



CITY ZONING COMMISSION
AGENDA-Tuesday, March 1, 2022, 4:30 p.m.
Miller Building, 1st Floor Conference Room
2825 3rd Avenue North, Billings, Montana

VIDEO CONFERENCE FORMAT

NOTICE TO THE PUBLIC

****ATTENTION****

In the event a quorum of the Council is present, no City-related decisions will be made during this meeting or event.

Due to the COVID-19 health concerns, this meeting will be held in a virtual videoconferencing environment. Zoning Commission members will attend the meeting via a remote location, using a virtual meeting method. The regular meeting rooms will be closed during the meeting. In order to honor the Right of Participation and the Right to Know in Article II, sections 8 and 9, of the Montana Constitution, the City/County Planning Division is making every effort to meet the requirements of the open meeting laws.

Citizens are invited to:

- Review the Agenda Packet on the City's website at: <https://ci.billings.mt.us/117/Agendas-Minutes>
- View the meeting live online at Facebook: <https://www.facebook.com/Billings-Planning-Community-Services-Department-1738982159659260>

Public comment will be taken only during the Public Comment periods as indicated on the agenda and during the Public Hearings, if any are scheduled, under the Regular agenda. Comments may be sent to Board via email before 10:00 AM on the meeting date. All emails received prior to this time will be read into the record for the public hearing. Comments may be submitted by:

- Mail: City/County Planning Division, 2825 3rd Ave N 4th Floor, Billings, MT 59101
 - Email: bartleyr@billingsmt.gov
- Call in during the Public Comment periods as indicated on the agenda:
 - Citizens may call in during specific Public Comment periods at **406.237.6165**.
All callers will be placed in a queued system and are asked to remain on hold and be patient. Calls will be taken in the order in which they are received. Callers will be limited to 3 minutes of testimony as is customary. Future delivery methods may be explored as best practice is learned.

Please direct questions to Administrative Secretary Robbin Bartley at bartleyr@billingsmt.gov or 406-247-8676

Call the meeting to order.

Introduction of City Zoning Commission Members and Planning Department Staff.

Public Comment

Approval of Minutes of February 1, 2022 delayed until the next regular scheduled meeting.

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 Exparte 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. **City Zone Change 1010 -- 2204 Bench Blvd -- from NO to CMU1** - A zone change request from Neighborhood Office (NO) to Corridor Mixed Use 1 (CMU1) on Lot 8, Holling Ranch Subdivision, a 1.808 acre parcel of land. A pre-application neighborhood meeting was held on January 23, 2022 at 6:00 p.m., at 2204 Bench Blvd. The purpose of the request is to allow an existing pet center, formerly a veterinary clinic, to be used as a dog grooming and pet sitting location. Tax ID: D05193

- b. **City Zone Change 1011 -- 60th St. W and Grand Ave -- from RR3 to N2, N3, NX2 and P1, through the Planned Neighborhood Development Process** - A zone change request from Rural Residential 3 (RR3) to Mid-Century Neighborhood (N2), Suburban Neighborhood (N3), Mixed Residential 2 (NX2) and Public 1 (P1) using the Planned Neighborhood Development process in Sec 27-800, on Certificate of Survey 2735, Tract 4A, a 33.64 acre parcel of land. An annexation application is currently pending. A pre-application neighborhood meeting was held at the subject property on January 22, 2022.

- c. **City Special Review 993 -- Shiloh Crossing Blvd - Vehicle Repair Center 5,000 sf.** -- A special review request to allow a vehicle service and repair building over 5,000 square feet in a Corridor Mixed Use 2 (CMU2) zone district, for a 9,540 square foot building, Lot 4E3, Block 1 of Shiloh Crossing Subdivision, a 2.17 acre parcel of land. Tax ID: A34026F

Other Business/Announcements

Adjournment

The City Council has designated Monday, March 28, 2022, at 5:30 p.m. as the date and time to receive the Zoning Commission recommendation for the zone change and hold their public hearing. For **zone change requests** the Council will **conduct a public hearing for the first reading of the ordinance on March 28, 2022.** If approved on first reading, a **second reading public hearing will occur on Monday, April 11, 2022 at 5:30 pm.**

Before taking any action on an application for a **zone change**, the City Council shall first consider the findings and recommendations of the City Zoning Commission. In no case shall the City Council approve a zone change other than the one advertised. The City Council shall take one of the following actions on the zone change requests: 1) approve the application; 2) deny the application; 3) allow withdrawal of the application; or 4) delay the application for a period not to exceed thirty (30) days.

As provided in Montana Code Annotated, Section 76-2-305(2), in the event of a protest petition against such **zone change** signed by the owners of twenty-five (25) percent or more of: (1) the area of the lots included in any proposed change; or (2) those lots or units, as defined in MCA 70-23-102, **one hundred fifty (150) feet from a lot included in a proposed change**, such proposed amendment shall not become effective except by the favorable vote of two-thirds (2/3) of the present and voting members of the city council. For purposes of this protest provision interest in the common elements of the condominium, as expressed in the declaration, included in the calculation of the protest. If the property, as defined in 70-23-102, spans more than one lot, the percentage of the unit owner's undivided interest in the common elements must be multiplied by the total number of lots upon which the property is located. The percentage of the unit owner's undivided interest must be certified as correct by the unit owner seeking to protest a change or by the presiding officer of the association of unit owners. The protest petition must be received in the Planning Division office **by 5:00 p.m. on the Friday preceding the first reading of the ordinance by the City Council.**

Before taking any action on an application for a **special review**, the City Council shall first consider the findings and recommendations of the City Zoning Commission. Those findings and recommendations will be based on **BMCC 27-1623.D (1 through 9)**. Each zoning district is primarily intended for a predominant type of use as identified in BMCC Table 27-1000.1. There are also a limited number of **specific uses subject to special review that may or may not be appropriate in a particular district**, depending upon all the circumstances of the individual use on the site and in context with surrounding development. Consideration of these uses includes examination of the location, nature of the proposed use, the character of the surrounding development, traffic capacities of adjacent streets, and potential environmental effects, and whether specific conditions can be applied to mitigate the potential negative impacts of the use. **Special review uses are special exceptions to the general terms of Billings Zoning Code.**

In no case shall the City Council approve a special review use other than the one advertised. The City Council shall take one of the following actions on the request: 1) approve the application; 2) conditionally approve the application; 3) deny the application; 4) allow withdrawal of the application; or 5) delay the application for a period not to exceed thirty (30) days.

Testimony regarding the above-mentioned item may also be submitted in writing to the Planning Division, 2825 3rd Avenue North, 4th Floor, Miller Building, Billings, MT 59101 (247-8676) or to the Mayor and City Council, P.O. Box 1178, Billings, MT 59103.

Additional information on any of these items is available in the Planning and Community Services Office. 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 Robbin Bartley, Administrative Assistant, at 247-8676 or e-mail to bartleyr@billingsmt.gov

Zoning Commission

Date: 03/01/2022
Title: City Zone Change 1010 - 2204 Bench Blvd - Neighborhood Office to CMU1
Presented by: Karen Husman
Department: Planning & Community Services
Presentation: Yes

Information

RECOMMENDATION

Planning staff is recommending approval based on the findings of the 10 criteria for Zone Change 1010.

REQUEST

City Zone Change 1010 -- 2204 Bench Blvd- NO to CMU1 - A zone change request from Neighborhood Office (NO) to Corridor Mixed Use 1 (CMU1) on Lot 8, Holling Ranch Subdivision, a 1.808 acre parcel of land. A pre-application neighborhood meeting was held on January 23, 2022 at 6:00 p.m., at 2204 Bench Blvd. The purpose of the request is to allow an existing pet center, formerly a veterinary clinic, to be used as a dog grooming and pet sitting location.

APPLICATION DATA

OWNER: Michael Haaland
AGENT: Lucas Haaland
LEGAL DESCRIPTION: Lot 8, Holling Ranch Subdivision
ADDRESS: 2204 Bench Blvd
CURRENT ZONING: NO
EXISTING LAND USE: Dog Grooming and Dog Daycare
PROPOSED USE: Dog Grooming and Dog Daycare
SIZE OF PARCEL: 1.808 acres

CONCURRENT APPLICATIONS

None

SURROUNDING LAND USE & ZONING

NORTH: Zoning: CX
Land Use: Mini Storage
SOUTH: Zoning: NX1
Land Use: Residential
EAST: Zoning: N2
Land Use: Residential
WEST: Zoning: CX
Land Use: Mini storage

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

This is a zone change request from Neighborhood Office (NO) to Corridor Mixed Use 1 (CMU1) to allow an existing dog grooming and pet sitting business to continue on this parcel. The property had previously been a veterinary clinic and is allowed under the current zoning of NO, however the current use of dog grooming and pet sitting is not allowed in the NO district. The proposed zoning would allow an existing business to continue using the location for the dog daycare and grooming. The zone change request is a result of the applicant applying for a business license for the location. During staff review of the license, it was determined that a zone change would be required in order to obtain a business license. The business had already been operating prior to discovery of the zoning conflict. They have temporarily closed the business until the zone change is approved. The proposed zoning and use is compatible with the adjacent zoning and existing surrounding development.

STAKEHOLDERS

The applicant conducted a pre-application meeting at the subject property on January 23, 2022, there were three members of the public in attendance. The synopsis of the meeting and the attendance list are attached to this report. Also attached is a letter in support of the zone change from the Billings Heights Task Force.

ALTERNATIVES

The Zoning Commission may:

- Recommend Approval of the Zone Change and adopt the findings of the 10 review criteria; or,
- Recommend Denial of the Zone Change and adopt different findings of the 10 review criteria; or,
- Delay action on the zone change request for up to 30 days; or,
- Allow the applicant to withdraw the application.

FISCAL EFFECTS

Approval or denial of the proposed zone change should not have an effect on the Planning Division budget.

SUMMARY

Prior to any recommendation to the City Council, the Zoning Commission shall consider the following:

1. Is the new zoning designed in accordance with the Growth Policy?

The proposed zone change is consistent with the following guidelines of the 2016 Growth Policy:

Prosperity (promoting equal opportunity and economic advancement)

- Predictable, reasonable City taxes and assessments are important to Billings' taxpayers
- A diversity of available jobs can ensure a strong Billings' economy
- Successful businesses that provide local jobs benefit the community
- Community investments that attract and retain a strong, skilled and diverse workforce also attracts businesses
- Retaining and supporting existing businesses helps sustain a healthy economy

The proposed zoning would allow an existing veterinary clinic location to be used for dog grooming and pet sitting. The previous use as a veterinary clinic would have had the same type of minimal impact on neighboring properties. A diversity of available jobs will help Billings economy and small, locally owned businesses support Billings residents.

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

The new zoning requires minimum setbacks, open and landscaped areas and building separations. The new zoning, as do all zoning districts, provides adequate building separations and density limits to provide security from fire and other dangers. This is an already constructed and established business location and it appears to meet the separation requirements for the district.

3. Whether the new zoning will promote public health, public safety and general welfare?

The proposed zoning (CMU1) would allow the owner to ensure the existing business operation at this location and should not have negative affects on the public health, safety and welfare. The building has been periodically checked by the Fire Marshall and is up-to-date with fire code.

4. Will the new zoning facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirement?

Transportation: The proposed zoning itself will not increase the traffic at this location. It is a comparable use as the previous use of Veterinary clinic and would have similar vehicle trips.

Water and Sewer: Water is provided by the Heights Water District and sewer is provided by the City of Billings.

Schools and Parks: Schools and parks should not be negatively affected by the proposed zoning. The proposed use does not include residential uses.

Fire and Police: The subject property is served by city public safety services. The Police and Fire Departments had no concerns with the zone change.

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

The proposed zoning provides for sufficient setbacks to allow for adequate separation between structures and adequate light and air. The existing building is sited in a way which also provides adequate light and air.

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

Traffic generation for an animal care facility such as pet sitting and grooming would not affect the vehicle or pedestrian traffic. The previous veterinary clinic use would have had similar traffic generation patterns. Bench Blvd was reconstructed a few years ago with a turning lane to ensure there is no traffic backup entering or exiting the property.

7. Will the new zoning promote compatible urban growth?

The proposed zoning is compatible with the adjacent zoning and existing urban growth in the vicinity. Heavy commercial businesses border three sides of the property, making it suitable for dog grooming and dog daycare.

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

This is a suitable use for this parcel of land and the zoning is appropriate in this situation. The Heights Vet Clinic was established in 1976. Dr. Haaland practiced for 43 years until October 1, 2019. During that time the property was zoned HC.

If the property goes back to the closest compatible district to the surrounding neighborhood, CMU1, there would be more options to allow the pet business.

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. Due to the previous type of business at this location the similarity in use should not affect value of adjacent or neighboring properties.

10. Will the new zoning encourage the most appropriate use of land throughout the City of Billings?

The proposed zoning will allow the property a use that is very similar to the previous use and is suitable for the location.

Attachments

Zoning Map & Site Photos
Application & Applicant Letter
Zoning History
Preapplication Meeting Held



Looking North on Bench



Looking South on Bench



East across Bench



APPLICATION FORM

CITY ZONE CHANGE Billings Zone Change # _____ - Project # PZX-22-00011

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 NO

Proposed Zoning: ~~NO~~ CMU1 + see email

TAX ID# D05193 CITY ELECTION WARD 2

Legal Description of Property: HOLLING RANCH SUBD, LOT 8, FRAC W OF BENCH BLVD (LESS 1589 SF ROW)

Address or General Location (If unknown, contact City Engineering): 2204 Bench Blvd

Size of Parcel (Area & Dimensions): 1.808 acres

Present Land-Use: veterinary office (vacant)

Proposed Land-Use: Dog grooming + Daycare

Covenants or Deed Restrictions on Property: Yes _____ No

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): Michael J Haaland

(Recorded Owner)
1852 Three Stars Trail Billings, MT 59105
(Address)
406 259 0370
(Phone Number) (email) Hvclinic43@gmail.com

Agent(s): Lucas Haaland

(Name)
1852 Three Stars Trail Billings MT 59105
(Address)
406 794 4864
(Phone Number) (email) Hvclinic43@gmail.com

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: Michael J Haaland Date: 1/18/2022
(Recorded Owner)



Synopsis
Zone change of NO to CMU1
2204 Bench Blvd
Billings MT, 59105

This is a synopsis of why a zone change from Neighborhood Office (NO) to Commercial Mixed Use 1 (CMU1) at 2204 Bench Blvd is beneficial to the city of Billings, MT. The ten following reasons are answers in regard to the 10 zone change criteria demonstrating the benefit of the aforementioned property.

1) Whether the new zoning is designed with the growth policy:

There are more business coming to Bench Blvd and a growing Mary St development because of the Johnson Lane Interstate project. The continuation of a thriving business will help with the development of the area going forward after the trucking route connecting Johnson Lane Interstate exit and the Roundup Road (87 N) comes in. A growing flourishing business area in this part of the Heights is of benefit to the city of Billings and the adjacent business properties to the north and west neighboring this parcel currently zoned Heavy Commercial.

2) Whether the new zoning is designed to secure from fire and other dangers:

The property of 2204 Bench Blvd is fully insured. The building has been periodically checked by the Fire Marshall and we are up to date with the fire code.

3) Whether the new zoning will promote public health, public safety and general welfare:

The proposed zone change will allow for a Dog Grooming and Doggie Day Care business to operate. Healthier pets equal healthy owners which lead to a healthier economy and a more robust town of Billings, MT. Having the business Petatlantis will create opportunities for employment.

4) Whether the new zoning will facilitate the adequate provision of transportation, water, sewage, schools, parks and other public requirements:

By allowing a more versatile business to thrive in this area, there will be more tax revenues at the local, state and federal levels. This property was zoned Highway Commercial for 43 years. We would rather have a flourishing business rather than an derelict building. The newly designed Bench Blvd facilities improved traffic flow, improved utilities and created safer access to the New Medicine Crow and Bitterroot school. With the expansion of Bench Blvd, sidewalks were added to Bench Blvd. With the building of Medicine Crow School and Bitterroot School nearby, there are a lot of children on the sidewalks. Having drop off traffic and not large trucks entering 2204 Bench Blvd, traffic would be less and safer for children while keeping a business open to generate development.

5) Whether the new zoning will provide adequate light and air:

There is ample indoor, outdoor and covered outdoor area for dogs to roam when not being groomed. There are skylights to bring in light so as to keep electric usage down on sunny days.

6) Whether the new zoning will effect motorized and non motorized transportation:

The road on Bench Blvd was beautifully reconstructed a few years ago with a turning lane so there is no blockage in or out of the property off of Bench Blvd. Along with the widening of Bench Blvd a sidewalk was built. We keep the sidewalk snow free in the winter and cleanup trash the rest of the year. We water the trees planted by the city. The new zoning of CMU1 will allow drop off traffic to continue a business while keeping heavy traffic down such as trucks and trailers so as to keep the safety maximized for the children on the sidewalks going to and from both Medicine Crow and Bitterroot schools.

7) Whether the new zoning will promote compatible urban growth:

Heavy Commercial businesses border three sides of the property making it suitable for Dog Grooming and Doggie Day Care.

8) Whether the new zoning considers the character of the district and the peculiar suitability of the property for particular uses:

Heights Veterinary Clinic was established in 1976. Dr. Haaland practiced 43 years until October

1, 2019. During that time the property was zoned Highway Commercial. If the property goes back to being zoned Highway Commercial (now known as Commercial Mixed Use 1) we would have more options to open another pet business without very large investments by the owners.

9) Whether the new zoning will conserve the value of buildings:

The Dog grooming and Doggie Day Care will improve the value of the building.

10) Whether the new zoning will encourage the most appropriate use of land through out Billings:

A Dog Grooming facility and Doggie Day Care is a natural projection forward from a Veterinary Clinic.

One of the main reasons that the Neighborhood Office Zoning code was assigned to this parcel was because of the current use at the time of the project recode, which was Heights Veterinary Clinic. Since the office has been closed since October 1, 2019 and there is no plan for another Veterinary Office, the property is already setup perfectly for a pet related business, and the established Dog Grooming and Doggie Day Care business Petlantis (currently operates one location on the west end) would like to expand business to this location. The CMU1 allows all pet related businesses and would allow the currently proposed tenant to expand the business and offer new employment and opportunities to residents.

We hope that you agree with us that a Dog Grooming and Doggie Day care facility will not only improve the property but the neighborhood of the Heights which in turn will only improve our town of Billings. Thank you for your consideration of the zone change from Neighborhood Office to Commercial Mixed Use 1.

