



NOTICE TO THE PUBLIC

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

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://tinyurl.com/yckr478k>

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](mailto: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](mailto: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:**

The minutes of the Board meeting of November 1, 2022.

**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 Special Review 995 -- Blue Creek Rd & Santiago Blvd -- Request for Car Wash --** A special review request to allow a carwash facility in a Corridor Mixed Use 1 (CMU1) zone on Lot 1 of Blue Creek Storage Subdivision a .917 acre parcel of land. The applicant has also included requests for variances from the CMU1 Site and Structure regulations in Table 27-400-3 including: (A.1) Build-To Corner, (A.3) Minimum Front Lot Line coverage, (A.4 & A.5) Front and Street-Side Build-to Ranges, (B.8) Parking location, (D.16) Window and Door requirements, and (D.18) Number of Entries on the Front façade; Sec. 27-1005 (Q.1) Carwash bay doors on the front façade, (Q.3.b) location of open air vacuuming facility in the front or street-side yard. A pre-application neighborhood meeting was held on November 21, 2022.
- b. **City Zone Change 1021 -- Vista West -- PND --** A zone change request from Agriculture (A -- County) to Neighborhood 1 (N1), Mixed Residential 2 and 3 (NX2-NX3) and Public 1 (P1) on Tract 1 and 2 of C/S 2828 and the adjacent drain right-of-way, a 27.7 acre parcel of land generally located north of Rocky Vista Way, west of Shiloh

Rd and south of Bell Avenue. There is a concurrent petition for annexation. A pre-application neighborhood meeting was held on October 25, 2022.

## Other Business/Announcements

### Adjournment

**The City Council has designated January 23, 2023, at 5:30 p.m.** as the date and time to receive the Zoning Commission recommendation for the **Special Review** and hold a public hearing.

**The City Council has designated February 13, 2023, at 5:30 p.m.** as the date and time to receive the Zoning Commission recommendation for the **Zone Change** and hold a public hearing. The Council will **conduct a public hearing for the first reading of the ordinance on February 13, 2023.** If approved on first reading, a **second reading will occur on February 27, 2023 at 5:30 pm.**

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.

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.**

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

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](mailto:bartleyr@billingsmt.gov)

**City Zoning Commission**  
**Meeting Date:** 01/03/2023

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**Information**

**Subject**

The minutes of the Board meeting of November 1, 2022.

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**Attachments**

BZC\_2022\_1101

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**City of Billings Zoning Commission  
Meeting Minutes November 1, 2022**

**The City of Billings Zoning Commission met on Tuesday, November 1, 2022 at 4:30 p.m., 2825 3rd Ave North, 1st floor conference room of the Miller Building.** The public may attend in person or watch the meeting live on Facebook (see below). The Public may call in during specific Public Comment periods at **(406) 237-6165**. All callers will be in a queued system and are asked to remain on hold and be patient. Calls will be taken in the order they are received. Callers will be restricted to 3 minutes of testimony as is customary. Comments may be sent to **Board via email before 1:00 PM on Tuesday, November 1, 2022**. All e-mails received prior to this time will become part of the record for the public hearing. Live coverage can be viewed on the City of Billings Facebook page here; <https://tinyurl.com/yckr478k>

**The City Council has designated November 28, 2022, at 5:30 p.m.** as the date and time to receive the Zoning Commission recommendation for the zone changes and hold their public hearings. The Council will **conduct a public hearing for the first reading of the ordinance on November 28, 2022**. If approved on first reading, a **second reading will occur on December 12, 2022 at 5:30 pm.**

Commission and Staff		01/04/2022	02/01/2022	03/01/2022	04/05/2022	05/03/2022	06/07/2022	07/05/2022	08/02/2022	09/06/2022	10/04/2022	11/01/2022	12/06/2022
Mike Larson	Chairman	1	1	E	1	1	-	-	1	E	E	1	
Daniel J. Brooks	Commissioner	E	E	1	1	1	-	-	1	1	1	1	
Greg McCall	Vice Chairman	1	1	1	1	1	-	-	1	1	1	1	
Trina White	Commissioner	1	E	1	1	E	-	-	1	1	1	E	
David Goss	Commissioner	1	1	1	1	1	-	-	1	1	1	1	
Wyeth Friday	Director, PCSD	-	-	-	-	-	-	-	-	-	-	-	
Monica Plecker	Division Planning Manager	-	-	-	-	-	-	-	-	-	-	-	
Nicole Cromwell	Zoning Coordinator	1	1	1	1	1	-	-	1	1	1	1	
Tammy Deines	Planning Clerk	-	1	1	-	-	-	-	-	-	-	1	
Dave Green	Planner II	-	-	-	-	-	-	-	-	-	-	-	
Karen Husman	Planner I	-	1	1	1	1	-	-	-	1	1	-	
Robbin Bartley	Administrative Support	1	1	1	1	1	-	-	1	1	1	-	

Total Number Of 2022 Applications	01/04/2022	02/01/2022	03/01/2022	04/05/2022	05/03/2022	06/07/2022	07/05/2022	08/02/2022	09/06/2022	10/04/2022	11/01/2022	12/06/2022	TOTAL
Zone Change	1	4	2	2	3			1	1	3	*1		17
Special Review	-	-	1										1

Chair Larson introduced the Planning Division Staff and Commission: Attending Staff were Nicole Cromwell, Zoning Coordinator and Tammy Deines, Planning Clerk.

\*RETURNING AGENDA ITEM.

**Attending:** Scott Aspenlieder, Performance Engineering, Gloria Gunther, Kathleen Jorgensen, Randy Gross, Sally Hildenburg, 2030 Weston, Billings, MT (Ms. Hildenburg participated virtually and by phone).

**Chair Larson called the meeting to order at 4:31 pm.**

**Public Comment**

Chair Larson called for public comments. There were no public comments. Chair Larson closed the public comment portion of the meeting.

**Approval of Minutes: September 6, 2022 and October 4, 2022**

**Motion by Commissioner Brooks and seconded by Commissioner Goss to approve the September 6, 2022 and the October 4, 2022 meeting minutes as submitted.**

Commissioner McCall recused himself from voting on this application as McCall Homes has entertained conversations with this developer’s building company in hopes that McCall Homes may have the opportunity to build some homes in this area.

**Disclosure of Conflict of Interest**

COMMISSIONER	DISCLOSED	NONE	ABSTAINED	ABSENT
Mike Larson		X		
Daniel J. Brooks		X		
David Goss		X		
Greg McCall	X			

Trina White				x
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**Disclosure of Outside Communication**

COMMISSIONER	DISCLOSED	NONE	ABSTAINED	ABSENT
Mike Larson		x		
Daniel J. Brooks		x		
David Goss		x		
Greg McCall		x		
Trina White				x

**Public Hearings:**

(Continued) City Zone Change 1019 – Zimmerman Trail – NO to CMU1 - A zone change request from Neighborhood Office (NO) to Corridor Mixed Use 1 (CMU1), on Lot 2 and 3 of Block 1, Zimmerman Home Place Subdivision, 3<sup>rd</sup> Filing, a 7.513-acre parcel of land. A pre-application neighborhood meeting was held on August 24, 2022, on ZOOM, a virtual meeting platform. Tax ID: TBD – portions of A36264

A valid protest has been received by Planning staff against the zone change proposal.

**Staff Recommendation:**

Planning staff is recommending approval and adoption of the proposed findings of the 10 criteria for Zone Change 1019.

**Discussion. Questions for staff:**

Chairman Larson called for discussion from the members of the Zoning Commission. Commissioner Brooks said it seems this proposed zone change will bring this property in better compliance with the new zoning code. Zoning Coordinator Nicole Cromwell concurred and commented it is atypical to have such a large parcel zoned Neighborhood Office (NO). Commissioner Goss point out the access will be coming in from non-arterial streets. Nicole Cromwell explained this was a condition of the subdivision approval as the City will not allow additional access from Zimmerman Trail. Commissioner Goss said the proposed structures could be up to 54 feet in height and asked how they compare with the Shiloh Commons development. Nicole Cromwell said under this zoning the structures may be up to 62 feet and she gave other examples of similar buildings within the Cardwell Ranch Subdivision. Commissioner Goss noted the West Billings Plan and asked if the zoning dictates the roofline design. Nicole Cromwell said there are some roof design requirements in the code. She explained the West Billings Plan’s

requirement for separation between commercial nodes and said this was written under the archive zoning for Community Commercial (CC) zoning as it was intended for parcels for 30-acres or more. Heavy commercial uses were encouraged at the intersections. In response to question by Commissioner Brooks, Nicole Cromwell stated the protest received by staff is valid and no reasons for objection are needed in addition to the signatures.

**Applicant:**

**Scott Aspenlieder, Performance Engineering, 608 North 29<sup>th</sup> Street, Billings, MT**

Mr. Aspenlieder is the applicant's agent. Mr. Lees, the developer, is in attendance. Mr. Aspenlieder said there is a traffic study in place contemplating this zone change to CMU1. The traffic study has been accepted by the City and the developer has agreed to the impact fees. A neighborhood meeting request online was scheduled and there was no participation. Due to the response, an in-person meeting was scheduled and held in hopes to have conversations with the neighborhood prior to the application. The primary issue brought forward is the building height. A traffic signal will be installed at Avenue E and Zimmerman Trail. With the zone change approval, the nearest a building to the build-to-line would be about 140-feet. Bars and casinos are not allowed due to the separation requirements. Mr. Aspenlieder feels this proposal will support continued growth. He stated they fully intend to meet the zoning code to find the highest and best use of the property as they build the infill developments.

**Discussion. Questions for applicant:**

Chairman Larson asked for questions for the applicant. Commissioner Goss said this is a commercial development fed by neighborhood streets. Mr. Aspenlieder said Avenue E is built out as a collector, Green Valley is wider, and there will be another approach with a right-in, right-out on Zimmerman. The intent is to funnel the traffic to come out at the roundabout on the other side of Town Pump on Grand Avenue. Commissioner Goss asked if they considered neighborhood use zoning. Commissioner Brooks said without the zone change, a coffee shop would not be allowed.

**Public Hearing: 5:11 PM**

Chair Larson opened the public hearing and called for anyone wishing to speak in favor or against City Zone Change 1019.

**In Favor:**

**Preston Lees, Highlands Development, (No address given)**

Mr. Lees is the developer. He said their goal is to create attractive communities and enhance the City of Billings. Their intention for this property to construct structures with residential uses above and retail use below. He said he appreciated the opportunity for the second neighborhood meeting. Out of that meeting came the two concerns with the increased traffic and the height of the structures. He said the structures will likely include underground parking. Commissioner Brooks commented on a recent a study pointing to a shortage of housing in Billings. Mr. Lees said this will bring about an additional 120 apartment units with retail space. Developers are considering how to supply the 3,000 units shown in the study. He feels this product type will become more crucial to Billings' success and growth. To the west of this parcel, a parkland area will be created

with basketball and pickle ball courts. Commissioner Goss asked if elevators will be included and Mr. Lees responded that four story structures require an elevator.

**Opposed:**

**Sally Hildenburg, 2030 Weston, Billings, MT (Participated virtually and by Phone)**

Ms. Hildenburg stated she is opposed to the zone change due to the impacts on Zimmerman Trail which is the only access road to the airport. Ms. Hildenburg's property backs up to Zimmerman Trail and they experience traffic noise. She feels this development will increase congestion and the additional traffic lights will hinder emergency vehicle response times. The Zimmerman Trail to Highway 3 view shed will be affected. Ms. Hildenburg stated she is opposed to the proposed zoning and prefers the current zoning. Ms. Hildenburg said she initiated the protest petition and there are a number of people who do not want the commercial uses in their back yards. The 125- ft.' separation will not cut down the commercial lighting or traffic. She does not feel the commercial uses should be crammed into the 7.5 acres and said this will make Zimmerman Trail very busy.

**Kathleen Jorgenson, 2026 Weston Drive, Billings, MT**

Ms. Jorgenson said Zimmerman Trail is historic to Billings and is one of the more picturesque thoroughfares in Billings. She is concerned with the three and four story buildings in that neighborhood and doesn't feel it fits with the surrounding properties.

**Gloria Gunther, 1917 Weston Drive, Billings, MT**

Ms. Gunther said the Homeowners Association approved the initial zone change to Neighborhood Office, (NO). The petition to oppose the re-zoning was signed by the majority of their HOA, along with the HOA south of them. They are asking the Zoning Commission to oppose this zone change as they do not want to retain the Neighborhood Office zoning. She said this development will significantly increase traffic and gave some potential statistics with the build out of the proposed development. She said the development with increase traffic, hamper access to Zimmerman Trail, and have 2-3 buildings with businesses on the first level with three levels of apartments on top of each building. Approving the re-zoning will manifest the traffic congestion problem astronomically. She said the traffic light at Avenue E is needed. Influx of traffic may increase taxes for needed improvements. She read comments from other members of the HOA.

1. The development will increase traffic on Zimmerman Trail and Grand Avenue. The affected homes have their bedrooms along Zimmerman Trail. Lighting and increased traffic noise will have an effect on rest.
2. A traffic light is needed at Avenue e as at times the wait is significant of exit onto Zimmerman trail. There is no mention of the number of vehicles that would be involved in traffic. This would cost the City taxpayers more money should future adjustments be needed due to the influx of traffic.
3. It is a rare day that emergency vehicles do not use Zimmerman Trail for access to get to Highway 3 and hospitals. It is not uncommon to have sirens with ambulance, police, and fire departments all responding at the same time.
4. Zimmerman Trail is a very busy corridor for access to the airport and Heights for people on the west end and also for people who live in the Heights to access the west end.

5. Zimmerman Trail will lose its unique landscape and view of the rims.

**Randy Gross, 1889 Hampton, Billings, MT**

Mr. Gross asked for clarification on the number of apartments in the entire project along with information with respect to parking. He asked about the cost difference between a stop light versus a roundabout which may be a better choice. He asked if there is an income restriction with respect to the apartments. He said they are concerned with public safety as they recently had a robbery at gunpoint in their neighborhood.

**Rebuttal**

**Scott Aspenlieder, Performance Engineering, 608 North 29<sup>th</sup> Street, Billings, MT**

Mr. Aspenlieder said from a traffic standpoint, the traffic studies have come to some conclusions that will bring some comfort. The city may not want to entertain a roundabout. He noted the traffic signal timing will have to correlate from Avenue E to Broadwater to prevent stacking. He said trip generations are forecasted to drive traffic patterns to the roundabout at Grand Avenue and he feels that everyone is in agreement from a traffic standpoint. He said Zimmerman Trail will inherently change as it is a major arterial. At some point in time, Zimmerman Trail may need to be widened given the forthcoming Inner Belt Loop connection. He said the developer is paying his proportionate share of the improvements to relieve the tax burden. In response to Mr. Gross' question, Nicole Cromwell said a roundabout costs about a third more than a signalized application.

**Preston Lees, Highlands Development, (No address given)**

Mr. Lees said the total number of units on Block 2 is 300 units. Currently, no design work has been done for this project but his early calculations point to approximately 100 units. The parking requirements will be met as required by the City. The apartments will not be subsidized.

**Public Hearing closed at 5:41 PM**

**Discussion:**

Commissioner Goss said he is torn on this proposal. He likes the infill development and understands the need for commercial uses. He asked if the Neighborhood Mixed Use (NMU) may have been a better choice and said what the community envisions for the future of Zimmerman Trail and Shiloh Road.

Commissioner Brooks said he understands the concerns with the potential for sprawl. He appreciates the extra effort the developer made with the neighborhood. He leans towards the alignment of the current zoning code. He pointed to the deficit of housing in the community and commented that generally residential uses provide a higher incentive for criminal elements. He feels this is proposal is the best use of the land and will vote in favor.

Commissioner Larson said applications for undeveloped property coming against developer older neighborhoods are challenging. Zimmerman Trail and the raised traffic issues have existed for several years. Zimmerman Trail needs to be improved and this

will be done through development. He commented that Zimmerman Trail was funded with four different during his term in City Council.

**Motion**

**Commissioner Brooks made a motion and Commissioner Goss seconded the motion to approve City Zone Change 1019 with staff findings.**

COMMISSIONER	Yes	No	ABSTAINED	ABSENT
Mike Larson	x			
Daniel J. Brooks	x			
David Goss	x			
Greg McCall			x	
Trina White				x

**The Motion passed to approve City Zone Change 1019 with a 3-0 vote and Commissioner McCall recusing.**

**Other Business:** The next City Zoning Commission meeting is December 6, 2022.

**Adjournment:** The meeting adjourned at 5:50 PM.

**ATTEST: DRAFT to be approved** by a motion at the next regularly scheduled meeting.

*--Tammy Deines, Planning Clerk*





## Zoning Commission

**Date:** 01/03/2023  
**Title:** City Special Review 995 - Carwash at Blue Creek Rd and Santiago Blvd  
**Presented by:** Nicole Cromwell  
**Department:** Planning & Community Services  
**Presentation:** Yes

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### Information

#### RECOMMENDATION

Planning staff is recommending conditional approval of the special review and the requested variances from the CMU1 zone district requirements based on the proposed findings of the criteria for special review.

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

This is a special review request to locate a carwash facility at the intersection of Blue Creek Road, an arterial street and Santiago Boulevard, a local street, in a Corridor Mixed Use 1 (CMU1) zone district. The owner had previously submitted a zone change request to develop the same carwash facility, so the use would be allowed, and no variances would be required. The proposed zone change, which was denied by the City Council on September 26, 2022, was to Heavy Commercial (CX) zoning. The Zoning Commission had recommended approval on a split vote of 3-1. The City Council subsequently denied the zone change based on the location at the entrance to the Cedar Park Subdivision. The Zoning Commission and City Council understood the project would likely return as a special review application.

A special review is not an allowed use but a special exception to the by-right uses within a zone district. Special review is not always required for a particular use depending on the zone district. For example, a religious assembly (church) use requires special review in all neighborhood zones but is an allowed use in the mixed-use zones. A special review can focus on the site development details while a zone change cannot. For this application, we have received detailed information on the proposed use, the traffic patterns in the area, landscaping, drive approaches and similar details. The project as proposed cannot meet the building and siting requirements normally required in a CMU1 zone due to topographic limitations and traffic management restrictions on the site. These are variances to the code requirements and can be considered as part of the overall special review application.

The car wash facility will consist of two automatic wash bays and four manual wash bays. There is an office and storage space that connects the two different types of wash bays in an L-shaped layout. The site layout does not conform to the required build-to range on the front or side street for CMU1 due to a sewer easement along Santiago Blvd, and a 100-year flood plain that crosses the western half of the property. In addition, traffic flow management into and out of the property, also restricts the placement of the building on either street frontage. Auto-oriented land uses such as drive-through restaurants, carwash facilities, banks with drive through lanes and similar are challenged in any mixed use zone district to meet the code requirements. Other site elements required for carwash facilities in this CMU1 zone include not placing any open air vacuuming facility between the building and the front street or side street (Sec. 27-1005.Q(3.b), and not placing any bay doors on the front facade (Sec. 27-1005.Q(1). The site cannot meet the minimum front lot line coverage (65%), the build-to corner requirement, the location of surface parking to the rear or side of the building, the number of required entries on a front facade and minimum percent of window and doors on the ground-floor front facade. Any allowed use on this site with its easement, floodplain and topographic challenges would likely need variances from some of these building and siting standards as well.

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.*

Any use of the property will need to manage traffic into and out of the site. The owner and agent asked the Montana Department of Transportation (MDT) whether a drive approach would be allowed from Blue Creek Road. Based on safety considerations, MDT did not approve this request. Traffic speed and volume, along with the proximity to the intersection with Santiago Blvd, make placement of another drive approach on Blue Creek Road hazardous. The lot only has access from Santiago Blvd, the local street that borders the property on the north. Santiago Blvd is the sole access for the Cedar Park Subdivision. This subdivision was approved by the County Commissioners in July 1959. The Cedar Park subdivision still only has one vehicle access, although the original subdivision anticipated continued road connections to the north and south through Bowman Drive, Shasta Drive, San Fernando Drive and Santa Rosa Drive. Those connections to adjacent property have not resulted in any continuation of those streets in the last 63 years. As a result, 85 homes are located on a street network with only one way in or out of the subdivision. This is not unusual for older county subdivisions in this area. Until the early 2010s, Briarwood Subdivision with more than 400 dwellings also had only one way in or out of the subdivision. Additional subdivision and lot creation in Briarwood triggered a requirement to create an emergency access road to connect with Colleen Drive to the north and west from the cul-de-sac of Glengarry Lane.

Many of the public comments on the zone change request focused on the incomplete and inadequate intersection improvements at Santiago Boulevard and Blue Creek Road. This lot, the storage units and the Cedar Park subdivision are all within the city limits, but no city-level right of way improvements have been accomplished at this intersection. MDT controls the right of way improvements for Blue Creek Road and when the storage facility directly south of the subject property was developed, no right of way improvements, beyond the drive approach, were required by MDT. The subject property has been used as an informal turn-around for vehicles headed north on Blue Creek Rd that want to head back south. Please see the attached aerial photographs and site pictures. MDT will not allow this informal access on the subject property to remain on Blue Creek Road.

There are very few services south of the Yellowstone River along Blue Creek Road. The only service station or convenience store is at Casey's Corner - 2007 Blue Creek Road. This is also where a school bus picks up and drops off students. Blue Creek Road is also the only access to the City Regional Landfill on Jellison Road (south and west). There is considerable truck traffic mixed with residential traffic and traffic coming into Billings from communities to the south. According to the latest MDT traffic counts on Blue Creek Road, about 9,090 vehicles use the highway each day. This is a three-year average so in any given year spikes or valleys in the data are evened out over time. In 1992, the traffic count on this section of Blue Creek Road was 5,300 vehicles per day. The 2021 traffic count is similar to the volume and type of traffic on S 32nd Street West south of King Ave West. The speed limit on Blue Creek Road at this location is 50 mph. There is a center turn lane so vehicles turning either east or west off Blue Creek Road can queue and wait for a safe opening in traffic. Santiago Boulevard has a stop sign in place where it intersects Blue Creek Road. The total traffic estimated into and out of the carwash on a daily basis is about 200 to 250 trips. This could represent a 2.7 percent increase in traffic on Blue Creek Road if all of these trips are new trips to the location. This is not likely to be the case, since the location is not within a large commercial corridor that could generate new trips. Most trips to and from the site will likely be "captured" trips from those who already use Blue Creek Road for daily travel. Traffic management to and from the site is proposed to include curb, gutter and sidewalk on the south side of Santiago Blvd adjacent to the subject property, and widening of the street to accommodate both a left turn and right turn lane at the intersection. Complaints during the zone change hearing included the back-up of vehicles at the intersection due to left turns (southbound) onto Blue Creek Road. The left turn/right turn lanes, will allow north bound traffic to move through the intersection while left turn vehicles wait for an opening in traffic. Other street improvements on Santiago Boulevard would require a petition from the benefited owners and residents of Cedar Park Subdivision to make improvements through a special improvement district process.

Lowering the speed limit on Blue Creek Road to less than 50 mph, a suggestion during the zone change public hearings, would require a request from either the City Council or the County Commissioners to MDT. The last time a speed study was completed or updated for Blue Creek Road was in 2004/2006. This was the same time period when Briarwood and Cedar

Park Subdivisions were annexed to the city (2002). These annexations did not add traffic to Blue Creek Road, but it was anticipated that additional residences would be built with access to public water and sewer. Cedar Park Subdivision only has city water but not sanitary sewer. Briarwood Subdivision has both city water and sewer services. The average daily traffic in 2004 was 8,800 vehicle trips per day. In the last 18 years, the traffic has only increased about 3% to the current daily traffic of 9,090.

The applicant has provided information on potential noise generation from the carwash bays and vacuuming station. The calculations are based on information from the equipment manufacturer. The calculations indicate the noise generated from these two activities would be between 39 and 42 dBA at the property lines to the north and northeast. A normal speaking voice registers at 40 to 50 dBA. Please see attached noise level chart. The City's adopted noise ordinance allows up to 55 dBA at the property line between a commercial zone and a residential zone during the day after 7 am and 45 dBA after 8 pm. The noise generation findings are within the noise limitations in the city code for these two specific activities on the site. Other noise generated from the business is not known but examples of activities that generate noise that carries would be other mechanical equipment (heating, cooling, pumps, filters), and automobile noise similar to a gas station or drive-through restaurant.

The proposed operational hours of the carwash are for 24-hour access. Staff is recommending a condition that will restrict these operational hours. Lighting and signage can also be a concern. The applicant is proposing shielded security lighting on the building and overhead light standards in the area between the building, the streets and along property lines. Staff is recommending a condition on lighting fixtures that will minimize the impact on adjacent property and traffic while providing visibility and security for the property. Proposed signs include a monument sign on the east side of the drive approach off Santiago Blvd and one wall sign on the west-facing facade of the building. Both will have internal illumination and staff is recommending a condition these signs not be lit during non-business hours.

## STAKEHOLDERS

Planning staff reviewed the pre-application meeting information and sent the notice to interested parties and the surrounding property owners. The pre-application meeting materials are attached to this report. There are several parties that became involved during the zone change application process and many of these citizens live in the area of Cedar Park Subdivision. As of the date of this report we have not received any formal public comment via email or by US Mail.

## ALTERNATIVES

The City Zoning Commission may take one of the following actions:

- Recommend conditional approval and adoption of the proposed findings to the City Council, as submitted by Planning staff;
- Recommend denial and adopt different findings of the review criteria;
- Delay action of the application until the next regular meeting; or
- Allow the applicant to withdraw the application.

The Zoning Commission may add conditions of approval or amend the recommended conditions of approval. If the Zoning Commission delays the application until the next regular meeting, the public hearing will be kept open to allow additional testimony and submittal of information by the applicant or interested parties. The applicant has not requested a withdrawal of the application. Any substantive change or modification of the application by the applicant, will require another public hearing and notice to surrounding owners.

## FISCAL EFFECTS

The Planning Division budget should not be effected by either approval or denial of the requested special review.

