

Husman, Karen

From: Taylor Kasperick <taylor@performance-ec.com>
Sent: Wednesday, September 7, 2022 8:42 AM
To: Cromwell, Nicole; Husman, Karen
Subject: [EXTERNAL] FW: Zoning Applications

Nicole and Karen,

Thanks again for the presentation at the Zoning Commission last night for City Zone Change 1017. I am glad the commission agreed with your recommendation.

I did want to follow up on Commissioner David Goss' sentiments in relation to this property being evaluated as a special review first instead of a zone change, and his subsequent "nay" vote on approval seemingly because of this procedural difference. As the public comment period was over, I was not able to interject when the discussion was occurring but would have indicated that this was originally contemplated as a special review with variances, but per our email thread below was changed to the zone change process as the number of variances that would be necessitated based on the proposed use and physical constraints of the site. I wanted to bring this up in the event this same discussion happens at the City Council meeting, and I feel that it is an important fact that we originally discussed a special review and variances but changed to the zone change process as it is more straightforward for this site. I would be happy to address this as well, but dependent on timing of discussion that it is brought up (whether it is in public comment period or not) would appreciate help in clarifying this by Planning Department staff if needed.

Please let me know if you have any questions. Again, I appreciate the help and presentation on this project.

Taylor

Taylor Kasperick, PE
Project Manager
taylor@performance-ec.com
Office: 406.384.0080
Mobile: 801.657.0372



608 North 29th Street • Billings, MT 59101

www.performance-ec.com

From: Cromwell, Nicole <CromwellN@billingsmt.gov>
Sent: Thursday, July 7, 2022 10:54 AM
To: Taylor Kasperick <taylor@performance-ec.com>
Cc: Scott Aspenlieder <scott@performance-ec.com>; Plecker, Monica <PleckerM@billingsmt.gov>; Green, Dave <greend@billingsmt.gov>; Husman, Karen <husmank@billingsmt.gov>
Subject: RE: Zoning Applications

Hi Taylor,

I think pursuing the zone change for the carwash parcel is probably a better idea – a least it is more straightforward. An industrial zone would not work here but the CX is a possible good choice.

The car wash use is allowed in CX and this little piece of CMU1 adjacent to the very large CX piece to the south seems out of synch.

So MDT will make you close the drive approach on Blue Creek Road that already exists? They normally don't do that but I guess there are so many drive approaches on this stretch of Blue Creek Road, it probably is a good for traffic safety. Glacier car wash under construction on 24th St West was also a tight site but their format is a little different than the one you are proposing. They have one long wash tunnel similar to the Mint carwash on Exposition Drive.

Both of the zone change applications will require a 1,320 radius notification area.

I am going to encourage you to use the same method we are using for notifying these large lists of owners: send a postcard with the required information and with a url/or QR code that links to information you post on your webpage/or facebook page. You can also include your email contact and phone number on the postcard.

Let me know if this is helpful.

Thanks,
Nicole

From: Taylor Kasperick <taylor@performance-ec.com>

Sent: Thursday, July 7, 2022 9:45 AM

To: Cromwell, Nicole <CromwellN@billingsmt.gov>

Cc: Scott Aspenlieder <scott@performance-ec.com>; Plecker, Monica <PleckerM@billingsmt.gov>; Green, Dave <[greend@billingsmt.gov](mailto:greenD@billingsmt.gov)>; Husman, Karen <husmank@billingsmt.gov>

Subject: [EXTERNAL] RE: Zoning Applications

Nicole,

Thank you for the detailed follow up on both projects, and appreciate the work to get the radius maps and addresses pulled together. As you referenced on the Michelotti property, we are planning to include NX2 as a "buffer" between the adjacent N2 area and proposed NX3 zone, but wanted to get the prelim layout in front of you before determining the proposed line to try to head off any hurdles before getting it zoned. As you referenced, we will hear out the neighbors during the pre-app neighborhood meeting and tool our plan following that.

In relation to the Blue Creek project, we had assumed Santiago Boulevard would be considered the front of the lot as access off Blue Creek Road to the lot is not be permitted by MDT. This doesn't change much in relation to the comments you have provided, other than which side we would likely need to screen the vacuum stalls and front façade requirements. Previously in other municipalities, we have found that build-to and front façade requirements are very difficult to achieve for a car wash or service bay-style building unless a very large lot is used to facilitate vehicle movements. With that being said, I would be curious as to if you think we would be better served going a zone change route to a CX or I1 district where the build-to and façade requirements are more in line with a car wash than pursuing the special review for allowed use under CMU1?

Thanks a bunch and please feel free to let me know your thoughts.

