

APPLICATION FORM

CITY VARIANCE

ID: Billings Variance # 1359 **- Project #** PZX-22-00310

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

PROPERTY TAX ID # D01860 CITY ELECTION WARD # 1

Legal Description of Property: Tract 1 of COS 1591

Address or General Location (If unknown, contact City Engineering): South of South Frontage Road
between Washington Street and its transition to Riverside Drive.

Zoning Classification: Heavy Commercial

Size of Parcel (Area & Dimensions): 10.199 Acres, approximately 700' x 700'

Covenants or Deed Restrictions on Property: Yes _____ No X

If yes, please attach to application

Variance(s) Requested: Variance from 27-400-6, B, 6 requiring parking be located on the side or rear.

If denied, variance from 27-1205, B requiring landscape terminal islands.

Facts of Hardship: (attach letter) See Attached Letter

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

Owner(s): KSKC Properties, LLC

(Recorded Owner) 1125 Maggie Lane, Suite B, Billings, MT 59101

(Address) 406-259-9175 tim-c@mobile-stor.com

(Phone Number) (email)

Performance Engineering

Agent(s): _____

(Name) 608 N. 29th Street, Billings, MT 59101

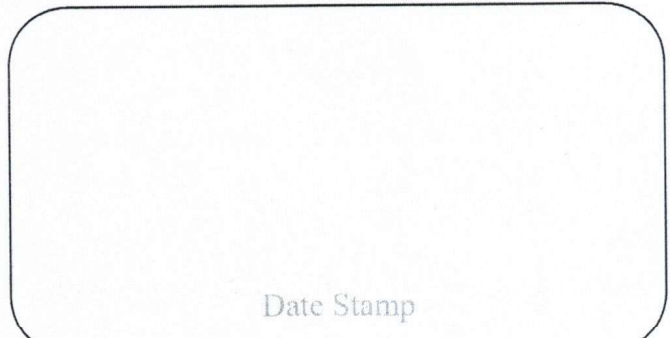
(Address) 406-384-0080 taylor@performance-ec.com

(Phone Number) (email)

I understand that the filing fee accompanying this application is not refundable, that it pays for the cost of processing, and that the fee does not constitute a payment for a Variance. Also, I attest that all the information presented herein is factual and correct.

Signature: *Tim C. Taylor*
(Recorded Owner)

Date: 12/27/22



Date Stamp



608 North 29th Street • Billings, MT 59101 • 406-384-0080

December 27, 2022

Chair of the Board of Adjustments
City of Billings Planning Department

RE: Tract 1, COS 1591 Zoning Variance Request

To the Chair of Board of Adjustments,

Thank you for the time and consideration in reviewing the submitted City Zoning Variance Application for the Mobile-Stor Development located on Tract 1 of Certificate of Survey 1591. This property is located on the south side of South Frontage Road between Washington Street and the frontage road's transition into Riverside Drive in the City of Billings, north of the Yellowstone River. The project is proposed to provide a new facility for Mobile-Stor, a locally-owned and operated company providing necessary service to the construction, industrial, and other service industries by providing mobile office, ground office, and storage container rental and purchase capabilities. We and the Owner feel this property is a great location for such use provided its proximity and ease of access to Interstate 90, with interstate frontage and being surrounded by heavy commercial/light industrial uses along South Frontage Road.

The submitted variance applies to Table 27-400-6, B, 6, of the City of Billings Zoning Code Section 27-409 for Heavy Commercial (CX) District, which requires surface or accessory parking to be located on the side or rear of a building. The owner of the property plans to construct a building to serve their own operations (Mobile-Stor) as well as provide a tenant space for lease to another entity (unknown at this juncture). Additionally, the east half of the property has been programmed for additional heavy commercial uses with layouts completed to maximize the beneficial use for the Owner and City of Billings from a tax perspective.

Facts of hardship to meet this requirement for the planned development relate to the Owner's intentions with the site layout, as well as the site's location within the City of Billings being bordered on

the north by an interstate frontage road and on the south by the Yellowstone River (i.e., not in the vicinity of heavy pedestrian or retail traffic). The facts of hardship experienced with this site include the following:

- It is understood one of the intentions behind requiring parking on the side or rear of a building is to allow for pedestrian access to/from the building without having to navigate through a large parking lot, and for building visibility to passer-by traffic. Given the small proportion of office space within the planned building (a large majority of the building is shop bays), it is highly unlikely pedestrian or multi-mode (bicycle) traffic will frequent the building or its potential future use. Limiting of the site layout to one row of parking directly in front of the building also minimizes the ability to block sight of the facility from Interstate 90 and the South Frontage Road. In addition, the planned use of the building is often for direct customers rather than passer-by traffic that would be coming to the businesses based on visibility. The Owner does not believe that parking in front of the building restricts their ability to operate and attract business, in fact the opposite is true. The Owner believes that not allowing a single row of parking in front of the business will deter customers from coming to the facility because parking is not convenient at the site, creating an economic hardship for the business.
- Mobile-Stor's operational use requires a large yard space for storage of mobile offices, storage containers, and on-ground office units. As such, the rear portion of the development is planned to be kept separate from employee and customer parking on the front and side of the building. The referenced mobile offices and storage containers are quite large requiring forklifts and semi-trailers to maneuver them, which would pose a safety hazard if co-mingled with parking.
- As the western portion of the building is planned to be leased to a tenant, placing all parking on the east side of the building would not be suitable for the tenant or customers, requiring them to cross the parking area and the Mobile-Stor unit to get to their desired destination. The requisite parking for the planned building has been split between the side yard and front of the building to allow for tenant use to be placed closer to the point of entry for the building, which minimizes any pedestrian and large commercial truck interactions making the site safer for all parties. In addition, parking spaces are only placed adjacent to

the building rather than providing spaces on both sides of the front drive aisle limiting visibility of the building.

- The nature of similar commercial uses along South Frontage Road are comparable to what is being requested with this variance, having parking in front of buildings. That being said, front yard parking with the proposed layout is limited to what is believed necessary for the tenant space, with remaining parking placed in the side yard. Adjusting parking to a side yard on the west side of the facility for the tenant space would require a shift of the entire building to the east, taking up valuable and developable property that is planned for future construction.
- A significant setback from the front property line is provided with the proposed site layout to accommodate site landscaping, which limits the visual impact of vehicles being parked in front of the building negating any unlikely visual impact for vehicular traffic on Interstate 90 and South Frontage Road or what little pedestrian use will be present on the multi-use trail in the lot frontage.

We appreciate your consideration of this variance request given the property's unique characteristics and the area's existing nature. Should you have any further questions please do not hesitate to call at 406-384-0080 or email myself at taylor@performance-ec.com. We look forward to presenting this request to you at the schedule meeting for consideration.

Best Regards,

Taylor Kasperick, PE
Project Manager