## SUMMARY

### PROPOSED FINDINGS OF THE REVIEW CRITERIA (27-1623.D)

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

#### **Applicant:**

**Essential Investments** - The proposed project is classified as an "infill development" making it very cost-effective to provide essential City services to the property. In addition, proposed with this project is street widening on Santiago Boulevard to alleviate voiced concerns of adjacent neighbors with ability to enter Blue Creek Road, in addition to provision of sidewalk and curb and gutter on the south side of Santiago to allow for safe pedestrian traffic along the subject lot's frontage. The proposed sidewalk and road improvements will end at the subdivision extents along Santiago, however they could be extended further should the area residents wish to petition a Special Improvement District to improve the roads and safety throughout the entire area.

**Strong Neighborhoods** - The proposed project will provide a service to the Blue Creek area of the City of Billings that is not already provided and often needed, currently requiring residents to travel back across the Yellowstone River in order to utilize such facilities. By implementing the proposed use in accordance with the Infill Policy, this development will also improve a currently under-utilized property that has remained vacant, and will begin contributing greater tax revenue to the

City that can be utilized for other services within the neighborhood.

**Mobility and Access** - The proposed project offers to improve the Santiago Boulevard leg of its intersection with Blue Creek Road to improve access ability onto Blue Creek Road. Concerns voiced by residents regarding speeds on Blue Creek Road are sympathized with, however it is not believed development of the proposed lot affects these concerns as 1) mitigation of these concerns would need to be addressed by a combination of MDT, the City of Billings, and Yellowstone County, and 2) traffic generated by the proposed use is well below being statistically significant (i.e <500 trips per day).

**Zoning** - The proposed project complies with the regulations outlined in the new zoning code in the following ways: the description of the CMU1 zone district includes "Commercial uses in the CMU1 district may be somewhat larger in scale and more flexible than the neighborhood mixed-use district, including more auto-oriented uses such as gas stations." The owner and agent believe that a car wash falls directly in line with the statement "more auto oriented uses".

**Staff:** There are nine Growth Guidelines in the 2016 City of Billings Growth Policy including Essential Investments, Placemaking, Community Fabric, Strong Neighborhoods, Mobility & Access and Prosperity. These six guidelines are most relevant to the proposed special review use for a carwash.

Staff agrees with the applicants findings for **Essential Investments**. The city spent several million dollars to provide water and sewer services south of the Yellowstone River along Blue Creek Road. There are very few users that are taking advantage of these valuable city services. Encouraging additional users to join the system helps preserve this investment, and increases the sustainability of system over time.

**Placemaking:**

"Public and private partnerships are valuable for creating enhanced entryways into Billings."

The proposed site plan and location can be an enhancement for this corner of the intersection. Planning staff is proposing conditions to enhance this entryway into Billings.

**Community Fabric:**

"Developed landscape areas in commercial areas encourage more pedestrian activity and vibrant commercial activity."

"Attractive streetscapes provide a pleasant and calming travel experience in urban and suburban neighborhoods."

"Cost-effective landscaping of public rights-of-way and entryways makes Billings more visually appealing to residents and visitors."

Planning staff is proposing conditions and enhancement for the street frontage landscaping.

**Strong Neighborhoods:**

"Implementation of the Infill Policy is important to encourage development of underutilized properties."

This is theme throughout the 2016 Growth Policy guidelines to encourage infill on lots where city infrastructure already exists and is not used. Building miles of water and sewer lines for very few users is not a sustainable investment. The water line was extended in 2003 and sewer lines in 2009. There are only a few hundred rate payers on this end of the system that extends more than 3 miles past the city's coterminous city limits.

**Mobility and Access:**

"Development of safer routes to school or to school bus stops is important because it promotes physical health and reduces vehicle trips, earning parents more time and less costs for transportation."

Casey's Corner, the gas station and convenience store to the north of the subject property, is the primary school bus stop for children in the Cedar Park Subdivision. None of the streets in Cedar Park have sidewalks or other standard street improvements. The proposed project will provide city-level improvements on the south side of Santiago Blvd, but more importantly the project will widen the intersection to allow right turn and left turn lanes, so traffic does not back up on Santiago Blvd. While this will not provide an off-street pedestrian sidewalk, it will reduce the existing potential conflict between walkers on the north side of Santiago and cars queued to turn onto Blue Creek Road. Other intersection improvements can include pavement markings and traffic control signs warning drivers of pedestrian traffic.

**Prosperity:**

"Successful businesses that provide local jobs benefit the community."

The proposed business has proven successful in providing local jobs and approving the special review would support expansion of the economic base of Billings. There are larger carwash facilities in Billings with more automated wash bays and self-service bays than this location. The applicant has proposed a size of business that fits the site as well as the market for the proposed use in this area. The South Hills and other points south of Billings provide abundant access to off-road recreational activity including hunting, fishing, hiking, biking and other outdoor activities. Off-road driving builds up mud, dirt and dust that many owners want to wash off as soon as possible. Providing this service south of the river will make this service more convenient for recreation users as well as residents in the area.

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 car wash is a beneficial use for the site given the site's property and topographical constraints. A car wash has limited parking requirements when compared to other uses. In addition, landscaping is proposed to be incorporated on the property in accordance with Zoning Code requirements for the underlying zoning and adjacent districts.

**Staff:** Public health and safety will not be endangered or detrimentally effected by the proposed use based on the proposed site and off-site improvements. The current traffic management of the intersection with Santiago Blvd and Blue Creek Road will be improved by widening the approach so right turn and left turn lanes can be added. The informal turn-around on the subject property will be closed off, removing a traffic conflict in proximity to the intersection. Curb, gutter and public

sidewalk will be added to the south side of Santiago Blvd. Lighting on the property will provide better visibility of the intersection and on the north side of the storage facility. There are no streetlights on Blue Creek Road or Santiago Blvd. According to publicly reported calls for public safety services, there have been only 6 calls for services in the past 6 months. Three of those calls were at the convenience store. Convenience stores and gas stations provide opportunities for crime due to the nature of the business. Carwash facilities generally are not locations for crime opportunities. The proposed use should not be detrimental to the general welfare. Improvements to vacant property tend to have the opposite effect by providing certainty to the area, increasing the tax base and supporting city services where they already exist.

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 subject property has historically been a difficult property to develop provided existing property and topographical constraints including an existing 26' sanitary sewer easement for the City of Billing's main collection line, 100-year floodplain boundary encroaching on the west side of the property, and steep slopes along the east and northeast portion of the site. Given this, corner and frontage build-to requirements for the subject property are in essence infeasible to meet, and limit the ability of ANY development to meet standard landscaping and parking requirements.

**Staff:** Staff agrees with the applicant and has recommended the proposed variations from the zone district building, siting and use standards be granted and recommended enhancements to the street frontage landscaping to offset these variations. The size of the facility takes into account the size and limitations of the property.

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 use is compatible with nearby uses which include a water fill station to the north, storage units to the south, and the City's pump station to the northeast. A buffer of roadway is provided between the subject property and the nearest residential uses. In addition, the proposed car wash has been laid out to place potential noise impacts furthest from and directed away from the nearest residential properties.

**Staff:** Property values and the use and enjoyment of property in the area will not be diminished or impaired by the proposed car wash. Property valuation is primarily based on individual property improvements but also on the stability and certainty of uses on adjacent property. Until 2017, the property along Blue Creek Road south of Santiago Blvd was a vacant field with some informal storage by the owner. The larger lot was zoned Community Commercial and this smaller lot was zoned Neighborhood Commercial. In 2021, the larger parcel updated to Heavy Commercial (CX) to match the storage facility use and to CMU1 for this parcel to reflect the location at the entrance to a residential neighborhood. The parcels on the north side of Santiago Blvd are also zoned CMU1. Development of land for many use tends to increase property values within the immediate area. The development is not within the Cedar Park Subdivision and is on a major arterial street - a secondary highway as designated by the state.

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:** As development of the subject property is an in-fill development, the surrounding properties have all been developed excepting the lot on the NE corner of Santiago and Blue Creek Road. With that being the case, development of this lot would not impede the normal development of surrounding properties, and would benefit the development of the property on the NE corner of Santiago and Blue Creek road by widening the Santiago Boulevard frontage adjacent to that property.

**Staff:** Staff agrees with the assessment of the applicant. The lot on the northeast corner of the intersection has a concept development plan that is compatible with the proposed carwash. This lot also received site and building variances from the CMU1 district requirements due to the flood plain across the street frontage. Other lots with Blue Creek frontage (east side) in the area are all developed.

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 a car wash.

1. This special review approval is for the development and operation of a carwash with two automatic wash bays and four self-service wash bays, five outdoor vacuuming stalls on the west side of the lot as well as parking on Lot 1 Blue Creek Storage Subdivision a 39,934 square foot parcel of land.
2. The carwash will be developed in substantial conformance to the submitted site plan along with any conditions of this approval. Operational hours will run from 5 am to 10 pm daily.
3. The building design and elevations will be as substantially shown on the drawing dated 9-22-2022 as prepared by AT Architecture - plan sheet A4.0.
4. The applicant will install a site obscuring wall in the general location shown on plan sheet C1.1 - southeast property line and a portion of the north property line along Santiago Blvd. This will be a masonry wall or a facsimile of masonry such as "Rhino Rock" and will use earth tones for the materials. Wood, vinyl and chain link are not allowed materials for this installation. The intent of the installation is a visual and sound barrier. The proposed sight obscuring fence on the south side of the property may be wood or matte-finish vinyl material.
5. The applicant will install and maintain the required number of street trees along the inside of the new sidewalk (and

masonry wall) on Santiago Boulevard. The trees will be a mixture of deciduous trees that will not impede or damage the existing or future underground infrastructure. Trees will be chosen from the Billings Tree List (pages 6 and 7 attached). The outdoor vacuuming stalls on the west property line will be shielded from traffic on Blue Creek Road with a combination of ornamental grasses, shrubs including evergreen shrubs.

6. The landscape plan for the entire parcel and the street trees will be designed and stamped by a Montana licensed landscape architect.

7. The applicant will show on the site plan submitted for Building Permit the area planned for snow storage and the location and specification for the trash enclosure.

8. All landscaping shall be installed and maintained free of debris and trash on a regular basis. Dead plant material will be replaced with like materials as expeditiously as possible. All irrigation systems will be maintained in proper working order.

9. Pavement markings shall be provided to show direction of vehicle travel within the site, and pedestrian crossings and stop lines and signs at the access points on to Santiago Blvd. shall be installed.

10. There shall be no internally illuminated fascia on the building and all exterior lighting mounted on the building shall have full cut-off shields so no part of the lens or fixture is visible below the shield.

11. All parking lot light standards shall have full cut-off shielding so no part of the lens or fixture is visible below the shield. The maximum height of the light poles - including the base and fixture - is 15 feet above grade.

12. There will be no exterior building wall signs on the east building facade. Window signs are allowed on the entry doors.

13. Any signs on the site including attached building signs, freestanding signs and temporary signs will comply with the City Sign Code that applies to Corridor Mixed Use 1 (CMU1) zone districts at Section 27-1407.C. Lighted signs will not be lit during non-operational hours (between 10 pm and 5 am).

14. The applicant will submit a Building Permit within 1 year of City Council conditional approval and will complete the site development within 2 years of the issuance of a Building Permit. Failure to submit or complete the approved project within this time frame will void the conditional approval.

15. The requested variances from the CMU1 Building and Site Standards and from the Use Standards for a carwash are specifically approved with this special review and include the following: build-to ranges on both street frontages; build-to corner requirement; minimum front lot line building coverage; front door and window percentage on front facade; location of surface parking; location and orientation of wash bay doors; location of outdoor vacuuming stations; and maximum spacing of street trees on the eastern end of the north property line.

16. Modification of the approved special review use is allowed with the following limitations: 10% or less expansion of the gross floor area, 10% or less increase in the number of potential building occupants, and 10% or less new parking stalls. Expansions also require conformance with all other requirements of the Zoning Regulations and other City of Billings code requirements.

17. The cessation of the special review use for more than 6 consecutive months, shall extinguish this conditional approval and the use may not be re-established except through a new special review approval of the City Council

18. The City Council reserves the right to re-open the conditional approval of this use at this location based on the failure to respond within 45 days of a notice of non-compliance with the specific conditions of approval. The City Council will notify the owner of its intent to re-open the Special Review at least 60 calendar days ahead of any public hearing on the matter.

19. These conditions run with the land use and are binding upon and must be adhered to by the property owner and any successors, transferees or assigns.

20. The right of building and occupancy permits are contingent upon the fulfillment of all conditions imposed by this approval.

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. A queuing analysis has been completed for the project and has been accepted by City Engineering.

**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:** A queuing analysis has been completed and accepted by City Engineering.

**Staff:** The proposed improvements to Santiago Blvd along with the closure of the informal access and turnaround on the subject property will minimize congestion on public streets.

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:** Topographical and property boundary easements will necessitate this lot be granted variances from certain requirements included in CMU-1. Those variances include:

- Required to build to the corner of the lot
- Occupy 65% of the front lot line

- Build to within 5-20 of the street-side lot line and front lot line
- Place parking on the rear, internal, or side of lot
- Window and door coverage on front facade
- Number of front facade entries
- Tree planting and landscape near eastern lot line with steep slopes - proposed to utilize sight-obscuring fence in this area until grades shallow out to accommodate frontage plantings.

**Staff:** Staff has agreed to these variances from the CMU1 standards for building and siting as well the use standards for carwash facilities. See proposed condition 15 above.

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### Attachments

Public comment  
Zoning Map and Site Photos  
Preapplication meeting materials  
Application and Letter  
Site Plan and Elevations  
Updated Queuing Analysis  
Engineering Comments on Queuing Analysis  
Noise Level Chart  
2004 MDT Speed Zone Study Blue Creek Rd  
2006 MDT follow up speed zone  
Outdoor Lighting Plan  
Billings Recommended Tree List

December 21, 2022

Montana Highway Department, City of Billings, Yellowstone County,

For over 30 yr.'s I have lived on Bowman Dr in Billings MT. I Love this area we call Blue Creek. My children went through Blue Creek Elementary School and on to Riverside and then Senior High. I had a serious accident on Blue Creek Highway years ago, most people would have left so that they did not have to pass that spot over and over. Not me, I embraced it along with the embrace of how this community is a wonderful place to live.

Back in 2002 Briarwood and Cedar Park were annexed into the city. At that point the city took over Cedar Parks water tanks and built a pump house on Santiago. Soon the No Cash Water followed so Santiago suddenly had business entrances. Then came the expansion of The Hill Climbs, The Audubon Center, Norms Island, and Riverfront Park, Storage Units, Bike Park, Blue Creek Boat dock, businesses along Jellison Road, the dump expanding to accommodate the growing city and hundreds more houses out here.

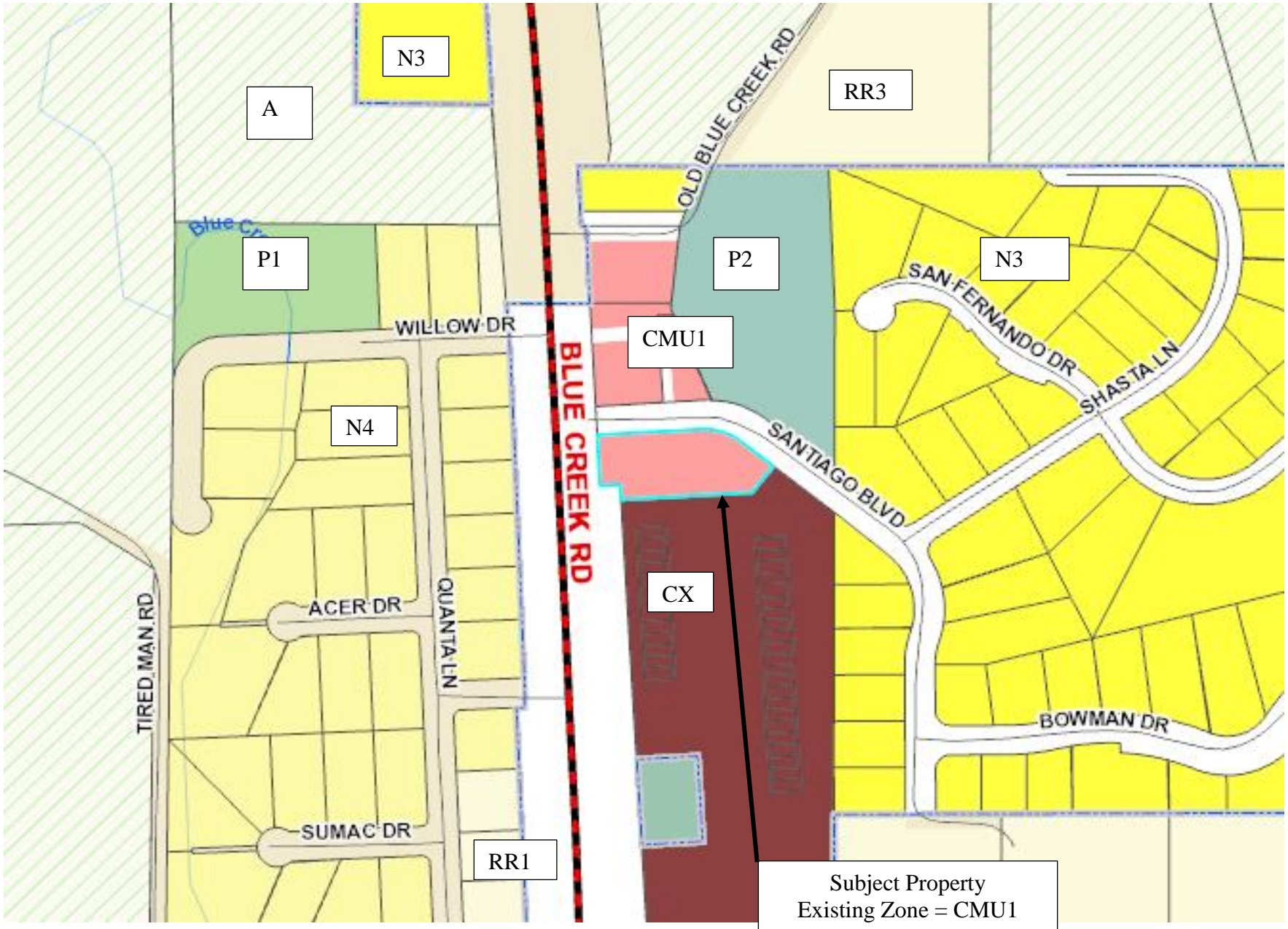
With all this growth and development there has been no improvements around the store where the kids go to the bus. We have never had a bus stop sign on the highway, briarwood or by the store where the bus stops to pick up the kids. Not sure why but now that we have grown, we really need them.

I am angry with you the Montana State Highway Department, the City of Billings, Yellowstone County. You put all these things out here. What did you do to protect us? You did not even give us a BUS STOP SIGN. What is your plan to make the area so many of us live in and love safe?

Thank you,

Roxy Shilhanek

City Special Review 995 – Carwash at Santiago Blvd and Blue Creek Rd  
Zoning Map and Site Photos







Subject Property – view south from Santiago Blvd



Subject Property – view south and east from Santiago Blvd



View west on Santiago Blvd to intersection with Blue Creek Rd



View east on Santiago Blvd



No Cash Water Filing Station



No Cash Water Filing Station

View north and east across Santiago Blvd



View north across Santiago Blvd





No Cash Water Filing Station

View east across Blue Creek Road



No Cash Water Filing Station

View west down Santiago Blvd to Blue Creek Rd

**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:** Corridor Mixed Use - 1 (CMU-1)  
Special Review
- 2. **Written description of the ~~Zone Change Plan~~** including existing and proposed new zoning:  
Owner intends to construct a car wash building with 4 manual bays and 2 automatic bays.

3. **Subject Property Map:** please attach to this form

4. **Legal Description of Property:**  
Lot 1 of Blue Creek Storage Subdivision

5. **Neighborhood Task Force Area:** Yes /// No . If Yes, Name of Task Force and mailing address of Chairperson:

No, Charles Stiff of Blue Creek Corridor was included on mailers.

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 21, day of November, 2022.
- 2) The ~~zone change~~ Special Review application is based on materials presented at the meeting.

Owner (s): \_\_\_\_\_ Telephone: \_\_\_\_\_

Address: \_\_\_\_\_ Email: \_\_\_\_\_

Agent (s): Taylor Kaporick Telephone: 406-384-0080

Address: 608 N. 29th Street Email: taylor@performance-ec.com

Billings, MT 59102

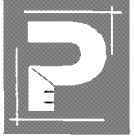
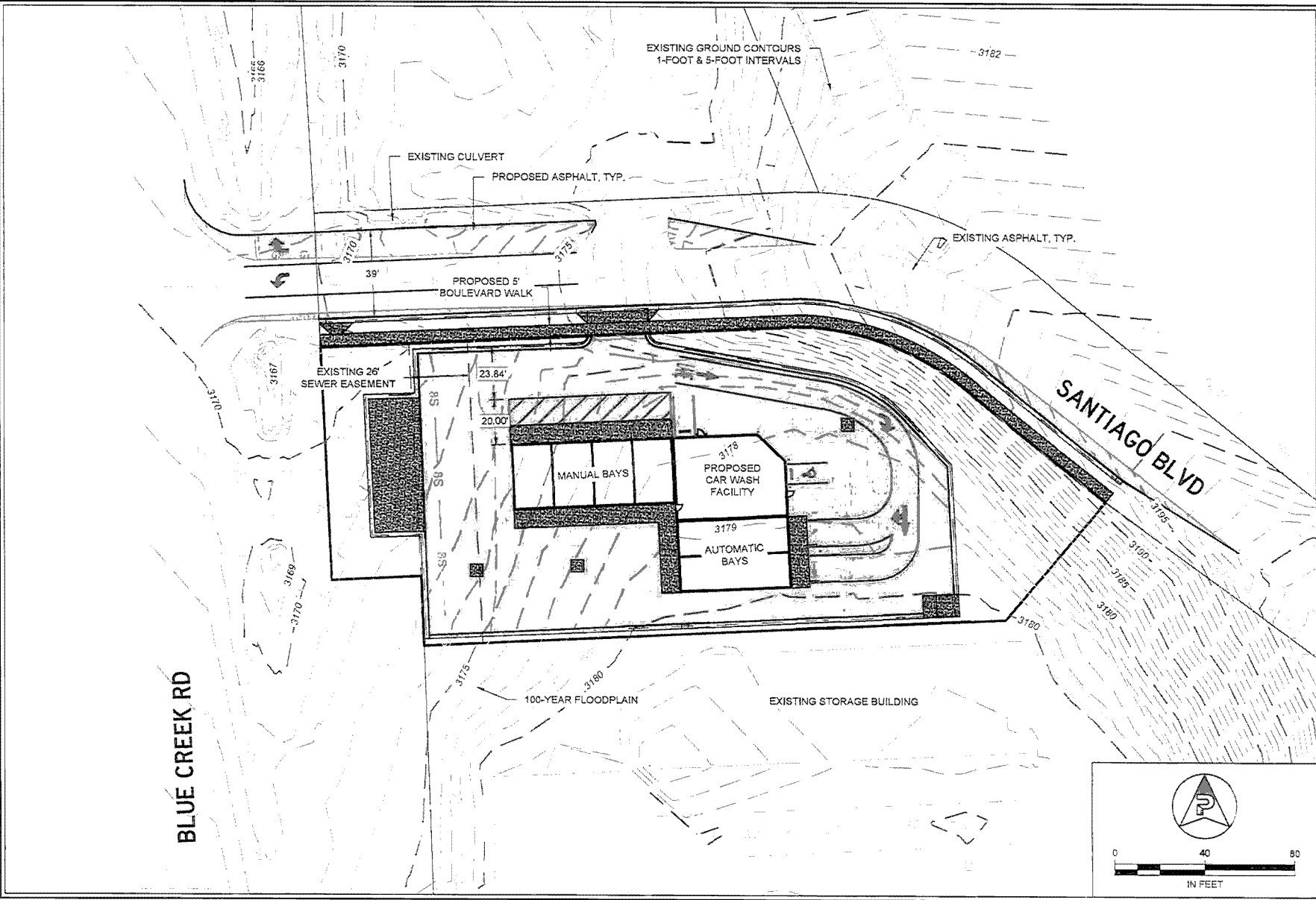


Blue Creek Car Wash - Neighborhood Meeting

Special Review Pre-Application

November 21, 2022

Name	Address	Phone #
Michele Johnson	2765 Blue Creek Rd.	
Foxy Skilharek	4431 Bowman Dr	959-2414
JACQUE KITTSON	2105 SAN DIEGO BLVD.	406-861-2053
Rhamon Briggs	4506 San Fernando	406-208-6403
CECIL WERVEN	4511 SHASTA LN	406-252-4155
Wendy STEFF	4507 Bowman Dr.	406-670-5613
Charles STEFF	4507 Bowman Dr.	406-792-5175
Jannelle + Ryan Clark	7710 Sunrise Dr	406-794-4191
Meghan Pinsky	2959 Torrey	406-297-4113
Greg Magent + Jackie Ellsbury	41532 Shasta Ln	406-208-0715



**BLUE CREEK CAR WASH**

2315 BLUE CREEK RD  
BILLINGS, MT

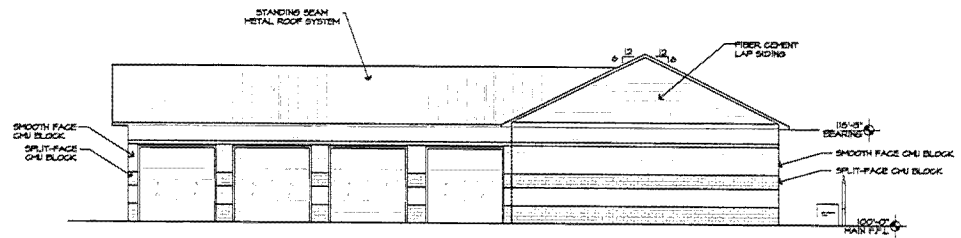
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**SANTIAGO BOULEVARD IMPROVEMENTS**

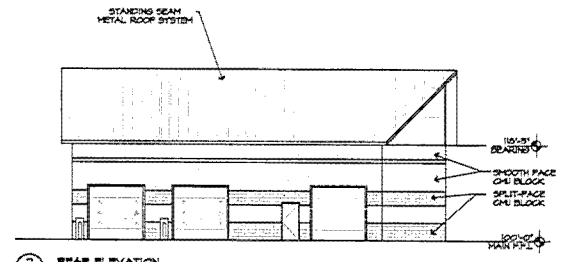
PROJECT NUMBER	2019-010
SHEET NUMBER	1 OF 2
DRAWING NUMBER	1
COPYRIGHT	2020 ©



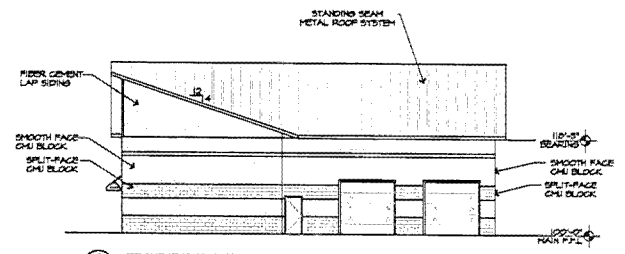
**BLUECREEK CARWASH**  
BILLINGS, MT



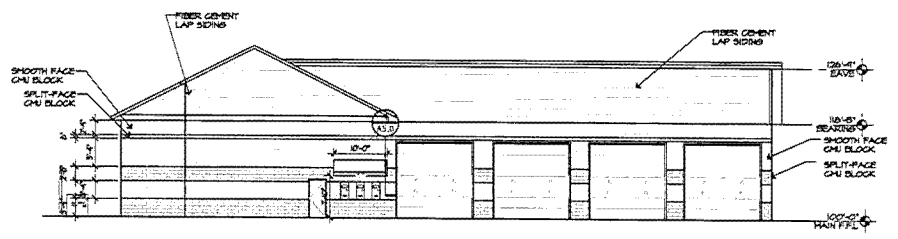
**1 LEFT ELEVATION**  
Scale: 3/32" = 1'-0"



**2 REAR ELEVATION**  
Scale: 3/32" = 1'-0"



**3 FRONT ELEVATION**  
Scale: 3/32" = 1'-0"



**4 RIGHT ELEVATION**  
Scale: 3/32" = 1'-0"

NOTE: COORDINATION IS REQUIRED BY ALL TRADES TO NO CONFLICTS IN LOCATION OF DUCTS, CONDUITS, SPRINKLER HEADS, DIFFUSERS, ELECTRICAL BOXES, EQUIPMENT, ETC. CHECKER: GENERAL CONTRACTOR TO COORDINATE ALL TRADES.