Thank you,
Mike and Lea Haaland

SUBJECT PROPERTY	Zone Change	DATE	FOR	APPROVED (Y/N)	ADDITIONAL DATA
None					
SURROUNDING PROPERTY	Zone Change	DATE	FOR	APPROVED (Y/N)	ADDITIONAL DATA
2347 Main St	2 (County)	4/1/74	R96-CC	Y	
514 Laurie Lane	137 (County)	9/19/77	R72-CC	Y	
2244 Main St	171 (County)	2/28/78	RMH-HC	Y	
1931 Main St	267 (County)	12/31/79	R60-HC	Y	
2050 Main St	313 (County)	10/1981	RMH-HC	Y	
1602 Main St	314 (County)	3/18/82	NC-HC	Y	
8068 Laurie Lane	454	1/28/85	NC-HC	Y	
1710 Main St	597	7/10/95	NC-HC	Y	
2202 Main St	602	10/10/95	RMH-HC	Y	
636Pemberton &2318Main	639	10/13/98	RMH-HC	Y	
525 Jerrie Lane	726	3/8/04	RMH-HC	Y	
2200 Main St	760	8/8/05	RMH-HC	Y	
2302 Lake Elmo	770	12/12/05	RMH-R60	Y	
406 Roxy Lane	772	1/23/06	RMH-R60	Y	
2100 Main St	859	12/21/09	RMH-HC	Y	

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:** NO (Neighborhood Office)
2. **Written description of the Zone Change Plan** including existing and proposed new zoning:
Change to EX (Heavy Commercial)
CMU1 (Corridor Mixed Use 1) *See email
3. **Subject Property Map:** please attach to this form
4. **Legal Description of Property:**
HOLLINGRANCH SUBD, LOTS 8, FRAC W OF BENCH
BLVD (LESS 1569 SF ROW)
5. **Neighborhood Task Force Area:** Yes // No . If Yes, Name of Task Force and mailing address of Chairperson:
Heights task force, Ming Cabera - Chair
1734 POLYDR, BILLINGS 59102
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 including any written minutes or audio recording.** please attach to this form
9. **The undersigned affirm the following:**
 - 1) The pre-application neighborhood meeting was held on the 23, day of January, 2022
 - 2) The zone change application is based on materials presented at the meeting.

Owner (s): Michael Hoaland Telephone: 406 259 0370
Address: 1852 Three Bars Trail Email: Huclinic43@gmail.com
Billings, MT 59105

Agent (s): Lucas Hoaland Telephone: 406 794 4864
Address: 1852 Three Bars Trail Email: Huclinic43@gmail.com
Billings, MT 59105



Sign -In Sheet

Zoning Change for 2204 Bench Blvd
Billings, MT 59105

January 23, 2022 at 6:00pm

Name (Please Print)

Lucas Haaland
Michael Haaland
Dale Smith

Signature

Lucas Haaland
Michael Haaland
Dale Smith

January 23, 2022 6:00pm

Pre Application Meeting notes

Zoning change from NO to CMU1

The meeting is about a zone change of 2204 Bench Blvd from Neighborhood Office to Heavy Commercial.

Before the meeting and speaking with planners Erin Keith and The Chairman of the Heights Task Force Ming Cabrera, it became clear that a CMU1 was a better zone designation for 2204 Bench Blvd.

At the meeting Dale Smith said Heavy Commercial would bring heavy Large truck and trailer traffic to Bench which has residential zoning nearby. Now that there are two schools, Medicine Crow and Bitterroot School, there is a lot of children on the sidewalks going to and from school. Keeping large trucks away from this area would maintain a safer traffic flow for the children.

He also commented that he has no problem with a Dog Grooming and Doggie Day Care business at 2204 Bench Blvd.

It was agreed by all 3 people at the meeting, Dale Smith, Lucas Haaland and Michael Haland that a zoning of CMU1 is the best zone designation to continue a business at 2204 Bench for business and employment opportunities while maintaining the safety of children in keeping the business to drop-off traffic.

Dear Neighbor,

This letter concerns the property located at 2204 Bench Blvd, Billings MT 59105. Also legally known as HOLLING RANCH SUBD, LOT 8, FRAC W OF BENCH BLVD (LESS 1569 SF ROW) .

The owners of this property, Michael and Lea Haaland are requesting a zone change from Neighborhood Office to Heavy Commercial. The zone change is to allow the property to be used for Dog Grooming and Doggie Day Care.

There will be a meeting at the property 2204 Bench Blvd Billings MT 59105 at 6:00pm on Sunday January 23, 2022. Feel free to come to voice any concerns.

You may also get in contact with us at:
Michael and Lea Haaland
2204 Bench Blvd
Billings MT 59105
(406) 259-0370
Hvclinic43@gmail.com

Thank you,

Mike and Lea Haaland



Keith, Erin

From: Doc Vet <hvclinic43@gmail.com>
Sent: Wednesday, January 26, 2022 11:07 AM
To: Keith, Erin
Subject: [EXTERNAL] Fwd: presentation by Dr. Haaland zone change to Heights Task Force

----- Forwarded message -----

From: Pam Ellis <pamellis50@gmail.com>
Date: Wed, Jan 26, 2022, 9:30 AM
Subject: Re: presentation by Dr. Haaland zone change to Heights Task Force
To: Ming Cabrera <mingformontana@gmail.com>
Cc: Bartley, Robbin <bartleyr@ci.billings.mt.us>, Doc Vet <hvclinic43@gmail.com>, Steven Herron <seherron@yahoo.com>, Ed Arnold <seaboats1951@gmail.com>, Laura Drager <lauradrager@remax.net>

Thank you for the update.

On Wed, Jan 26, 2022 at 9:02 AM Ming Cabrera <mingformontana@gmail.com> wrote:

Dear City and County Planning Committee

On January 25, 2022 at the Billings Heights Task Force meeting, Dr. Haaland and son (Luke) discussed publicly their desire to be re-zoned at the business 2204 Bench Blvd from Neighborhood Office to Mixed Use Commercial zoning. A neighbor across the street agreed with this assessment rather than a zone previously submitted as Heavy Commercial zoning.

A vote was taken at the Heights Task Force to let the planning department know a public meeting was acknowledged and set forth this letter to agree to the Haaland planned development as stated above.

The notes were taken and recorded at the Height's Task Force meeting for further substantiation. I would like to thank Dr. Haaland and family for participation and cordial discussion to continue their need to restructure their business plan to accommodate a dog care salon and boarding.

Sincerely
Ming Cabrera
Chair Height's Task Force

Zoning Commission

Date: 03/01/2022
Title: Zone Change 1011- 60th St West and Grand Avenue - Mixed Residential PND - From RR3 to N2, N3, NX2 and Public 1
Presented by: Nicole Cromwell
Department: Planning & Community Services
Presentation: Yes

Information

RECOMMENDATION

Planning staff recommends approval and adoption of the findings of the 10 review criteria for Zone Change 1011.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

This is a zone change request using the Planned Neighborhood Development zone change process for a proposed annexation of a 33.64 acre parcel located south of Grand Avenue and 60th St West. Trails West Subdivision is adjacent to the east and Foxtail Village Subdivision is north across Grand Avenue. The proposed Mixed Residential PND will include 5 acres of N2, 19 acres of N3, 3.6 acres of NX2 and about 5 acres of open space (P1). The PND regulations require either a Mixed Residential zone or commercial/mixed use zone for any arterial street frontage. This ensures the most efficient use of the valuable arterial street frontage.

The PND is a new zoning tool to help guide the coordination of annexation, subdivisions, and master planning for new city neighborhoods. The previous zoning code allowed urban-type zoning districts in both the city and the county. In many cases, developers were "pre-zoning" parcels in the county prior to annexation. The new PND process is allowing developers to process all the zoning with the City Council, phase the annexation of the property (if necessary), and coordinate both of these processes with subdivision or master site plan review. The new tool applies a level of certainty to all stakeholders, including the surrounding property owners.

This zone change is for a Mixed Residential PND process and includes mixed residential zoning (NX2), N2 and N3 zoned areas along with the minimum required Public 1 zoning of at least 2% of the net area.

APPLICATION DATA

OWNER: Buffalo Crossing LLC, Doug Wild
AGENT: WWC Engineering, Aaron Redland
LEGAL DESCRIPTION: Tracts 4A of C/S 2735
CURRENT ZONING: Rural residential 3 (RR3 - 3 to 9.9 acre lots)
EXISTING LAND USE: Agriculture
PROPOSED USE: Mixed Residential development with 1-2 family as well as multi-family residences
SIZE OF PARCEL: 33.64 acres

CONCURRENT APPLICATIONS:

Petition for Annexation 22-03

SURROUNDING ZONING AND LAND USE:

NORTH: Zoning: N2 - Mid-Century Neighborhood and RR3
Land Use: Two-family dwellings and agricultural land
SOUTH: Zoning: Agriculture (A)
Land Use: Agricultural
EAST: Zoning: N3 - Suburban Neighborhood
Land Use: Medium density single family dwellings (6 to 8 dwellings per acre)
WEST: Zoning: RR3
Land Use: Agricultural

This area of Billings has experienced a great deal of growth and development in the past decade. This includes one Planned Development zone (Mont Vista), a new subdivision using the PND process (Sweetgrass Creek), Trails West, Foxtail Village, Vintage Estates, Cottonwood Grove, a new middle school (Ben Steele Middle School), a new church on 54th St West, and several new commercial developments including the Den, Diamond X Brewery and an Albertson's grocery store/pharmacy under construction on the northeast corner of 54th St West and Grand Avenue. There has also been a number of new County residential subdivisions including Fire Rock (64th St W), Black Rock (Central and 52nd St W), and Creekside Estates (62nd St W). Demand in this area north and west of Shiloh Road and Central Avenue continues to be higher than other areas of

Billings.

At least two decades ago, local planning and growth policy documents indicated a need for independent living units for aging residents who want to "downsize" from a maintenance heavy single family dwelling on a large lot to unit ownership or townhomes as well as rental apartments. The 2010 Census indicated Billings, like many other urban areas, saw a reduction in average household size to 2.3 persons. Smaller households, aging residents and the higher costs of all housing has driven the demand for apartments, townhomes, and smaller multi-family products. Developers have made robust investments in multi-family dwelling choices in other areas of west Billings but primarily south of Central Avenue in areas around Broadwater Avenue, Monad Road and King Avenue West. There are a few townhomes in Grand Peaks (50th St W and Grand Ave), a few in Falcon Ridge (62nd St W north of Rimrock), and one newer apartment development at 41st St W and Avenue B.

There are challenges to an area of urban development that is on the edge of the city limits. These challenges include ensuring the adjacent county property owners and uses are acknowledged as much as possible in these transitional areas with the new urban neighborhood residents and uses. This is not meant to ensure similarity or homogenous development patterns between the city and county, but the development plan includes buffering, connectivity where and when needed, and recognition of similar goals for both types of property. The 2016 Billings Growth Policy and the 2001 West Billings Neighborhood Plan goals and policies support the proposed Mixed Residential PND zoning process to achieve a broader mix of housing types. The West Billings Neighborhood Plan goals and objectives stated the need to locate compatible uses and offer a range of housing choices and development densities. The proposed zone change supports these goals. The 2016 Billings Growth Policy supports a broad range of housing choices, encourages more walkable neighborhoods with connectivity to other transportation options, and building the community fabric through urban designed public spaces. The proposed zone change supports these goals as well.

STAKEHOLDERS

The applicant conducted a pre-application neighborhood meeting on January 22, 2022 at the subject property. Thirty-two persons attended the meeting including the applicants and agents, Doug Wild, for the applicant and Greg Reid and Aaron Redland for WWC Engineering. The required notification area for all new PND zone changes is 1/4-mile from the property boundary. In this case, 298 individual property owners and interested parties were notified of the pending zoning application. The summary of the meeting is included in the attachments.

In general, the questions from the surrounding owners included interest in connection to existing streets, traffic, dwelling unit designs and the potential for commercial development. Traffic conditions and impacts from the development will be required to be addressed via the annexation and subdivision agreement with the City. The annexation will precede the subdivision application so this property requires a Development Agreement for the annexation and a Subdivision Improvement Agreement (SIA) when the subdivision is finalized. Both documents cover similar issues such as traffic impacts and mitigation, construction of infrastructure and any waivers for future improvements that benefit the development. Zone changes, in no circumstance, can be approved with conditions, but annexations and subdivision are able to be conditionally approved.

Planning staff did not receive any written comments or phone calls from the surrounding owners prior to preparing this staff report and recommendation. City staff and departments had no negative comments on the proposed annexation and zoning plan.

ALTERNATIVES

The Zoning Commission may:

- Recommend approval and adoption of the findings of the ten review criteria for Zone Change 1011; or,
- Recommend denial and adopt different findings of the ten review criteria for Zone Change 1011; or,
- Delay action on the zone change request for up to 30 days; or,
- Allow the applicant to withdraw the zone change request.

The Zoning Commission is required to make a recommendation to the City Council on this application for zone change. The application will not proceed to the City Council without a recommendation.

FISCAL EFFECTS

Approval or denial of the proposed zone change will not have an effect on the Planning Division budget.

SUMMARY

Before making a recommendation to the City Council, the Zoning Commission shall consider the following findings of the ten review criteria:

1) Is the new zoning designed in accordance with the Growth Policy?

The proposed zone change is consistent with the following guidelines of the 2016 Growth Policy and the West Billings Neighborhood Plan (2001):

The West Billings Neighborhood Plan goals and objectives stated the need to locate compatible uses and offer a range of housing choices and development densities. The West Billings Plan adopted a number of Goals, Policies, and Implementation Strategies. The proposed Mixed Residential PND process for the Buffalo Crossing property is consistent with the following adopted Policies of Planned Growth Goal 1: Establish Development Patterns that Use Land More Efficiently

Policy R "Encourage innovative land-use planning techniques to be used in building higher density and mixed-use developments as well as infill developments."

The proposed zoning is compatible with goals of the West Billings Neighborhood Plan. The proposed zone change and street layout will accommodate uses that are compatible in a mixed-residential environment. The proposed development will also have good access to outdoor activities and is in proximity to developing commercial activity and transportation options.

The proposed amendment is also in line with the adopted 2016 Growth Policy goals for:

Strong Neighborhoods:

- Zoning regulations that allow a mixture of housing types provide housing options for all age groups and income levels
- Walkable neighborhoods that permit convenient destinations such as neighborhood services, open space, parks, schools and public gathering spaces foster health, goodwill and social interaction
- Safe and livable neighborhoods can be achieved through subdivision design that focuses on complete streets, pedestrian-scale street lights, street trees and walkable access to public spaces
- Neighborhoods that are safe and attractive and provide essential services are much desired Implementation of the Infill Policy is important to encourage development of underutilized properties

Home Base:

- A mix of housing types that meet the needs of a diverse population is important
- The Housing Needs Assessment is an important tool to ensure Billings recognizes and meets the demands of future development Common to all types of housing choices is the desire to live in surroundings that are affordable, healthy and safe
- Planning and construction of interconnected sidewalks and trails are important to the economy and livability of Billings Public safety and emergency service response are critical to the well-being of Billings' residents
- Homes that are safe and sound support a healthy community

The proposed layout for the Buffalo Crossing property will allow the mixed residential housing to be located adjacent to the arterial street frontage to make the most effective use of this valuable street frontage. The N2 and N3 zone districts are further south and will be compatible with the adjacent city and county land uses. The layout of the linear parkland across the Grand Avenue frontage, south along the easterly property line and across the south property line will provide benefits both for recreation (walking, biking access) and for maintenance of agricultural infrastructure for irrigation and drainage. The Birely Drain runs north to south along the eastern property line, and another leg of the drain runs west to east across the southern property line. An unnamed drain runs along the southern 700 feet of the west property line. This drain joins with the Birely Drain on the south property line. There is active agriculture in the surrounding area so maintaining the integrity of these drains is important even in a new city subdivision.

2) Is the new zoning designed to secure from fire and other dangers?

The zoning requires minimum setbacks, open and landscaped areas and building separations. The zoning assembly and street layout is designed to secure the development from fire and other dangers.

3) Whether the new zoning will promote public health, public safety and general welfare?

Public health and public safety will be promoted by the proposed change. Approval of the overall zoning plan and street layout will provide certainty both for the property owner and the surrounding owners. Annexation and provision of public health and safety services from the city will promote the general welfare of the area.

4) Will the new zoning facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirement?

Transportation: The applicant has started the process of developing a traffic impact study and will coordinate with the city Engineering Division. Grand Avenue is a checkerboard of jurisdiction between the city and county west of Shiloh Road. The West Billings Multi-Modal Traffic Planning Study identified the Grand Avenue corridor for street improvements

to increase safety. This study indicated the corridor improvements from Shiloh to 52nd St West would be between 2.8 and 4.5 million dollars (2016). The city and county have not yet agreed to begin design for the corridor improvements. Individual intersection improvements - the traffic signal at 54th St W and Grand Avenue for example - have been completed. Two other intersections were identified for improvements in the study - 48th St West and Grand Avenue and 56th St West and Grand Avenue. These intersection improvements were separate from the corridor improvements. Each intersection was estimated to cost between one-half million and 1.5 million dollars. The city has been collecting intersection and corridor improvement payments from developments in this area for over a decade. These funds are set aside to fund these improvements in the future. For example, the traffic signal at Grand Ave and 54th St West was funded by these set-aside dollars provided by adjacent developments. The traffic study for this development will analyze each of the adjacent street intersections and determine if mitigation or improvements are needed to accommodate the additional traffic. The City Engineering will determine the required improvements.

Water and Sewer: The City will provide water and sewer to the property. There will be no additional impacts to the system from the proposed changes.

Schools and Parks: Schools and parks may be effected by the proposed zone change and development of a new city neighborhood. SD #2 did not provide any comments.

Fire and Police: The subject property is served by city public safety services. The Police and Fire Departments had no concerns with the zone change.

5) Will the new zoning provide adequate light and air?

The proposed zoning provides for sufficient setbacks to allow for adequate separation between structures and adequate light and air.

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

Non-motorized travel -- walking and biking -- is an essential part of the circulation plan both within the proposed development and connecting to adjacent areas. Pedestrian connections will be ensured through the development. There is a partially completed multi-use trail east of the subject property on Grand Avenue that is expected to continue along the corridor. Traffic counts in the area on Grand Ave are well below the expected volume on a principal arterial street. Although counts on Grand Avenue average less 6,000 vehicle trips per day, the twice daily pulse of traffic at Ben Steel Middle School is not included in the "average" traffic volume. Ben Steele school opened in the fall of 2017 and has a current student population of 815. As noted above, the West Billings Multi-Modal Planning study from 2016 identified the Grand Avenue Corridor and two intersections in need of improvements for traffic safety in the short term project list. Additional development along this corridor will increase the need for these recommended improvements.

7) Will the new zoning will promote compatible urban growth?

The proposed increase in the overall development density is compatible with urban growth and the provision of city level services to the new residents. The proposed zone district boundaries are consistent with the urban growth in this area and will be compatible with the surrounding neighborhoods

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

The proposed zoning does consider the character of the district and the suitability of the property for the proposed use. This area between Grand Avenue and Rimrock Road, from Shiloh Road to 64th St West is undergoing rapid urban development and growth. Demand for new housing choices including townhomes and apartments is increasing. Providing a wide range of housing choices is suitable for this area.

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

The property is an undeveloped agricultural parcel. Approval of the zone change will provide certainty to surrounding landowners and may help to maintain property values of adjacent buildings.

