Jenkins (Recorded Owner) Date: 8/25/2020 DAT ENTERPRISES, LLC



Special Review application

Question 1A:

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

LAND USE ELEMENT

Issue: Neighborhoods are experiencing pressures from the new development and land use changes.

Goal: Predictable land use decisions that are consistent with neighborhood character and preferred land use patterns identified in neighborhood plans.

Objectives:

1. Preserve neighborhood integrity.
2. Empower neighborhood groups.

Answer:

We plan to assist Pie Guys Pizza in expanding their long-standing delivery operation into a sit-down restaurant allowing families to enjoy dine-in eating. The placement of our beer/wine/gaming license offers consistency with current neighborhood characteristics and integrity as two gaming licenses already exist within 100 feet- one directly east and one 150 feet south of the proposed location.

Wardens Casinos are proactive in their involvement of local neighborhood organizations. We are to become involved in local organizations. For example, we are involved with the Billings Heights Business Association. Not only are we a member of this organization, we are actively looking to help improve the safety and aesthetics of the areas our businesses are located.

ECONOMIC DEVELOPMENT ELEMENT

Issue: We need to continue a cohesive focus in economic development.

Goal: Coordinated economic development efforts that target business recruitment, retention, and expansion.

Objectives:

1. Strengthen area economy.
2. Create living-wage jobs.
3. Improve quality of life for residents.

Answer:

The expansion of a long-standing pizzeria and addition of a reputable gaming establishment will add living wage jobs into the local economy. The expanded dine-in restaurant along with gaming is estimated to add approximately 10-20 full time positions into our local economy. This concept will add a

tastefully finished dine in service not yet offered in this area. The reputation of our gaming establishments will also add pressure to local competitors to polish the railing of their own businesses ultimately enhancing the look and feel of the area and increasing the overall quality of life for residents. The added dine in pizza restaurant and gaming establishment will also be an upgrade from the abandoned gas station that occupies the space today.

Issue: Lack of living-wage jobs.

Goal: Increase the median income of households and individuals.

Objectives:

1. Improve the quality of life for residents.
2. Attract and retain businesses that offer competitive wages and benefits.
3. Reduce dependency on social programs.

Answer:

The expansion of a reputable long-standing pizzeria along with a reputable gaming operation would add approximately 15-20 living wage jobs to the area. Those working in our gaming establishment will earn approximately \$25.00 – \$35.00 per hour after calculating tips. The jobs created by expanding Pie Guys into dine-in pizza restaurant will pay approximately \$15.00-20.00 per hour after tips. These wages offer above living wage minimums for Yellowstone County which sits at \$11.05/hour. Our gaming establishments are known for their generous hourly wage as well as added paid time off benefits.

AESTHETICS ELEMENT

Issue: There are areas in the city and county that are unattractive and present a poor image of the community.

Goal: Visually appealing communities.

Objectives: Improve the image of the community.

Answer: We will create a state-of-the-art Pizza parlor and casino, not found in the West End. This will provide a visually appealing interior which will be an upgrade from the abandoned gas station previously located there.

Issue: New development and signs, cell towers, power lines, and other structures could reduce the visual quality of the rims.

Goal: Unobstructed views of the rimrocks surrounding the city of Billings.

Objectives:

1. Improve signage standards.

Answer: Re-finish existing sign to enhance look/feel. We would also be willing to landscape around the bottom of the sign enhancing the sign look.

CULTURAL & HISTORIC RESOURCES ELEMENT

Issue: Historic landmarks and structures are being lost to neglect and development.

Goal: Identification and protection of the historical, archaeological, and cultural resources of Yellowstone County.

Objectives: Improve awareness of historic and cultural resources.

Answer: Warden's gaming establishments are all branded and built to tell the story of my father's career as a prison Warden. We use local history, especially as it ties into prisons or stories of "Old Western Outlaws." We intend to showcase stories significant to the cultural history of Yellowstone County and Billings, especially as it correlates to the story my father's career in corrections. We believe people have a natural interest in the history of their community. When we can tie local history into the career of being a prison Warden, we find it to be a winning recipe, peaking people's interest in the "Wardens" brand.

To capture and preserve the history of Billings and Yellowstone county, we use historical photos, memorabilia, and old newspaper articles. Our intent is to create an establishment offering an ambiance that people feel they are taking a step back into time when walking through our doors, but also being able to relax comfortably in an establishment known for cleanliness. Using rustic finishes and reclaimed barnwood, we can build a modernized and clean establishment, while capturing the old western look and feel our state and community is proudly known for.

Issue: Not all neighborhoods are planned with ways to access nutritious foods for everyone.

Goal: Accessible, affordable, and nutritious food for everyone.

Objectives:

1. Ensure equal opportunities to healthy food sources.
2. Support local farm produce.

Answer: Pie Guys Pizza offers all 100% locally sourced topping and ingredients on their pizza. The creation of dine-in services for Pizza Guys would further help local farmers and offer residents a healthy, organically grown, and locally sourced food option.

Question 1B:

Why is there a need for the intended use of the property at this location?

Answer:

The corner of 32nd and King has no dine-in Pizza option other than take out. The location has been sitting vacant and abandon for nearly a year. As an alternative to an abandoned gas station, we are offering this area of Billings a high end, clean, visually appealing pizza and gaming establishment. This offer will also assist in the expansion of a well established entrepreneur looking to take the next step in his business, while at the same time assisting them in mitigating their risk in doing so.

Question 1C:

How will the public interest be served if this application is approved?

Answer:

This would offer two reputable businesses a chance to partner together to bring something special to the area attracting people from different parts of the city. Pie Guy's offers one of a kind "Niche" pizza using locally sourced ingredients which residents already find appealing. The casino portion of this build out will be a high end buildout and will set the bar and motivate other gaming establishments in the area to also re-invest into their businesses, enhancing both interior and exterior looks of their businesses further improving the area.

Question 1D:

Prepare a written statement addressing what is intended to be done with the property, and why special review is being sought.

Answer: We intend to place a beer/wine with gaming into this location. The buildout will be a high-end construction project. We intend to partner with the Pie Guys Pizza who currently occupies the suite B next door by helping the business expand their delivery and pick up only, into a full dine-in service pizza establishment. We will serve Pie Guys customers beer/wine with their meals via state approved concession agreement. In addition to the expansion of Pie Guys dine in service, we would like to build a high-end space for 20 gaming machines which would do business as "Wardens Legacy Casino."

Question 2A & B:

See attached