**GENERAL NOTES:**

1. SEE STRUCTURAL FOR COLUMNS, FLOOR SLABS, 2'x8 BALK CONCRETE FOUNDATION WALLS, AND FOOTINGS.
2. SEE CIVIL FOR GRADING, PAVING, DRAINAGE AND UTILITY LOCATIONS.
3. SEE MECHANICAL FOR HVAC AND PLUMBING.
4. SEE ELECTRICAL FOR SERVICE ENTRANCE, POWER AND LIGHTING.
5. SEE PRE-MANUFACTURED BUILDING SHOP DRAWINGS FOR METAL BUILDING CONSTRUCTION.

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DATE: 05/06/2024
DRAWN BY: JEM
CHECKED BY: JEM
REVISIONS:

EXTERIOR ELEVATIONS & SECTIONS

**A4.0**

November 14<sup>th</sup>, 2022

Dear Interested Neighbor,

On behalf Blue Creek Storage, LLC (Owner), *Performance Engineering, LLC* is writing to inform you of a special review pre-application neighborhood meeting being held on **Monday, November 21<sup>st</sup>, at 6:00 p.m.** Due to the space necessitated for the number of interested parties in addition to potential travel conflicts with the holiday season, **the special review neighborhood meeting will be held online via Zoom** to allow for all interested parties to be able to attend.

**Please see the following information below for access the Zoom meeting:**

Go to the following Website: **zoom.us/join**  
Meeting ID: **814 808 7999**  
Password (Case Sensitive): **7XCn6s**

The owner is requesting that the property shown on the attached exhibit (Exhibit 1) and described below be provided a special review to allow for a car wash to be built under the existing zone district of Corridor Mixed Use – 1 (CMU1).

**Lot 1 of Blue Creek Subdivision, located in Billings, Montana. The lot is a total of 0.917 acres, generally located on the southeast corner of Blue Creek Road and Santiago Boulevard.**

The intent of the meeting is to make neighboring property owners aware of the intent to construct a new car wash facility with several vacuum islands on the subject property, discuss any concerns with the proposed use, and to answer questions about the project. The property is located in a **Corridor Mixed Use 1 zoning district**. The special review application will be presented to the *City of Billings* to accommodate the proposed use on the lots.

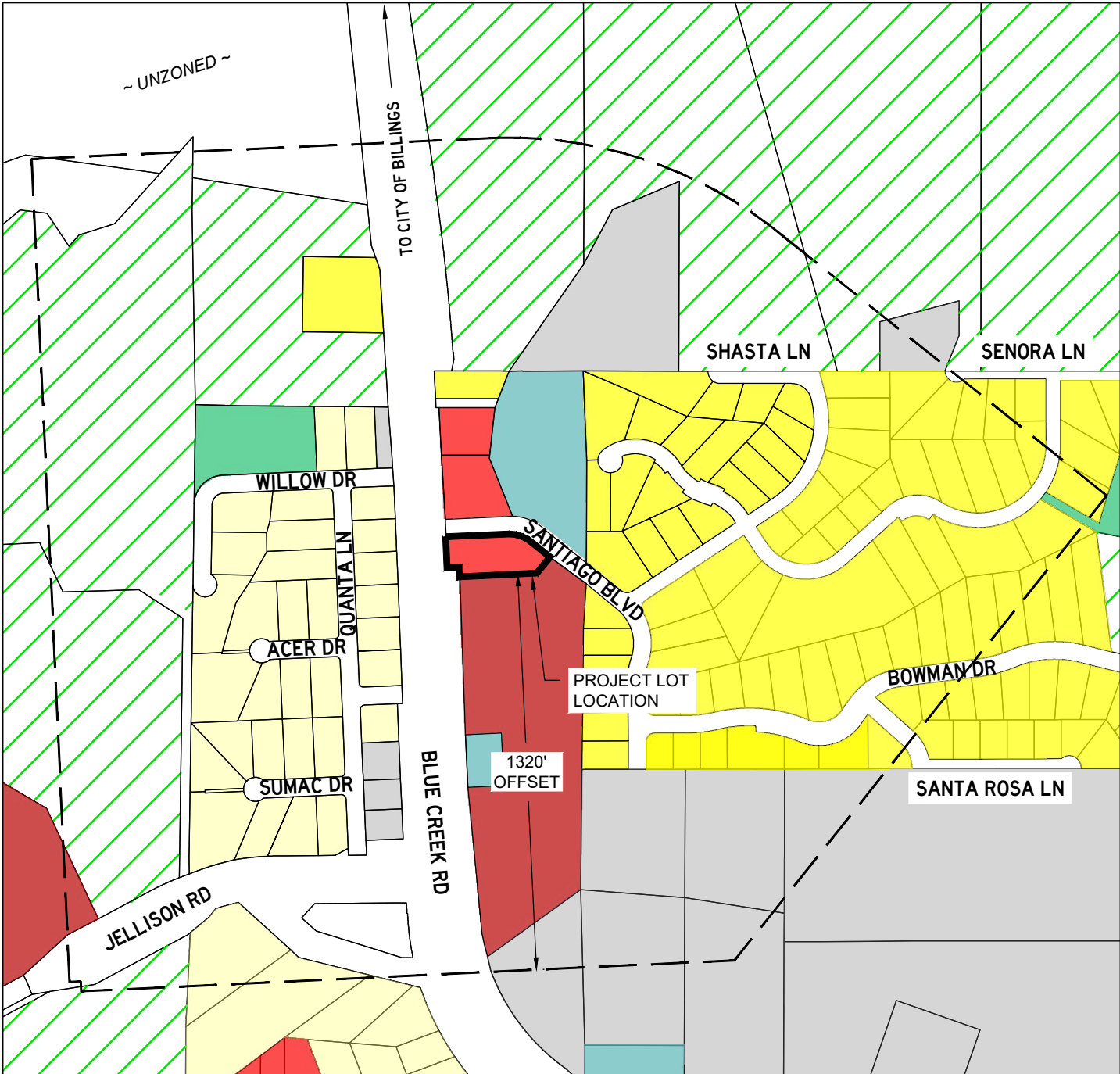
Representatives for *Performance Engineering, LLC* will be on the Zoom meeting to answer questions from those who attend. For those unable to attend the Zoom meeting, written letters can be directed to Performance Engineering at **608 North 29<sup>th</sup> Street, Billings, MT 59101**, attention Scott Aspenlieder, PE, or emails may be sent to [scott@performance-ec.com](mailto:scott@performance-ec.com). We look forward to discussing the proposed zoning change with you and hope to see you on **November 21<sup>st</sup>**.

Sincerely,













Taylor Kasperick, PE  
Project Manager

10/20/22 8:26 AM  
 C:\Users\jpkemper\OneDrive\Documents\1320-Foot Radius Map\1320-Foot Radius Map.dwg  
 C:\Users\jpkemper\OneDrive\Documents\1320-Foot Radius Map\1320-Foot Radius Map.dwg

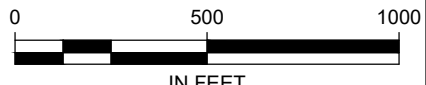


**LEGEND**

	A (AGRICULTURE 10+ ACRES)		CX (HEAVY COMMERCIAL)
	P1 (PARKS & OPEN SPACE)		N3 (SUBURBAN NEIGHBORHOOD)
	N4 LARGE LOT SUBURBAN NEIGHBORHOOD		P2 (PUBLIC, CIVIC, & INSTITUTIONS)
	RR1 (RURAL RESIDENTIAL 1-2.9 ACRES)		PROJECT PROPERTY
	CMU1 (CORRIDOR MIXED USE 1)		LOT LINE, TYP.

**LEGAL DESCRIPTION**

S20, T01S, R26E,  
 BLUE CREEK STORAGE  
 SUBDIVISION LOT 1



PROJECT TITLE  
**BLUE CREEK CAR WASH  
 SPECIAL REVIEW**

SHEET TITLE  
**1,320-FOOT RADIUS MAP**

DRAWN BY  
 APN \_\_\_\_\_  
 DATE  
 10/20/22  
 CHECKED BY  
 SAA \_\_\_\_\_

CLIENT  
**BLUE CREEK STORAGE**

2222 VIRGINIA LANE  
 BILLINGS, MT 59102



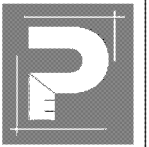
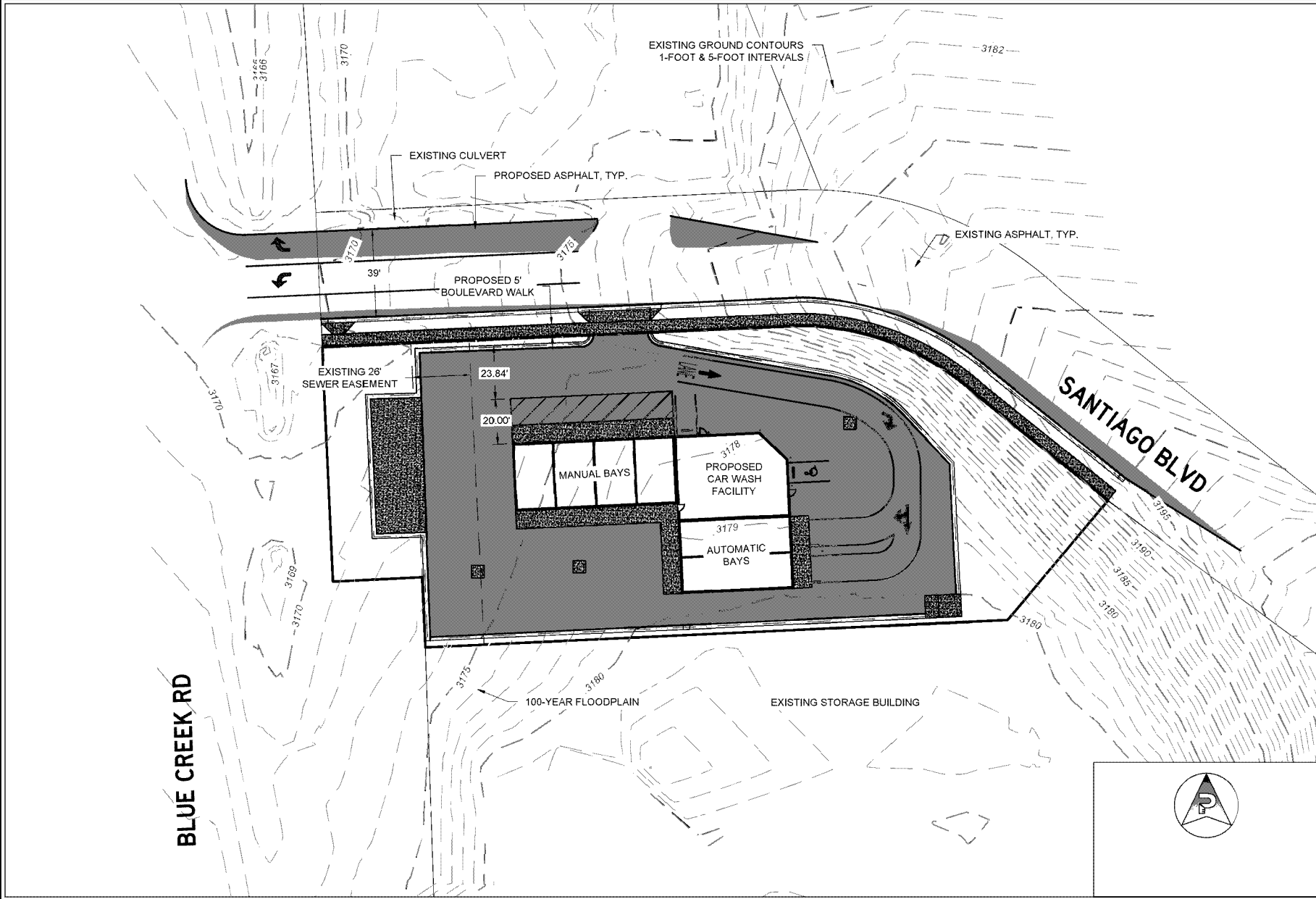
**PERFORMANCE  
 ENGINEERING**

608 NORTH 29TH STREET  
 BILLINGS, MT 59101

(406) 384-0080  
 www.performance-ec.com

EXHIBIT  
**A**

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**BLUE CREEK CAR WASH**  
 2315 BLUE CREEK RD  
 BILLINGS, MT

DESIGNED BY	QUALITY ASSURANCE
APN	TJK
DRAWN BY	CHECKED BY
DATE	DATE
REV BY	DATE
CHKD BY	

**SANTIAGO BOULEVARD IMPROVEMENTS**

PROJECT NUMBER	2019-010
SHEET NUMBER	1 OF 1
DRAWING NUMBER	<b>1</b>
COPYRIGHT 2020 ©	

November 16<sup>th</sup>, 2022

Dear Interested Neighbor,

This letter is being provided on behalf Blue Creek Storage, LLC (Owner) by *Performance Engineering, LLC* to provide meeting information in addition to that sent out on Monday, November 14<sup>th</sup>. The meeting time of **Monday, November 21<sup>st</sup>, at 6:00 p.m.** and availability to attend via the Zoom information provided below has not changed, with this letter informing you of the additional in-person meeting availability at the Billings Hotel and Convention Center on the same date and time. This meeting will be held as a hybrid presentation with both online participation and in-person attendees welcome. The **Zoom special review neighborhood meeting login information** is provided below along with the **address and room number for in-person option**.

**Please see the following information below for access the Zoom meeting:**

Go to the following Website: **zoom.us/join**

Meeting ID: **814 808 7999**

Password (Case Sensitive): **7XCn6s**

**Please see the following information below for in-person meeting:**

Location: **Billings Hotel and Convention Center**

Address: **1223 Mullowney Lane, Billings, MT 59101**

Room: **Parlor 1001**

The owner is requesting that the property shown on the previously provided exhibit (Exhibit 1) and described below be provided a special review to allow for a car wash to be built under the existing zone district of Corridor Mixed Use – 1 (CMU1).

**Lot 1 of Blue Creek Subdivision, located in Billings, Montana. The lot is a total of 0.917 acres, generally located on the southeast corner of Blue Creek Road and Santiago Boulevard.**

The intent of the meeting is to make neighboring property owners aware of the intent to construct a new car wash facility with several vacuum islands on the subject property, discuss any concerns with the proposed use, and to answer questions about the project. The property is located in a **Corridor Mixed Use 1 zoning district**. The special review application will be presented to the *City of Billings* to accommodate the proposed use on the lot.

Representatives for *Performance Engineering, LLC* will be on the Zoom and in attendance to answer questions from those who attend. For those unable to attend the meeting, written letters can be directed to Performance Engineering at **608 North 29<sup>th</sup> Street, Billings, MT 59101**, attention Scott

Aspenlieder, PE, or emails may be sent to [scott@performance-ec.com](mailto:scott@performance-ec.com). We look forward to discussing the proposed zoning change with you and hope to see you on **November 21<sup>st</sup>**.

Sincerely,

A handwritten signature in blue ink that reads "Taylor Kasperick". The signature is written in a cursive, flowing style.

Taylor Kasperick, PE  
Project Manager

## **Preapplication Neighborhood Meeting Minutes and Roster - Special Review Application**

Property: Lot 1 of Blue Creek Storage Subdivision, Section 20 Township 01S Range 26E

### **Attendees:**

- See attached sign in sheet from the in-person attendance. Attendees on the Zoom meeting are listed below, as well as shown in the Chat log from the meeting recording.
  - Roxy Shilhanek
  - Susan Hendrickson
  - Shirley Meyers
  - Heather
  - Buchanan's
  - Two "iPhone Attendees" with no name identified or provided.
  - "Owner" with no name identified or provided

### **Meeting Notes:**

- A presentation was prepared and provided by Performance Engineering's (PE's) Scott Aspenlieder and Taylor Kasperick. The presentation materials are provided with this submittal, as well as a recording, chat log, and audio recording from the meeting at the link below.
- In general, multiple residents raised concerns regarding the traffic and speeds on Blue Creek Road. Much discussion was had regarding this topic, including how this would be eventually addressed including having a speed study or traffic study commissioned by MDT at the request of the City and/or County. Scott offered to assist the residents in contacting the best individuals at each entity in order to facilitate this.
- Multiple residents raised concerns regarding the existing approach of Santiago Boulevard and Blue Creek Road. These concerns largely revolved around kids walking to Casey's Corner, turning onto Blue Creek Road, and traffic to the site. In regards to kids walking to Casey's Corner, PE described the proposed improvements that will hopefully make this safer by widening the roadway along the frontage of Blue Creek Storage Subdivision to provide a right and left turn lane onto Blue Creek Road from Santiago, as well as sidewalk and curb and gutter on the south side of Santiago. Many neighbors did not like that the proposed sidewalk is on the south side of the road instead of the north, but it was noted by PE this is requirement of the City and it was discussed about potentially putting it on the north side in lieu of the south but the City would not allow that. Lastly, traffic to the site was discussed in that a car wash is naturally a "passer-by" destination that does not generate as much traffic as other uses. A comparison of the car wash to other uses that are Allowed by Right in CMU-1 was provided to the attendees for a point of reference.
- Discussion was held as to why the property is not being accessed off Blue Creek Road. PE discussed this is because an approach to the property off Blue Creek Road would be too close to the existing intersection of Blue Creek Road and Santiago (<130') and MDT would not allow another approach that close to the existing intersection with access off another



public road being available. It was also discussed how other means of access, including a frontage road the Storage lot's access, was discussed with MDT and eventually denied due to ownership and maintenance concerns of MDT.

Pre-Application Neighborhood Meeting Recording:  
<https://www.dropbox.com/t/7pwHEJBVSVLSjXLP>



## C. CMU1: CORRIDOR MIXED-USE

The CMU1 district is intended to accommodate commercial and other uses along transportation corridors to promote development that is comfortably accessible via all modes of transportation, including motor vehicles, bicycles, and walking. Commercial uses in the CMU1 district may be somewhat larger in scale and more flexible than the neighborhood mixed-use district, including more auto-oriented uses such as gas stations. While ground stories along streets are intended for commercial uses, the upper stories could accommodate residential and/or office uses.

Some Permitted (Allowed) Uses in CMU-1 per Table 27-1000:1

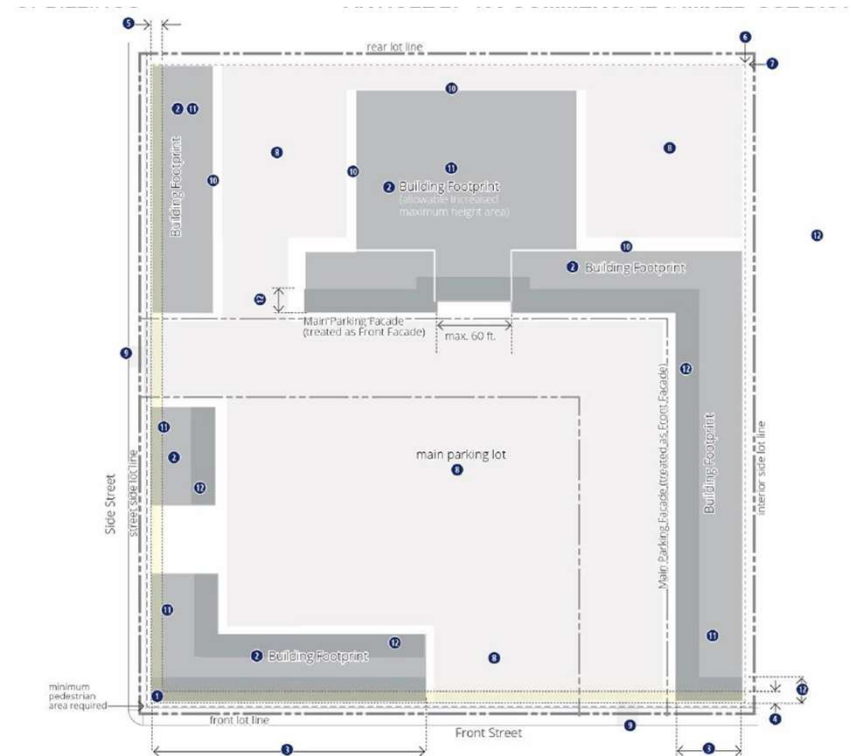
- Long Term Care Facility
- Civic/Religious Assembly (School)
- Healthcare and Social Assistance
- Day Care
- Veterinary/Kennel
- Restaurant, with or without drive through
- Craft alcohol restaurant
- Bank
- Office Building
- **Car Wash (Special Review)**

## Use Table Definitions

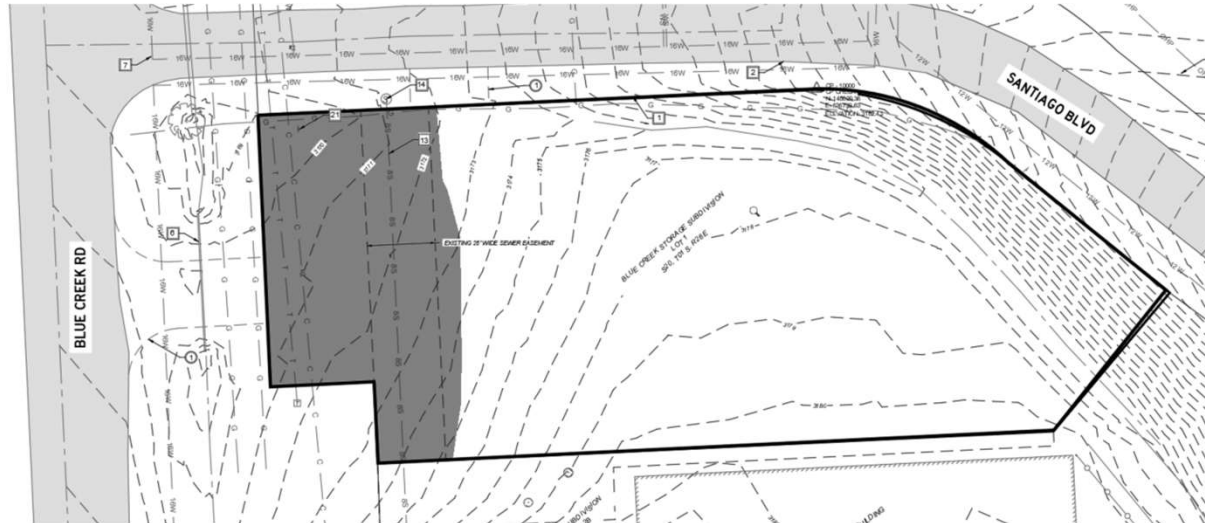
1. Permitted /P/. These uses are permitted by-right in the zone districts in which they are listed. Permitted uses are required to comply with applicable use-specific standards identified in this article.
2. Permitted in a specified location, such as on upper stories or in the back of a structure /PL/. These uses are permitted by-right in the districts in which they are listed, provided that the uses are located in the upper stories of a structure. These uses may also be located in the ground story provided that they are located beyond a depth of at least 30 feet from the front facade.
3. Permitted with use restrictions /PR/. These uses must comply with the use restrictions identified in this Zoning Code, including those restrictions included in this article and any use restrictions identified in the zone district where the uses is proposed to be located.
4. Requires a special review /SR/. These uses require special review by the city zoning commission are not permitted uses in the districts in which they are listed but may be allowed as special exceptions subject to specific conditions. Uses permitted by special review must follow any applicable development standards associated with the use as well as meet the requirements of the special review.

