

APPLICATION FORM

CITY VARIANCE

ID: Billings Variance # 1350 **- Project #** PZX-22-00223

The undersigned as owner(s) of the following described property hereby request a Variance from the terms of the City of Billings Zoning Regulations.

PROPERTY TAX ID # C03640 CITY ELECTION WARD # 5 (Billings)

Legal Description of Property: Lot 3B, of Amended Plat of Lot 3, Studer Acreage Tracts Subdivision, the City of Billings, Yellowstone County, Montana, Under Doc. No. 324395

Address or General Location (If unknown, contact City Engineering): 3032 King Ave West
Billings, MT 59102

Zoning Classification: corridor mixed use 2 (CMU2)

Size of Parcel (Area & Dimensions): 50,795 SF (1.16 ACRES)

Covenants or Deed Restrictions on Property: Yes _____ No X

If yes, please attach to application

Variance(s) Requested: A decrease in building frontage allowance to 32% from 50%

Facts of Hardship: (attach letter) See attached variance letter

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


Owner(s): Billings Property, LLC
(Recorded Owner)
3000 King Ave W Billings, MT 5902-6436
(Address)

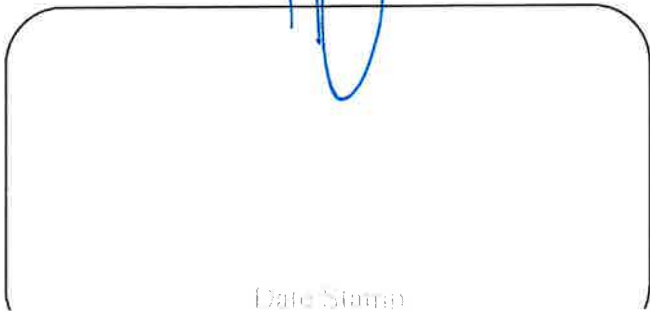
(Phone Number) (email)

Agent(s): HC Klover Architect
(Name)
8813 Penrose Lane, Suite 400 Lenexa, KS 66219
(Address)

913-649-8181 hcpermitting@klover.net
(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 Variance. Also, I attest that all the information presented herein is factual and correct.

Signature:  Date: 9.02.22
(Recorded Owner) Authorized Agent



Date Stamp

September 1, 2022

VIA ONLINE

City Of Billings
Planning & Community Services Department
2825 3rd Ave North, 4th Floor
Billings, MT 59101

PROJECT NARRATIVE

To Whom it may Concern,

H.C. Klover Architect is proud to submit for your Planned Development Review the proposed development of a freestanding Panda Express restaurant with drive-thru and separate trash enclosure located at the 1.458-acre parcel (63,505sqft.), 3032 King Ave West. The site is currently occupied by a vacant gravel lot and is appropriately zoned for proposed use as Corridor Mixed – Use & Commercial Centers (CMU2). The proposed development is bordered to the south by a SureStay Plus Hotel by Best Western (zoned CMU2); to the north by Mercedes Benz Dealership zoned Corridor Mixed-Use (CMU1); to the east by a Chevrolet Dealership zoned (CMU2); and to the west an auto repair shop also zoned CMU2. The proposed project would consist of a 2,600 sqft. free standing Panda Express restaurant with drive-thru. The project will provide 44 stalls with the current site being 7,745 sqft. of landscaping upon completion. The construction will require groundwork along with the new construction of a Panda Express. We are also proposing to reduce the lot size to 1.17-acres (50,825sqft.) and selling back the existing parking to the hotel to the south.

Per Chapter 27 Article 400 Section 4 Table 27-400-3 Site and Structure Regulations of the City of Billings Code of Ordinance, the buildable area requires a minimum front-line width of 50%. The proposed building has a width of 41'-9" which is a difference of 24'3" from the 66' required width. This proposed width is 32% of the frontage. Although this is 18% less than what is currently required, the proposed layout is the Panda Express proto build type used for its efficient drive-through and kitchen operation layouts. If this proto design were to rotate to meet the frontage requirement, the glazing requirement of 55% would not be met. This would also mean the drive-through pickup window side of the building would be along the street rather than the hidden location it is currently at. There is a shared drive access to the west that is included in our property that we must maintain for the other tenants. Due to this restraint, it also limits the orientation and potential location of the building. Lastly, this rotation would require the storm line in the middle of the usable are of our property to be moved, which would require extra expense and groundwork.

The proposed building lies to the right of the storm lines that stretch down the northern part of the site. Given that the building is currently placed as far right of the site as possible to keep the drive through lane, extending the frontage would move the groundwork closer to the storm line, risking damage. We request a variance to avoid this risk, mitigating potential damage to the storm line.

Thank you for your time in this process. With your approval, we will be able to meet your requirements as well as meeting the needs of our project. We hope that with your approval this will be a successfully performing project for our client and your city.

Sincerely,



Henry C. Klover
Proprietor

CC: Todd Murhuer and Brian Slusarek via Fedex, Brian Kan via Tango upload
PX #: S8-23-D23346
Klover #:22044.025