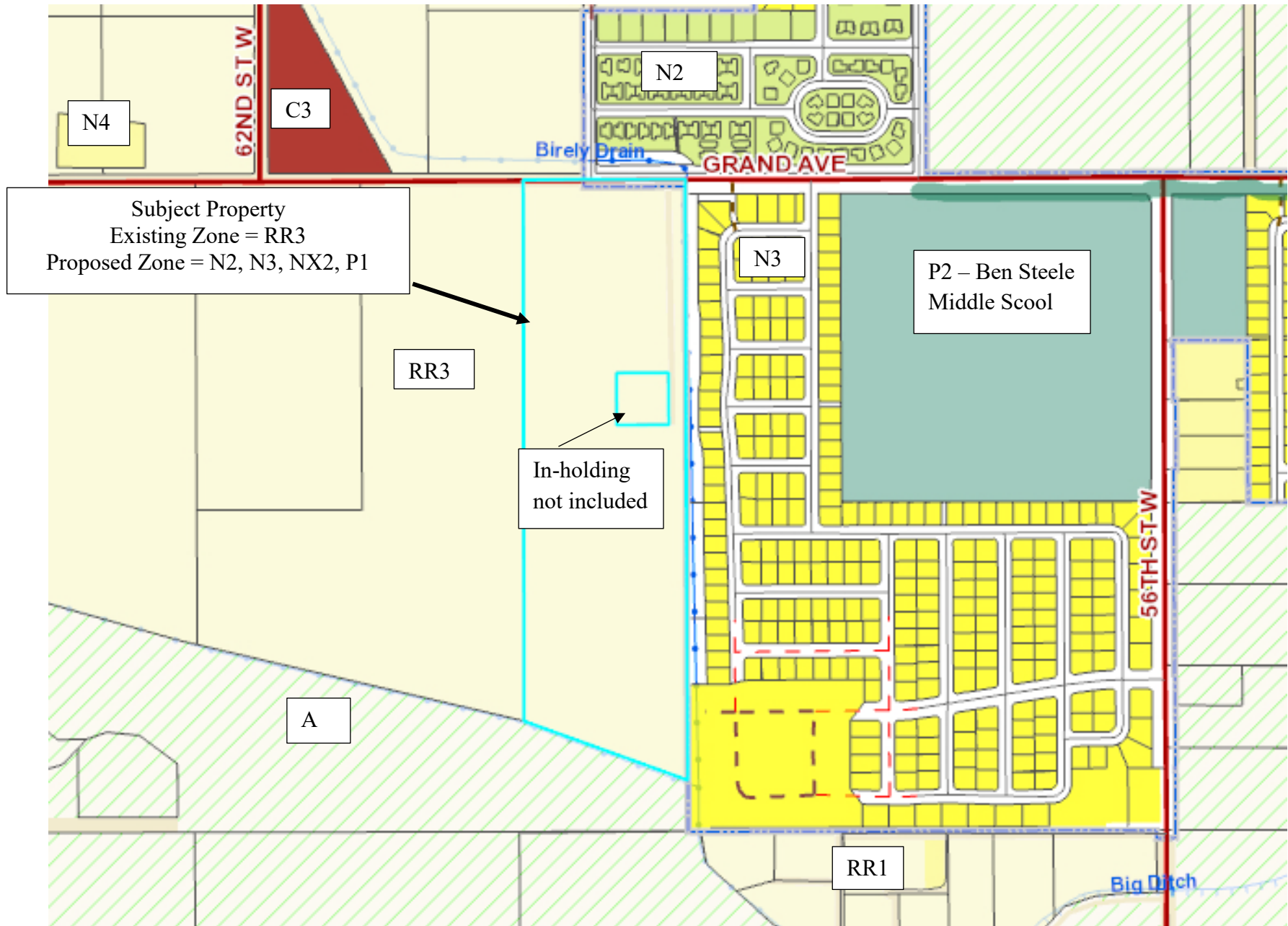
10) Will the new zoning encourage the most appropriate use of land throughout the City of Billings?

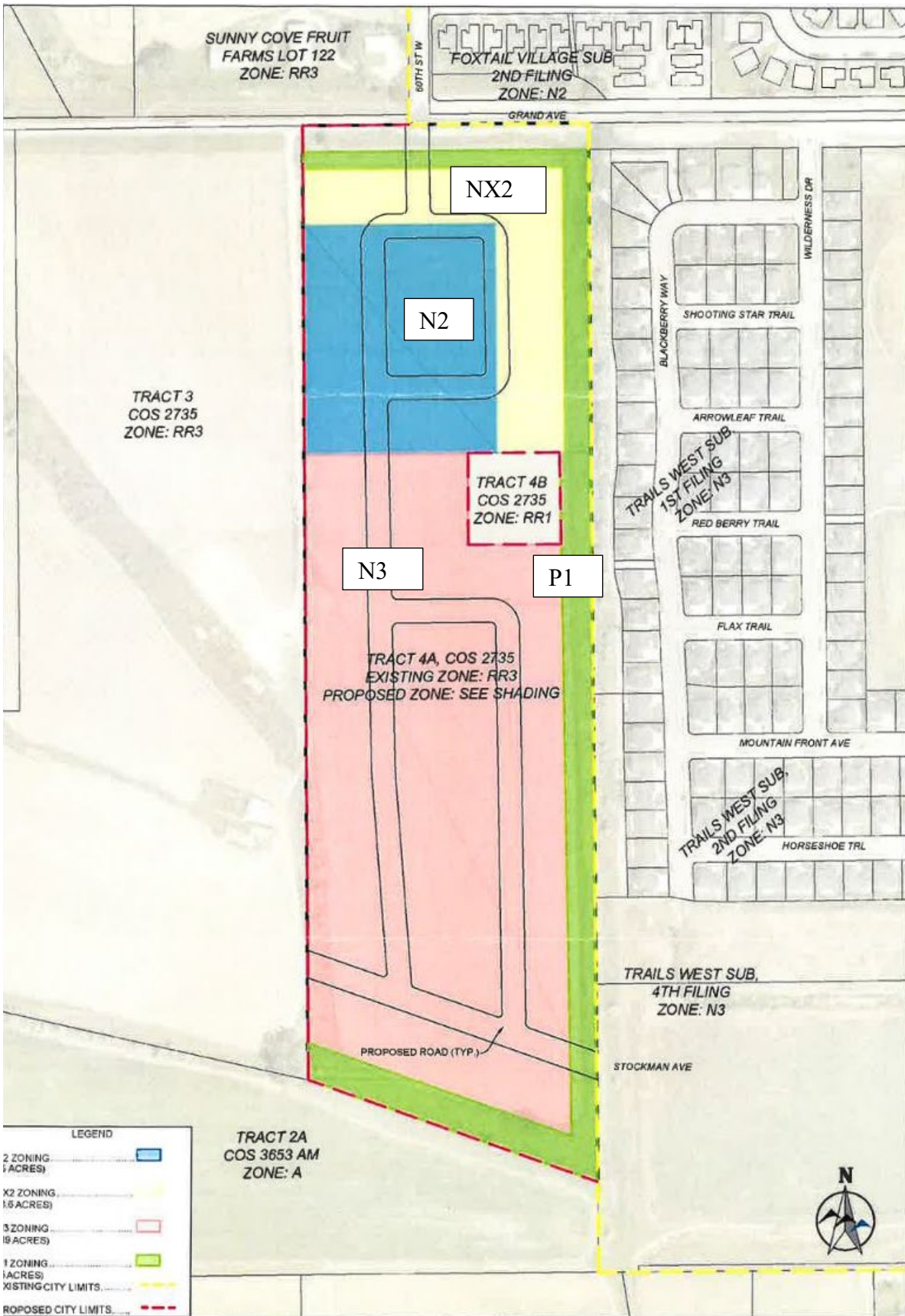
The proposed Mixed Residential PND zone change process with N2, N3, NX2, and Public 1 zoning will encourage the most appropriate use of this land in Billings.

Attachments

Zoning Map and Site Photos
Application and Letter
Pre application meeting notes
West End Multi Modal Traffic Study
Zoning History

City Zone Change 1011 – Buffalo Crossing LLC
Zoning Map and Site Photos





TRACT 3
COS 2735
ZONE: RR3

SUNNY COVE FRUIT
FARMS LOT 122
ZONE: RR3

FOXTAIL VILLAGE SUB
2ND FILING
ZONE: N2

NX2

N2

TRACT 4B
COS 2735
ZONE: RR1

N3

P1

TRACT 4A, COS 2735
EXISTING ZONE: RR3
PROPOSED ZONE: SEE SHADING

TRAILS WEST SUB
1ST FILING
ZONE: N3

TRAILS WEST SUB
2ND FILING
ZONE: N3

TRAILS WEST SUB,
4TH FILING
ZONE: N3

TRACT 2A
COS 3653 AM
ZONE: A

LEGEND

2 ZONING (1 ACRES)	
X2 ZONING (1.5 ACRES)	
3 ZONING (9 ACRES)	
1 ZONING (1 ACRES)	
EXISTING CITY LIMITS	
PROPOSED CITY LIMITS	



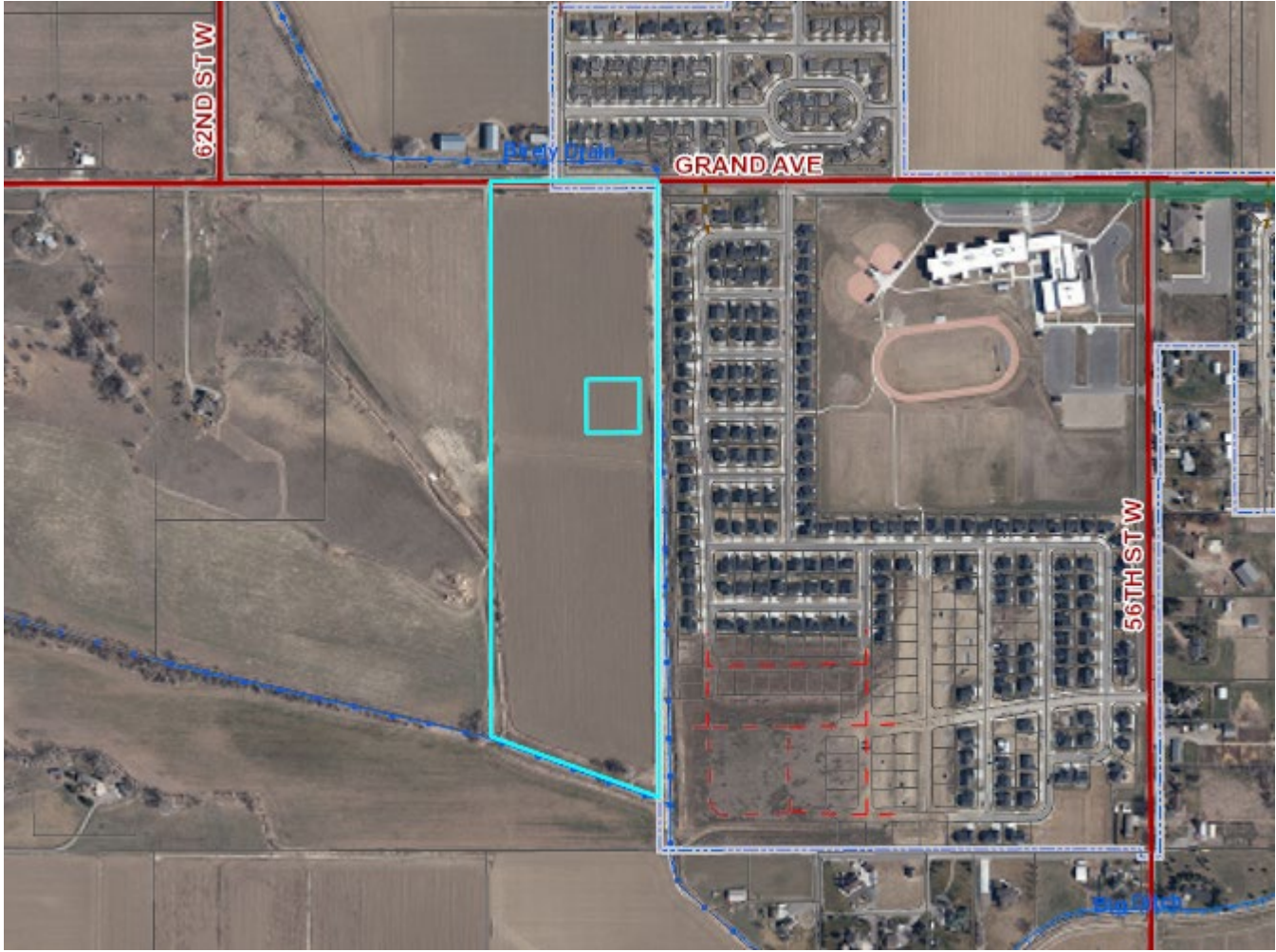
DESIGNED BY: JAC
DRAWN BY: JAC
CHECKED BY: JAC
DATE: 07/20/2022
SHEET 07

ISLAND MOUNTAIN DEVELOPMENT
COS 2735 TRACT 4-A
PROPOSED ZONING
YELLOWSTONE COUNTY, MT

PREPARED BY
WWC ENGINEERING
660 S. 24TH ST., W. SUITE 201
BILLINGS, MT 59102
(406) 264-2213
www.wwcengineering.com

NO.	REVISION	BY	DATE

PROJECT NO. 2021577







Trails West

View south and east across Grand Avenue





View east on Grand Avenue



APPLICATION FORM

CITY ZONE CHANGE Billings Zone Change # 1011 - Project # P2x22 - 00032

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 Rural Residential (RR-3)

Proposed Zoning: Mixed Residential Planned Neighborhood Developement (MR-PND)

TAX ID# D11914A CITY ELECTION WARD N/A

Legal Description of Property: Tract 4 of Certificate of Survey No. 2735

Address or General Location (If unknown, contact City Engineering): 60th Street W/Grand Ave

Size of Parcel (Area & Dimensions): Tract 4 = 33.64 acres

Present Land-Use: Vacant

Proposed Land-Use: residential subdivision development

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): Buffalo Crossing, LLC

(Recorded Owner) 353 Old Hays Road, Hays, MT 59527

(Address) 406-670-2242 doug.wild@cdhmontana.com

(Phone Number) (email)

Agent(s): WWC Engineering - Aaron Redland

(Name) 550 S. 24th Street W, Billings, MT 59102

(Address) 406-894-2210 aredland@wwcengineering.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:  Date: 01/28/2022

(Recorded Owner) Representative for Buffalo Crossing, LLC



(1) Whether the new zoning is designed in accordance with the growth policy;

The 2016 City of Billings Growth Policy, states that growth will be managed by "encouraging development within and adjacent to the existing City limits, but preference will be given to areas where City infrastructure exists or can be extended within a fiscally constrained budget and with consideration given to increased tax revenue from development." The proposed zone change would provide additional tax revenue to the city and provide an expansion of city services onto the adjacent infill lot that is bordering existing residential development.

(2) Whether the new zoning is designed to secure from fire and other dangers;

The change of Rural Residential (RR-3) to Mix Residential-Planned Neighborhood Development (MR-PND) that will include a mix of N-2, N-3, and NX-2 zoning would not create any dangers within the neighborhood. With the zone change, the developer intends to develop residential properties. There are existing fire hydrants located at the intersection of 60th Street West and Grand Avenue, and Wilderness Drive and Grand Avenue, therefore there are no anticipated dangers of fire protection with the development. Further, development of the property as MR-PND City Development in lieu of RR-3 County development will include additional fire hydrants for protection of residences in the area.

(3) Whether the new zoning will promote public health, public safety and general welfare;

The proposed zone change from RR-3 to MR-PND would allow for the developer to expand existing residential development within the area. The developer will be required to improve existing infrastructure adjacent to the property and install new infrastructure within the development such as water, sewer, and stormwater retention. These extensions will allow additional properties to the west to be developable properties within the City of Billings. The required improvements within the development will include curb/gutter, sidewalk, and improvements on Grand Avenue along the subject property. When new roads are installed within the development, they will be required to meet the City of Billings standards for curb/gutter, boulevard, sidewalk, and roads. The expansion will improve the property value in the neighborhood and eliminate vacant property within the city limits.

(4) Whether the new zoning will facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements;

The proposed zone change from RR-3 to MR-PND will positively impact transportation surrounding the property. The development will require improvements on the southerly portion of Grand Avenue along the developer's property which will include curb/gutter and sidewalk.

The City of Billings will be providing the water service. With an existing main along Grand Avenue, there is an immediate access to water service for the development. The property may also be served by the gravity sanitary main within Grand Avenue, as far as practical while maintaining burial depths on the sanitary main. The southerly half of the proposed development is anticipated to be designed with a low pressure sanitary sewer system connecting to a manhole located in the northly half of the development .

Since the development will be residential, the neighborhood schools and parks may be impacted by this zone change. This will depend on the types of individuals that purchase property within the development.

(5) Whether the new zoning will provide adequate light and air;

RR-3 development and N-2, N-3, and NX-2 development are all to be residential development, with the exception that N-2, N-3, and NX-2 development are in the City and would require an area for stormwater to be ponded as open space. As such, the city developments would be expected to have an increase of structures with open space maintained resulting an increase in the impacts to light and air.

(6) Whether the new zoning will effect motorized and nonmotorized transportation;

The proposed zoning will not have a negative effect on motorized and nonmotorized transportation. The motorized transportation will be entering the property from either Grand Avenue or from Stockman Avenue with the new development. As part of the subdivision development requirements, the southerly portion of Grand Avenue along the subject property will need to be widened with installation of new curb/gutter and sidewalk based on the City of Billings standards. Those improvements will allow nonmotorized transportation to travel safely outside the property.

(7) Whether the new zoning will promote compatible urban growth;

The proposed zoning will allow the developer to expand the residential development within the area. The development will be required to satisfy the City of Billings regulations for residential development on the street, sidewalks, water, sewer, and stormwater. The residential expansion is on vacant property immediately adjacent to a City of Billings residential neighborhood. Development of this property minimally expands City services while significantly expanding the city limits. Additionally, the required property improvements such as improvements for stormwater, Stockman Avenue as a collector roadway, and pedestrian pathways, will increase the value of property within that area.

(8) Whether the new zoning considers the character of the district and the peculiar suitability of the property for particular uses;

The character of the district surrounding the subject property, is a mix of residential and agricultural. The proposed zone change from RR-3 to MR-PND would allow the property to stay consistent with the adjacent development to the east which is also zoned for N-3 and the development to the north is zoned N-2. For completion of the residential development, the developer will be required to comply with the requirements for residential development such as (but not limited to) infrastructure improvements.