## CMU General Requirements

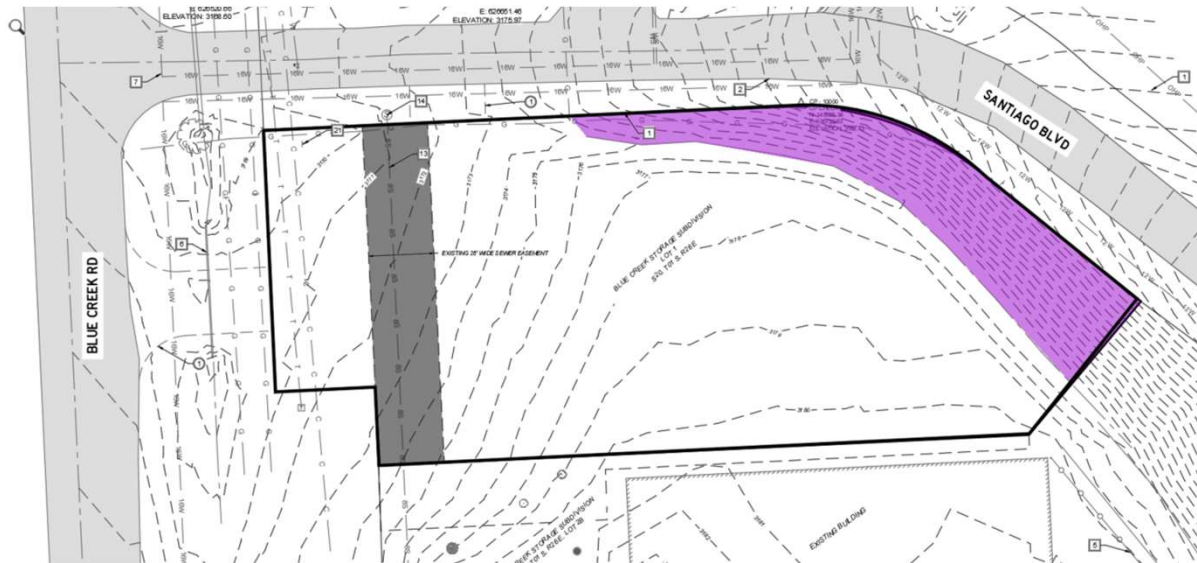
A. BUILDING SITING		CMU1	CMU2	REFERENCES
1	Build to Corner	required		
2	Maximum Building Coverage (%)	65	50	
3	Minimum Front Lot Line Coverage (%)	65	50	See 27-406.E for allowed courtyards.
4	Front Build-to Zone (feet)	5 to 20	10 to 20	See 27-403.H for location of front and street-side frontages. See 27-403.K for arterial setback regulations.
5	Street-Side Build-to Zone (feet)	5 to 20	5 to 20	See 27-406.E for minimum pedestrian area
6	Side Setback (feet)	5 minimum; 10, if abutting N, NX, or RMH district		
7	Rear Setback (feet)	10 minimum; 25 if abutting N, NX, or RMH district		See 27-406.E for through lots.
B. PARKING SITING				
8	Surface or Accessory Parking Yard Location	Rear, internal, side		See 27-1800 for explanation of yards.
9	Permitted Driveway Access Location	See 27-1305 for driveway access locations.		
10	Permitted Garage Entry Facade Location	Rear, side, or street-side facade		
11	Parking Location within Building	Allowed fully in any basement and behind required occupied building space of all other stories		See Occupied Building Space regulation below in 12. See 27-1800 for definition of basement.
12	Occupied Building Space along Front Facade, Minimum Depth (feet)	20 all full-story floors; not required in any basement or half story		See 27-1800 for definition of Occupied Building Space.
D. WINDOWS, DOORS, ROOF				
16	Window & Door Coverage: Ground-Story Front Facades (%)	65 minimum between 2 and 8 feet above sidewalk		Blank wall limitations apply to front facades per 27-1800
17	Window & Door Coverage: All Stories Front Facades (%)	15 minimum per story		27-403.H requires front facade windows to turn corners.
18	Number of Front Façade Entrances	Principal entrances 1 per every 60 feet of facade		See 27-403.J for Front Entrance regulations.
19	Permitted Roof Types	Parapet, pitched, flat; tower permitted		See 27-1800 for definition of roof types and exception for other roof types.



## 100-Year Floodplain Boundary

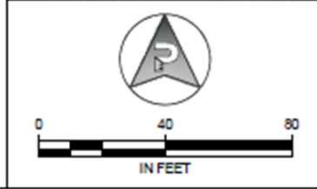
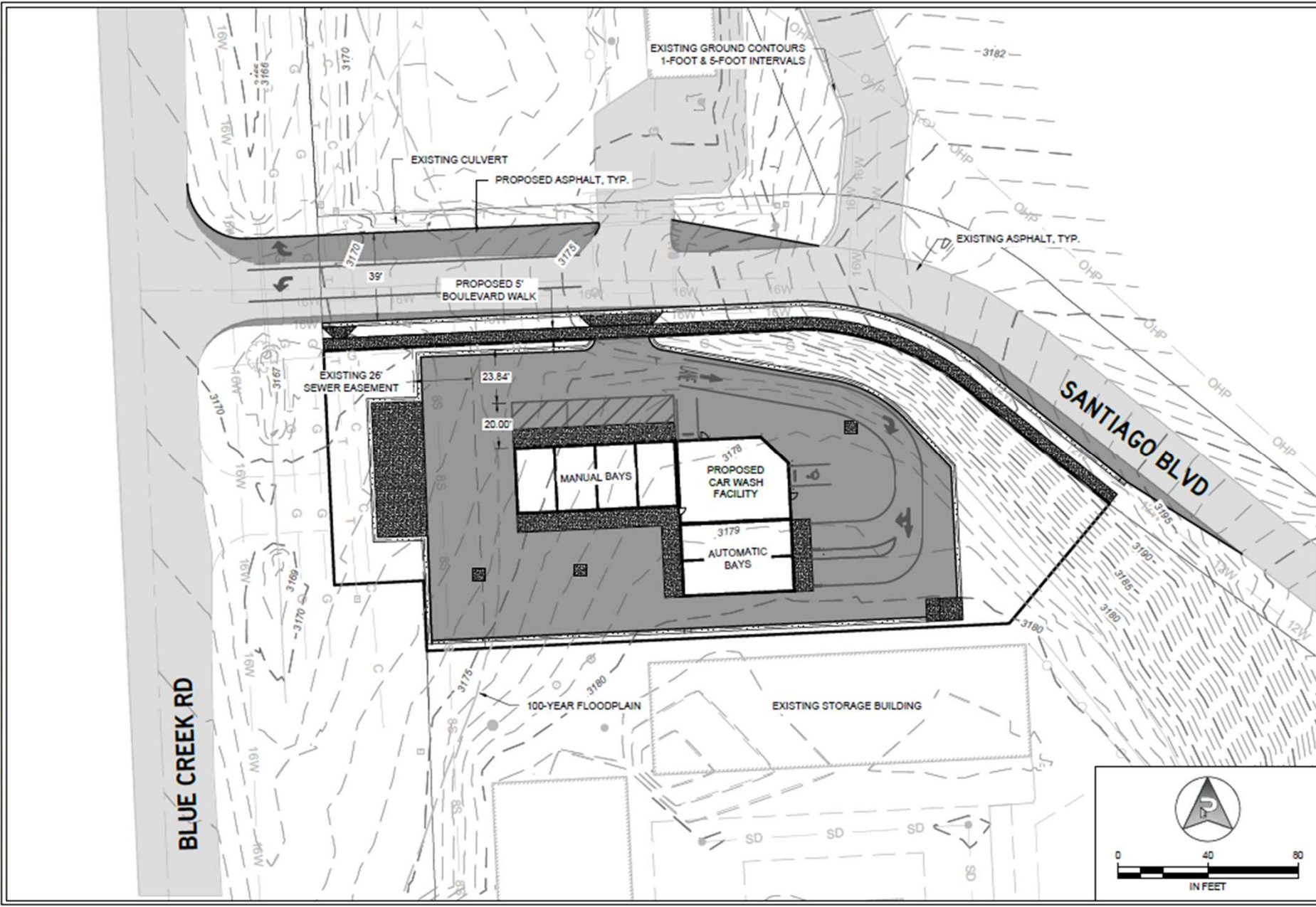


## Sewer Easement and Hillside



# Proposed Site Layout

PE 01/20/2019  
 11/05/2021 12:50:31 PM  
 C:\Users\jtk\Documents\2019\2019-010\Blue Creek Car Wash\01\DWG\PLAN\2019-010-01\DWG\PLAN\2019-010-01-01.dwg

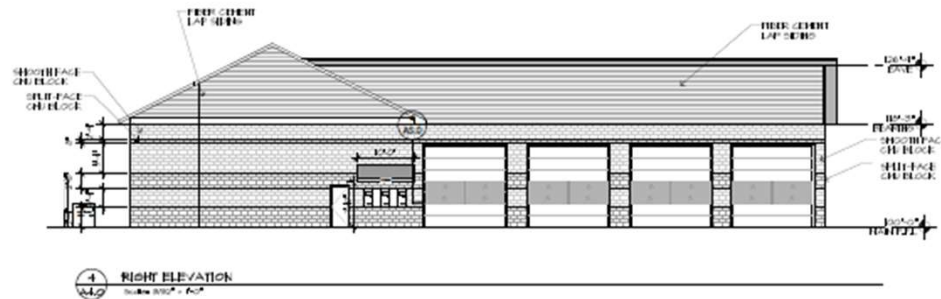
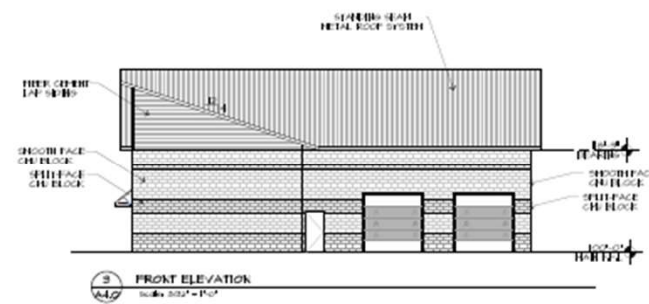
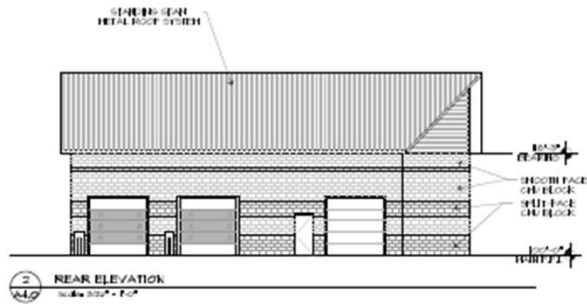
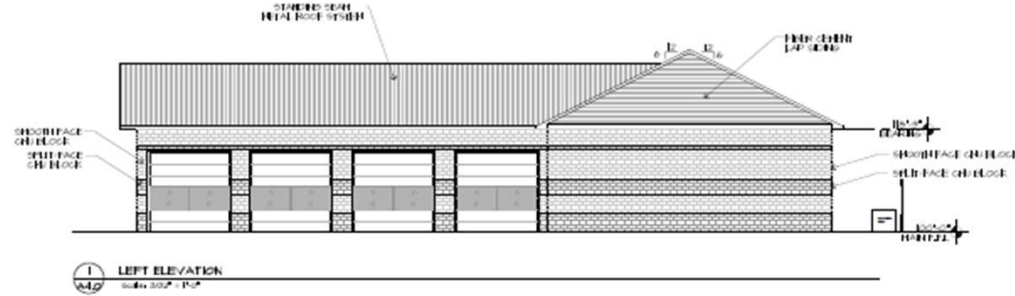


**BLUE CREEK CAR WASH**  
 2315 BLUE CREEK RD  
 BILLINGS, MT

DATE	REVISION	QUALITY ASSURANCE
DESIGNED BY	CHECKED BY	
DRAWN BY	DATE	
DATE		
REV BY	DATE	CHK BY

**SANTIAGO BOULEVARD IMPROVEMENTS**

PROJECT NUMBER	2019-010
SHEET NUMBER	1 OF 2
DRAWING NUMBER	1
COPYRIGHT	2020 ©



NOTE: COORDINATOR IS REQUIRED BY ALL TRADES SO NO CONFLICTS IN LOCATION OF DUCTS, CONDUITS, SPRINKLER HEADS, DIFFUSERS, ELECTRICAL BOXES, EQUIPMENT, ETC. OCCUR. GENERAL CONTRACTOR TO COORDINATE ALL TRADES.

**GENERAL NOTES:**

1. SEE SCHEDULE FOR COLUMN, FLOOR SLABS, SHEET PILING, CONTRACTOR FOUNDATION WALLS, AND FOOTINGS.
2. SEE GFI FOR GRABBERS, PAVING, HANDRAILS AND SILENT LOCATIONS.
3. SEE MECHANICAL FOR HVAC AND EXHAUST.
4. SEE ELECTRICAL FOR SERVICE DISBURSE, PANELS AND LIGHTING.
5. SEE THE HAZARD SCENE BUILDING SET DRAWINGS FOR METAL BUILDING.



**BLUECREEK CARWASH**  
BILLINGS, MT

CONTRACT STATEMENT:  
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DATE:	05/16/2022
DRAWN BY:	MM
CHECKED BY:	JB
REVISIONS:	

EXTERIOR ELEVATIONS & SECTIONS

**A4.0**

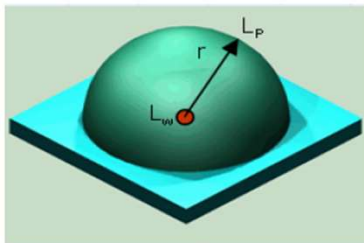
## Features to Improve Safety:

- Widening of Santiago to provide left/right turn lanes onto Blue Creek Road
- Aligning approach with No-Cash Water to avoid having cross-traffic maneuvers
- Curb and Gutter along lot frontage
- Sidewalk along lot frontage

## Noise:

- Analyzed noise of vacuums and blowers provided by manufacturers using published calculations to determine equivalent noise at adjacent properties

### Sound Pressure At Distances From Unit (Sound Treated as Point Source)

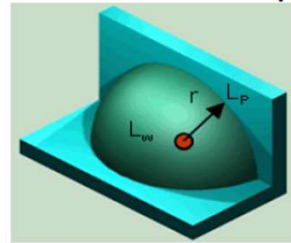


Half Sphere Q = 2

$$L_p = L_w + 10 \log \left( \frac{Q}{4\pi r^2} \right)$$

Lp = Sound Pressure dBA  
 Lw = Sound Power  
 Q = Directivity Factor  
 r = Distance from Source

Sound Power = 92.7



Quarter Sphere Q = 4

Dryers		Vacuum	
Lw	94	Lw	92.7
Q	4	Q	4
r	300	r	202
Lp	39.48608	Lp	41.62147

## Access:

- Access off Blue Creek Road has been denied by MDT based on proximity to Santiago intersection

## ITE Trip Generation Statistics

- Automatic Bay Car Wash Trip Generation (Land Use 948)
  - 14.12 Trips at Saturday Peak Hour per 1,000 SF
  - **23 trips to new car wash during peak hour (1,600 SF of Auto Bays)**
- Self Service Car Wash (Land Use 947)
  - **132.8 trips per day on a Saturday**

**Estimate roughly 200 – 250 trips per day on maximum day**

\*\*likely high estimate based on “passer-by nature”

## Comparative Uses in CMU-1

- Day Care Center (565): 74.06 trips per 1,000 SF
  - 407 trips per day
- Drive-In Bank (912): 148.15 trips per 1,000 SF
  - 814 trips per day
- Restaurant (931): 94.36 trips per 1,000 SF
  - 519 trips per day



# PERFORMANCE



THANK YOU!

**CITY SPECIAL REVIEW** **APPLICATION FORM** **BillingsSpecialReview#** 995 **- Project #** PZX-22-00288

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 1 (CMU1)

Special Review Requested: Car wash use with proposed 4 manual bays and 2 automatic bays.

**TAX ID#** D01954A **CITY ELECTION WARD #** 3

Legal Description of Property: Lot 1 of Blue Creek Storage Subdivision

Address or General Location (If unknown, contact City Engineering): Intersection of Santiago Blvd and Blue Creek Road

Size of Parcel (Area & Dimensions): 0.917 acres/39,934 square feet

Present Land Use: Undeveloped

Covenants or Deed Restrictions on Property: Yes \_\_\_\_\_ X No \_\_\_\_\_

If yes, please attach to application

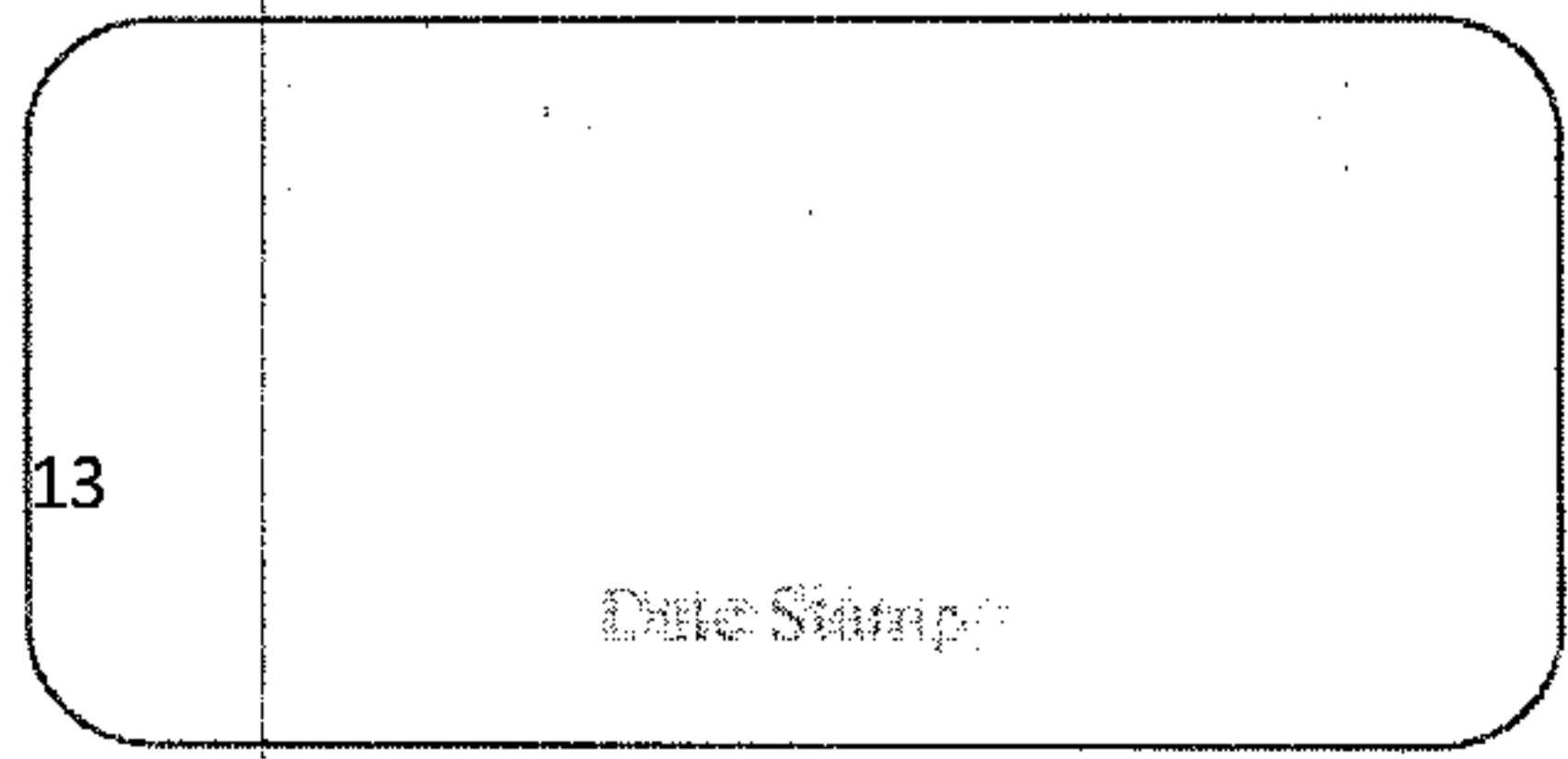
\*\*\* Additional information may be required as determined by the Zoning Coordinator in order to fully evaluate the application.

Owner(s): Blue Creek Storage, LLC  
(Recorded Owner) 2135 Blue Creek Road, Billings, MT 59101  
(Address) 406-697-1791 phillrx@hotmail.com  
(Phone Number) (email)

Agent(s): Scott Aspenlieder, Performance Engineering, LLC  
(Name) 608 N 29th Street, Billings, MT 59101  
(Address) 406-384-0080 scott@performance-ec.com  
(Phone Number) (Email)

I understand that the filing fee accompanying this application is not refundable, that it pays for the 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: 11/30/22  
(Recorded Owner)



## Lot 1, Blue Creek Storage Subdivision

### Zoning Special Review Questions

1. In what ways is your proposal consistent with the goals and policies of the adopted growth policy?

**Essential Investments** – The proposed project is classified as an “infill development” making it very cost effective to provide essential City services to the property. In addition, proposed with this project is street widening on Santiago Boulevard to alleviate voiced concerns of adjacent neighbors with ability to enter Blue Creek Road, in addition to provision of sidewalk and curb and gutter on the south side of Santiago to allow for safe pedestrian traffic along the subject lot’s frontage. The proposed sidewalk and road improvements will end at the subdivision extents along Santiago, however could be extended further should the area residents wish to petition a Special Improvement District to improve the roads and safety throughout the entire area.

**Strong Neighborhoods** – The proposed project will provide a service to the Blue Creek area of the City of Billings that is not already provided and often needed, currently requiring residents to travel back across the Yellowstone River in order to utilize such facilities. By implementing the proposed use in accordance with the Infill Policy, this development will also improve a currently under-utilized property that has remained vacant, and will begin contributing greater tax revenue to the City that can be utilized for other services within the neighborhood.

**Mobility and Access** – The proposed project offers to improve the Santiago Boulevard leg of its intersection with Blue Creek Road to improve access ability onto Blue Creek Road. Concerns voiced by residents regarding speeds on Blue Creek Road are sympathized with, however it is not believed development of the proposed lot affects these concerns as 1) mitigation of these concerns would need to be addressed by a combination of MDT, the City of Billings, and Yellowstone County, and 2) traffic generated by the proposed use is well below being statistically significant (i.e <500 trips per day).

**Zoning** – The proposed project complies with the regulations outlined in the new zoning code in the following ways:

- a. In the Zoning Code’s description of CMU1, it indicates: “Commercial uses in the CMU1 district may be somewhat larger in scale and more flexible than the neighborhood mixed-use district, **including more auto-oriented uses** such as gas stations.” The Owner and PE believe that a car wash falls directly in line with the statement “more auto oriented uses”

2. **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 subject property has historically been a difficult property to develop provided existing property and topographical constraints including an existing 26' sanitary sewer easement for the City of Billing's main collection line, 100-year floodplain boundary encroaching on the west side of the property, and steep slopes along the east and northeast portion of the site. Given this, corner and frontage build-to requirements for the subject property are in essence infeasible to meet, and limit the ability of ANY development meet landscaping and parking requirements.

The proposed car wash is a beneficial use for the site given the site's property and topographical constraints. A car wash has limited parking requirements when compared to other uses. In addition, landscaping is proposed to be incorporated on the property in accordance with Zoning Code requirements for the underlying zoning and adjacent districts.

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

The proposed use is compatible with nearby uses which include a water fill station to the north, storage units to the south, and the City's pump station to the north east. A buffer of roadway is provided between the subject property and the nearest residential uses.

In addition, the proposed car wash has been laid out to place potential noise impacts furthest from and directed away from the nearest residential properties.

It was noted by neighbors in the pre-application meeting that child safety is a concern when they are walking to Casey's Corner to be picked up by the school bus. This sentiment in sympathized with, and a sidewalk is proposed to be installed along the Blue Creek Storage Subdivision frontage on Santiago to provide a safe route for pedestrian traffic along the proposed development.

4. **How the proposed use will not impede the normal improvement of surrounding property.**

As development of the subject property is an In-Fill development, the surrounding properties have all been developed excepting the lot on the NE corner of Santiago and Blue Creek Road. With that being the case, development of this lot would not impede the normal development of surrounding properties, and would benefit the development of the property on the NE corner of Santiago and Blue Creek road by widening the Santiago Boulevard frontage adjacent to that property.