Taylor

Taylor Kasperick, PE

Project Manager

taylor@performance-ec.com

Office: 406.384.0080

Mobile: 801.657.0372



608 North 29th Street • Billings, MT 59101

From: Cromwell, Nicole <CromwellN@billingsmt.gov>

Sent: Thursday, July 7, 2022 8:52 AM

To: Taylor Kasperick <taylor@performance-ec.com>

Cc: Scott Aspenlieder <scott@performance-ec.com>; Plecker, Monica <PleckerM@billingsmt.gov>; Green, Dave <greend@billingsmt.gov>; Husman, Karen <husmank@billingsmt.gov>

Subject: RE: Zoning Applications

Hi Taylor,

I will attempt to get the lists, the pre-app labels etc. later today or tomorrow.

There are several issues with the layout of the proposed car wash.

27-1005.Q.

Vehicle service station. The following standards apply in the CMU1, CMU2, DX, CBD, and EBURD districts:

1. Service bays. Vehicular service bays, including garages and car wash bays, shall not be located on the front facade, unless otherwise permitted by the frontage type.

2. Outdoor storage. Disabled or inoperable vehicles and those awaiting pick-up may be stored outdoors if:

(a) The vehicles are not stored for more than two (2) days.

(b) The storage area is located in the rear yard screened from view of the front lot line.

(c) The storage area is screened using the side and rear yard buffer outlined in [article 27-1200](#).

3. Outdoor activities.

(a) All repairs or washing activities must occur inside a structure.

(b) Vacuuming activities may occur in open air but must be located in the side or rear yards, screened from the front lot line.

(c) Temporary outdoor display of seasonal items, such as windshield wiper fluid or salt, is permitted during business hours under the canopy and adjacent to the principal structure.

We have granted a build-to area variance for the lot to the north because of the 100-year flood plain so that is not a big hurdle to get over. If we consider Blue Creek Road to be the “front” then the vacuum bays will have to be screened – at least on the west side of the vacuum bays. The build-to area on Blue Creek Road (5 to 20 feet), the requirement to build to the corner, and the build-to area on Santiago Blvd (side adjacent street – 5 to 20 feet), the minimum front lot line coverage (65% in the build-to area on Blue Creek Rd), and the 65% window and door coverage on the front facade can all be considered by the City Council as variances from the CMU1 zone district requirements through the special review process. Please call out these variances in your application and address each one.

The proposed NX3 zone for the Michelloti property has been through one pre-app neighborhood meeting already (March 2022) with Sanderson Stewart as the agent. I don’t know if this is a different buyer or not. I would not go for all NX3 – I would draw a line between the apartments on the east half and the townhomes on the west half – the west half would be NX2 and the east half NX3. The site plan does not jump out as noncompliant – it appears you have forgotten about the requirement to provide active recreation space. There is some cloudiness on the interpretation of the phrase “for every three contiguous acres”. You should plan on providing at least 2 separate open space areas on the site plan. They can both be the same type – but they should be separate locations.

I would not get too far ahead on the Master Site Plan application before you at least hear from the neighbors.

27-308.D.5.

Open space. One of the following open space types must be provided for every three contiguous acres of NX2 or NX3 district:

(a) Parklet. A parklet is a landscaped open space with a minimum seventy (70) percent living plant material, with at least twenty (20) feet of street frontage.

(b) Green. A green is a larger, landscaped space, with at least fifty (50) feet of street frontage.

(c) Natural area. A natural area is a large area, defined to conserve a natural feature, such as a stream, wetland or woodland. At least fifty (50) feet of street frontage is required for a natural area.

Will be in touch soon.

Thanks,
Nicole

From: Taylor Kasperick <taylor@performance-ec.com>

Sent: Wednesday, July 6, 2022 4:42 PM

To: Cromwell, Nicole <CromwellN@billingsmt.gov>

Cc: Scott Aspenlieder <scott@performance-ec.com>

Subject: [EXTERNAL] Zoning Applications

Nicole,

We will be moving forward on two zoning applications here shortly, the first being a zone change upon annexation into the City of Tract 2B of Certificate of Survey No 2974, Amended (Michelloti Project), and the second being a special review for a car wash in CMU1 for Lot 1 of Blue Creek Storage Subdivision. I have attached preliminary zoning exhibits and layouts for each site with this email for your reference. If you could please provide the radius map and list of property owner names for these two parcels it would be much appreciated.

As the Michelloti Project will entail a master site plan, I would also like to setup a Master Site Pre-Application meeting to talk through and nail down if and where we should draw the line between NX2 and NX3 for the site and feasibility of prelim layout. I will work to get that setup in Citizens Access here shortly. In regards to the Blue Creek Car Wash project, we would anticipate needing variances from the "build-to" aspects of the CMU districts. I believe this would be handled separately from the special review, but please let me know if that is not the case.

Please let me know if you have any questions on the above information.

Thank you!

Taylor

Taylor Kasperick, PE
Project Manager
taylor@performance-ec.com
Office: 406.384.0080
Mobile: 801.657.0372



608 North 29th Street • Billings, MT 59101

www.performance-ec.com