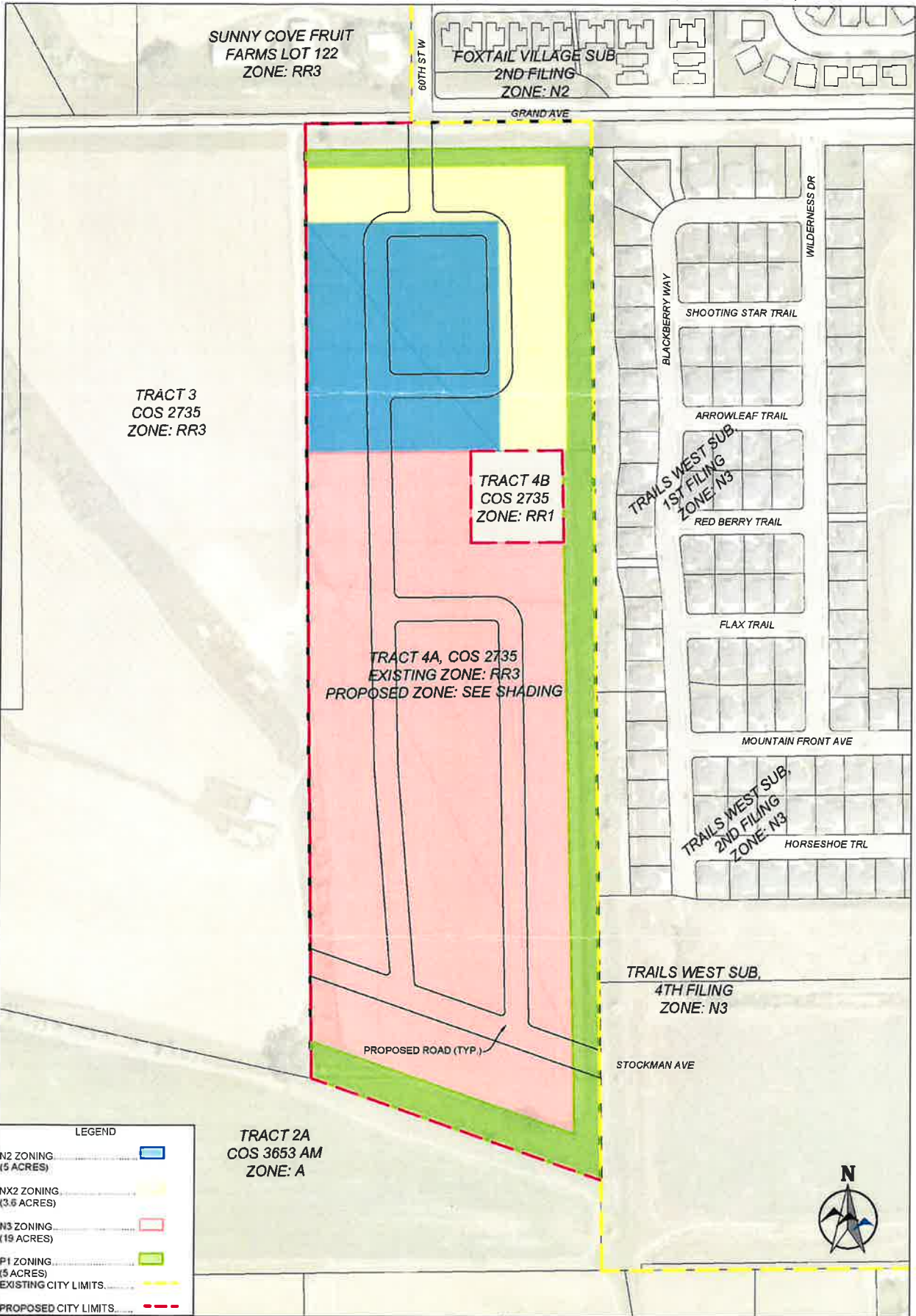
(9) Whether the new zoning will conserve the value of buildings; and

Immediately adjacent to the proposed development is an existing N-2 and N-3 development, Foxtail Village Subdivision and Trails West Subdivision, respectfully. As such, this development would not be changing the type of residential development that exists within the neighborhood. Further, the vacant property will be developed by changing the zoning to allow the extension of residential development, which will remove vacant property from the area and improve it to City of Billings standards with a widened roadway and sidewalks in the public right-of-way adjacent to the property.

(10) Whether the new zoning will encourage the most appropriate use of land throughout the City of Billings.

Given the demand of residential development within Billings, this proposed zone would allow the developer to provide additional residential property. The development of residential property would generate a return on investment for the City of Billings due to the minimal extension of services to the property. The property is located adjacent to an arterial street and is in an area of significant other residential expansion of the City of Billings. Continued growth of this area as residential property increases the return on investment of the City for all improvements previously done in Grand Avenue (intersection improvements, water/sewer/storm utilities, and roadway improvements). Further, the property is located immediately adjacent to several legs of the Birely Drain, which is the prominent storm drainage facility within the West End of Billings.

The current zoning, (RR-3), of the subject properties is a county zoning district. The developer has also submitted the petition for annexation to the City of Billings and the proposed zone, MR-PND, will be an extension of the current zoning north and east of the subject property including the required NX-2 zoning.



DESIGNED BY: SMC
DRAWN BY: SMC
CHECKED BY: AMK
DATE: 07/27/2022

ISLAND MOUNTAIN DEVELOPMENT
COS 2735 TRACT 4-A
PROPOSED ZONING
YELLOWSTONE COUNTY, MT

PREPARED BY
WWC ENGINEERING
650 S. 24TH ST. W. SUITE 201
BILLINGS, MT 59102
(406) 804-2210
www.wwcengineering.com

NO.	REVISION	BY	DATE

PROJECT NO. 2021577

Pre-Application Neighborhood Zone Change Meeting - Buffalo Crossing LLC
 January 22, 2022 at 10:00 am

	Name	Address	Phone no.
1	B HAFEDT	802 Bitterbrush	868-4277
2	Jenny & Tammy Ceri Robinson	801 Bitterbrush St	406-240-4200
3	Ann Palmer	5727 Horseshoe	406-698-0915
4	Larry Palmer	" "	
5	Dan Sloan	1805 60th Str. west	406-839-6289
6	Dobbie Pezoldt	931 Ninebark St	406-451-4668
7	Doug Pezoldt	"	"
8	Howard Holz	1120 Blackberry Way	406-534-4340
9	Philip & Lauren Swain	938 Blackberry Way	832 928 0501
10	George Jarovich	3647 Donna Drive	406-652-1121
11	Troy & Taylor Schlehober	804 Grouseberry St.	406-694-2698
12	Tony Golden For M: School A. P: MHA	1008 Phil. Circle Lorelei, MT	406-360-6364
13	Carolyn Pluhar	922 N Fork TFI Bluffs	406-670-4414
14	Larry & Doreen	2946 Foxtail Loop W	406 698-2557
15	Nicki Soekwall	5940 Foxtail Loop W	405-622-5732

Pre-Application Neighborhood Zone Change Meeting - Buffalo Crossing LLC
 January 22, 2022 at 10:00 am

	Name	Address	Phone no.
16	LARON PLUHAR	1720 60TH ST W	(406) 860-1956
17	Shirley Mohr	5726 Horseshoe Tr	406 939-0082
18	CHARLES MOHR	5726 Horseshoe Tr	406 939-0082
19	Chet Blotske	1700 60th St. W	406-694-3065
20	Brad Wilson	422 SHAMOCK LAWN ^{Bureau of} 59102	406-855-4755
21	TRACEE MORGAN	1341 BLACKBERRY WAY	(406) 697-2077
22	DON LOHRENTZ	1705 60th ST W	406-698-6633
23	CHRISTOPHER FADLEY	1202 Blackberry way	406 671-2618
24	S. McDermit	5747 Foxtail Lane	406-702-1772
25	K. Wyrcas	5824 Mountain Front Ave	406-861-2453
26	MIKE WYRCAS	5824 Mountain Front Ave	406 855-8856
27	Troy Kelly	5823 Flax Tail	206-755-9991
28	Chad Kiernan	1126 Blackberry way	406-927-8367
29			
30			

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:** RR-3, Rural Residential _____
2. **Written description of the Zone Change Plan** including existing and proposed new zoning:

The existing zoning is Rural Residential (RR-3) and the proposed zoning for the property is Mixed Residential Planned Neighborhood Development (MR-PND with NX-2, N-2, and N-3.

3. **Subject Property Map:** See attached
4. **Legal Description of Property:** Tract 4A of Certificate of Survey No. 2735,
5. **Neighborhood Task Force Area:** Yes No . If Yes, Name of Task Force and mailing address of Chairperson: Howard Holz
billingswetf@gmail.com _____
6. **Roster of persons who attended the pre-application neighborhood meeting:** See attached
7. **A copy of the meeting notice.** See attached
8. **A brief synopsis of the meeting results including any written minutes or audio recording.**
See attached
9. **The undersigned affirm the following:**
 - 1) The pre-application neighborhood meeting was held on the 22nd day of January, 2022.
 - 2) The zone change application is based on materials presented at the meeting.

Owner (s): Buffalo Crossing, LLC Telephone: 406-670-2242
Address: 353 Old Hays Road, Hays, MT 59527 Email: doug.wild@cdhmontana.com

Agent (s): WWC Engineering Telephone: 406-894-2210
Address: 550 S. 24th Street W, Billings, MT 59102 Email: aredland@wwcengineering.com

Buffalo Crossing LLC Zone Change Pre-Application Neighborhood Meeting Minutes

January 22nd, 2022 at 10:00 am

Attendance:

Greg Reid – WWC Engineering

Aaron Redland – WWC Engineering

Doug Wild – Owner's Representative

See attached sign-in sheet and emails received

The meeting was opened by WWC Engineering (WWC) giving a description of the current zoning and the proposed zoning. WWC also explained the zone change process along with the Zoning and Council meetings that are required for the zone change to be completed. Doug provided information on the future development plan of the property.

The area residents were then asked to provide comments or concerns regarding the zone change. The following list summarizes the comments received. Additional comments unrelated to zoning of the property were made and those were not included within the list below, such as asking how sanitary sewer would be provided to lots within the subdivision.

- Is the development anticipated to provide connection to Stockman Avenue?
 - Yes.
- What improvements will be made to the roads for increased vehicle and pedestrian traffic?
 - The roads will be designed and constructed according to the current Subdivision Regulations and City of Billings Public Works Standards.
- What building standards will be implemented with potential groundwater?
 - That will be determined by foundation design as part of building permits.
- How many multi-family units will be constructed?
 - That will be determined when we progress into the engineering design of the subdivision.
- Is the NX zoning required to be located adjacent to Birely Drain as well?
 - No, but it is preferred as the existing access easement is along the drain could serve a dual purpose.
- Is the N2 zoning required as part of the PND?
 - Per the current City of Billings Zoning Code, "One NX-category zone district is required, and one N-category zone is required in the MR-PND. The owner has selected to use N-2 and N-3.
- Why are the garages on the multi-family units facing the rear of the property?
 - Per the current City of Billings Zoning Code, garage location and entrance is required on the rear half of the building within NX-2 zoning.
- Who are the entities of Buffalo Crossing LLC?
 - They are a branch of Island Mountain Development Group.
- How will the Birely Drain affect setbacks with the access easement on the property?

- The access easement to the 1-acre parcel is separate from Birely Drain easement. The Birely Drain has been contacted and we are aware of their access needs.
- Is the separate one-acre parcel included within the zone change/annexation?
 - No.
- How can we be certain that this does not turn out similar to the Den situation?
 - The owner is requesting for a residential zone change, not a commercial.
- There were general statements about this development de-valuing the adjacent properties and subdivisions.

EXECUTIVE SUMMARY

The West End Multi-Model Planning Study is the result of a collaborative effort between the Billings-Yellowstone County Metropolitan Planning Organization (MPO), the City of Billings, Yellowstone County and the consultant Project Team (Sanderson Stewart and Fehr & Peers). The purpose statement for the study is as follows:

To evaluate the cumulative effect of ongoing and projected future land development and population growth on the multi-modal transportation system for the area of Billings west of Shiloh Road

This document provides guidance in terms of cost and prioritization for multi-modal transportation system projects in the study area based on a pair of land development projection scenarios for the 20-year period leading up to the study Horizon Year of 2035.

Study Area

The study area for the West End Multi-Modal Planning Study is depicted at right in **Figure ES1**. The areas shown in light blue are in the City of Billings, while all other areas have not yet been annexed. The areas shaded in red have been identified for potential annexation by 2018, while the areas in yellow-orange have been identified for potential longer-term annexation. The orange dotted line represents the MPO planning jurisdictional boundary.

Methodology

The Project Team inventoried existing multi-modal transportation system features within the study area, collected traffic counts and crash history data and performed a comprehensive analysis of existing conditions to utilize as a baseline for the study. In addition to evaluating operations and safety for vehicular travel, the team evaluated conditions for the bicycle and pedestrian environment using latent demand and level of traffic stress (LTS) metrics.

Two (2) Horizon Year (2035) land development projection scenarios were calculated; one that approximated a continuation of recent historical development in the area, including a mixture of City and County subdivisions; and a second scenario that projected more aggressive annexation of study area property, thereby resulting in denser development and growth.

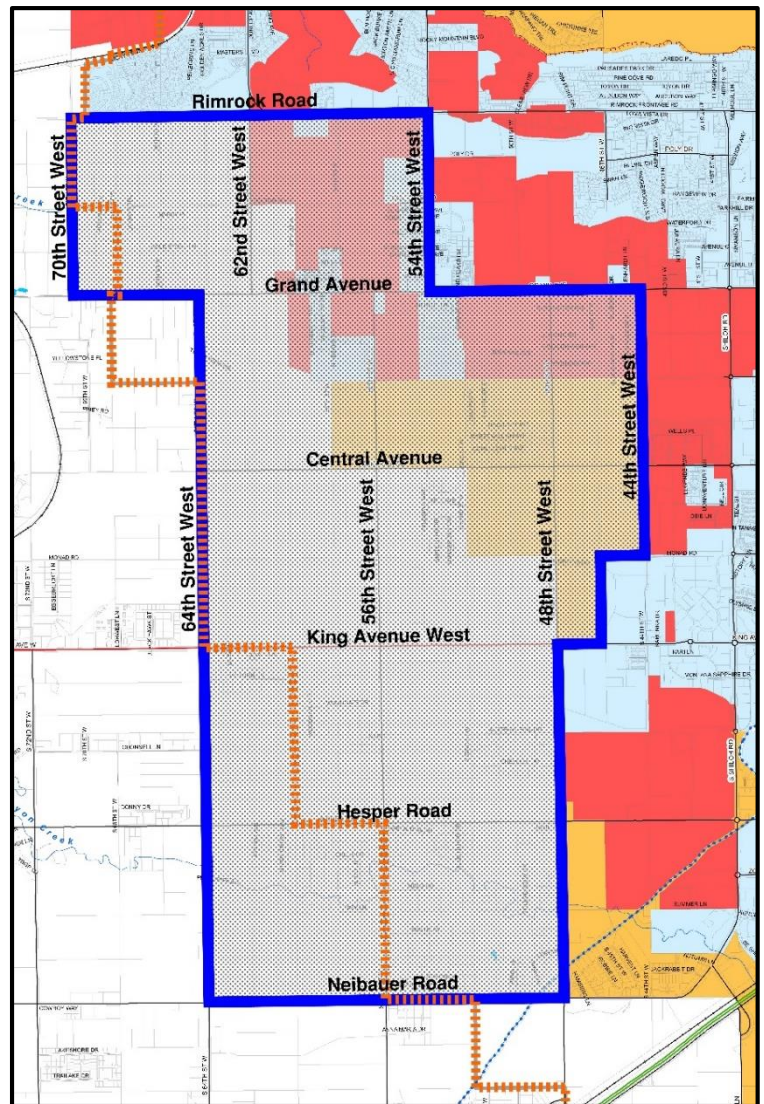


FIGURE ES1. STUDY AREA

The parameters for the two growth scenarios were provided to the Montana Department of Transportation (MDT) for analysis in the Transcad transportation model for Yellowstone County. MDT returned link-specific average daily traffic (ADT) volume projections for both scenarios to be utilized for the Horizon Year (2035) analyses.

The Project Team analyzed future multi-modal operations for both of the growth scenarios. Based on the results of those efforts and the crash history analysis for the study area, the team developed a series of prioritized short-term and long-term project recommendations with high-level approximate construction cost ranges estimates.

Analysis Results

Existing Conditions

For the Existing Conditions (2015) scenario, all of the study area intersections and street corridor segments were found to operate at acceptable levels of service (LOS) during all periods of a typical day. However, an evaluation of crash history for study area intersections for the 5-year period from 2010-2014 revealed that there are seven (7) intersections with crash rates higher than 1.0 crashes/million vehicles entering (MVE), which is a threshold number that MDT uses to determine when an intersection may be of concern. The following three (3) of those intersections exhibited crash rates greater than 1.50 crashes/MVE:

- Rimrock Road & 62nd Street West
- Neibauer Road & 48th Street West
- Neibauer Road & 56th Street West

There were no fatalities reported as a result of any of the crashes during the 5-year analysis period. However, crash severity, which takes into account how many injuries and/or fatalities have occurred as a result of a sample of crashes, was found to be elevated for six (6) intersections. The two Neibauer Road intersections listed above had the highest crash severity rates.

From an active transportation (bicycle/pedestrian) standpoint, the availability of sidewalks, side paths, trails, or bike lanes in the study area is very limited with the exception of sidewalks internal to masterplanned communities. In general, the study area lacks connectivity to low stress bike/pedestrian facilities. A level of traffic stress (LTS) analysis showed that all of the major streets in the study area exhibit the highest LTS scores, thereby making them uninviting to typical bicyclists and pedestrians. This is generally due to the high speeds and narrow or non-existent shoulders in the study area.

Future Conditions (2035)

Under land use growth Scenario 1 (typical growth), most roadways in the study area continue to experience a LOS D or better. However, three of the primary east-west arterials (Rimrock Road, Grand Avenue, King Avenue West) are not projected to meet that standard. Of the north-south arterials, only 62nd Street West, north of Rimrock Road, is projected to operate below LOS D. **Figure ES2** on the following page provides a graphical illustration of the corridor LOS conditions for Scenario 1. Figure ES2 also shows the intersections that are projected to operate below an acceptable LOS C during one or both peak hour periods for Scenario 1.

Under the higher-growth Scenario 2 (aggressive growth), Central Avenue joins Rimrock Road, Grand Avenue and King Avenue West in having one or more segments exhibiting LOS E or worse conditions. For the north-south corridors, 62nd Street West, north of Rimrock Road degrades to LOS F, while 54th Street West is projected at LOS D north of Rimrock Road and LOS E south of Rimrock Road. **Figure ES3**, also on the following page, illustrates the corridor LOS analysis results for Scenario 2 and also shows graphically which intersections are projected to fail under that scenario.