### Additional Information:

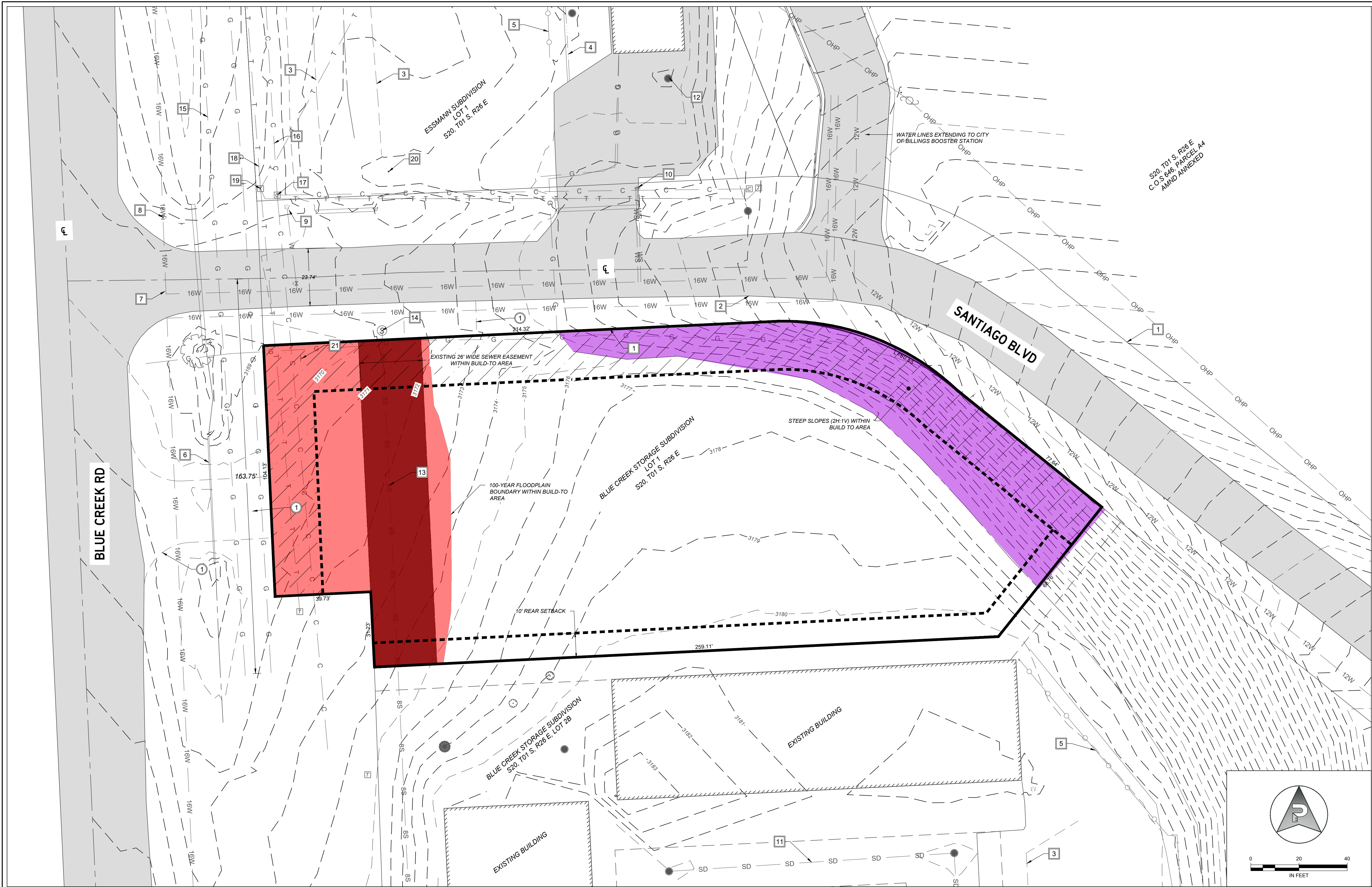
Included with this application is additional information researched and compiled by PE to assist in consideration of the proposed use of a car wash based on concerns raised by the neighbors during pre-application process. Additional information includes speed studies conducted by MDT in 2004 and 2006 respectively which recommended and set the current speed limit on Blue Creek Road today. It is agreed these studies are likely outdated, however the Owner of this site alone cannot petition for additional speed studies to be conducted by MDT. This request would need to be initiated by the City of Billings and/or Yellowstone County as indicated previously.

Also included is the traffic queuing analysis for the proposed car wash. Based on queuing analysis of the proposed use, during peak traffic times of the car wash as determined by ITE recommended values, the site would be able to accommodate the peak volumes of vehicles coming to the site without impacting or backing cars up into Santiago Boulevard.

### Variances Requested:

As noted in answers above, topographical and property boundary easements will necessitate this lot be granted variances from certain requirements included in CMU-1. Those variances include:

- Required to build to the corner of the lot
- Occupy 65% of the front lot line
- Build to within 5-20 of the street-side lot line and front lot line
- Place parking on the rear, internal, or side of lot
- Window and door coverage on front façade
- Number of front façade entries
- Tree planting and landscape near eastern lot line with steep slopes
  - Proposed to utilize sight-obscuring fence in this area until grades shallow out to accommodate frontage plantings.

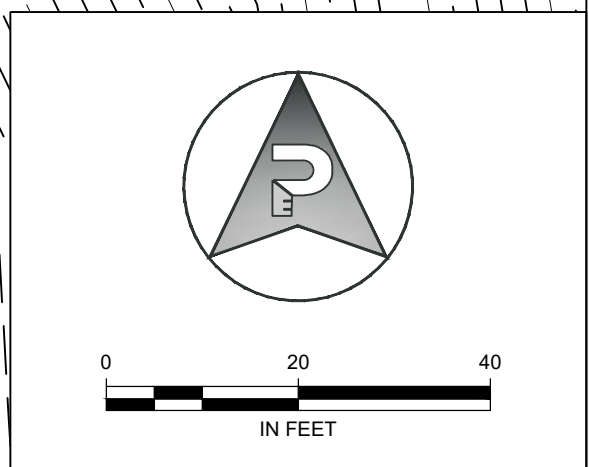


**LEGEND**

- EXISTING ASPHALT CONCRETE PAVEMENT
- STEEP TERRAIN ON LOT (UNBUILDABLE)
- EXISTING SEWER EASEMENT (UNBUILDABLE)
- 100-YEAR FLOODPLAIN (UNBUILDABLE)
- EXISTING ASPHALT CONCRETE PAVEMENT
- CMU-1 BUILD-TO/SETBACK LINES
- LOT LINES


- GENERAL NOTES**
- 1 PROPERTY LINE, TYP.
  - 2 EDGE OF ASPHALT, TYP.
  - 3 EDGE OF GRAVEL, TYP.
  - 4 CURB & GUTTER, TYP.
  - 5 FENCE, TYP.
  - 6 CULVERT, TYP. (SIZES VARY)
  - 7 DOMESTIC WATER LINE FROM COB PUBLIC WORKS WEBSITE, CONTRACTOR TO VERIFY SIZE AND LOCATION (SIZES VARY)
  - 8 WATER VALVE, TYP.
  - 9 FIRE HYDRANT, TYP.
  - 10 CURB STOP, TYP.
  - 11 BOULDER PIT PERFORATED PIPE, TYP.
  - 12 CATCH BASIN DRAIN, TYP.
  - 13 8" Ø SANITARY SEWER LINE, TYP.
  - 14 SANITARY SEWER MANHOLE, TYP.
  - 15 NATURAL GAS LINE, TYP.
  - 16 UNDERGROUND COMMUNICATION LINE, TYP.
  - 17 COMMUNICATION PULL BOX, TYP.
  - 18 UNDERGROUND TELEPHONE LINE, TYP.
  - 19 TELEPHONE PEDESTAL, TYP.
  - 20 BOLLARD, TYP.
  - 21 SIGN, TYP.

- DEMOLITION NOTES**
- 1 REMOVE EXISTING GRAVEL APPROACH



REVISIONS					
NO.	DESCRIPTION	DATE	BY	CHECKED BY	
1					
2					
3					
4					
5					
6					

**PRELIMINARY SET**



# PERFORMANCE

## ENGINEERING

608 NORTH 29TH STREET (406) 384-0080  
BILLINGS, MT 59101 performance-ec.com

TK DESIGNED BY	
TK DRAWN BY	
11/22 DATE	
QUALITY ASSURANCE	
SA CHECKED BY	
11/22 DATE	

**BLUE CREEK CAR WASH**

2135 BLUE CREEK ROAD BILLINGS, MT 59102

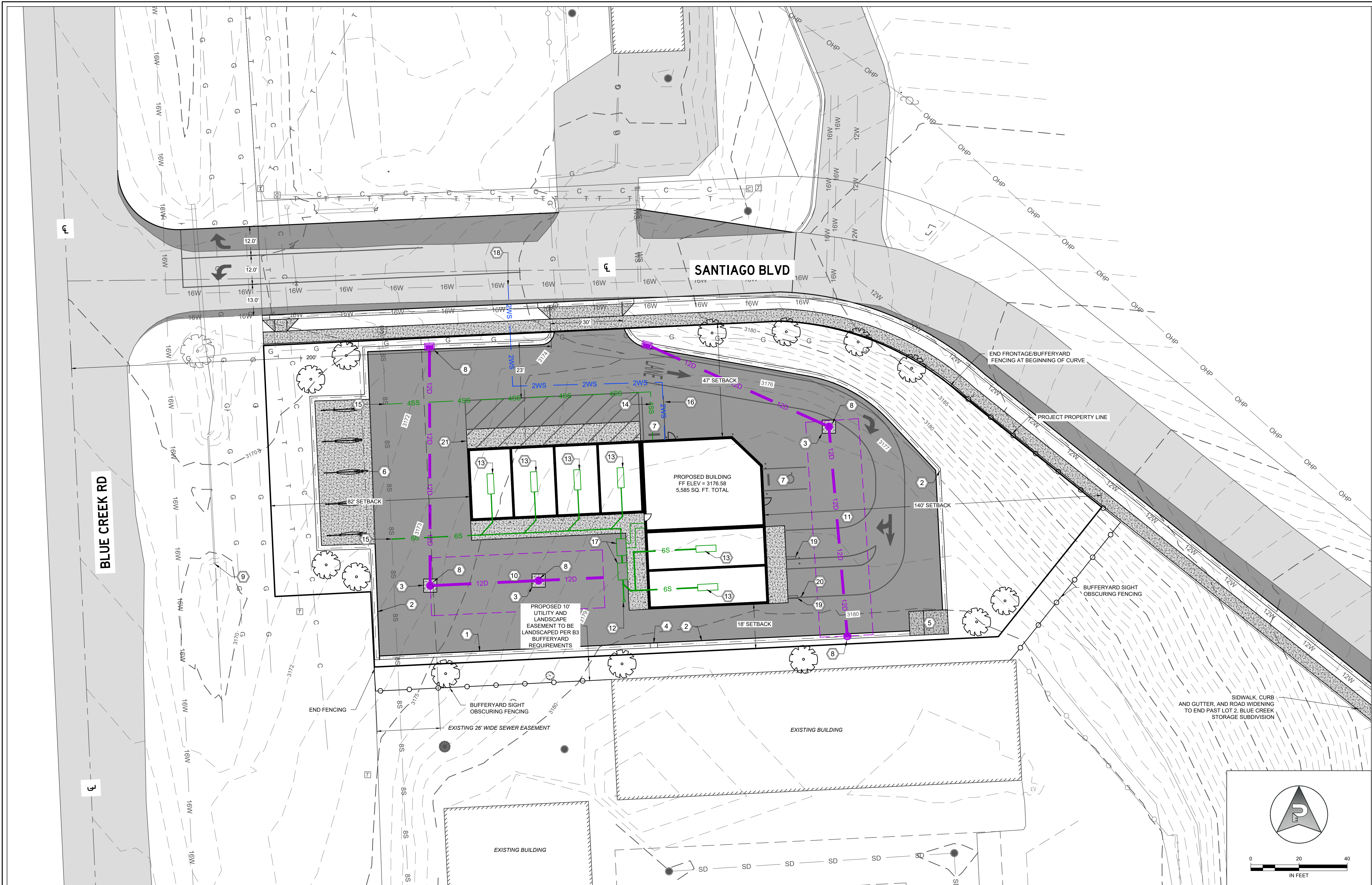
**EXISTING LAYOUT  
AND LOT DIMENSIONS**

PROJECT NUMBER  
2019-010

SHEET NUMBER  
1 OF 2

DRAWING NUMBER  
**C1.0**

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**CONSTRUCTION NOTES**


- EXISTING ASPHALT CONCRETE PAVEMENT
- PROPOSED ASPHALT CONCRETE PAVEMENT
- PROPOSED CONCRETE

**CONSTRUCTION NOTES**

- 1 RIBBON CURB
- 2 CATCH CURB
- 3 CONCRETE COLLAR
- 4 CURB TRANSITION
- 5 DUMPSTER ENCLOSURE
- 6 VACUUM ISLAND
- 7 PARKING STALL
- 8 STORMWATER STRUCTURE
- 9 CMP CULVERT WITH FLARED ENDS
- 10 BOULDER PIT A
- 11 BOULDER PIT B
- 12 SANITARY SEWER CLEANOUT
- 13 CITY OF BILLINGS STANDARD OIL & WATER SEPARATOR - 2.66' X 8.33' X 3'
- 14 PVC SANITARY SEWER SERVICE
- 15 CONNECT TO EXISTING SANITARY SEWER LINE
- 16 WATER SERVICE
- 17 SEDIMENT RECIRCULATION SYSTEM
- 18 CONNECT TO EXISTING CITY OF BILLINGS WATER DISTRIBUTION SYSTEM
- 19 CAR WASH KIOSK
- 20 BOLLARD (ALL LOCATIONS CALLED OUT ON SHEET C3.00)
- 21 CONCRETE APRON

REVISIONS				
NO.	DESCRIPTION	DATE	BY	CHECKED BY
1	#	#	#	#
2	#	#	#	#
3	#	#	#	#
4	#	#	#	#
5	#	#	#	#
6	#	#	#	#

**PRELIMINARY SET**



**PERFORMANCE ENGINEERING**  
 608 NORTH 29TH STREET (406) 384-0080  
 BILLINGS, MT 59101 performance-ec.com

TK DESIGNED BY  
 TK DRAWN BY  
 11/22 DATE  
 QUALITY ASSURANCE  
 SA CHECKED BY  
 11/22 DATE

**BLUE CREEK CAR WASH**

2135 BLUE CREEK ROAD BILLINGS, MT 59102

**PROPOSED LAYOUT**

PROJECT NUMBER  
2019-010

SHEET NUMBER  
2 OF 2

DRAWING NUMBER  
**C1.1**

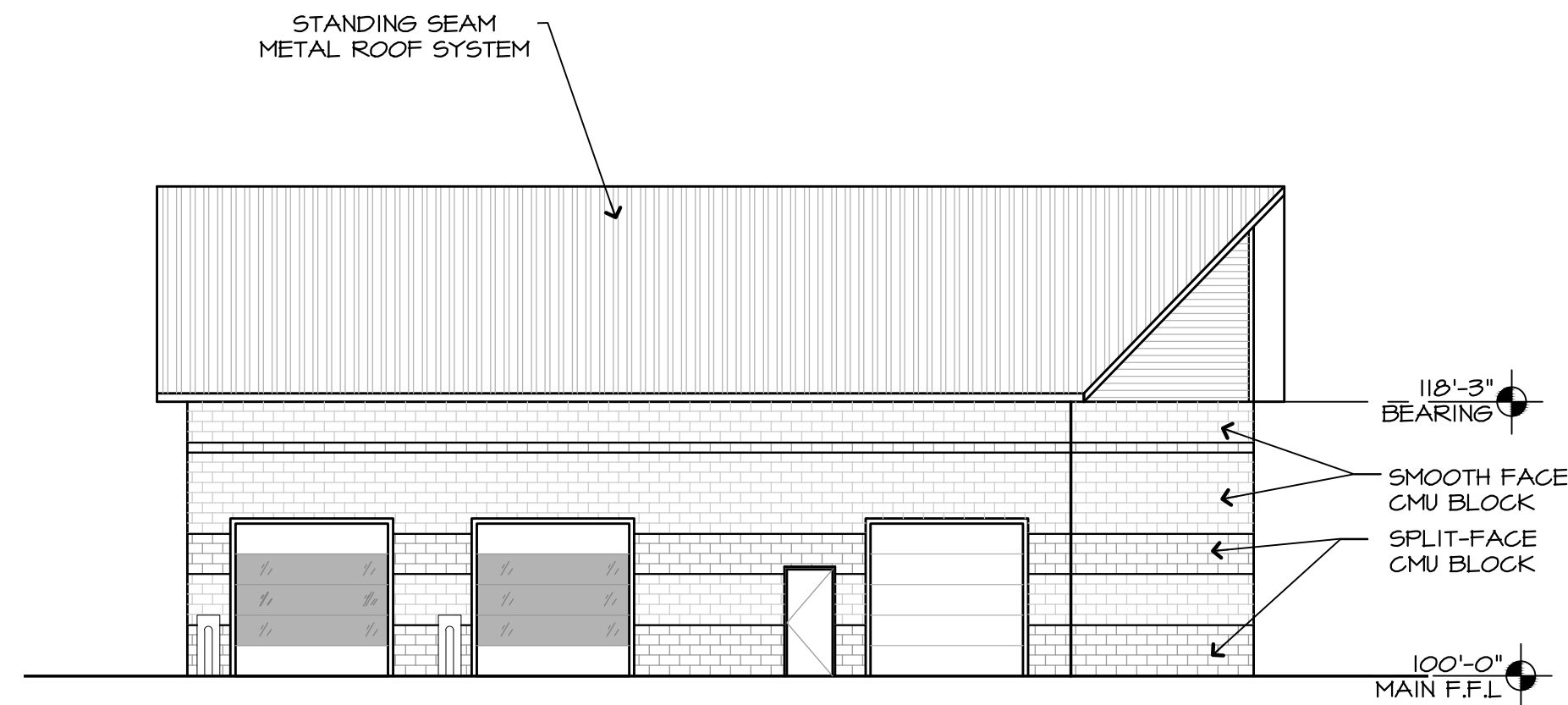
COPYRIGHT 2022 ©



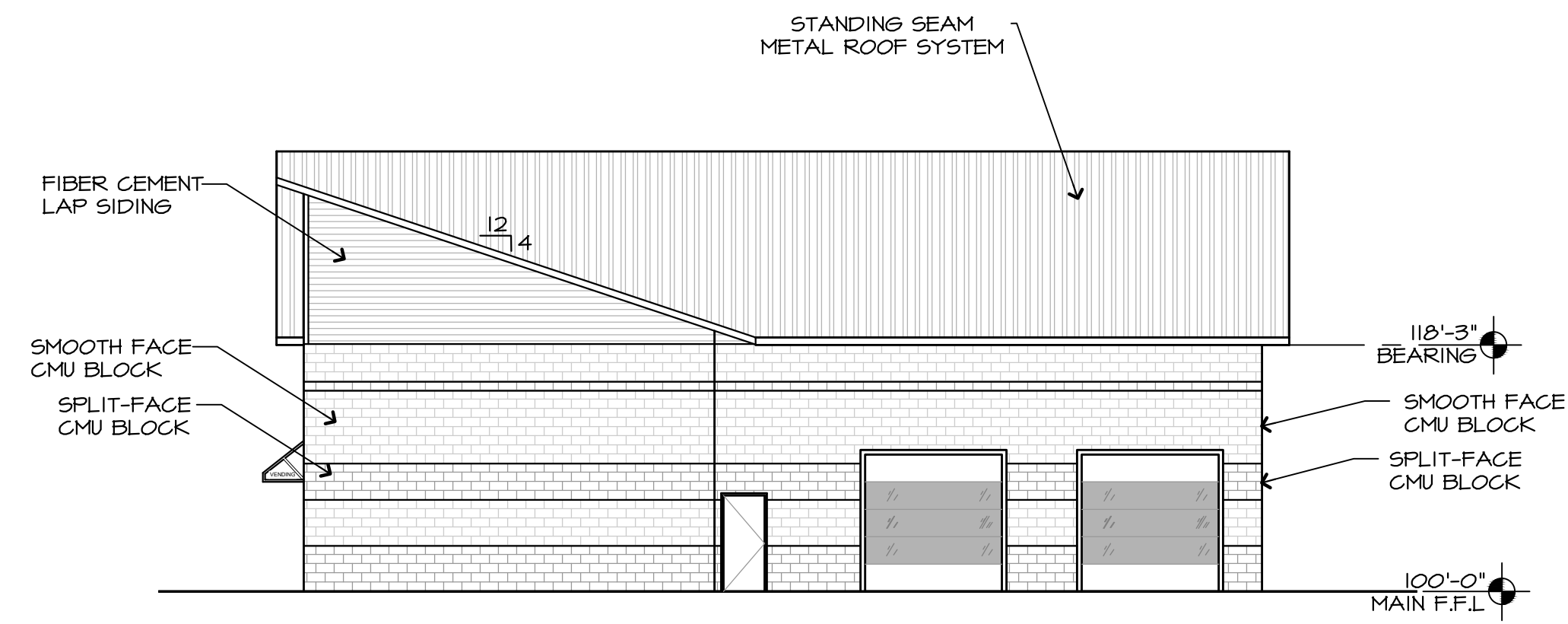
**BLUECREEK CARNASH**  
BILLINGS, MT



**1 LEFT ELEVATION**  
Scale: 3/32" = 1'-0"



**2 REAR ELEVATION**  
Scale: 3/32" = 1'-0"



**3 FRONT ELEVATION**  
Scale: 3/32" = 1'-0"



**4 RIGHT ELEVATION**  
Scale: 3/32" = 1'-0"

NOTE: COORDINATION IS REQUIRED BY ALL TRADES SO NO CONFLICTS IN LOCATION OF DUCTS, CONDUITS, SPRINKLER HEADS, DIFFUSERS, ELECTRICAL BOXES, EQUIPMENT, ETC. OCCURS. GENERAL CONTRACTOR TO COORDINATE ALL TRADES.

**GENERAL NOTES:**

1. SEE STRUCTURAL FOR COLUMNS, FLOOR SLABS, SUB BASE, COMPACTION, FOUNDATION WALLS, AND FOOTINGS.
2. SEE CIVIL FOR GRADING, PAVING, DRAINAGE AND UTILITY LOCATIONS.
3. SEE MECHANICAL FOR HVAC AND PLUMBING.
4. SEE ELECTRICAL FOR SERVICE ENTRANCE, POWER AND LIGHTING.
5. SEE PRE-MANUFACTURED BUILDING SHOP DRAWINGS FOR METAL BUILDING CONSTRUCTION.

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DATE: 04/16/2022  
DRAWN BY: MM  
CHECKED BY: ja  
REVISIONS:

EXTERIOR  
ELEVATIONS &  
SECTIONS

**A4.0**

September 19, 2022 (revised 12/6/2022)

City of Billings Engineering Department  
2224 Montana Avenue  
Billings, MT 59101

*RE: Blue Creek Car Wash Queuing Analysis*

To whom it may concern,

The purpose of this letter is to summarize the queue storage analysis performed for the proposed Blue Creek Car Wash (BCCW) site located in Lot 1 of Blue Creek Storage Subdivision, Section 20, Township 01 South, Range 26 East. The project is located on the southeast corner of the intersection of Blue Creek Road and Santiago Boulevard. A map showing the location of the property is shown below.

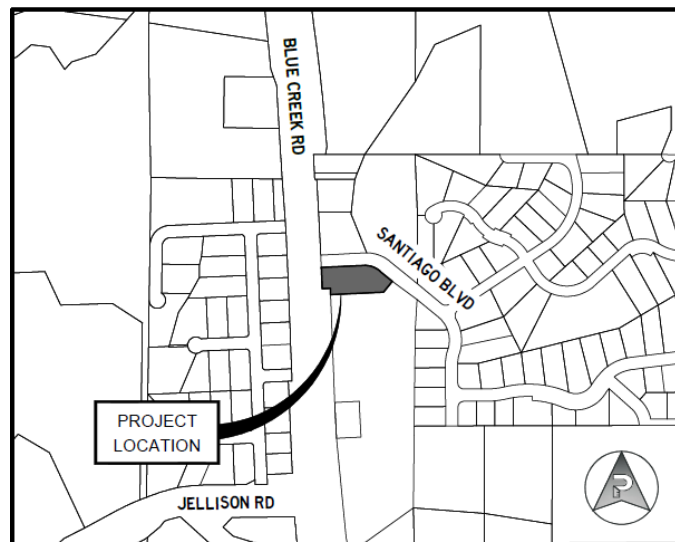


Figure 1: Vicinity Map

The proposed BCCW building includes the construction of four (4) manual car wash bays and two (2) automatic bays. The building will be classified as a car wash facility. Access to the site will be provided by an approach located on the north side of the property off Santiago Boulevard.

Performance Engineering (PE) performed a service count on a similarly sized car wash facility on Broadwater Avenue (“Car & RV Wash”) for a queuing analysis as part of a previous and separate car wash facility project (“Rocky Mountain Car Wash”) in the City of Billings. Calculations for single channel queuing from the Rocky Mountain Car Wash project were used in conjunction with the BCCW queuing calculations. This approach was agreed upon through discussions with the City of Billings Engineering Department. Data was collected from 9/19/19-9/22/19. Observed times were 11AM-6PM Thursday to Saturday and 7AM-1130AM on Sunday. Results from this analysis are included as reference with this letter.

Findings from the study conducted on the Car and RV Wash on Broadwater Avenue indicate the following:

- **Maximum Number of Trips Per Day Recorded = 170**
  - Manual Wash Bay - 102 trips
  - Auto Wash Bay - 54 trips
  - Other Uses (vacuum, coin dispenser) - 14 trips
- **Peak Hour Trip Generation = 18 vehicles**
  - Manual Bay - 9 vehicles
  - Auto Bay - 8 vehicles
  - Other - 1 vehicle

These findings appear to validate those values provided by ITE’s Trip Generation Manual, 9<sup>th</sup> Edition, for Land Use: 947 (Self-Service Car Wash) and Land Use: 948 (Automated Car Wash). As such, it is verified the number of trips generated by the proposed car wash facility is anticipated to be far less than the 500 trips necessitated to conduct a traffic study.

This study evaluated the available queue storage based on the proposed layout of the BCCW site. The proposed site provides adequate storage for 13-vehicles in the automatic bay wait line. The manual bays have a capacity to hold 1-vehicle in queue per bay (8 total spaces) and it is assumed no other vehicles will stack due to the relative “passer-by” nature of manual car washes. This “passer-by” nature was observed during the traffic camera footage of the Car and RV Wash on Broadwater Avenue when, in multiple instances, customers arriving to use the manual bays noted each bay was full and left immediately rather than waiting in queue to utilize the facilities. It was not noted during the period studied that any customers queued to utilize the manual wash bays. An exhibit displaying the maximum queue storage for the site is included with this document.

PE performed calculations for the automatic wash bays assuming the queue would follow a single-channel queuing model. An arrival rate of 5.5 vehicles per hour and an average service rate of 7.5 minutes/vehicle (in line with that noted at the RV and Car Wash on Broadwater Avenue as well as verified by proposed wash machine supplier) were used. The model results show a probability of 31.25% that the queue would be exactly zero vehicles. The resulting queue calculations show that the peak total vehicles for the automatic wash bays are 11 vehicles. Based on the calculations and visual analysis it is not anticipated that the queue will back up and interfere with traffic along Blue Creek Road or Santiago Boulevard. Calculations for the single-channel queue analysis are provided.

Patrons of the car wash are anticipated to exit wash bays and head west along the southern portion of the project to planned vacuums, prior to exiting the site along the west side of the car wash building onto Santiago Boulevard.

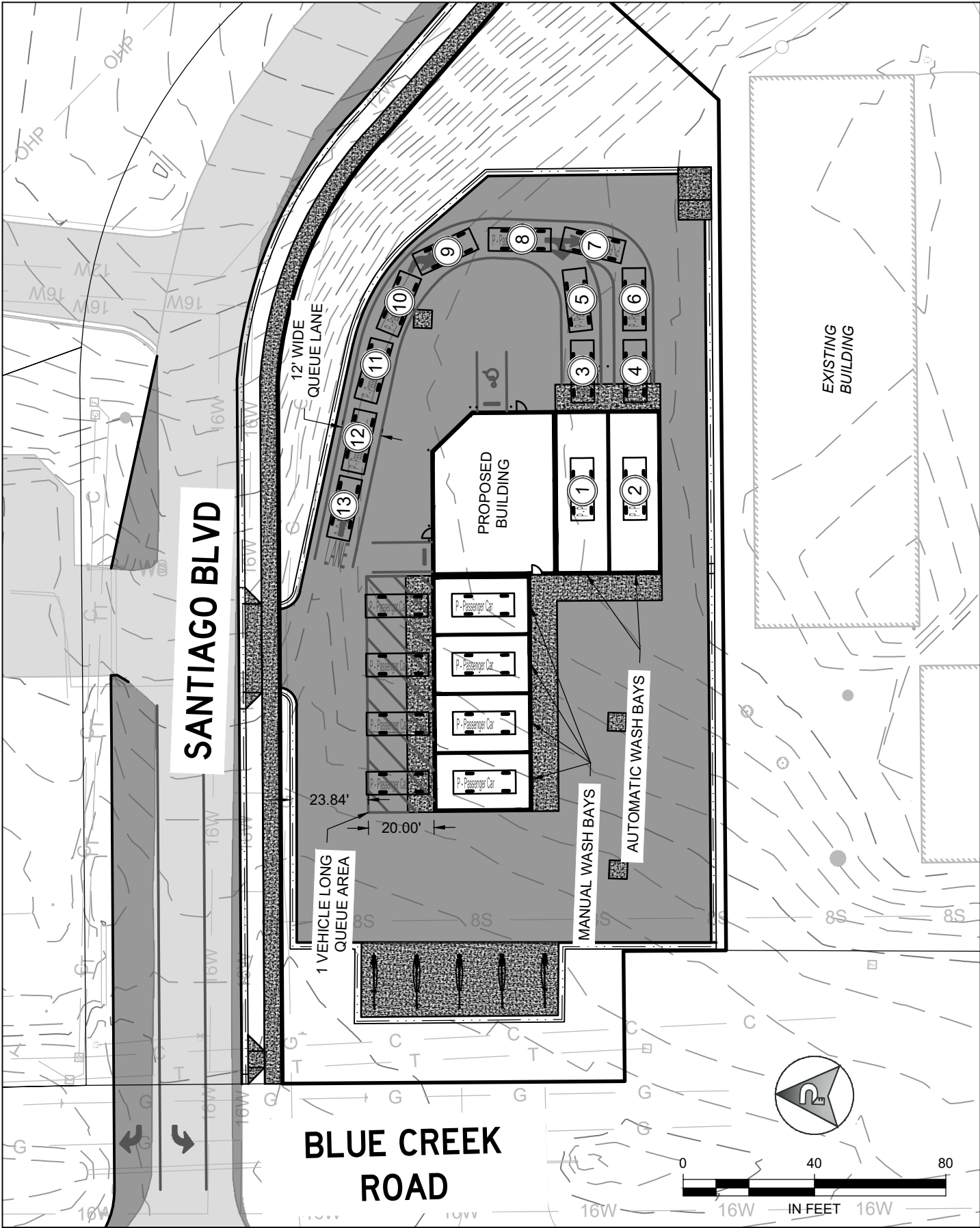
Should you have any questions please contact Taylor Kasperick at (406) 384-0080 or by email at [taylor@performance-ec.com](mailto:taylor@performance-ec.com).

Sincerely,



Taylor Kasperick, PE

Attached: Queue Exhibit, Queue Calculation, RV and Car Wash Traffic Analysis



PROJECT TITLE	BLUE CREEK CAR WASH	DRAWN BY	APN
SHEET TITLE	QUEING ANALYSIS MAP	DATE	8/2022
		CHECKED BY	TJK

CLIENT  
**KE CONSTRUCTION**

**PERFORMANCE ENGINEERING**  
 608 NORTH 29TH STREET  
 BILLINGS, MT 59101  
 (406) 384-0080  
 www.performance-ec.com

EXHIBIT  
**A**  
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## Traffic Cam Study - Car and RV Wash (13th and Broadwater)

Performed By: Performance Engineering

Date of Study: 9/19/19 - 9/22/19

	Total Visits	Auto Visits	Auto Service Time (avg) **	Manual Visits	Manual Service Time (avg)	Peak Hour	Peak Hour Total Visits	Peak Auto Visits	Peak Manual Visits
9/19/2019	170	27	07:28.0	51	14:26.2	1pm - 2pm	18	8	9
9/20/2019	54	6	06:00.0	17	12:54.3	2pm - 3pm	8	4	3
9/21/2019	132	18	08:17.1	39	15:43.8	2pm - 3pm	10	2	7
9/22/2019	64	10	08:00.0	18	13:30.0	10am - 11am	10	3	5
<b>Average</b>	105	15	07:26.3	31	14:08.6		10	4	6

\*\*Note: Only auto wash occurrences noted as being serviced under ten minutes were included for determination of average service time. This was determined as the auto wash cycle is pre-programmed, so service times in excess of ten minutes are attributed to other activities including such as vacuuming or drying unassociated with the queing maneuver.

### Traffic Cam Study - Car and RV Wash (13th and Broadwater)

Performed By: Performance Engineering  
 Date of Study: 9/19/2019  
 Study Performed: 1030am - 610 pm

TOTAL TRIPS	AVG. SERVICE TIME - AUTO (MIN)	AVG. SERVICE TIME- MANUAL (MIN)	Peak Time	Peak Auto Visits	Total Auto Visits
170	0:07:28	0:14:26	1pm - 2pm	8	27
			Peak Time Visits	Peak Manual Visits	Total Manual Visits
			18	9	51

Arrival Time	Departure Time	Wash Type	Notes	Service Time
10:39:00 AM	10:40:00 AM	Coin Dispenser		01:00.0
10:41:00 AM	10:47:00 AM	Manual		06:00.0
10:42:00 AM	10:58:00 AM	Manual		16:00.0
10:45:00 AM	11:05:00 AM	Manual		20:00.0
10:54:00 AM	11:08:00 AM	Manual		14:00.0
10:54:00 AM	10:56:00 AM	Manual		02:00.0
11:03:00 AM	11:09:00 AM	Manual		06:00.0
11:10:00 AM	11:16:00 AM	Manual		06:00.0
11:10:00 AM	11:14:00 AM	Manual		04:00.0
11:14:00 AM	11:17:00 AM	Coin Dispenser		03:00.0
11:14:00 AM	11:22:00 AM	Auto		08:00.0
11:23:00 AM	11:35:00 AM	Manual		12:00.0
11:25:00 AM	11:36:00 AM	Auto		11:00.0
11:26:00 AM	11:37:00 AM	Manual		11:00.0
11:36:00 AM	11:44:00 AM	Auto		08:00.0
11:41:00 AM	11:53:00 AM	Manual		12:00.0
12:07:00 PM	12:36:00 PM	Manual		29:00.0
12:08:00 PM	12:17:00 PM	Auto		09:00.0
12:10:00 PM	12:22:00 PM	Manual		12:00.0
12:10:00 PM	12:31:00 PM	Vacuum		21:00.0
12:15:00 PM	12:31:00 PM	Manual		16:00.0
12:16:00 PM	12:23:00 PM	Auto		07:00.0
12:23:00 PM	1:27:00 PM	Manual		04:00.0
12:27:00 PM	12:51:00 PM	Manual		24:00.0
12:36:00 PM	12:55:00 PM	Auto		19:00.0
12:51:00 PM	12:58:00 PM	Auto		07:00.0
1:02:00 PM	1:16:00 PM	Manual		14:00.0

### Traffic Cam Study - Car and RV Wash (13th and Broadwater)

Performed By: Performance Engineering  
 Date of Study: 9/19/2019  
 Study Performed: 1030am - 610 pm

TOTAL TRIPS	AVG. SERVICE TIME - AUTO (MIN)	AVG. SERVICE TIME- MANUAL (MIN)	Peak Time	Peak Auto Visits	Total Auto Visits
170	0:07:28	0:14:26	1pm - 2pm	8	27
			Peak Time Visits	Peak Manual Visits	Total Manual Visits
			18	9	51

Arrival Time	Departure Time	Wash Type	Notes	Service Time
1:05:00 PM	1:21:00 PM	Manual		16:00.0
1:09:00 PM	1:50:00 PM	Manual		41:00.0
1:09:00 PM	1:43:00 PM	Auto		34:00.0
1:11:00 PM	1:25:00 PM	Vacuum		14:00.0
1:15:00 PM	1:47:00 PM	Manual		32:00.0
1:16:00 PM	X	Manual	Not sure where left	X
1:18:00 PM	1:26:00 PM	Auto		08:00.0
1:25:00 PM	1:33:00 PM	Auto		08:00.0
1:26:00 PM	1:39:00 PM	Auto		13:00.0
1:31:00 PM	1:47:00 PM	Manual		16:00.0
1:32:00 PM	1:53:00 PM	Manual		21:00.0
1:39:00 PM	1:59:00 PM	Auto		20:00.0
1:45:00 PM	1:52:00 PM	Auto		07:00.0
1:48:00 PM	1:54:00 PM	Auto		06:00.0
1:50:00 PM	2:11:00 PM	Manual		21:00.0
1:52:00 PM	2:02:00 PM	Manual		10:00.0
1:59:00 PM	2:08:00 PM	Auto		09:00.0
2:00:00 PM	X	Manual	Not sure where left	X
2:03:00 PM	2:30:00 PM	Manual		27:00.0
2:09:00 PM	2:16:00 PM	Manual		07:00.0
2:17:00 PM	2:24:00 PM	Auto		07:00.0
2:37:00 PM	X	Manual	Green Pickup, queued & left	X
2:39:00 PM	2:57:00 PM	Manual		18:00.0
2:43:00 PM	2:46:00 PM	Manual		03:00.0
3:00:00 PM	3:11:00 PM	Auto		11:00.0
3:05:00 PM	3:17:00 PM	Auto		12:00.0
3:06:00 PM	3:15:00 PM	Manual		09:00.0
3:09:00 PM	X	Auto	Not sure where left	X
3:11:00 PM	3:24:00 PM	Vacuum		13:00.0
3:21:00 PM	3:37:00 PM	Manual		16:00.0
3:26:00 PM	3:35:00 PM	Manual		09:00.0
3:39:00 PM	3:46:00 PM	Auto		07:00.0
3:41:00 PM	4:07:00 PM	Auto		26:00.0
3:43:00 PM	3:58:00 PM	Manual		15:00.0
3:48:00 PM	3:57:00 PM	Vacuum		09:00.0
3:49:00 PM	4:07:00 PM	Manual		18:00.0
4:00:00 PM	4:16:00 PM	Manual		16:00.0
4:04:00 PM	4:17:00 PM	Manual		13:00.0

**Traffic Cam Study - Car and RV Wash (13th and Broadwater)**

Performed By: Performance Engineering  
 Date of Study: 9/19/2019  
 Study Performed: 1030am - 610 pm

TOTAL TRIPS	AVG. SERVICE TIME - AUTO (MIN)	AVG. SERVICE TIME- MANUAL (MIN)	Peak Time	Peak Auto Visits	Total Auto Visits
170	0:07:28	0:14:26	1pm - 2pm	8	27
			Peak Time Visits	Peak Manual Visits	Total Manual Visits
			18	9	51

Arrival Time	Departure Time	Wash Type	Notes	Service Time
4:19:00 PM	4:29:00 PM	Manual		10:00.0
4:23:00 PM	4:32:00 PM	Manual		09:00.0
4:28:00 PM	4:35:00 PM	Manual		07:00.0
4:30:00 PM	4:38:00 PM	Manual		08:00.0
4:33:00 PM	4:40:00 PM	Auto		07:00.0
4:41:00 PM	4:50:00 PM	Auto		09:00.0
5:01:00 PM	5:11:00 PM	Auto		10:00.0
5:04:00 PM	5:09:00 PM	Auto		05:00.0
5:06:00 PM	5:17:00 PM	Manual		11:00.0
5:13:00 PM	5:21:00 PM	Manual		08:00.0
5:20:00 PM	5:49:00 PM	Manual		29:00.0
5:23:00 PM	5:26:00 PM	Manual		03:00.0
5:31:00 PM	5:50:00 PM	Manual		19:00.0
5:33:00 PM	5:54:00 PM	Manual		21:00.0
5:35:00 PM	5:55:00 PM	Manual		20:00.0
5:32:00 PM	5:53:00 PM	Manual		21:00.0
5:53:00 PM	X	Auto	Video Ends	X
6:02:00 PM	X	Manual	Video Ends	X
6:07:00 PM	X	Manual	Video Ends	X
6:09:00 PM	X	Auto	Video Ends	X

### Traffic Cam Study - Car and RV Wash (13th and Broadwater)

Performed By: Performance Engineering  
 Date of Study: 9/20/2019  
 Study Performed: 11am - 630 pm

TOTAL TRIPS	AVG. SERVICE TIME - AUTO (MIN)	AVG. SERVICE TIME- MANUAL (MIN)	Peak Time	Peak Auto Visits	Total Auto Visits
54	06:00.0	12:54.3	2pm - 3pm	4	6
			Peak Time Visits	Peak Manual Visits	Total Manual Visits
			8	3	17

Arrival Time	Departure Time	Wash Type	Notes	Service Time
11:00:00 AM	X	Vacuum	Not sure where they left	X
11:01:00 AM	11:29:00 AM	Auto		28:00.0
11:19:00 AM	11:30:00 AM	Auto		11:00.0
11:24:00 AM	11:51:00 AM	Manual		27:00.0
12:12:00 PM	12:27:00 PM	Manual		15:00.0
12:17:00 PM	12:23:00 PM	Manual		06:00.0
12:38:00 PM	12:54:00 PM	Manual		16:00.0
1:45:00 PM	2:01:00 PM	Manual		16:00.0
1:46:00 PM	1:59:00 PM	Manual		13:00.0
1:49:00 PM	X	Manual	Not sure where they left	X
2:00:00 PM	2:07:00 PM	Auto		07:00.0
2:10:00 PM	2:28:00 PM	Auto		18:00.0
2:12:00 PM	2:22:00 PM	Manual		10:00.0
2:20:00 PM	2:25:00 PM	Auto		05:00.0
2:35:00 PM	2:46:00 PM	Auto		11:00.0
2:47:00 PM	3:05:00 PM	Manual		18:00.0
2:49:00 PM	2:52:00 PM	Vacuum		03:00.0
2:57:00 PM	3:22:00 PM	Manual		25:00.0
3:12:00 PM	3:37:00 PM	Manual		25:00.0
3:25:00 PM	3:29:00 PM	Manual		04:00.0
3:26:00 PM	3:33:00 PM	Manual		07:00.0
4:08:00 PM	4:49:00 PM	Manual		41:00.0
4:11:00 PM	4:16:00 PM	Manual		05:00.0
4:37:00 PM	4:40:00 PM	Coin Dispenser		03:00.0
4:48:00 PM	4:52:00 PM	Manual		04:00.0
5:10:00 PM	5:13:00 PM	Vacuum		03:00.0
6:00:00 PM	6:14:00 PM	Manual		14:00.0

### Traffic Cam Study - Car and RV Wash (13th and Broadwater)

Performed By: Performance Engineering  
 Date of Study: 9/21/2019  
 Study Performed: 7:30am - 6:30 pm

TOTAL TRIPS	AVG. SERVICE TIME - AUTO (MIN)	AVG. SERVICE TIME- MANUAL (MIN)	Peak Time	Peak Auto Visits	Total Auto Visits
132	08:17.1	15:43.8	2pm - 3pm	2	18
			Peak Time Visits	Peak Manual Visits	Total Manual Visits
			10	7	39

Arrival Time	Departure Time	Wash Type	Notes	Service Time
8:03:00 AM	8:18:00 AM	Manual		15:00.0
8:06:00 AM	8:10:00 AM	Coin Dispenser		04:00.0
8:21:00 AM	8:25:00 AM	Vacuum		04:00.0
9:43:00 AM	9:51:00 AM	Manual		08:00.0
9:49:00 AM	10:29:00 AM	Manual	Went to vacuum first	40:00.0
10:35:00 AM	11:35:00 AM	Manual		00:00.0
10:46:00 AM	X	Manual	Exited right away	X
10:50:00 AM	11:05:00 AM	Auto		15:00.0
10:52:00 AM	10:54:00 AM	Manual	Queued and left	02:00.0
10:56:00 AM	11:33:00 AM	Auto	Was at entrance for while	37:00.0
11:23:00 AM	11:40:00 AM	Manual		17:00.0
11:26:00 AM	11:43:00 AM	Auto		17:00.0
11:28:00 AM	11:42:00 AM	Manual		14:00.0
11:29:00 AM	11:52:00 AM	Vacuum		23:00.0
11:36:00 AM	11:47:00 AM	Manual		11:00.0
11:39:00 AM	11:54:00 AM	Manual		15:00.0
11:44:00 AM	11:57:00 AM	Auto		13:00.0
11:58:00 AM	12:00:00 PM	Coin Dispenser		02:00.0
12:15:00 PM	12:55:00 PM	Manual		40:00.0
12:24:00 PM	1:22:00 PM	Manual		58:00.0
12:46:00 PM	12:55:00 PM	Auto		09:00.0
1:01:00 PM	1:08:00 PM	Auto		07:00.0
1:04:00 PM	1:10:00 PM	Vacuum		06:00.0
1:06:00 PM	1:09:00 PM	Coin Dispenser		03:00.0
1:10:00 PM	1:19:00 PM	Auto		09:00.0
1:15:00 PM	1:24:00 PM	Auto		09:00.0
1:16:00 PM	1:17:00 PM	Manual	Queued and left	01:00.0
1:23:00 PM	2:07:00 PM	Manual		44:00.0
1:35:00 PM	1:42:00 PM	Auto		07:00.0
1:43:00 PM	1:54:00 PM	Manual		11:00.0

### Traffic Cam Study - Car and RV Wash (13th and Broadwater)

Performed By: Performance Engineering  
 Date of Study: 9/21/2019  
 Study Performed: 7:30am - 6:30 pm

TOTAL TRIPS	AVG. SERVICE TIME - AUTO (MIN)	AVG. SERVICE TIME- MANUAL (MIN)	Peak Time	Peak Auto Visits	Total Auto Visits
132	08:17.1	15:43.8	2pm - 3pm	2	18
			Peak Time Visits	Peak Manual Visits	Total Manual Visits
			10	7	39

Arrival Time	Departure Time	Wash Type	Notes	Service Time
1:46:00 PM	1:59:00 PM	Manual		13:00.0
1:51:00 PM	2:00:00 PM	Auto		09:00.0
1:54:00 PM	1:55:00 PM	Vacuum		01:00.0
1:54:00 PM	2:08:00 PM	Auto		14:00.0
2:04:00 PM	2:08:00 PM	Manual		04:00.0
2:05:00 PM	2:09:00 PM	Manual		04:00.0
2:10:00 PM	2:12:00 PM	???	Met someone in lot and left	02:00.0
2:17:00 PM	2:28:00 PM	Manual		11:00.0
2:17:00 PM	2:28:00 PM	Manual		11:00.0
2:27:00 PM	2:47:00 PM	Manual		20:00.0
2:29:00 PM	2:39:00 PM	Auto		10:00.0
2:30:00 PM	2:48:00 PM	Manual		18:00.0
2:30:00 PM	2:53:00 PM	Manual		23:00.0
2:59:00 PM	3:07:00 PM	Auto		08:00.0
3:08:00 PM	3:25:00 PM	Manual		17:00.0
3:14:00 PM	3:40:00 PM	Manual		26:00.0
3:17:00 PM	3:45:00 PM	Auto		28:00.0
3:44:00 PM	4:08:00 PM	Manual		24:00.0
3:49:00 PM	3:59:00 PM	Auto		10:00.0
3:56:00 PM	4:21:00 PM	Manual		25:00.0
4:20:00 PM	4:33:00 PM	Manual		13:00.0
4:22:00 PM	4:34:00 PM	Manual		12:00.0
4:26:00 PM	4:40:00 PM	Manual		14:00.0
4:30:00 PM	4:46:00 PM	Manual		16:00.0
4:41:00 PM	5:05:00 PM	Manual		24:00.0
4:59:00 PM	5:09:00 PM	Auto		10:00.0
5:02:00 PM	5:10:00 PM	Manual		08:00.0
5:04:00 PM	5:07:00 PM	Coin Dispenser		03:00.0
5:05:00 PM	5:17:00 PM	Manual		12:00.0
5:09:00 PM	5:41:00 PM	Manual		32:00.0
5:10:00 PM	5:21:00 PM	Auto		11:00.0
5:12:00 PM	5:33:00 PM	Auto		21:00.0
5:24:00 PM	5:38:00 PM	Manual		14:00.0
5:58:00 PM	6:21:00 PM	Manual		23:00.0
6:05:00 PM	6:19:00 PM	Manual	Reverse exits	14:00.0
6:19:00 PM	X	Manual	Video Ends	X

### Traffic Cam Study - Car and RV Wash (13th and Broadwater)

Performed By: Performance Engineering  
 Date of Study: 9/22/2019  
 Study Performed: 7am - 1130am

TOTAL TRIPS	AVG. SERVICE TIME - AUTO (MIN)	AVG. SERVICE TIME- MANUAL (MIN)	Peak Time	Peak Auto Visits	Total Auto Visits
64	08:00.0	13:30.0	10am - 11am	3	10
			Peak Time Visits	Peak Manual Visits	Total Manual Visits
			10	5	18

Arrival Time	Departure Time	Wash Type	Notes	Service Time
7:20:00 AM	7:22:00 AM	Coin Dispenser		02:00.0
7:39:00 AM	7:48:00 AM	Manual		09:00.0
7:44:00 AM	7:57:00 AM	Auto		13:00.0
7:58:00 AM	8:08:00 AM	Manual		10:00.0
8:06:00 AM	8:29:00 AM	Manual	Starts at Coin Dispenser	23:00.0
8:25:00 AM	8:41:00 AM	Manual		16:00.0
8:37:00 AM	8:53:00 AM	Auto		16:00.0
8:38:00 AM	9:04:00 AM	Manual		26:00.0
8:52:00 AM	9:11:00 AM	Manual		19:00.0
8:54:00 AM	8:56:00 AM	Manual		02:00.0
9:03:00 AM	9:16:00 AM	Manual		13:00.0
9:06:00 AM	9:07:00 AM	???	Pulled through and left	01:00.0
9:10:00 AM	9:17:00 AM	Auto		07:00.0
9:11:00 AM	9:32:00 AM	Manual		21:00.0
9:18:00 AM	9:27:00 AM	Auto		09:00.0
9:26:00 AM	9:42:00 AM	Manual		16:00.0
9:37:00 AM	9:57:00 AM	Manual		20:00.0
9:49:00 AM	10:00:00 AM	Manual		11:00.0
9:57:00 AM	10:10:00 AM	Manual	N	13:00.0
9:58:00 AM	10:15:00 AM	Auto		17:00.0
10:10:00 AM	10:19:00 AM	Auto	Entered from back	09:00.0
10:17:00 AM	10:33:00 AM	Manual		16:00.0
10:28:00 AM	10:38:00 AM	Manual		10:00.0
10:31:00 AM	10:50:00 AM	Manual		19:00.0
10:32:00 AM	10:56:00 AM	Auto		24:00.0
10:33:00 AM	10:56:00 AM	Vacuum		23:00.0
10:40:00 AM	10:48:00 AM	Auto		08:00.0
10:43:00 AM	10:49:00 AM	Manual		06:00.0
10:44:00 AM	10:45:00 AM	Manual	Queued and then left	01:00.0
10:53:00 AM	10:55:00 AM	Coin Dispenser		02:00.0
11:01:00 AM	11:08:00 AM	Auto		07:00.0
11:21:00 AM	X	Auto	Video Ends	X

**From:** [Martonen, Dakota](#)  
**To:** [Taylor Kasperick](#)  
**Cc:** [Zisch, John](#); [Scott Aspenlieder](#)  
**Subject:** RE: Blue Creek Car Wash  
**Date:** Monday, December 12, 2022 11:22:46 AM  
**Attachments:** [image002.png](#)  
[image003.jpg](#)

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Hi Taylor,

Thank for the additional information and documentation on the BCCW queue analysis. I have reviewed the updated letter and have the following comments:

- Land Uses in ITE's most recent Trip Generation Manual are significantly higher than observed trips at the Broadwater Car Wash. However, these ITE land use categories have very limited information and local data is generally much more accurate.
- For future studies, ensure trips are counted as a one-way journey. The study indicates the highest observed peak hour count to be 18 trips, but the data collection actually shows 32 trips (18 vehicles).
- Arrival rate for the auto car wash should be based on peak hour observations which was noted in the study to be 8 vehicles/hour. Using 8 vph with a multi-server queue analysis still shows adequate queue storage on site.

The comments provided do not need a response or update to the analysis and are for information only. Please let me know if you have questions.