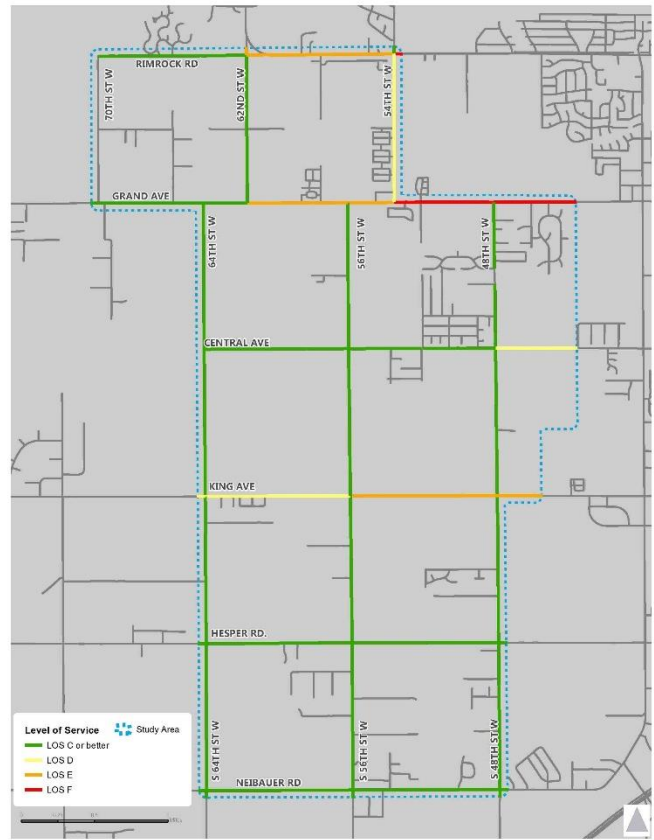
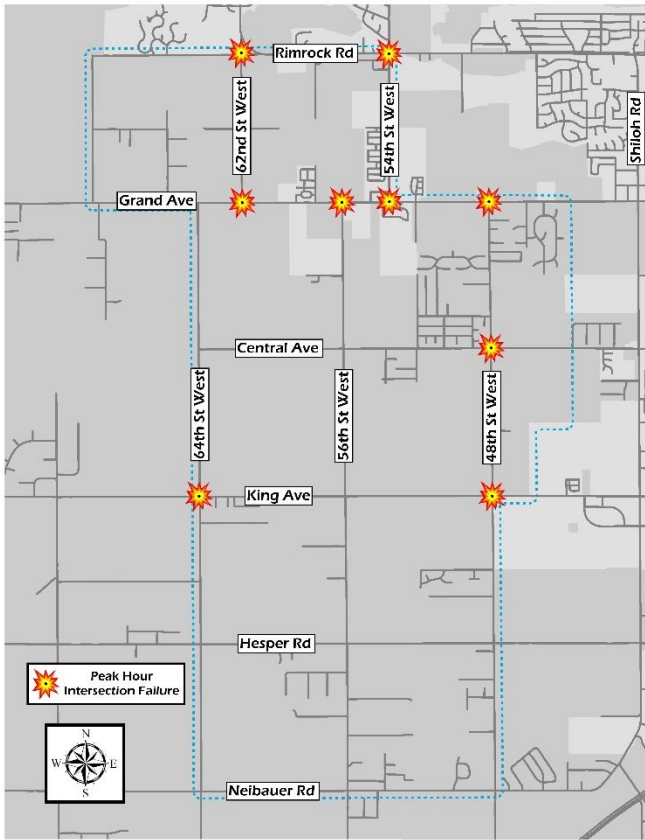


FIGURE ES2. SCENARIO 1 (2035) INTERSECTION AND CORRIDOR LOS ANALYSIS RESULTS

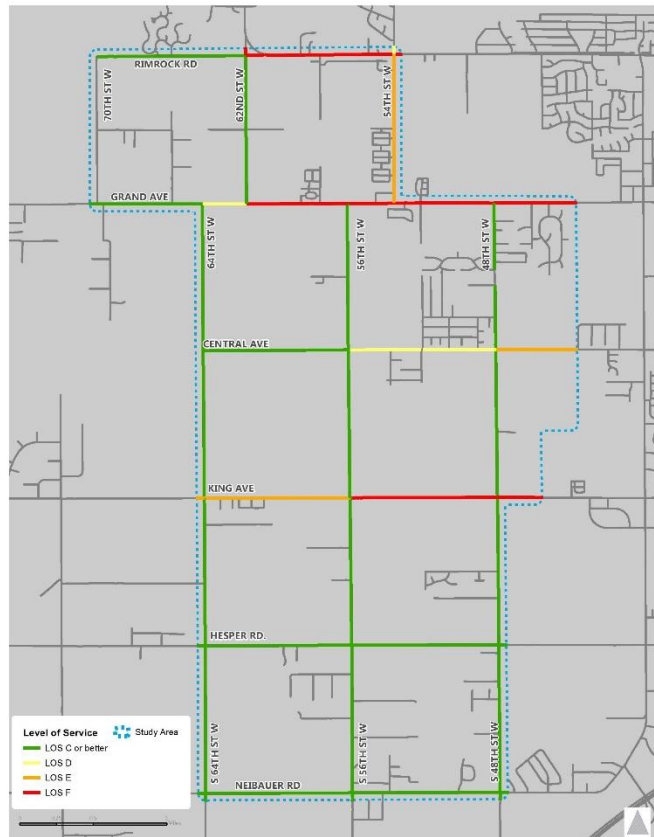
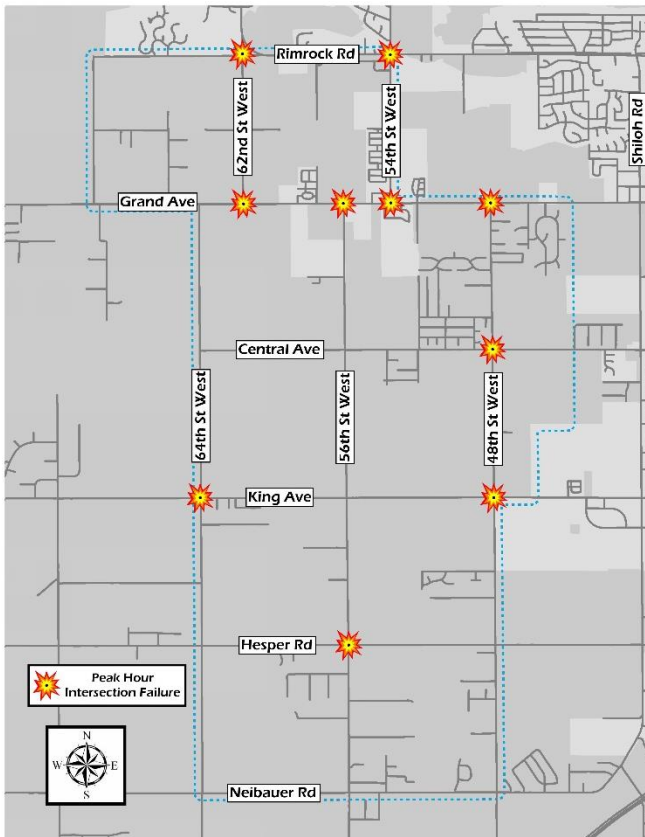


FIGURE ES3. SCENARIO 2 (2035) INTERSECTION AND CORRIDOR LOS ANALYSIS RESULTS

A Latent Demand Model was used to provide a logical analysis framework to prioritize attention and investment for active transportation. Based on the growth projections, demand for active transportation is expected to increase significantly. Most of the study area north of King Avenue and east of 56th Street will generate demand, with the highest concentrations along 54th Street and Grand Avenue. **Figure ES4** below illustrates the projected change in active transportation demand from Existing Conditions (2015) to Scenario 2 (2035)

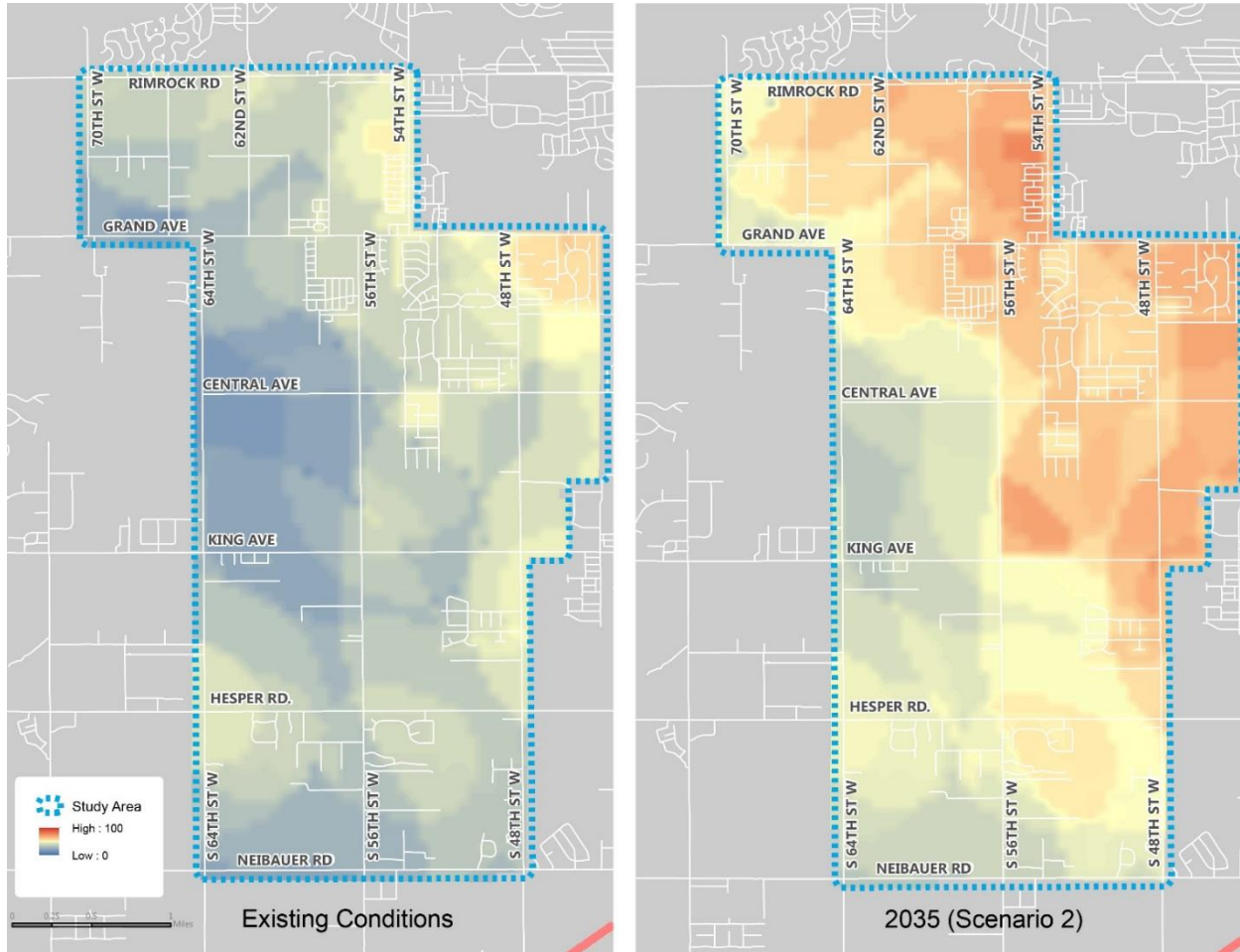


FIGURE ES4. LATENT DEMAND MODEL ANALYSIS RESULTS

Study Recommendations

Streets & Intersections

The priority project recommendations for this study were broken down into short-term and long-term categories. Short-term priority projects are those that could be necessary in order to maintain safe and efficient operations during the first half of the 20-year study period. Long-term priority projects are more likely to be needed during the second half of that period. However, it should be noted that there are many factors related to land development that could change the priority, location and cost considerations that are summarized in these recommendations. As such, the recommendations are to be utilized as a guideline for planning and not as a hard and fast committed projects list.

Tables ES1-ES4 and **Figure ES5-ES6** on the following pages list and illustrate the short term and long-term priority project recommendations for street and intersection improvements. In addition to details about each recommended project, the tables provide estimated construction cost ranges. The estimated costs do not consider right-of-way, irrigation systems modifications or street lighting other than as associated directly with traffic signals or roundabouts.

TABLE ES1. SHORT-TERM INTERSECTION PROJECT RECOMMENDATIONS

Priority Ranking	Project Location	Project Type	Estimated Cost
1	Neibauer Rd. & 56th St. West	All-Way Stop Control/OH Flashing Beacons/Transverse Rumble Strips	\$120,000-\$200,000
2	Neibauer Rd. & 48th St. West	OH Flashing Beacons/Transverse Rumble Strips	\$120,000-\$200,000
3	Rimrock Rd. & 54th St. West	Traffic Signal or Roundabout	\$400,000-\$1,500,000
4	King Ave. West & 64th St. West	Auxiliary Turn Lanes	\$400,000-\$600,000
5	Grand Ave. & 48th St. West	Traffic Signal or Roundabout	\$400,000-\$1,500,000
6	Molt Rd./Rimrock Rd./62nd St. West	Design Study	\$20,000-\$30,000
7	Grand Ave. & 56th St. West	Traffic Signal or Roundabout	\$400,000-\$1,500,000

TABLE ES2. SHORT-TERM CORRIDOR PROJECT RECOMMENDATIONS

Priority Ranking	Project Location	Project Type	Estimated Cost
1	Grand Ave. - Shiloh Rd. to 52nd St. West	Widening/Reconstruction (3-lane section)	\$2,800,000-\$4,500,000
2	Rimrock Rd. - 50th St. West to 54th St. West	Widening/Reconstruction (3-lane section)	\$1,000,000-\$1,600,000
3	King Ave. West - MT Sapphire Dr. to 48th St. West	Widening/Reconstruction (3-lane section)	\$1,300,000-\$2,000,000
4	Grand Ave. - Wilderness Dr. to 62nd St. West	Widening/Reconstruction (3-lane section)	\$900,000-\$1,400,000

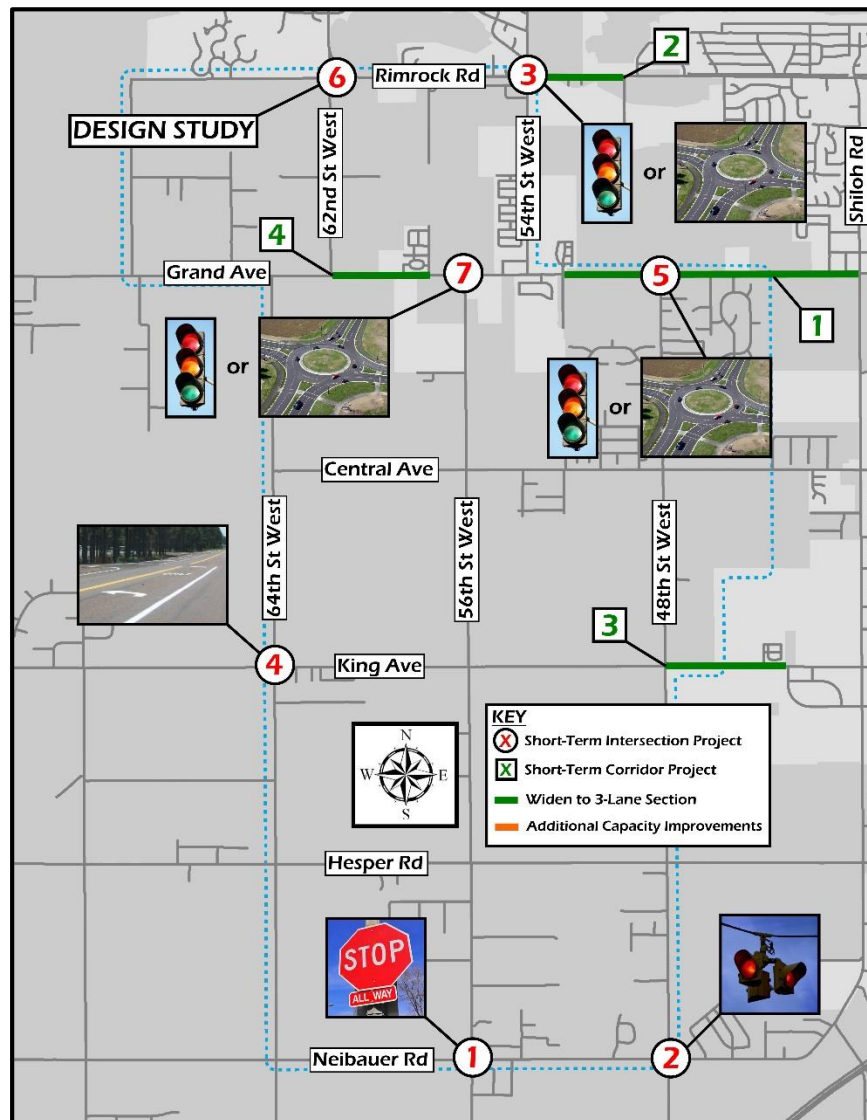


FIGURE ES5. SHORT-TERM INTERSECTION & CORRIDOR PROJECT RECOMMENDATIONS

TABLE ES3. LONG-TERM INTERSECTION PROJECT RECOMMENDATIONS

Priority Ranking	Project Location	Project Type	Estimated Cost
1	Molt Rd./Rimrock Rd./62nd St. West	Traffic Signal or Roundabout	\$400,000-\$1,500,000
2	King Ave. West & 48th St. West	Traffic Signal or Roundabout	\$400,000-\$1,500,000
3	Central Ave. & 48th St. West	Traffic Signal or Roundabout	\$400,000-\$1,500,000
4	King Ave. West & 64th St. West	Traffic Signal or Roundabout	\$400,000-\$1,500,000
5	Grand Ave. & 62nd St. West	Traffic Signal or Roundabout	\$400,000-\$1,500,000
6	Hesper Rd. & 56th St. West	All-Way Stop	\$4,000-\$200,000

TABLE ES4. LONG-TERM CORRIDOR PROJECT RECOMMENDATIONS

Priority Ranking	Project Location	Project Type	Estimated Cost
1	Grand Ave. - Shiloh Rd. to 62nd St. West	Widening/Reconstruction (5-lane section)	\$7,500,000-\$11,000,000
2	Rimrock Rd. - Shiloh Rd. to 62nd St. West	Widening/Reconstruction (5-lane section/3-lane section)	\$6,900,000-\$10,300,000
3	King Ave. West - MT Sapphire Dr. to 64th St. West	Widening/Reconstruction (5-lane section/3-lane section)	\$6,100,000-\$9,300,000
4	54th St. West - Grand Ave. to Rimrock Rd.	Widening/Reconstruction (3-lane section)	\$2,100,000-\$3,300,000
5	Central Ave. - Shiloh Rd. to 48th St. West	Widening/Reconstruction (3-lane section)	\$2,000,000-\$3,100,000
6	62nd St. West - Rimrock Rd. to Western Bluffs Dr.	Widening/Reconstruction (3-lane section)	\$700,000-\$1,100,000

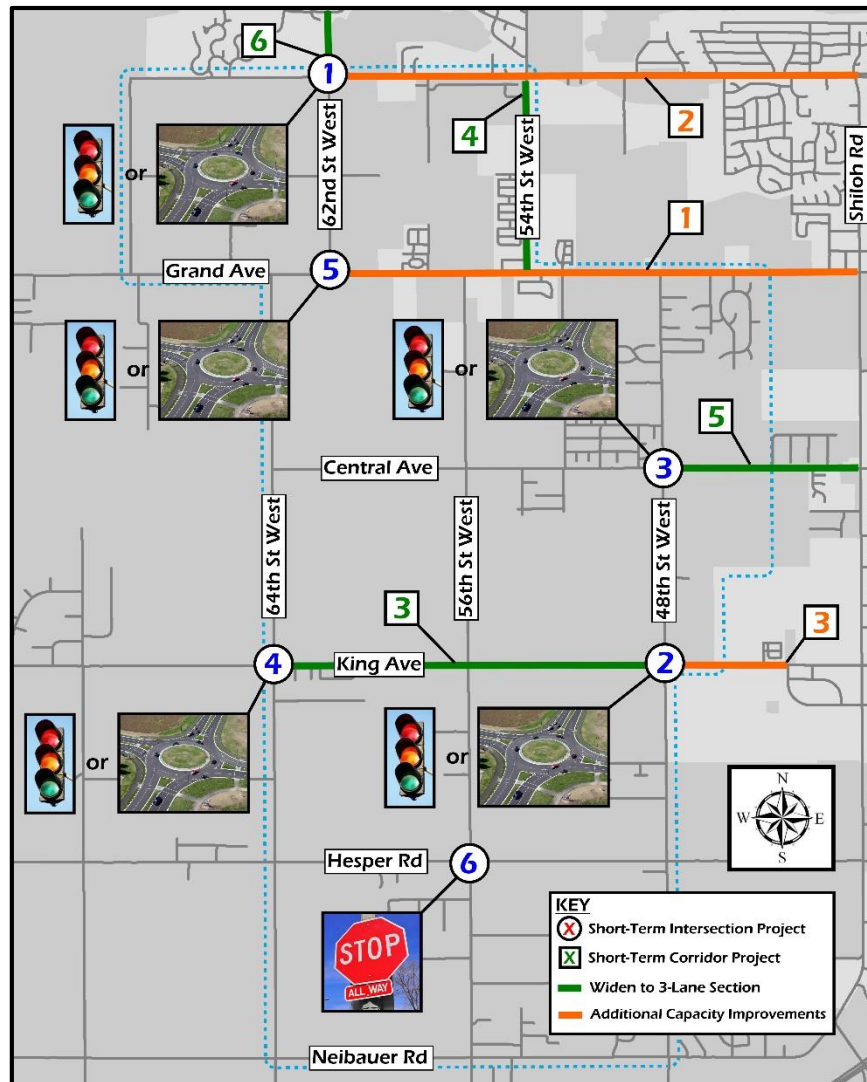


FIGURE ES6. LONG-TERM INTERSECTION & CORRIDOR PROJECT RECOMMENDATIONS

The City and County should also strongly consider the implementation of access control as a tool for extending the life (in terms of capacity) for roadway corridors in this area. Closely spaced driveways with no restrictions on turning movements can greatly degrade the throughput capacity for an arterial. A well-conceived access control plan can improve arterial capacity and also provide safety benefits by reducing conflict points in high-mobility corridors.

Active Transportation Systems

The Project Team recommends the implantation of short-term bicycle facility improvements in the following locations:

- 54th Street from Rimrock Road to Grand Avenue
- 48th Street from Central Avenue to Grand Avenue
- Grand Avenue from 58th Street to Shiloh Road
- Central Avenue from 56th Street to Shiloh Road

Specific improvements could include shoulder widening to provide rideable space (5-8 ft of pavement outside of the shoulder stripe), protected bike lanes (“cycletrack”), and sidewalks or sidepaths. The provision of parallel multi-use pathways designed to serve both pedestrians and bicycles should also be a focus to better accommodate the needs of multiple user groups.

Near-term improvements for pedestrian facilities should focus on improving sidewalk connectivity with neighborhoods and providing crosswalks and related signage to make drivers aware of crossing locations. The following locations should be considered in the short-term for crossing improvements:

- Grand Ave/54th St: crosswalk enhancements, possibly a traffic signal, to improve pedestrian safety near school zone
- Grand Avenue midway between 56th Street West and 58th Street West: pedestrian actuated mid-block beacon, possibly a pedestrian hybrid beacon (“HAWK signal”) or rectangular rapid flashing beacon (RRFB)
- 54th Street West at terminus of multi-use path (north end of Cottonwood Park): pedestrian actuated mid-block beacon, possibly a pedestrian hybrid beacon (“HAWK signal”) or rectangular rapid flashing beacon (RRFB)
- Rimrock Road/54th St: crosswalk enhancements, possibly a traffic signal, to connect multi-use paths

The following corridors should be considered in the short-term for sidewalk or multi-use path improvements:

- Multi-use path on Grand Ave from 52nd Street West to west boundary of Trails West Subdivision
- Sidewalk on Grand Ave from west boundary of Foxtail Subdivision to HAWK signal
- Multi-use path from Grand Avenue to north boundary of Cottonwood Park along west side of 54th Street West
- Sidewalk along east side of 54th Street West from Grand Avenue to north boundary of Grand Peaks Subdivision

Figure ES7 on the following page illustrates the recommended locations for short-term active transportation system improvements.

Longer-term, it is recommended that a “layered network” principle be implemented as a way as to provide comfortable and efficient bike and pedestrian connectivity via lower-stress streets instead of force-fitting all modes onto the arterial corridors. Since many of these future collector corridors are platted but not built, it is an ideal time to establish the roadway standards that incorporate bike lanes, sidewalks and modest speed limits. A key consideration regarding this concept is cooperation between the City of Billings and Yellowstone County in terms of developing and implanting development requirements that will require construction of well-planned and consistent facilities as property develops in the study area. In the event that some of the major arterials become more urbanized over time, with speed limit reductions and bike facilities they could also become useful low-stress bikeways.

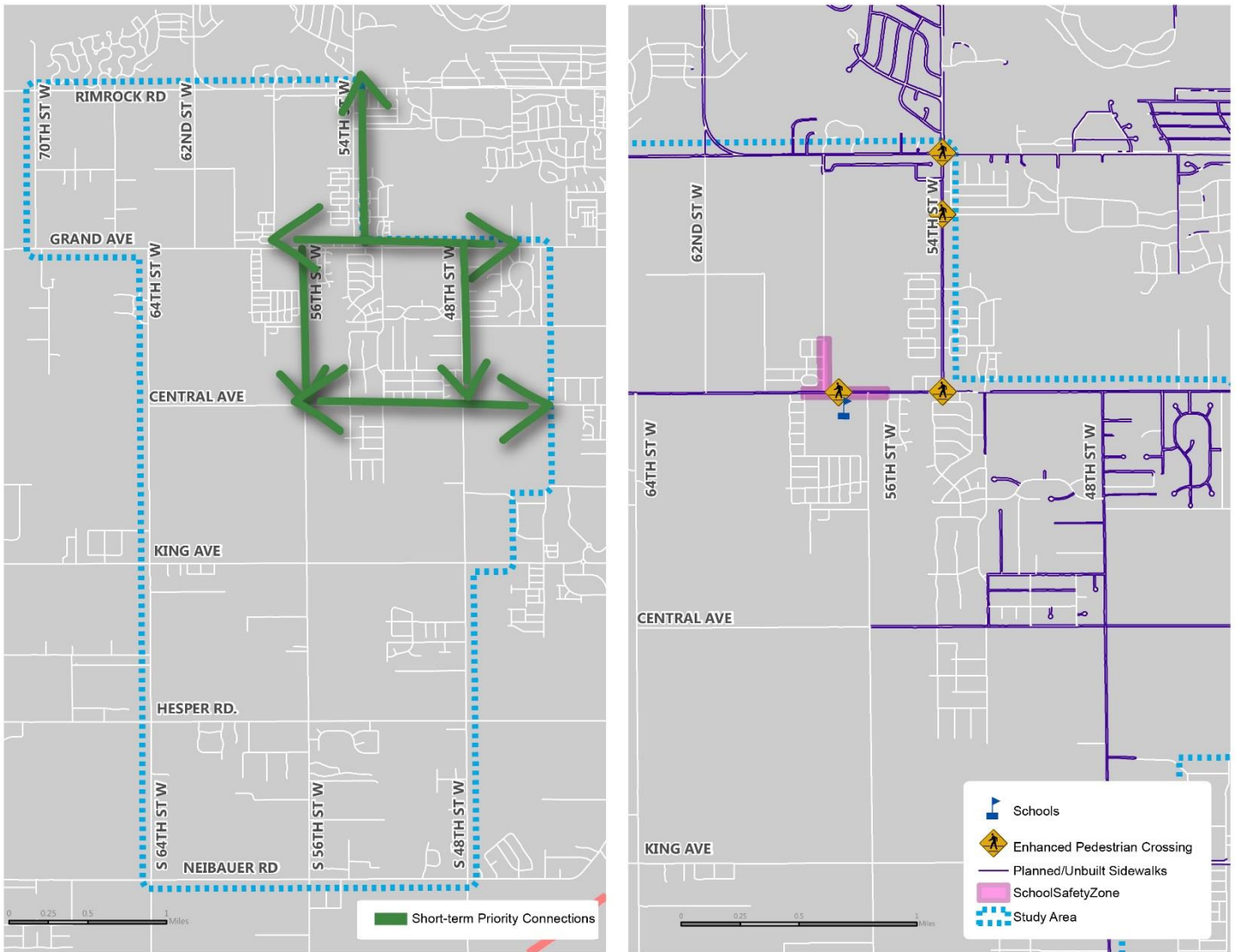


FIGURE ES7. SHORT-TERM IMPROVEMENTS FOR ON-STREET BICYCLE AND PEDESTRIAN FACILITIES

Recommended long-term low-stress corridors include:

- 58th Street West - Rimrock Road to Grand Avenue
- 66th Street West - Rimrock Road to Grand Avenue
- 60th Street West
- 52nd Street West
- Monad Road
- Broadwater Avenue
- Colton Boulevard

Future pathway segments should be prioritized based on the proximity to high demand areas and the ability of the segment to provide connectivity through barriers and gaps in the street system. **Figure ES8** on the following page illustrates the locations for recommended long-term active transportation projects. For more detail on all of the project conclusions and recommendations, please see the report body.

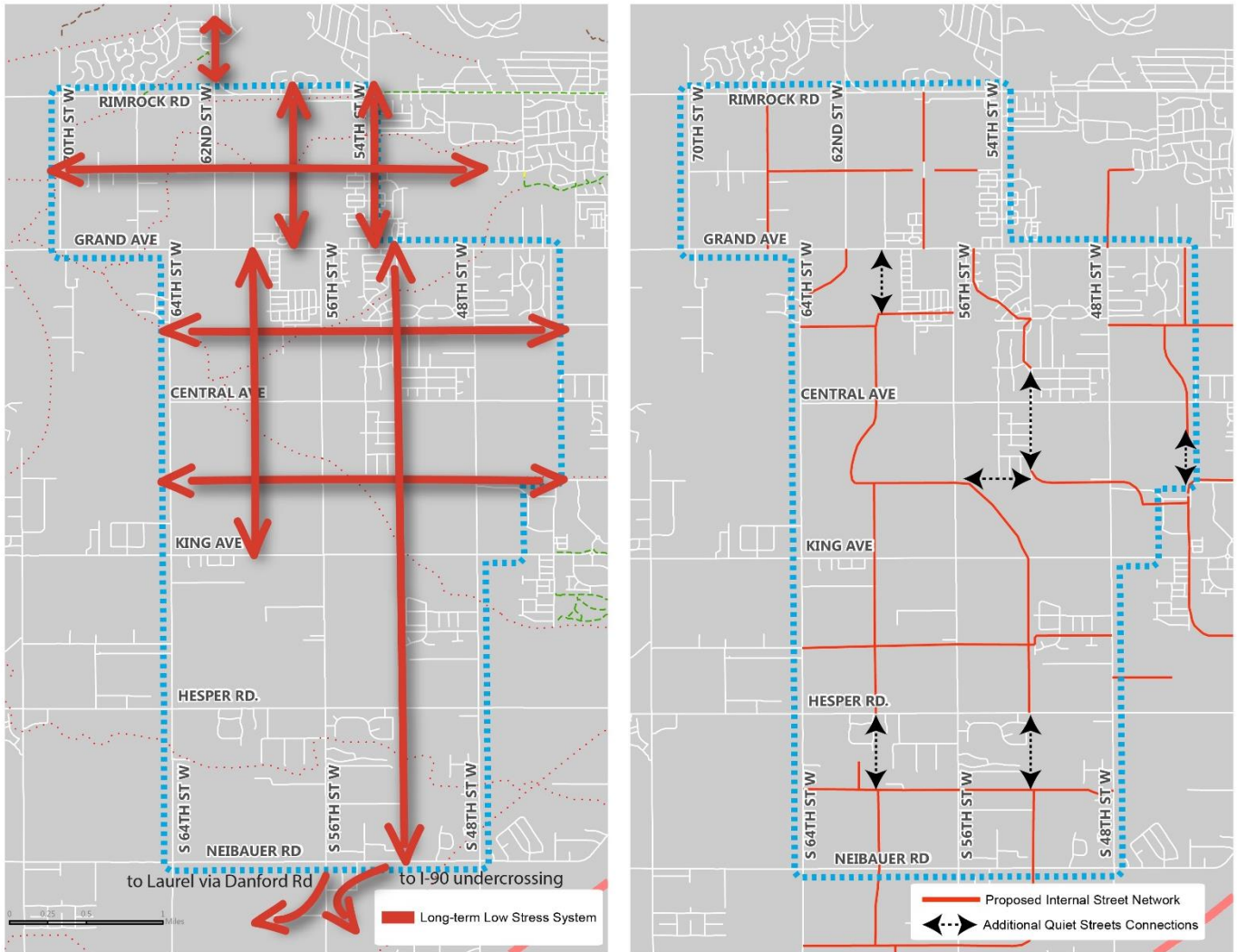


FIGURE ES8. LONG-TERM ACTIVE TRANSPORTATION STRATEGIES

SUBJECT PROPERTY	Application	DATE	FOR	APPROVED (Y/N)	ADDITIONAL DATA
	None				Previous zone = A-1 and A-S Updated zone = RR3
SURROUNDING PROPERTY	Application	DATE	FOR	APPROVED (Y/N)	ADDITIONAL DATA
5640 Grand Ave	City ZC 942	1/13/16	A-1 to Public	Y	For a New School
CS 3618	City SR 941	5/9/16	Church	Y	LDS Meeting House
Sunny Cove FF Lots 101 & 124	City ZC 729	5/10/04	A-1 to R-96 & R70	Y	
Sunny Cove FF Lot 65A	City ZC 734	7/12/04	A1 to R-70	Y	
CS 1323 Tr 1&2 & CS 1815 Tract 1	City ZC 803	5/14/07	A-1 to R-150	Y	For Cottonwood Park
Cottonwood Grove	City ZC 734 Annex	2/28/05	A-1 to R-70	Y	
Mont Vista Sub	City ZC 851	7/13/09	PD	Y	
MK Sub	City ZC 925	9/22/2014	NC to CC	Y	The Den
Daybreak Sub	City ZC 920	5/26/2014	A-1 to R-60	Y	
Grand Peaks Sub	City ZC 938	8/24/2015	R-96 to R-70	Y	
Silver Creek Estates	City ZC 940	11/23/2015	R-96 to R-70	Y	
Copper Ridge	City ZC 960	8/28/2017	Un-zoned to R-70 and R-50	Y	
Coal Creek Sub	City ZC 961	1/8/2018	RP to CC	Y	
Hawk Creek	City ZC 971	12/17/2018	NC to PD-NC	Y	Diamond X Brewing
Sweetgrass Creek	City ZC 998	10/11/2021	A to MR-PND with to N1, N2, N3, NX1 and P1	Y	Sweetgrass Creek Subdivision

Zoning Commission

Date: 03/01/2022
Title: Special Review 993 - Vehicle Service >5,000 sf - Shiloh Crossing Blvd.
Presented by: Karen Husman
Department: Planning & Community Services
Presentation: Yes

Information

RECOMMENDATION

Planning staff is recommending conditional approval based on the proposed findings of the nine review criteria (BMCC 27-1623.D), and approval of the requested accompanying variance from the front lot line building coverage of at least 50% (Table 27-400-3).

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

Special Review 993 - This is a special review request to allow a vehicle service and repair building over 5,000 square feet in a Corridor Mixed Use 2 (CMU2) zone district, for a new 9,540 square foot building, on Lot 4E3, Block 1 of Shiloh Crossing Subdivision, a 2.17 acre parcel of land. The applicant is also requesting variances from the front lot line building coverage of at least 50% (Table 27-400-3).

APPLICATION DATA

OWNER: Central Holdings, LLC
AGENT: Donna Madson
LEGAL DESCRIPTION: Lot 4E3, Block 1 of Shiloh Crossing Subdivision
ADDRESS: None assigned - generally located at the south intersection of Shiloh Road and Shiloh Crossing Blvd.
CURRENT ZONING: CMU2
EXISTING LAND USE: Vacant
PROPOSED USE: Tire and Auto center greater than 5000 sf
SIZE OF PARCEL: 2.17 acres

CONCURRENT APPLICATIONS

None

APPLICABLE ZONING HISTORY

See attachments

SURROUNDING ZONING & LAND USE

NORTH: Zoning: CMU2
Land Use: Vacant
SOUTH: Zoning: CMU2 & CX
Land Use: Vacant
EAST: Zoning: CMU2
Land Use: Scheels Sporting Goods
WEST: Zoning: P1
Land Use: Open Space and Hogans Slough

The proposed tire center and auto repair shop would fit into this area of mixed commercial development. Including multiple restaurants, retail clothing, shoe and sporting goods sales, a movie theater, financial institutions and other local and national businesses within the Shiloh Crossing Subdivision.

STAKEHOLDERS

Applicants for special review approval are now required to conduct a pre-application neighborhood meeting similar to zone change applicants. The preapplication meeting was held in virtual meeting format on Tuesday, January 11, 2022. There were two members of the public in attendance, Jeff Kanning and Oscar Heinrich. During the presentation, the design team shared the plan to construct a new Les Schwab Tire Center in the Shiloh Crossing Shopping Center. A copy of the meeting synopsis is included in the attachments. No comments were received by the Planning staff after the public hearing notices were mailed, the property was posted, and the legal ad published as required.

ALTERNATIVES

The City Zoning Commission shall make a recommendation to the City Council to:

1. Deny the application for a special review use; or
2. Grant the application for a special review use; or
3. Conditionally grant the application for a special review use; or
4. Delay action on the application for a period not to exceed thirty (30) days.

The Zoning Commission recommendation will be based on the findings of the nine review criteria for special review uses. The Zoning Commission recommendation shall be based on findings of fact for each criterion and shall be transmitted to the applicant or applicant's agent as well as the City Council. The proposed findings of the criteria are in the Summary section below.

FISCAL EFFECTS

Approval or disapproval of the proposed special review use should not have an impact of the Planning Division budget.

SUMMARY

The new zoning code has a variety of considerations and findings before a special review use can be considered acceptable at a particular location. The requirements are set forth in Section 27-1623.D as follows:

1. The special review use is consistent with the City's growth policy and applicable neighborhood plans, if any;
2. The establishment, maintenance, or operation of the special review use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;
3. The site for the proposed use is adequate in size and topography to accommodate the use while meeting the other requirements of this Zoning Code, including zone district dimensions, landscaping requirements, and parking.
4. The special review use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;
5. The special review use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;
6. Conditions necessary to protect the public health, safety, and general welfare can be established, including but not limited to conditions on:
 - (a) Regulation of the use;
 - (b) Special setbacks, buffers, or screening;
 - (c) Surfacing of parking areas;
 - (d) Street, alley, or service road dedications, improvements, or bonds;
 - (e) Regulation of points of vehicular ingress and egress;
 - (f) Regulation of signs;
 - (g) Regulation on the performance of the site, including noise, vibration, and odors;
 - (h) Regulation of the hours of activities;
 - (i) Timeframe for development
 - (j) Duration of use; and
 - (k) Other relevant conditions that will ensure the orderly development of the site.
7. Adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided;
8. Adequate measures have been or will be taken to provide ingress and egress to minimize traffic congestion in public streets; and
9. The special review use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the city council.