Thank you,

***Dakota Martonen, P.E.***

STAFF ENGINEER II

**CITY OF BILLINGS PUBLIC WORKS DEPARTMENT**

Office 406.237.6289

Email [martonend@billingsmt.gov](mailto:martonend@billingsmt.gov)

2224 Montana Avenue • Billings, Montana 59101

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**From:** Taylor Kasperick <taylor@performance-ec.com>  
**Sent:** Tuesday, December 6, 2022 1:23 PM  
**To:** Martonen, Dakota <martonend@billingsmt.gov>  
**Cc:** Zisch, John <ZischJ@billingsmt.gov>; Scott Aspenlieder <scott@performance-ec.com>  
**Subject:** [EXTERNAL] RE: Blue Creek Car Wash

Hey Dakota,

I hope all is well. John forwarded your comments on the Blue Creek Car Wash Queue Analysis so I wanted to get you over some additional information and answer a couple of the questions. I have attached a revised Queue Analysis Letter with this email for your reference.

In relation to the total daily trips, I have included a summary of the traffic camera footage from the car wash on Broadwater Avenue referenced previously. In this analysis, we noted a peak trips per day of 170 (85 total vehicles in and out). This was on a Thursday from 10:30 AM to 6:10 PM, so may be on the order of 200 factoring in any stragglers outside those core hours. This value is similar to what would be anticipated when looking at the generation statistics from ITE's Trip Generation Manual for Land Use 947 and 948, even though those uses have limited data as well. All in all, the trip generation from this facility should be well under the 500 trips per day based on the analyzed information and from ITE estimates. I have included this discussion in the revised letter as well.

In the revised letter, I have included a summary from the analysis performed at the Broadwater Avenue location, and have linked to the videos below should you wish to watch them yourself. Based on those analysis, the peak hour identified during the study was 18 vehicles utilizing the site, with 8 of those being attributed to the auto wash bays, 9 to the manual bays, and 1 to coin dispenser. These values are actually less than the conservative value of 14 we utilized in the queue analysis which was provided to us by Rocky Mountain Car Wash (unrelated project) for one of their facilities in Wyoming. Similarly, we computed the average service time for both auto and manual bays based on the survey of the Broadwater location. Auto service times greater than 10 minutes were thrown out of consideration as service time through the was is a set period and vehicles within the site longer than this are there utilizing other services such as vacuums or hand drying their vehicles. The average service time in doing so is 7:26, which aligns with that assumed in the submitted queue analysis. This service time was also verified by the wash system supplier for the project as an appropriate service time.

<https://www.dropbox.com/t/wFpRxkLZLibMWBCP>

In the videos observed for the Broadwater Avenue wash facility, there were multiple instances noted where all four manual bays were in use and another customer arrived at the site. In each instance, the newly arriving customer elected to leave after seeing each bay was occupied rather than wait until one of the vehicles in the bays were finished. This leads to the "passer-by" nature of the car was referenced in the Queue Letter, and why it is believed and we are comfortable providing a single queueing location for each manual wash bay for this site.

In relation to site configuration, the layout you reference had been discussed amongst ourselves and the owner. Given this project's relative location in comparison to residences, it has been oriented in this manner to 1) direct noise from the auto-bay blowers away from nearby residences and 2) direct vehicles exiting wash bays towards vacuums placed on the west side of the lot. While I agree with the reduction in potential conflict if rotated, I believe there is sufficient space in the "exit" aisle to allow for two way traffic in that area for vehicles entering and exiting.

Please let me know if you have any further questions after receiving this additional information. I

meant to get it over to you sooner prior to re-submitting for special review, but was unable to do so.

Thank you!

Taylor

Taylor Kasperick, PE  
Project Manager  
[taylor@performance-ec.com](mailto:taylor@performance-ec.com)  
Office: 406.384.0080  
Mobile: 801.657.0372



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**From:** Zisch, John <[ZischJ@billingsmt.gov](mailto:ZischJ@billingsmt.gov)>  
**Sent:** Monday, November 21, 2022 10:25 AM  
**To:** Taylor Kasperick <[taylor@performance-ec.com](mailto:taylor@performance-ec.com)>  
**Subject:** FW: Blue Creek Car Wash

Taylor,

Dakota reviewed the queuing analysis and had some comments .

Regards,

John Zisch  
City of Billings Public Works Department  
Engineering  
2224 Montana Avenue  
Billings, MT 59101  
406-657-8234

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**From:** Martonen, Dakota <[martonend@billingsmt.gov](mailto:martonend@billingsmt.gov)>  
**Sent:** Monday, November 21, 2022 9:09 AM  
**To:** Zisch, John <[ZischJ@billingsmt.gov](mailto:ZischJ@billingsmt.gov)>  
**Subject:** RE: Blue Creek Car Wash

John,

I have reviewed the Blue Creek Car Wash Queuing Analysis memo and have the following

comments/questions:

- Additional information should be provided in the memo to document the expected total daily trips and demonstrate that a traffic impact study is not required.
- Provide documentation of data collected for the Broadwater Avenue Car & RV Wash that was used in this analysis.
  - This documentation needs to show peak hour of total vehicles, peak hour of automatic wash vehicles, arrival rates, and service rates.
- The analysis notes that manual bays are not expected to stack. Were there any observations in the service count that prove this to be accurate? If they were to stack even one additional vehicle, it could create conflicts at the approach due to the current site layout.
- Can the site be configured to allow for counterclockwise flow to reduce the conflict at the site approach?

Let me know if there are any questions or concerns. Thank you!

***Dakota Martonen, P.E.***

STAFF ENGINEER II

**CITY OF BILLINGS PUBLIC WORKS DEPARTMENT**

Office 406.237.6289

Email [martonend@billingsmt.gov](mailto:martonend@billingsmt.gov)

2224 Montana Avenue • Billings, Montana 59101

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**From:** Zisch, John <[ZischJ@billingsmt.gov](mailto:ZischJ@billingsmt.gov)>  
**Sent:** Thursday, November 10, 2022 11:43 AM  
**To:** Martonen, Dakota <[martonend@billingsmt.gov](mailto:martonend@billingsmt.gov)>  
**Subject:** FW: Blue Creek Car Wash

Dakota,

Preliminary queuing analysis for the Blue Creek Car Wash is attached. I let Taylor know we had concerns about the traffic circulation (see email chain below) and they would expect this to resolve some of those concerns.

I'll let Taylor know that you will work through it and get back to him before Thanksgiving.

Regards,

John Zisch  
City of Billings Public Works Department

Engineering  
2224 Montana Avenue  
Billings, MT 59101  
406-657-8234

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**From:** Taylor Kasperick <[taylor@performance-ec.com](mailto:taylor@performance-ec.com)>  
**Sent:** Thursday, November 10, 2022 11:25 AM  
**To:** Zisch, John <[ZischJ@billingsmt.gov](mailto:ZischJ@billingsmt.gov)>  
**Cc:** Scott Aspenlieder <[scott@performance-ec.com](mailto:scott@performance-ec.com)>; Alex Neale <[aneale@performance-ec.com](mailto:aneale@performance-ec.com)>  
**Subject:** [EXTERNAL] RE: Blue Creek Car Wash

John,

Thanks for the update following talking with Mac. I have attached our preliminary queuing analysis that was prepared before moving the approach east, and as can be seen would anticipate being able to provide enough queuing storage for up to 13 auto bay vehicles (95% chance 8 or fewer vehicles would arrive at peak hour with a max being calculated at 11 cars) and 8 manual bay vehicles which is anticipated to be sufficient based on review of similar car washes (in discussions with Dakota and background on manual bays, if they are full or have people waiting additional customers will inevitably move along and come back later). Let me know if you have any thoughts/questions on this portion.

In relation to the other points listed below, I have a couple follow-up questions/confirmations that I have included in [blue](#), with the biggest concern being in reference to sidewalk on both sides of Santiago and along Blue Creek Road. Please feel free to give me a shout to discuss or let me know what your thoughts are. Thanks!

Taylor

Taylor Kasperick, PE  
Project Manager  
[taylor@performance-ec.com](mailto:taylor@performance-ec.com)  
Office: 406.384.0080  
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PE\_Logo\_MainDark\_2C linkedin



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**From:** Zisch, John <[ZischJ@billingsmt.gov](mailto:ZischJ@billingsmt.gov)>  
**Sent:** Wednesday, November 9, 2022 2:06 PM  
**To:** Taylor Kasperick <[taylor@performance-ec.com](mailto:taylor@performance-ec.com)>  
**Cc:** Scott Aspenlieder <[scott@performance-ec.com](mailto:scott@performance-ec.com)>; Alex Neale <[aneale@performance-ec.com](mailto:aneale@performance-ec.com)>  
**Subject:** RE: Blue Creek Car Wash

Taylor,

Mac was back in the office this morning, so a few of us took another look at your mock-up and would add the following narrative to what I sent Monday:

1. No change.

Noted

2. The taper at the fill station approach will likely be eliminated and the right turn width extended to the west side of the fill station approach. Final configuration would be determined by evaluation of Santiago Blvd/Blue Creek Rd traffic data.

Noted

3. The SIA reads that the entire subdivision frontage improvements for Santiago Boulevard are left to the timing of Lot 1 development, so the extent of the curb, sidewalk, and 30' asphalt width for Santiago Blvd should be extended to the Blue Creek Storage Subdivision Lot 2/Cedar Park Subdivision 1<sup>st</sup> Filing Block 2, Lot 6 lot line.

While the SIA doesn't necessarily say **that** in the statement "Additional street improvements may be required on Santiago at the time of development of Lot 1," I understand Lot 2's double frontage on Santiago wouldn't be built out unless an SID is created without requiring this. If there is still discussion regarding an SID for road/sidewalk improvements outside Blue Creek Subdivision in the area, I would ask is if Lot 2 could be included in the SID instead given 1) the vagueness of this requirement in the SIA and 2) coordination with adjacent properties' approaches as noted in Item 5 below.

4. Boulevard Walk per BMCC would be anticipated on both sides of the street and the Blue Creek Storage Subdivision would need to have it all installed with the Lot 1 development as mentioned above in item 3.

Confirming improvement (C&G and sidewalk) on both sides of Santiago is not being implied as an expectation of Lot 1 with this comment? Sidewalks would only be being required on the south side of Santiago correct? If we are explicitly going off the SIA, it notes "No sidewalks are required with this subdivision but are included in the Waiver."

5. The extended required frontage improvements (whole subdivision frontage of Santiago Blvd) will put the taper close to the approach for 2110 Santiago Blvd. We will need to have an updated mock-up to provide further input on how that would be configured. We would also look for MDT to provide input on the configuration of the sidewalk/crossing in their ROW. The dead end sidewalk at the ROW would likely need an ADA ramp and crossing to get to the north side of Santiago Blvd, but without MDT input on the intersection and/or continuation of walk along Blue Creek Rd the City cannot determine final configuration.

Thoughts on the taper close to 2110 Santiago are above in Item 3. In relation to MDT input on sidewalk/crossing in the ROW, my understanding is we would only be constructing C&G and sidewalk improvements up to where COB right-of-way ends, with only asphalt approach widening occurring in MDT's ROW and being in their purvey. Am I missing something there?

6. Without a queuing analysis, the Engineering Division cannot confirm that the site layout will be acceptable. There are concerns with the queuing and circulation of traffic on site which cannot be vetted prior to queuing analysis being reviewed.

Noted. Attached is the preliminary queuing analysis based on the current plan.

7. Data for traffic has not been processed yet. We can get you the video, but we haven't

determined any results nor if sufficient data is available from what we collected to determine satisfactory intersection lengths.

When this is available, it would be much appreciated. Thank you!

Regards,

John Zisch  
City of Billings Public Works Department  
Engineering  
2224 Montana Avenue  
Billings, MT 59101  
406-657-8234

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**From:** Zisch, John

**Sent:** Monday, November 7, 2022 10:19 AM

**To:** Taylor Kasperick <[taylor@performance-ec.com](mailto:taylor@performance-ec.com)>

**Cc:** Scott Aspenlieder <[scott@performance-ec.com](mailto:scott@performance-ec.com)>; Alex Neale <[aneale@performance-ec.com](mailto:aneale@performance-ec.com)>

**Subject:** RE: Blue Creek Car Wash

Taylor,

Mac is out this week so I can't get a final confirmation on your mock-ups. From my conversations following the zoning change Council meeting though, I have the following thoughts:

1. The shift in the approach to line up with the fill station approach is good.
2. The addition of a 39' wide roadway from Blue Creek Rd to the car wash/fill station approach in order to have 3 lanes is what we are looking for. The right out wouldn't have a through option since it doesn't line up with a lane on the other side of Blue Creek.
3. The full height curbing for the length of the frontage is good.
4. Installing sidewalk on the south side of Santiago for the length of the frontage is good. The SIA doesn't spell out that this has to be boulevard walk, but I'm not sure that we would go with curbside since we have a full Right-of-Way. I'm sure some of the through here is for the slope adjacent. I would anticipate the lot being required to have a fence along the frontage for screening (like was mentioned in the Council meeting for the storage lot). With a fence being installed along the property I wouldn't see why we would vary from the Table 23-406.B.1. requirement of 5' boulevard walk.
5. I need to confirm the length of the required widening of Santiago Blvd, but it looks like you are showing 30' of asphalt east of the car wash approach. I think 30' will hold, but need to confirm. During review we will also be looking at the taper length. I think for a 25 mph zone the taper would need to be 10:1. I measured about 6' of taper width so the length would be 60' instead of the 20' shown.

I will confirm next week when Mac is back, but this should give you a good update.

Regards,

John Zisch  
City of Billings Public Works Department  
Engineering  
2224 Montana Avenue  
Billings, MT 59101  
406-657-8234

---

**From:** Taylor Kasperick <[taylor@performance-ec.com](mailto:taylor@performance-ec.com)>  
**Sent:** Thursday, November 3, 2022 12:18 PM  
**To:** Zisch, John <[ZischJ@billingsmt.gov](mailto:ZischJ@billingsmt.gov)>  
**Cc:** Scott Aspenlieder <[scott@performance-ec.com](mailto:scott@performance-ec.com)>; Alex Neale <[aneale@performance-ec.com](mailto:aneale@performance-ec.com)>  
**Subject:** [EXTERNAL] Blue Creek Car Wash

John,

Attached is a mock-up of the revised Blue Creek Car Wash layout incorporating c&g, sidewalk, and road widening near Santiago's intersection with Blue Creek Road. I wanted to get this over to you so we can discuss the sidewalk as well as street widening to make sure we have a nailed down approach prior to submitting for special review.

Also, can you share the traffic data that was collected at the intersection as part of this or what the City determined from it?

Thanks a bunch and I will give you a shout tomorrow to discuss.

Taylor

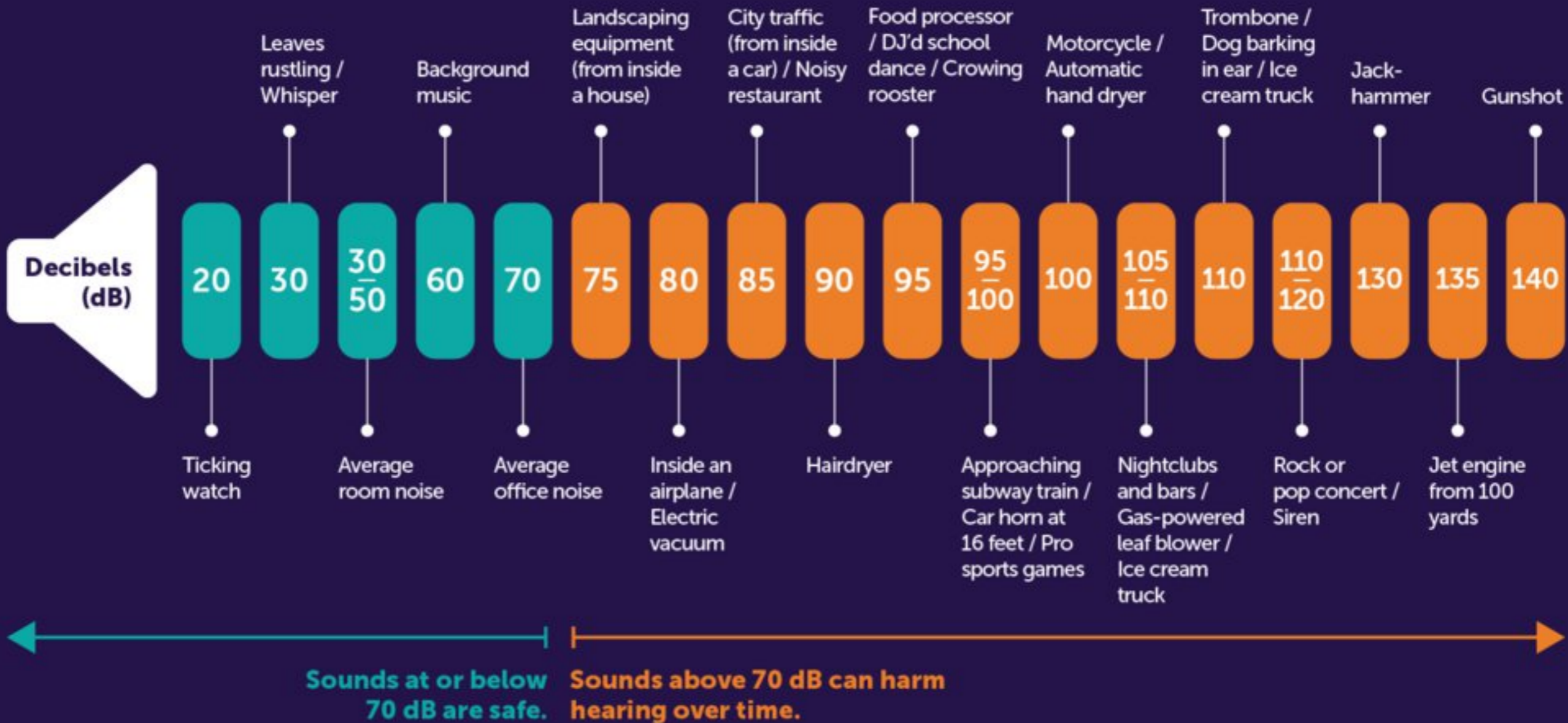
Taylor Kasperick, PE  
Project Manager  
[taylor@performance-ec.com](mailto:taylor@performance-ec.com)  
Office: 406.384.0080  
Mobile: 801.657.0372

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[www.performance-ec.com](http://www.performance-ec.com)

# NOISE LEVELS



RECEIVED  
NOV 17 2004

MEMORANDUM  
MONTANA DEPT. OF TRANSPORTATION  
BILLINGS DISTRICT  
BILLINGS, MONTANA

Montana Department of Transportation  
PO Box 201001  
Helena, MT 59620-1001

MASTER FILE  
COPY

To: Bruce Barrett – Billings District Administrator

From: DB Danielle C. Bolan, P.E. - Traffic Engineer

Date: November 15, 2004

Subject: Secondary 416 – Blue Creek Road  
Speed Limit Investigation

Please present the following information to county officials and local law enforcement for review and comment. Inform them that we would prefer to receive all comments in writing within the next sixty days. In order to carry a proposed speed limit recommendation to the Montana Transportation Commission it is essential that local officials submit comments. Their comments along with the Department's final recommendations will be presented to the Montana Transportation Commission for action.

In response to numerous calls and concerns voiced about the speed limit on Blue Creek Road Yellowstone County Commissioners requested a speed limit investigation and recommendations for changes if applicable. This investigation began near the South Billings Boulevard Interchange and continued south to the intersection with Vandaveer Road, an approximate distance of 4.4 miles. The study area consists of portions of both Urban Route 1013 and Secondary 416.

Blue Creek Road is a rural secondary highway that is an extension of South Billings Boulevard. It serves a rural residential area, as well as continuing south to an intersection with Prior Road. The intersection with Vandaveer Road is located at milepost 3.8 (Secondary 416) and marks the southern boundary of the majority of the residential development located in the surrounding environment. The vast majority of the development sets back from the roadway and is accessed via local roads that intersect Blue Creek Road. Of exception is the Blue Creek Elementary School located along the west side of the roadway near milepost 3.1. A previous speed limit investigation was conducted in 1995 establishing a special 50 mph speed zone in front of the school. With the 50 mph speed zone in place Yellowstone County officials invoked a school zone speed limit of 40 mph for the am and pm school crossing periods. The school zone speed limit is deployed through the use of 50 mph / 40 mph variable message speed limit signs equipped with bouncing ball flashing beacons.

In 1998 at the request of county officials the Department conducted a second study just south of the South Billings Boulevard Interchange. That study resulted in a 50 mph speed zone being established from the end of the existing 45 mph speed zone to a point south of the intersection with Hill Crest Road (mp 1.2). There are numerous intersections with local

roads within this segment just south of the Yellowstone River as well as some commercial development. The remainder of the study area from Hill Crest Road to the school zone and south of the school zone is statutorily 70 mph. This area has experienced additional growth since our 1998 investigation.

The roadway was reconstructed in 1983 under project RS 416-1(3) and improved in 1995. The design speed is 50 mph. The typical section consists of two 12-foot travel lanes with 6-foot shoulders in each direction. There is a two-way-left-turn lane in the more densely developed area south of the Yellowstone River within the existing 50 mph speed zone. For the overall route the terrain is flat to rolling with a few horizontal curves.

### Accident History

The accident experience was reviewed for three-year period from January 1, 2001 to December 31, 2003. During this period there were 31 accidents reported within the study area. The accident rate is 2.22 accidents per million vehicle miles traveled. This is above the statewide average of 1.73 accidents per million vehicle miles for rural secondary highways. The following table lists the accident types by location.

	<u>Angle</u>	<u>Rearend</u>	<u>Single Veh.</u>	<u>Other</u>
Intersection	6	6	2	1
Non-intersection	0	2	13	1

Twenty-nine of the 31 accidents occurred between milepost 0.0 and milepost 2.0. Most of the conflicts within this segment fall within the boundaries of the existing 50 mph speed zone. There were no accidents reported from milepost 2.0 to milepost 3.3. The Blue Creek School is located within the accident free segment.

There are no definable accident trends that pinpoint a correctable condition.

### Travel Speeds

Vehicular travel speeds were sampled at ten locations to develop a speed profile. The following table lists the 85<sup>th</sup> percentile speeds and the pace of the traffic stream by location beginning at the 45 mph to 50 mph speed limit transition and continuing south to the intersection with Vandaveer Road at milepost 3.8.

<u>Location</u>	<u>85<sup>th</sup> percentile Speed</u>	<u>Pace of Traffic Stream &amp; Percent</u>
45 mph to 50 mph Transition	Northbound 51 mph Southbound 50 mph	41 mph – 51 mph (70%) 41 mph – 51 mph (66%)
Riverfront Park (50 mph zone)	Northbound 53 mph Southbound 54 mph	44 mph – 54 mph (67%) 44 mph – 54 mph (59%)

<u>Location</u>	<u>85<sup>th</sup> percentile Speed</u>	<u>Pace of Traffic Stream &amp; Percent</u>
Just south of the River (50 mph zone)	Northbound 57 mph Southbound 51 mph	47 mph – 57 mph (63%) 41 mph – 51 mph (69%)
Quanta Lane (50 mph zone)	Northbound 51 mph Southbound 52 mph	41 mph – 51 mph (58%) 41 mph – 51 mph (60%)
50 mph to 70 mph Transition	Northbound 62 mph Southbound 57 mph	49 mph – 59 mph (56%) 46 mph – 56 mph (61%)
Near Marian Road (milepost 1.8)	Northbound 65 mph Southbound 63 mph	52 mph – 62 mph (48%) 52 mph – 62 mph (51%)
North of Briarwood Blvd. (milepost 2.2)	Northbound 62 mph Southbound 61 mph	46 mph – 56 mph (45%) 49 mph – 59 mph (54%)
South of Robindale Dr. (milepost 2.7)	Northbound 67 mph Southbound 66 mph	52 mph – 62 mph (48%) 55 mph – 65 mph (50%)
Blue Creek School Zone (50 mph / 40 mph)	Northbound 57 mph Southbound 58 mph	44 mph – 54 mph (55%) 47 mph – 57 mph (55%)
Vandaveer Road (milepost 3.7)	Northbound 74 mph Southbound 65 mph	58 mph – 68 mph (40%) 52 mph – 62 mph (47%)

Along the northern portion of the study area the 50 mph speed zone is functioning successfully in representing traffic operation from the intersection with the South Frontage Road to the intersection with Hill Crest Road. The 50 mph speed limit was just below the 85<sup>th</sup> percentile speeds at nearly every location sampled. There was also a reputable proportion of the traffic stream traveling within the pace along this segment.

From the end of the 50 mph speed zone to the Blue Creek School zone the 85<sup>th</sup> percentile speeds and the upper limit of the pace are consistently below the statutory 70 mph speed limit posted along this segment. A 60 mph speed limit would best reflect the trend in the travel speed statistics collected at four locations.

The 50 mph speed zone in front of the Blue Creek School is 7 mph to 8 mph below the 85<sup>th</sup> percentile speeds. Additional compliance in the 50 mph speed zone is desirable for effective operation. South of the Blue Creek School zone at the intersection with Vandaveer Road there is a 9 mph directional difference in the travel speeds. Furthermore, the pace of the traffic stream was identified as being 3 mph to 6 mph below the 85<sup>th</sup> percentile speeds at this location.

### Conclusions and Recommendations

The results of this investigation have identified that the existing 50 mph speed limit on the north end of the study area and the 50 mph / 40 mph special school speed limits are below the

prevailing 85<sup>th</sup> percentile speeds typically used in setting speed limits. The 50 mph speed zone is right in line with traffic operation. However, additional compliance in the Blue Creek School speed zone is desirable.

As for the remainder of the study area it is functioning the safest with only two reported accidents in the last three years. The travel speeds along this segment are consistently well below the posted statutory 70 mph speed limit. A 60 mph speed limit would be just below the typical 85<sup>th</sup> percentile speeds and the upper limit of the pace. It would also maintain the preferred 10 mph incremental change in the speed limits to reflect traffic operation. Based on the results of this investigation we recommend the following 60 mph speed limits for Blue Creek Road.

**A 60 mph speed limit beginning at station 424+00, project S 132(6) (the end of the 50 mph speed zone approved in 1998) and continuing south to station 326+00, project RS 416-1(3), an approximate distance of 2.045 miles.**

The 50 mph / 40 mph special school speed zone for the Blue Creek School will remain in effect as approved in 1996.