Each decision criteria must be given due consideration and a finding is proposed for each one. Planning staff is including a set of recommended conditions of approval based on the submitted site plan, applicant letter, and findings of the criteria. A significant change from the previous zoning code is that a special review use must not be considered an "allowed" use in the zone district. The proof of compatibility now rests with the applicant instead of the Zoning Commission and City Council to prove non-compatibility. The applicant is requesting one requirement of the CMU2 zone district be modified for the purpose of this application. (Criteria 9). The applicant requests to provide less than 50% front lot line coverage on the Shiloh Road frontage. The applicant proposes the use is compatible by stating it is an in-fill project that will provide services to a high density developing area.

PROPOSED FINDINGS:

1. The special review use is consistent with the City's growth policy and applicable neighborhood plans, if any.

Applicant: According to the 2016 City of Billings Growth Policy, residents envision a city that grows and diversifies within existing city limits and capitalizes on connecting to existing infrastructure. The proposed Les Schwab Tire Center project aligns with this vision. Below is a list of Growth Guidelines taken from the Growth Policy that are supported by the proposed Les Schwab Tire Center.

Staff: Staff agrees with the applicant's determinations. There are nine Growth Guidelines in the 2016 City of Billings Growth Policy including Essential Investments, Placemaking, Community Fabric, Strong Neighborhoods, Home Base, Mobility & Access and Prosperity. In addition, the West Billings Neighborhood Plan includes goals and policies related to development in this area of Billings including Planned Growth, Appropriate Land Use, Achieving a Distinctive Community Character and Enhancing Public Safety, Open Space, Waterways and Scenic Resources. It is desirable to complete the development of this 15-year-old subdivision. This is one of the last parcels to be developed in the Shiloh Crossing Subdivision. Development of this property will be an appropriate commercial business on this busy intersection. The West Billings plan acknowledged this area as a major commercial development node that would include a variety of businesses and services. On the east across Shiloh Crossing Blvd. is the Sheels sporting goods store. In addition to the Sheels site this is a large commercial development that includes several restaurants, a movie theater, a clothing store (Kohls), Jiffy Lube, and a number of other businesses including restaurants, retail and services to accommodate West Billings demand and the larger regional retail market.

Essential Investments

- Infill development and development near existing City infrastructure may be the most cost effective.

The proposed project is considered commercial infill development due to its location within the Shiloh Crossing subdivision and its diverse commercial development. This location, on the west end of city limits, facilitates connection to existing City water & sewer and access using the existing street system. Further, the retail opportunities and services provided by the Les Schwab Tire Center will improve convenient access to residents and visitors looking for tires and auto services in the area. Les Schwab complements the existing national and regional tenants.

Community Fabric:

- Attractive streetscapes provide a pleasant and calming travel experience in urban and suburban neighborhoods.
- Developed landscape areas in commercial areas encourage more pedestrian activity and vibrant commercial activity.
- Cost-effective landscaping of public rights-of-way and entryways makes Billings more visually appealing to residents and visitors.

The shops at Shiloh Crossing are Montana's newest and largest lifestyle center located in Billings, Montana. The 80-acre retail, dining, and entertainment center serves a customer base from Montana, Wyoming, North and South Dakota, in addition to a large tourist trade. Due to the scale of development at Shiloh Crossing, services focus on providing large community scale areas each connected by a network of sidewalks and landscaped areas to encourage pedestrian activity and vibrant commercial activity. The proposed project improvements include a professionally designed landscape plan to align with the look and feel of Shiloh Crossing and comply with city requirements. A new sidewalk is also planned to span the parcel frontage facing Shiloh Crossing Blvd and will improve pedestrian connection throughout the subdivision.

Prosperity:

- Successful businesses that provide local jobs benefit the community.
- Retaining and supporting existing businesses helps sustain a healthy economy.

The applicant has stated in their application packet that Les Schwab Tire Center sets the standard for consistently exceptional customer service and today, the business has grown to over 7,000+ employees and is a trusted name in the west. With stores already in many Montana communities, Les Schwab has established itself as a successful business and job producer. Staff finds this is an opportunity for more available jobs in Billings.

Planned Growth, Appropriate Land Use, Achieving a Distinctive Community Character: (West Billings Plan)

- Promote efficient utilization of land within the West Billings planning area by promoting well-designed, more pedestrian friendly, urban development patterns with a mix of uses and an efficient, creative use of land.
- With the intent of preventing strip commercial development, the West Billings planning area should contain commercial nodes of varying sizes located at the intersections of arterial streets.
- Large commercial stand-alone development lacking amenities such as landscaping and varied roof-lines, generally known as "big box," as exists along King Avenue near 24th Street West, is not appropriate to the desired character of West Billings west of or along Shiloh Road.

- Commercial nodes should contain business development sites of various sizes to accommodate a variety of businesses.
- Create identifiable, pedestrian-oriented commercial developments with focal points, opportunities for mixed-use areas that aesthetically combine residential and commercial buildings, residential subdivisions, and park areas that link neighborhoods through a linear open space network, subdivision entryways and special arterial treatments.
- Provide a consistent and abundant network of landscaping along streets and in parking areas by the creation of street tree planting, landscaped streetscapes, and aesthetic site improvement qualities throughout West Billings, and assure there is adequate room for utility placement in the right of way.

The proposed development plan and site development will help achieve some of the stated goals of the West Billings Plan. The intent is to provide pedestrian access to the site, provide landscaping along the street frontage, a building design that complements the existing entryway corridor of Shiloh Road and a safe lighting plan to minimize crimes of opportunity.

2. The establishment, maintenance, or operation of the special review use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.

Applicant: The proposed location within the Shiloh Crossing Shopping Center is an ideal site for the proposed project. The site is zoned Commercial Mixed Use 2 (CMU2) and is surrounded by commercially zoned properties. In addition, the shopping center location allows Les Schwab to join other national retailers, to provide service and shopping opportunities for community members. During the Neighborhood Meeting, a Property Owner Association (POA) representative asked that a landscape buffer be added to the east side of the site to soften the view of the use from the Scheels property. An evergreen buffer was added to the landscape plan to mitigate this concern or potential visual impact to the Scheels site.

Staff: Staff agrees with the applicant and has recommended conditions to mitigate impacts on the adjacent Scheels site and ensure the landscape buffering is installed and maintained.

3. The site for the proposed use is adequate in size and topography to accommodate the use while meeting the other requirements of this Zoning Code, including zone district dimensions, landscaping requirements, and parking.

Applicant: The proposed site is 2.17 acres in size and is located within the Shiloh Crossing Shopping Center. This location within the Shiloh Crossing Subdivision which was reviewed and approved by the City of Billings to ensure access, infrastructure capacity and other public health and safety topics. The proposed building square footage is 9,543 SF leaving adequate lot area to construct needed parking and ample, well-designed landscaping. Landscaping has been designed to meet both the requirements prescribed in City of Billings Zoning and POA standards. The proposed plant species illustrate native and water-wise planting with automatic drip irrigation that can be scheduled to align with Billings weather. No standard turf is proposed, instead, a dry land seed mix formulated by a seed supplier in the region will be used to facilitate appropriate cover. The street frontage landscaping includes several native species selected to endure rugged conditions - from hot, dry summer heat to snow loads in the winter, common for the Billings.

Staff: The site is a large site and will not have obvious or immediate access to the adjacent neighborhoods. The site has the required parking and will meet the requirements for landscaping. Vehicle access will be from Shiloh Crossing Blvd. Staff believes the site is safely designed and has recommended conditions to improve the safety features of the site.

4. The special review use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.

Applicant: The proposed site is 2.17 acres in size and is located within the Shiloh Crossing Shopping Center. This location within the Shiloh Crossing Subdivision which was reviewed and approved by the City of Billings to ensure access, infrastructure capacity and other public health and safety topics. The proposed building square footage is 9,543 SF leaving adequate lot area to construct needed parking and ample, well-designed landscaping. Landscaping has been designed to meet both the requirements prescribed in City of Billings Zoning and POA standards. The proposed plant species illustrate native and water-wise planting with automatic drip irrigation that can be scheduled to align with Billings weather. No standard turf is proposed, instead, a dry land seed mix formulated by a seed supplier in the region will be used to facilitate appropriate cover. The street frontage landscaping includes several native species selected to endure rugged conditions - from hot, dry summer heat to snow loads in the winter, common for the Billings.

Staff: Diminishment of property value is not likely in this case especially if the applicant adheres to the conditions of approval and maintains the required buffer and screening to the adjacent properties. Repairs will be conducted within structures on site minimizing any noise, light or fumes that would cause substantial noise and disruption to the neighbors.

5. The special review use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

Applicant: The proposed facility and use will not impede the normal improvement of the surrounding properties. The project site is currently vacant and located within a planned commercial subdivision that is already developed with various complementary commercial uses. The proposed Les Schwab Tire Center will not impede the normal improvement of surrounding property since many properties within the Shiloh Shopping Center have already been developed. The building

will be designed and constructed to comply with existing land use standards and building codes, both of which have been developed to ensure orderly and safe development. Further, the proposed project is located within a developed subdivision and will utilize existing city infrastructure like roadways, water and sewer connections. These connections will enhance the City of Billings systems through the addition of streetscape landscaping, a new access off Shiloh Crossing Blvd and aligns with the city vision for future development.

Staff: The development of this parcel will not impede the continued development of this subdivision.

6. Conditions necessary to protect the public health, safety, and general welfare can be established.

Staff recommends the following conditions of approval based on the above findings and the applicant's stated intent. These conditions will be related to the listed categories above, but may include other issues specific to the use for an auto repair business.

PROPOSED CONDITIONS

1. The special review approval is limited to Lot 4E3, Block 1 of Shiloh Crossing Subdivision, generally located at the southern intersection of Shiloh Crossing Blvd and Shiloh Road.
2. The special review is for the construction and operation of a vehicle tire shop and automobile repair center greater than 5,000 square feet. Approval of a variance from the front lot line coverage of 50% is included in with this special review approval. No other use is intended or implied.
3. The landscaping plan shall include buffering to obscure the east side of the building to enhance the aesthetics on the east side of the property. The landscape plans will be submitted for review with the building permit and will include evergreen landscaping to be installed and maintained according to the approved plan.
4. With the exception of the above conditions, the site shall be developed in substantial conformance with the site plan submitted.
5. The reduction of the minimum 50% front lot line (Shiloh Road) building coverage is specifically allowed through this special review approval.
6. The proposed development shall comply with all other limitations of the Zoning Regulations concerning special review uses, and all other City of Billings regulations and ordinances that apply.
7. The applicant will submit a building permit application within 12 months of the City Council approval and complete construction within 3 years of City Council approval.
8. These conditions of special review approval shall run with the land described in this authorization and shall apply to all current and subsequent owners, operators, managers, lease holders, heirs and assigns.

7. Adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided.

Applicant : The proposed facility will go through a full engineering and permitting review from City of Billings Public Works for site layout and utility conformance to City of Billings Regulations.

Staff: Staff concurs with the applicant's statements and positive findings on utilities, access roads, drainage and necessary facilities. There are no site specific conditions that would hamper the applicant's ability to fulfill the local and state regulations for access, utilities, drainage or other necessary facilities.

8. Adequate measures have been or will be taken to provide ingress and egress to minimize traffic congestion in public streets.

Applicant: Access onto Shiloh Crossing Blvd. has been established and will be updated and improved with the development of this parcel.

Staff: The access drive onto Shiloh Crossing Blvd. has already been established and will not be re-located for this project.

9. The special review use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the city council.

Applicant: There is a request to approve a variance from the front lot line building coverage of at least 50%, due to the shape of the parcel, it is requested the building be located as submitted on the site plan.

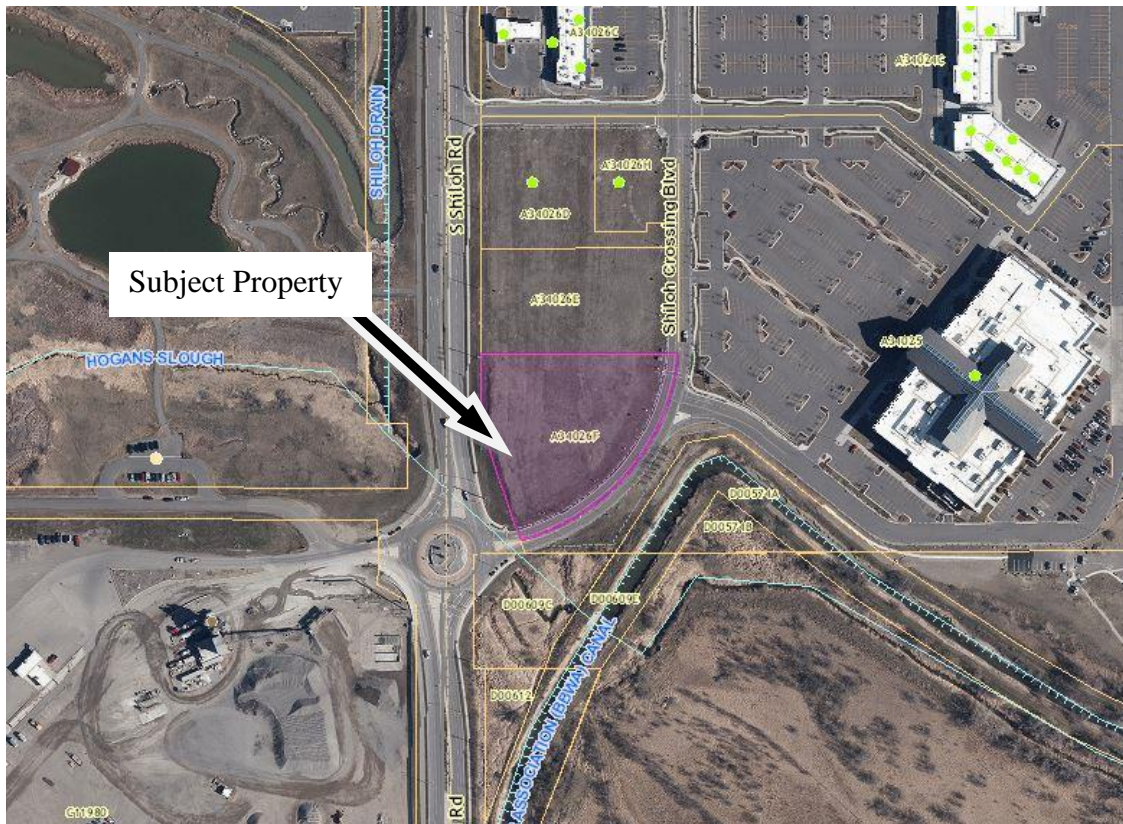
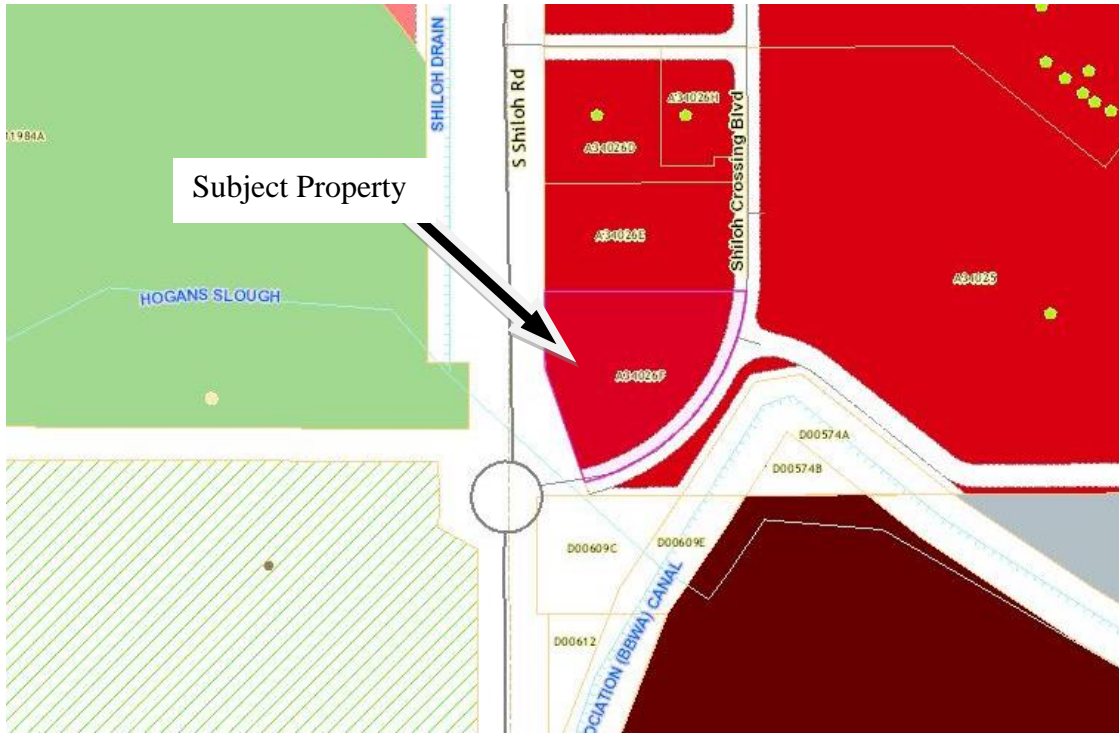
Staff: Planning staff agrees with the applicant and is forwarding a recommendation to approve a variance from the required front building lot coverage with this special review (Condition 5 above). The initial submittal included a site plan that would require a significant number of variances from the development requirements of the zone district. After discussion with the applicant about modifications to the site plan that would eliminate the majority of variances needed, the applicant submitted a revised site plan that would only require one variance approval for the 50% front lot line coverage. Planning staff is supporting the proposed variance from the 50% minimum front lot line coverage due to the odd shape of the parcel and the potential affects on neighboring businesses. Orienting the garage bays as submitted on the site plan will mitigate noise from the surrounding businesses to the north and east, as well as, allow the access to the garage bays. Requiring the 50% front lot line coverage would restrict the access to the front garage bays and operations of the automotive and tire

business would not function with this orientation of the building. The applicant is proposing several site development conditions such as a vegetative buffer on the east property line to buffer the Scheels property. Additional conditions of approval have been recommended to mitigate any other potential adverse effects to neighboring properties. The site appears to meet all other requirements for building height, setbacks, separations, lot coverage and yard treatments, with the exception of the variance request noted. Staff has recommended specific conditions related to landscaping to address issues not apparent on the site plan.

Attachments

Zoning Map & Site Photos
Application & Applicant Letter
Preapplication Meeting Held
Zoning History
Site Plan

Zoning Map & Site Photos





North



Southwest



East

APPLICATION FORM

CITY SPECIAL REVIEW Billings Special Review# _____ - Project # _____

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

Present Zoning: Corridor Mixed Use 2 (CMU2)

Special Review Requested: Vehicle Maintenance and Repair, Major (>5,000 SF)

TAX ID# 000A34026F CITY ELECTION WARD # 5

Legal Description of Property: SHILOH CROSSING SUB (09), S14, T01 S, R25 E, BLOCK 1, Lot 4E3, AMD (13)

Address or General Location (If unknown, contact City Engineering): SHILOH CROSSING BLVD, across from Scheels

Size of Parcel (Area & Dimensions): 2.17 acres

Present Land-Use: Vacant

Covenants or Deed Restrictions on Property: Yes X No

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): Central Holdings, LLC
(Recorded Owner) 1612 Gold Ave, Bozeman MT 59715
(Address)
(Phone Number) Donna AC Redtail mt. com (email)

Agent(s): Donna Madson
(Name) 1612 Gold Ave, Bozeman MT 59715
(Address)
(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 Special Review. Also, I attest that all the information presented herein is factual and correct.

Signature: [Signature] Date: 1/26/22
(Recorded Owner)





MEMORANDUM

Date: February 16, 2022

To: Karen Husman, Planner 1, City of Billings Planning & Community Services

From: Zack Graham, PE and Nicole Olmstead

RE: Les Schwab CMU2 zone district variance request

Summary

The layout of the proposed Les Schwab site does not comply with several zoning requirements due to the nature of the establishment as well as impacts to existing adjacent uses that would conflict with an alternate layout. Each of the zoning requirements is specifically addressed below.

As a double frontage lot, the building frontage requirements within the zoning regulation and the operational needs of the Les Schwab Tire Center create challenges to comply with the standards whether South Shiloh Road or Shiloh Crossing Boulevard is designated as the front street. In general, the nature of the Les Schwab business and resultant building prototype has driven the site plan layout as proposed. It should be noted that the front façade of the building includes six (6) vehicle bays that comprise approximately 70% of the façade. The bays require vehicular access for the business to operate. Access to the bays negates the ability to front the building to a street in a traditional sense. Instead, the proposal includes building details and site design features that meet the intent and spirit of the frontage requirements. The proposed building is designed with roof articulation and material changes, sidewalks and enhanced landscaping that create visual interest and pedestrian connectivity from the roadways.

Furthermore, it should also be noted the direction the bays face is the direction that the noise generated by activities associated with changing tires (pneumatic impact wrenches) will be directed. In this case, the choice to locate the bays and direct that noise to the south was intentional in order to limit impact to Scheels to the east and adjacent development to the north. By prioritizing the potential impact to adjacent development, this left the option of facing the bays south or west. If the bays were faced to the west, access to the site would have been constricted by the building itself.

Front lot line building coverage

This table requires that a minimum of fifty percentage (50%) of the building façade must be placed along the front of the lot (in this case west to S Shiloh Road or east to Shiloh Crossing Blvd).

TABLE 27-400-3. SITE & STRUCTURE REGULATIONS

A.	BUILDING SITING	CMU1	CMU2	REFERENCES
1	Build to Corner	required		
2	Maximum Building Coverage (%)	65	50	
3	Minimum Front Lot Line Coverage (%)	65	50	See 27-406.E for allowed courtyards.

The nature of the business and associated building prototype does not allow for 50% of the building to front either road. As described in the summary, the building was placed, and the site was designed, to lessen the impact of the tire center on neighboring developments. Existing businesses are located to the north and to the east of the site. In order to mitigate noise impacts, the proposed building bays could face south or west. Due to access restrictions, the building was ultimately placed so that the bays faced to the south.

Project Summary

Type of Business

The proposed Les Schwab Tire Center is primarily a tire retail/service center. In addition to tire sales and service, other automotive parts like tire rims and accessories will also be for sale at this location. The service center will also services brakes, provides alignments, oil changes and other minor vehicle maintenance and repair.

The business is open during normal business hours Monday through Saturday and closed on Sundays and employ approximately 8-10 employees at any given time.

Proposed Structures

The overall project consists of the construction of a 9,500 SF retail and service center building. The building is a linear prototype store and includes a retail showroom, 6-service bays, tire warehouse, and mezzanine storage. The building construction consists of concrete slab on grade, CMU exterior walls, steel roof framing with metal decking, and single-ply roofing. Exterior finishes include ground and split face CMU and storefront glazing. The CMU is proposed to match the building CMU. The height of the bull-pen is proposed to be 7' and will be used for used tire storage. The entire project is proposed to be constructed in a single phase.

Neighborhood Meeting

A virtual Neighborhood Meeting was held on Tuesday, January 11th from 6-6:30pm. Notice of the meeting was sent via USPS on December 30, 2021 to a list of property owners generated by Hunter Kelly of the Billings Planning Department, approved by Rico Garza at the Montana Department of Revenue and Certified by Raechelle Gross at the Yellowstone County Clerk and Records Office on December 22, 2021. A copy of the notice, property owner list, approval and certification confirmations have also been included in the submittal.

In addition to the client representative and design team, two attendees participated in the meeting:

- Jeff Kanning was in attendance as a representative of Shiloh Crossing LLC
- Oscar Heinrich - member of the general public

During the presentation, the design team shared the plan to construct a new Les Schwab Tire Center in the Shiloh Crossing Shopping Center. A copy of the slide deck is included in the submittal for reference. Questions were taken and the following discussion points and clarification was provided:

- Oscar asked if there will be any variances that will come before the Board of Adjustment (Oscar is on the Board of Adjustment so he would have to leave the meeting if that was the case)

Response: No variances are anticipated at this time.

- Jeff commented that there are specs you have to use for signage to match all the monument signs on Shiloh Blvd

Response: No monument signs are proposed. All proposed signs will be located on the building.

- Jeff commented that the POA will want them to screen the concrete pad area to the east of the building for loading and unloading tires and the dumpster.

Response: Screening has been designed and is included in the proposed landscape plan to address this concern.

- Oscar apologized that this meeting was on his calendar but he thought this was the West End Task Force meeting.
- Jeff commented that there are a couple of really specific requirements about how to submit applications to the POA. First step is that since you'll be asking for a variance, send us your site plan and floor plan, as well as renderings. The biggest issue will probably be the north elevation (lack of windows).

Response: All required documentation will be submitted to the POA for review and approval. A variance will be required from the POA for the proposed use. Modifications to the building elevations were developed and included on updated elevation drawings to address POA concerns.

- Oscar recommended that they look into the Shiloh Overlay District
- Jeff commented that he thought the Overlay District was done away with after Project Recode. There are a certain number of points you have to score in order to conform with the requirements of that Overlay district. Number of trees, pathways, bus stops, etc.

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

According to the 2016 City of Billings Growth Policy, residents envision a city that grows and diversifies within existing city limits and capitalizes on connecting to existing infrastructure. The proposed Les Schwab Tire Center project aligns with this vision. Below is a list of Growth Guidelines taken from the Growth Policy that are supported by the proposed Les Schwab Tire Center.

Essential Investments (relating public and private expenditures to public values)

Infill development and development near existing City infrastructure may be the most cost effective

The proposed project is considered commercial infill development due to its location within the Shops at Shiloh Crossing subdivision. This location, on the south end of city limits, facilitates connection to existing City water & sewer and access using the existing street system. Further, the retail opportunities and services provided by the Les Schwab Tire Center will improve convenient access to residents and visitors looking for tires and auto services in the area. Les Schwab is a and complements the existing national and regional tenants.

Community Fabric (attractive, aesthetically pleasing, uniquely Billings)

Developed landscape areas in commercial areas encourage more pedestrian activity and vibrant commercial activity Prosperity (promoting equal opportunity and economic advancement)

The Shops at Shiloh Crossing is Montana's newest and largest lifestyle center located in Billings, Montana. The 80-acre retail, dining, and entertainment center serves a customer base from Montana, Wyoming, North and South Dakota, in addition to a large tourist trade. Due to the scale of development at Shiloh Crossing focuses on providing large community scale areas each connected by a network of sidewalks and landscaped areas to encourage pedestrian activity and vibrant commercial

activity.

The proposed project improvements include a professionally designed landscape plan to align with the look and feel of Shiloh Crossing and comply with city requirements. A new sidewalk is also planned to span the parcel frontage facing Shiloh Crossing Blvd and will improve pedestrian connection throughout the subdivision.

Prosperity (promoting equal opportunity and economic advancement)

A diversity of available jobs can ensure a strong Billings' economy

Successful businesses that provide local jobs benefit the community

Since opening the first store in Bend, Oregon, the Les Schwab Tire Center sets the standard for consistently exceptional customer service. Today, the business has grown to over 7,000+ employees and is a trusted name in the west. With stores already in many Montana communities, Les Schwab has established itself as a successful business and job producer. The Shiloh Crossing location will provide new opportunities for employment in Billings and offer customers convenient automotive services and a new option for retail tires.

How the site is adequate in size and location to accommodate the proposed use while still meeting all of the zone district requirements such as landscaping and parking?

The proposed site is 2.17 acres in size and is located within the Shiloh Crossing Shopping Center. This location within the Shiloh Crossing Subdivision which was reviewed and approved by the City of Billings to ensure access, infrastructure capacity and other public health and safety topics.

The proposed building square footage is 9,543 SF leaving adequate lot area to construct needed parking and ample, well designed landscaping.

Landscaping has been designed to meet both the requirements prescribed in City of Billings Zoning and POA standards. The proposed plant species illustrate native and waterwise planting with automatic drip irrigation that can be scheduled to align with Billings weather. No standard turf is proposed, instead, a dryland seed mix formulated by a seed supplier in the region will be used to facilitate appropriate cover. The street frontage landscaping includes several native species selected to endure rugged conditions - from hot, dry summer heat to snow loads in the winter, common for the Billings.

The proposed off-street parking lot is designed to accommodate the required 1 space per 250 SF GFA as defined for Vehicle Maintenance and Repair uses. In total, the site includes 39 stalls and 2 ADA accessible spaces. Parking will be accessed directly from Shiloh Crossing Blvd, which has been constructed to typical city standards.

How the proposed use is compatible with nearby uses and how the applicant intends to mitigate any potential impacts?

The proposed location within the Shiloh Crossing Shopping Center is an ideal site for the proposed project. The site is zoned Commercial Mixed Use 2 (SMU2) and is surrounded by commercially zoned properties. In addition, the shopping center location allows Les Schwab to join other national retailers, to provide service and shopping opportunities for community members.

During the Neighborhood Meeting, a POA representative asked that a landscape buffer be added to the east side of the site to soften the view of the use from the Scheels property. An evergreen buffer was added to the site to mitigate this concern or potential visual impact to the Scheels site.

How the proposed use will not impede the normal improvement of surrounding property?

The proposed Les Schwab Tire Center will not impede the normal improvement of surrounding property since many properties within the Shiloh Shopping Center have already been developed. The building will be designed and constructed to comply with existing land use standards and building codes, both of which have been developed to ensure orderly and safe development. Further, the proposed project is located within a developed subdivision and will utilize existing city infrastructure like roadways, water and sewer connections. These connections will enhance the City of Billings systems through the addition of streetscape landscaping, a new access off of Shiloh Crossing Blvd and aligns with the city vision for future development.

January 27, 2022

City of Billings Planning Department
2825 3rd Ave North, 4th Floor
Billings, MT 59101

Re: Agent's Statement affirming the Les Schwab at Shiloh Crossing Neighborhood Meeting

To whom it may concern,

The undersigned, being the agent for the proposed Les Schwab at Shiloh Crossing located at the property legally described as SHILOH CROSSING SUB (09), S14, T01 S, R25 E, BLOCK 1, Lot 4E3, AMD (13) in Billings, Montana, do hereby affirm that a virtual Neighborhood Meeting was held on January 11, 2022, from 6-6:30 pm and that the enclosed application materials is based on the material presented during that meeting.

Sincerely,

 Digitally signed
by Zack Graham
Date: 2022.01.28
08:37:19-07'00'

Zack Graham, PE

Director, Infrastructure

PRE-APPLICATION NEIGHBORHOOD MEETING

LES SCHWAB TIRE CENTER SHILOH CROSSING

MEETING DATE: January 11, 2022

TIME: 6 - 7pm MST

LOCATION: Virtual Meeting via Zoom:

<https://cushingterrell.zoom.us/j/94627271868?pwd=MEV1VlrbXhGZHNUKzZpcWRlb1pUdz09>

type the link above into your browser or scan this QR Code:



Meeting ID: 946 2727 1868
Password: 583086

Dear neighbor,

This letter invites you to join a neighborhood meeting regarding the proposed Les Schwab Tire Center located at the north east corner of the intersection of S. Shiloh Rd and Shiloh Crossing Blvd. The proposed use of this property is for Vehicle Maintenance & Repair, Major, which requires a Special Use Permit under the City of Billings Zoning Code. At the meeting we will discuss the plans for the site and there will be an opportunity to ask questions and hear more from project designers.

The project includes the construction of a two-story building including a retail showroom, 6 service bays, tire warehouse, second floor storage and a surface parking lot with access off of Shiloh Crossing Blvd. Site improvements will consist of parking, lighting, signage, new sidewalk and landscaping.

If you have any questions prior to the meeting, please reach out to the project consultant:

Nicole Olmstead

nicoleolmstead@cushingterrell.com



Proposed Building:



Proposed Site Plan:



Property Location: Lot 4E-3 Shiloh Crossing Subdivision Plat

Current Zoning: Corridor Mixed Use 2 (CM2)

Proposed Use: Vehicle Maintenance + Repair, Major

Property Legal Description: SHILOH CROSSING SUB (09), S14, T01 S, R25 E, BLOCK 1, LOT 4E3, AMD (13), CITY OF BILLINGS IN THE COUNTY OF YELLOWSTONE, IN THE STATE OF MONTANA

Property Owner: Central Holdings, LLC

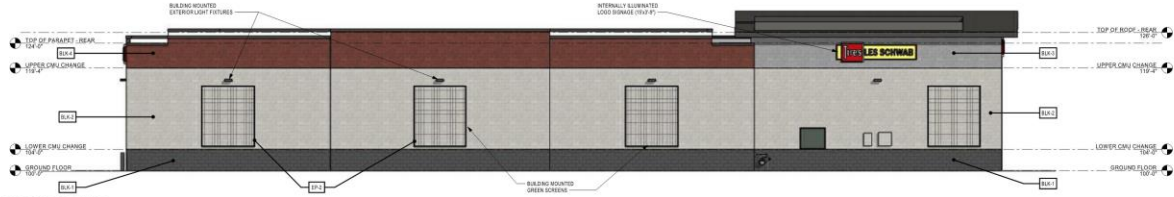
1612 Gold Avenue

Bozeman, MT 59715-2488

SUBJECT PROPERTY	Special Review	DATE	FOR	APPROVED (Y/N)	ADDITIONAL DATA
None					
SURROUNDING PROPERTY	Special Review	DATE	FOR	APPROVED (Y/N)	ADDITIONAL DATA
4121 Kari Ln (aka 4100 King Ave W)	823	7/24/06	Beer & Wine	Y	With Gaming, Hollywood Casino
4020 Montana Sapphire Dr (aka 920 Shiloh Rd)	927	7/27/15	All beverage	Y	No Gaming, The Divide Restaurant & Bar
4010 Montana Sapphire Dr	930	8/24/15	Beer & Wine	Y	With Gaming, Dotty's Casino
4241 Kari Ln	832	1/8/07	All Beverage	Y	Restaurant, Montecito Pizza
3189 King Ave W	989	1/5/21?	All Beverage	?	With Gaming & Restaurant, Warden's Casino w/ Pie Guys Pizza
741 24 th St West	943	6/27/16	Auto Service Station	Y	Construction in a Neighborhood Commercial zone
4120 Kari Lane	992	11/22/21	Auto Service	Y	Auto collision repair Service over 5,000 sf



1 FRONT ELEVATION
SCALE: 1/8" = 1'-0"



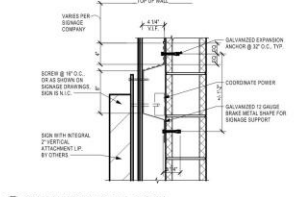
2 REAR ELEVATION
SCALE: 1/8" = 1'-0"



4 SHOWROOM ELEVATION
SCALE: 1/8" = 1'-0"



3 LOADING ELEVATION
SCALE: 1/8" = 1'-0"



5 SIGN SUPPORT DETAIL @ CMU
SCALE: 1/2" = 1'-0"

ELEVATION GENERAL NOTES:	MATERIAL LEGEND:
A. ANY SIGNAGE DEPICTED ON ELEVATIONS IS TO BE PERMITTED SEPARATELY BY OWNER.	[S.C.1] ANGLUS ONE (SPILT FACE, GRAY)
B. ALL VERTICAL DIMENSIONS ARE IN FEET AND INCHES.	[S.C.2] ANGLUS ONE (SMOOTH, BRUSH WHITE)
C. ROOF COIL AND STRUCTURAL DRAWINGS FOR GABLE CHANGES AND RETAINING WALL DIMENSIONS AND LOCATION.	[S.C.3] ANGLUS ONE (PRECISION, GREY/TONE)
D. CONSULT ALL ROOF DRAMAHS AND CONNECTIONS TO SUBGRADE DRAINAGE SYSTEM REF. COIL DRAWINGS.	[S.C.4] ANGLUS ONE (SPILT FACE, LADDER RED)
E. COORDINATE WITH SIGNAGE PLAN AND REQUIRED STRUCTURAL BACKUP IN METAL PANEL SYSTEM AND REQUIRED ELECTRICAL ROOM IN LOCATION.	[S.P.1] SOFFIT PANEL (2X4" G-ROUSE PLANKS WHITE OAK NATURAL)
F. PROVIDE ANCHORS AT ALL LOCATIONS WHERE EXTERIOR LIGHTS ARE SHOWN ON METAL PANEL SYSTEM.	[S.P.2] SITE FURNISHING IN DARK BRONZE, TRASH RECEPTACLE AND BENCH
G. COORDINATE WITH LIGHT FIXTURE SCHEDULE FOR SPECIFICATIONS AND REQUIREMENTS.	[S.P.3] EXTERIOR PAINT (SHEEN) EXTERIOR ARCHITECTURAL (SHEEN) ANTHRAX (MATT)
H. EXPLODED STEEL CONCRETE WALLS IN LANDSCAPED AREAS ARE TO HAVE WALK-ON GRAVING COVER ADAPTED EXPANDED CONCRETE TO MEET FOOTING.	[S.P.4] HANDBAR AND GRAB BARS, REF. SPEC
I. REFER TO SHEET 0501 LIGHTING FIXTURE SCHEDULE FOR EXTERIOR LIGHT FIXTURE MOUNTING HEIGHTS.	
J. VERIFY LOCAL FIRE DEPARTMENT REQUIREMENTS FOR ADDRESS NUMBER LOCATION.	

Cushing Terrell

cushingterrell.com
800.757.9522



SHILOH CROSSING
BILLINGS, MT 59102
6 BAY LINEAR STORE
LES SCHWAB TIRE CENTER - BILLINGS, MT

NOT FOR CONSTRUCTION - PRELIMINARY DESIGN
SPECIAL REVIEW SET

02.10.2022
DRAWN BY: J. NELSON
REVISIONS:

EXTERIOR ELEVATIONS
A2.1