**A 60 mph speed limit beginning at station 302+00, project RS 416-1(3) and continue south to station 284+00, an approximate distance of 1,800 feet.**

DCB:DRB:TRF:s416rpt

attachments

copies: D.E. Williams  
D.R. Bailey

SPEED ZONE STUDY

station number 1 NB in BILLINGS  
BLUE CR RD

the 85th percentile speed is 73.29 mph  
the total number of vehicles in the sample is 800  
the average speed of this sample is 64.48 mph  
the standard deviation of this sample is 8.90 mph  
the standard error of the mean is 0.315 mph  
the upper limit of the pace is 68 mph  
the lower limit of the pace is 58 mph  
the number of vehicles in the pace is 317  
the percent of vehicles in the pace is 39.63  
the 7th percentile speed = 52.04 mph  
the 50th percentile speed = 64.21 mph  
the 90th percentile speed = 75.77 mph  
the 93rd percentile speed = 77.77 mph

SPEED ZONE STUDY

station number 1 SB in BILLINGS  
BLUE CR RD

the 85th percentile speed is 64.82 mph  
the total number of vehicles in the sample is 818  
the average speed of this sample is 57.14 mph  
the standard deviation of this sample is 7.81 mph  
the standard error of the mean is 0.273 mph  
the upper limit of the pace is 62 mph  
the lower limit of the pace is 52 mph  
the number of vehicles in the pace is 384  
the percent of vehicles in the pace is 46.94  
the 7th percentile speed = 45.53 mph  
the 50th percentile speed = 56.95 mph  
the 90th percentile speed = 67.11 mph  
the 93rd percentile speed = 68.81 mph

SPEED ZONE STUDY

station number 2 NB in BILLINGS  
BLUE CR RD

the 85th percentile speed is 56.64 mph  
the total number of vehicles in the sample is 974  
the average speed of this sample is 49.27 mph  
the standard deviation of this sample is 8.85 mph  
the standard error of the mean is 0.284 mph  
the upper limit of the pace is 54 mph  
the lower limit of the pace is 44 mph  
the number of vehicles in the pace is 533  
the percent of vehicles in the pace is 54.72  
the 7th percentile speed = 35.06 mph  
the 50th percentile speed = 50.17 mph  
the 90th percentile speed = 58.73 mph  
the 93rd percentile speed = 60.28 mph

SPEED ZONE STUDY

station number 2 SB in BILLINGS  
BLUE CR RD

the 85th percentile speed is 57.95 mph  
the total number of vehicles in the sample is 991  
the average speed of this sample is 50.44 mph  
the standard deviation of this sample is 8.87 mph  
the standard error of the mean is 0.282 mph  
the upper limit of the pace is 57 mph  
the lower limit of the pace is 47 mph  
the number of vehicles in the pace is 544  
the percent of vehicles in the pace is 54.89  
the 7th percentile speed = 38.76 mph  
the 50th percentile speed = 51.17 mph  
the 90th percentile speed = 59.55 mph  
the 93rd percentile speed = 60.96 mph

SPEED ZONE STUDY

station number 3 NB in BILLINGS  
BLUE CR RD

the 85th percentile speed is 66.72 mph  
the total number of vehicles in the sample is 555  
the average speed of this sample is 59.06 mph  
the standard deviation of this sample is 7.54 mph  
the standard error of the mean is 0.320 mph  
the upper limit of the pace is 62 mph  
the lower limit of the pace is 52 mph  
the number of vehicles in the pace is 264  
the percent of vehicles in the pace is 47.57  
the 7th percentile speed = 47.92 mph  
the 50th percentile speed = 59.02 mph  
the 90th percentile speed = 68.23 mph  
the 93rd percentile speed = 69.74 mph

SPEED ZONE STUDY

station number 3 SB in BILLINGS  
BLUE CR RD

the 85th percentile speed is 66.41 mph  
the total number of vehicles in the sample is 460  
the average speed of this sample is 59.51 mph  
the standard deviation of this sample is 7.20 mph  
the standard error of the mean is 0.336 mph  
the upper limit of the pace is 65 mph  
the lower limit of the pace is 55 mph  
the number of vehicles in the pace is 232  
the percent of vehicles in the pace is 50.43  
the 7th percentile speed = 48.10 mph  
the 50th percentile speed = 59.88 mph  
the 90th percentile speed = 67.76 mph  
the 93rd percentile speed = 69.47 mph

SPEED ZONE STUDY

station number 4 NB in BILLINGS  
BLUE CR RD

the 85th percentile speed is 61.68 mph  
the total number of vehicles in the sample is 42083  
the average speed of this sample is 53.35 mph  
the standard deviation of this sample is 7.86 mph  
the standard error of the mean is 0.172 mph  
the upper limit of the pace is 56 mph  
the lower limit of the pace is 46 mph  
the number of vehicles in the pace is 944  
the percent of vehicles in the pace is 45.32  
the 7th percentile speed = 42.48 mph  
the 50th percentile speed = 52.71 mph  
the 90th percentile speed = 64.08 mph  
the 93rd percentile speed = 65.90 mph

SPEED ZONE STUDY

station number 4 SB in BILLINGS  
BLUE CR RD

the 85th percentile speed is 60.87 mph  
the total number of vehicles in the sample is 42107  
the average speed of this sample is 54.19 mph  
the standard deviation of this sample is 6.42 mph  
the standard error of the mean is 0.140 mph  
the upper limit of the pace is 59 mph  
the lower limit of the pace is 49 mph  
the number of vehicles in the pace is 41132  
the percent of vehicles in the pace is 53.73  
the 7th percentile speed = 44.73 mph  
the 50th percentile speed = 54.16 mph  
the 90th percentile speed = 62.42 mph  
the 93rd percentile speed = 63.78 mph

SPEED ZONE STUDY

station number 5 NB in BILLINGS  
BLUE CR RD

the 85th percentile speed is 65.14 mph  
the total number of vehicles in the sample is 2300  
the average speed of this sample is 57.87 mph  
the standard deviation of this sample is 7.20 mph  
the standard error of the mean is 0.150 mph  
the upper limit of the pace is 62 mph  
the lower limit of the pace is 52 mph  
the number of vehicles in the pace is 1109  
the percent of vehicles in the pace is 48.22  
the 7th percentile speed = 47.18 mph  
the 50th percentile speed = 57.82 mph  
the 90th percentile speed = 66.93 mph  
the 93rd percentile speed = 68.00 mph

SPEED ZONE STUDY

station number 5 SB in BILLINGS  
BLUE CR RD

the 85th percentile speed is 63.43 mph  
the total number of vehicles in the sample is 2369  
the average speed of this sample is 56.40 mph  
the standard deviation of this sample is 6.79 mph  
the standard error of the mean is 0.139 mph  
the upper limit of the pace is 62 mph  
the lower limit of the pace is 52 mph  
the number of vehicles in the pace is 1201  
the percent of vehicles in the pace is 50.70  
the 7th percentile speed = 46.42 mph  
the 50th percentile speed = 56.31 mph  
the 90th percentile speed = 64.88 mph  
the 93rd percentile speed = 66.43 mph

SPEED ZONE STUDY

station number 6 NB in BILLINGS.  
BLUE CR RD

the 85th percentile speed is 61.80 mph  
the total number of vehicles in the sample is 1997  
the average speed of this sample is 55.49 mph  
the standard deviation of this sample is 6.46 mph  
the standard error of the mean is 0.145 mph  
the upper limit of the pace is 59 mph  
the lower limit of the pace is 49 mph  
the number of vehicles in the pace is 1117  
the percent of vehicles in the pace is 55.93  
the 7th percentile speed = 46.39 mph  
the 50th percentile speed = 55.19 mph  
the 90th percentile speed = 63.72 mph  
the 93rd percentile speed = 64.94 mph

SPEED ZONE STUDY

station number 6 SB in BILLINGS  
BLUE CR RD

the 85th percentile speed is 56.58 mph  
the total number of vehicles in the sample is 2023  
the average speed of this sample is 51.02 mph  
the standard deviation of this sample is 5.90 mph  
the standard error of the mean is 0.131 mph  
the upper limit of the pace is 56 mph  
the lower limit of the pace is 46 mph  
the number of vehicles in the pace is 1228  
the percent of vehicles in the pace is 60.70  
the 7th percentile speed = 42.24 mph  
the 50th percentile speed = 51.01 mph  
the 90th percentile speed = 58.03 mph  
the 93rd percentile speed = 58.91 mph

SPEED ZONE STUDY

station number 7 NB in BILLINGS  
BLUE CR RD

the 85th percentile speed is 51.37 mph  
the total number of vehicles in the sample is 4293  
the average speed of this sample is 45.52 mph  
the standard deviation of this sample is 6.01 mph  
the standard error of the mean is 0.092 mph  
the upper limit of the pace is 51 mph  
the lower limit of the pace is 41 mph  
the number of vehicles in the pace is 2489  
the percent of vehicles in the pace is 57.98  
the 7th percentile speed = 36.59 mph  
the 50th percentile speed = 45.82 mph  
the 90th percentile speed = 52.85 mph  
the 93rd percentile speed = 53.73 mph

SPEED ZONE STUDY

station number 7 SB in BILLINGS  
BLUE CR RD

the 85th percentile speed is 51.97 mph  
the total number of vehicles in the sample is 4317  
the average speed of this sample is 46.18 mph  
the standard deviation of this sample is 5.91 mph  
the standard error of the mean is 0.090 mph  
the upper limit of the pace is 51 mph  
the lower limit of the pace is 41 mph  
the number of vehicles in the pace is 2609  
the percent of vehicles in the pace is 60.44  
the 7th percentile speed = 37.01 mph  
the 50th percentile speed = 46.55 mph  
the 90th percentile speed = 53.23 mph  
the 93rd percentile speed = 53.99 mph

SPEED ZONE STUDY

station number 8 NB in BILLINGS  
BLUE CR RD

the 85th percentile speed is 56.64 mph  
the total number of vehicles in the sample is 2630  
the average speed of this sample is 51.25 mph  
the standard deviation of this sample is 6.00 mph  
the standard error of the mean is 0.117 mph  
the upper limit of the pace is 57 mph  
the lower limit of the pace is 47 mph  
the number of vehicles in the pace is 1651  
the percent of vehicles in the pace is 62.78  
the 7th percentile speed = 42.87 mph  
the 50th percentile speed = 51.59 mph  
the 90th percentile speed = 58.10 mph  
the 93rd percentile speed = 59.26 mph

SPEED ZONE STUDY

station number 8 SB in BILLINGS  
BLU CR RD

the 85th percentile speed is 51.41 mph  
the total number of vehicles in the sample is 2567  
the average speed of this sample is 46.42 mph  
the standard deviation of this sample is 5.77 mph  
the standard error of the mean is 0.114 mph  
the upper limit of the pace is 51 mph  
the lower limit of the pace is 41 mph  
the number of vehicles in the pace is 1759  
the percent of vehicles in the pace is 68.52  
the 7th percentile speed = 38.34 mph  
the 50th percentile speed = 46.64 mph  
the 90th percentile speed = 53.04 mph  
the 93rd percentile speed = 54.03 mph

SPEED ZONE STUDY

station number 9 NB in BILLINGS  
BLUE CR RD

the 85th percentile speed is 53.13 mph  
the total number of vehicles in the sample is 4614  
the average speed of this sample is 47.53 mph  
the standard deviation of this sample is 6.68 mph  
the standard error of the mean is 0.098 mph  
the upper limit of the pace is 54 mph  
the lower limit of the pace is 44 mph  
the number of vehicles in the pace is 4309  
the percent of vehicles in the pace is 67.17  
the 7th percentile speed = 36.79 mph  
the 50th percentile speed = 48.58 mph  
the 90th percentile speed = 54.08 mph  
the 93rd percentile speed = 55.28 mph

SPEED ZONE STUDY

station number 9 SB in BILLINGS  
BLUE CR RD

the 85th percentile speed is 54.32 mph  
the total number of vehicles in the sample is 4688  
the average speed of this sample is 48.02 mph  
the standard deviation of this sample is 7.07 mph  
the standard error of the mean is 0.103 mph  
the upper limit of the pace is 54 mph  
the lower limit of the pace is 44 mph  
the number of vehicles in the pace is 4275  
the percent of vehicles in the pace is 58.81  
the 7th percentile speed = 35.66 mph  
the 50th percentile speed = 48.90 mph  
the 90th percentile speed = 55.89 mph  
the 93rd percentile speed = 56.83 mph

SPEED ZONE STUDY

station number 10 NB in BILLINGS  
BLUE CR RD

the 85th percentile speed is 50.84 mph  
the total number of vehicles in the sample is 4092  
the average speed of this sample is 46.23 mph  
the standard deviation of this sample is 4.95 mph  
the standard error of the mean is 0.077 mph  
the upper limit of the pace is 51 mph  
the lower limit of the pace is 41 mph  
the number of vehicles in the pace is 2854  
the percent of vehicles in the pace is 69.75  
the 7th percentile speed = 39.22 mph  
the 50th percentile speed = 46.24 mph  
the 90th percentile speed = 52.23 mph  
the 93rd percentile speed = 53.17 mph

SPEED ZONE STUDY

station number 10 SB in BILLINGS  
BLUE CR RD

the 85th percentile speed is 50.36 mph  
the total number of vehicles in the sample is 4224  
the average speed of this sample is 45.36 mph  
the standard deviation of this sample is 5.08 mph  
the standard error of the mean is 0.078 mph  
the upper limit of the pace is 51 mph  
the lower limit of the pace is 41 mph  
the number of vehicles in the pace is 2795  
the percent of vehicles in the pace is 66.17  
the 7th percentile speed = 37.79 mph  
the 50th percentile speed = 45.38 mph  
the 90th percentile speed = 51.51 mph  
the 93rd percentile speed = 52.68 mph



Billings District Office  
424 Morey Street  
PO Box 20437  
Billings, MT 59104-0437

June 16, 2006

Yellowstone County Commissioners  
PO Box 35000  
Billings, MT 59107-5000

Subject: Speed Limit Investigation  
S-416 (Blue Creek Road)  
Billings

The Traffic section has completed a speed limit investigation of S-416/ Blue Creek Road; as requested. In short, no changes are recommended to the existing speed limits.

Please review the report and provide your comments to us in writing within the next 60 days.

If you have any questions, please contact the District traffic engineer, Stan Jonutis, at 657-0240.

Respectfully,

Bruce H. Barrett  
District Administrator - Billings

03s41606aszr:smj

copies: Traffic File



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Montana Department of Transportation  
PO Box 201001  
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INST. ENG. SUPVR.	
ENG. PROJECT MGRS.	
ENG. OFFICER	
MAINTENANCE CHIEF - B	
MAINTENANCE CHIEF - L	
MICE SUPTS.	
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TRAFFIC ENG.	
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DISTRICT FINANCIAL OFFICER	
AREA ADMIN. ASSISTANT	
OFFICE	
RADIO ROOM	
HR SPECIALIST	
MCS SUPERVISOR	
ENGINEERING FILE	

**Memorandum**

To: Bruce Barrett – Billings District Administrator

From: *CB* Danielle C. Bolan, P.E. - Traffic Engineer

Date: June 12, 2006

Subject: Secondary 416 – Blue Creek Road  
Speed Limit Investigation

Please present the following information to county officials and local law enforcement for review and comment. Inform them that we would prefer to receive all comments in writing within the next sixty days.

Yellowstone County Commissioners requested a follow-up investigation of the 50 mph speed zone on Secondary 416. As the Blue Creek community south of Billings continues to grow, residents are reporting more problems with speeding. The following aerial photo depicts the study area.



The area of primary concern is the semi-developed segment between the intersection with Old Blue Creek Road and the intersection with Hill Crest Road. The current 50 mph speed zone was implemented in 1998 and checked in 2004. Jellison Road and HillCrest Lane intersect Secondary 416 at the end of a curve. Intersection sight distance at both intersections exceeds the minimum desirable distance needed for effective operation at 50 mph travel speeds. However, the change in roadway alignment and the vegetation along Blue Creek Road may be creating some discomfort for motorists accessing Secondary 416.

The roadway was reconstructed in 1983 under project RS 416-1(3) and improved in 1995. The design speed is 50 mph. The typical section consists of two 12-foot travel lanes with 6-foot shoulders in each direction. There is a two-way-left-turn lane in operation for the area having the highest density of access points and a right-turn lane for the intersection with Jellison Road. As indicated in the aerial photograph Jellison Road serves a large bedroom community located west of Secondary 416.

### **Accident History**

The accident experience was reviewed for three-year period from January 1, 2003 to December 31, 2005. During this period there were 33 accidents reported within the study area. The accident rate is 1.79 accidents per million vehicle miles traveled. This is consistent with the statewide average of 1.68 accidents per million vehicle miles traveled for rural secondary highways and below the 1.91 accident rate for the three year period in which the previous investigation covered. The following table lists the accident types by location.

	<u>Angle</u>	<u>Rearend</u>	<u>Single Veh.</u>	<u>Other</u>
Intersection	3	4	3	3
Non-intersection	1	1	16	2

Adverse roadway conditions and alcohol were listed as contributing factors in 30 percent of the accident experience. One of the alcohol related accidents resulted in a fatality.

There was a concentration of nine accidents within the portion of the 50 mph speed zone south of the intersection with Jellison Road. They consisted of six single vehicle accidents, a rearend accident and two other multiple vehicle type accidents. There are no definable trends that pin-point a correctable condition. Adverse roadway conditions were listed as a contributing factor in four of the accidents that occurred within this segment.

### **Travel Speeds**

Vehicular travel speeds were sampled at six locations in April 2006. The following table depicts the speed statistics by location.

<b>Location</b>	<b>85th Percentile Speed</b>	<b>Pace of Traffic Stream</b>
South end of Yellowstone River Bridge (50 mph zone)	54 mph Northbound 54 mph Southbound	(44 mph – 54 mph) 69% (44 mph – 54 mph) 67%
Near the Intersection w/ Old Blue Creek Rd. (50 mph zone)	53 mph Northbound 54 mph Southbound	(44 mph – 54 mph) 59% (44 mph – 54 mph) 65%
Near the Intersection w/ Quanta Lane (50 mph zone)	52 mph Northbound 51 mph Southbound	(41 mph – 51 mph) 58% (41 mph – 51 mph) 59%
Near the Intersection w/ Jellison Road (50 mph zone)	52 mph Northbound 49 mph Southbound	(44 mph – 54 mph) 43% (41 mph – 51 mph) 49%
Near the Intersection w/ Hill Crest Road (50 mph zone)	56 mph Northbound 53 mph Southbound	(47 mph – 57 mph) 65% (44 mph – 54 mph) 68%
1,300' South of Hill Crest Road (60 mph zone)	62 mph Northbound 61 mph Southbound	(52 mph – 62 mph) 59% (49 mph – 59 mph) 61%

The 50 mph speed limit is at or just below the 85<sup>th</sup> percentile speeds and the upper limit of the pace identified within the boundaries of the zone. The speed statistics did show that there is some reduction in the travel speeds in the area of the intersection with Jellison Road. We attribute this to the number of turning movements in the area.

### **Conclusions and Recommendations**

Based on the travel speeds gathered at five locations within the study area the existing 50 mph speed limit is the lowest that can be supported by current engineering practices used to arrive at a speed limit recommendation. The 50 mph speed limit is also commensurate with the roadway's design features.

Since our last investigation both traffic operation and the roadway's safety record have remained consistent. Therefore, based on the results of this and previous investigations we recommend no change to the existing speed limit configuration.

DCB:DRB:TRF:s416rpt

attachments

copies: D.E. Williams  
D.R. Bailey

SPEED ZONE STUDY

station number 1 NB in BLUE CK RD  
S-416

the 85th percentile speed is 53.98 mph  
the total number of vehicles in the sample is 16466  
the average speed of this sample is 49.38 mph  
the standard deviation of this sample is 5.15 mph  
the standard error of the mean is 0.064 mph  
the upper limit of the pace is 54 mph  
the lower limit of the pace is 44 mph  
the number of vehicles in the pace is 14440  
the percent of vehicles in the pace is 68.67  
the 7th percentile speed = 42.19 mph  
the 50th percentile speed = 49.63 mph  
the 90th percentile speed = 55.46 mph  
the 93rd percentile speed = 56.37 mph

SPEED ZONE STUDY

station number 1 SB in BLUE CK RD  
S-416

the 85th percentile speed is 53.95 mph  
the total number of vehicles in the sample is 17225  
the average speed of this sample is 49.10 mph  
the standard deviation of this sample is 5.41 mph  
the standard error of the mean is 0.064 mph  
the upper limit of the pace is 54 mph  
the lower limit of the pace is 44 mph  
the number of vehicles in the pace is 14858  
the percent of vehicles in the pace is 67.24  
the 7th percentile speed = 41.36 mph  
the 50th percentile speed = 49.28 mph  
the 90th percentile speed = 55.57 mph  
the 93rd percentile speed = 56.57 mph

SPEED ZONE STUDY

station number 2 NB in BLUE CK RD  
S-416

the 85th percentile speed is 52.54 mph  
the total number of vehicles in the sample is 6453  
the average speed of this sample is 46.65 mph  
the standard deviation of this sample is 6.29 mph  
the standard error of the mean is 0.078 mph  
the upper limit of the pace is 54 mph  
the lower limit of the pace is 44 mph  
the number of vehicles in the pace is 3801  
the percent of vehicles in the pace is 58.90  
the 7th percentile speed = 36.21 mph  
the 50th percentile speed = 47.54 mph  
the 90th percentile speed = 53.59 mph  
the 93rd percentile speed = 54.58 mph

SPEED ZONE STUDY

station number 2 SB in BLUE CK RD  
S-416

the 85th percentile speed is 53.82 mph  
the total number of vehicles in the sample is 7184  
the average speed of this sample is 48.68 mph  
the standard deviation of this sample is 5.71 mph  
the standard error of the mean is 0.067 mph  
the upper limit of the pace is 54 mph  
the lower limit of the pace is 44 mph  
the number of vehicles in the pace is 4650  
the percent of vehicles in the pace is 64.73  
the 7th percentile speed = 40.01 mph  
the 50th percentile speed = 49.13 mph  
the 90th percentile speed = 55.28 mph  
the 93rd percentile speed = 56.29 mph

SPEED ZONE STUDY

station number 3 NB in BLUE CK RD  
S-416

the 85th percentile speed is 51.78 mph  
the total number of vehicles in the sample is 669  
the average speed of this sample is 45.80 mph  
the standard deviation of this sample is 6.13 mph  
the standard error of the mean is 0.237 mph  
the upper limit of the pace is 51 mph  
the lower limit of the pace is 41 mph  
the number of vehicles in the pace is 390  
the percent of vehicles in the pace is 58.30  
the 7th percentile speed = 36.67 mph  
the 50th percentile speed = 46.26 mph  
the 90th percentile speed = 53.10 mph  
the 93rd percentile speed = 53.89 mph

SPEED ZONE STUDY

station number 3 SB in BLUE CK RD  
S-416

the 85th percentile speed is 51.38 mph  
the total number of vehicles in the sample is 499  
the average speed of this sample is 45.23 mph  
the standard deviation of this sample is 6.77 mph  
the standard error of the mean is 0.303 mph  
the upper limit of the pace is 51 mph  
the lower limit of the pace is 41 mph  
the number of vehicles in the pace is 296  
the percent of vehicles in the pace is 59.32  
the 7th percentile speed = 35.70 mph  
the 50th percentile speed = 45.93 mph  
the 90th percentile speed = 52.72 mph  
the 93rd percentile speed = 53.52 mph

SPEED ZONE STUDY

station number 4 NB in BLUE CK RD  
S-416

the 85th percentile speed is 52.41 mph  
the total number of vehicles in the sample is 4843  
the average speed of this sample is 40.98 mph  
the standard deviation of this sample is 11.62 mph  
the standard error of the mean is 0.167 mph  
the upper limit of the pace is 54 mph  
the lower limit of the pace is 44 mph  
the number of vehicles in the pace is 2069  
the percent of vehicles in the pace is 42.72  
the 7th percentile speed = 23.31 mph  
the 50th percentile speed = 45.31 mph  
the 90th percentile speed = 53.67 mph  
the 93rd percentile speed = 54.86 mph

SPEED ZONE STUDY

station number 4 SB in BLUE CK RD  
S-416

the 85th percentile speed is 49.22 mph  
the total number of vehicles in the sample is 5016  
the average speed of this sample is 39.37 mph  
the standard deviation of this sample is 10.26 mph  
the standard error of the mean is 0.145 mph  
the upper limit of the pace is 51 mph  
the lower limit of the pace is 41 mph  
the number of vehicles in the pace is 2479  
the percent of vehicles in the pace is 49.42  
the 7th percentile speed = 23.12 mph  
the 50th percentile speed = 43.12 mph  
the 90th percentile speed = 50.31 mph  
the 93rd percentile speed = 50.97 mph

SPEED ZONE STUDY

station number 5 NB in BLUE CK RD  
S-416

the 85th percentile speed is 55.63 mph  
the total number of vehicles in the sample is 3355  
the average speed of this sample is 50.27 mph  
the standard deviation of this sample is 5.90 mph  
the standard error of the mean is 0.102 mph  
the upper limit of the pace is 57 mph  
the lower limit of the pace is 47 mph  
the number of vehicles in the pace is 2164  
the percent of vehicles in the pace is 64.50  
the 7th percentile speed = 42.46 mph  
the 50th percentile speed = 50.74 mph  
the 90th percentile speed = 56.67 mph  
the 93rd percentile speed = 57.74 mph

SPEED ZONE STUDY

station number 5 SB in BLUE CK RD  
S-416

the 85th percentile speed is 53.24 mph  
the total number of vehicles in the sample is 3836  
the average speed of this sample is 48.03 mph  
the standard deviation of this sample is 5.98 mph  
the standard error of the mean is 0.097 mph  
the upper limit of the pace is 54 mph  
the lower limit of the pace is 44 mph  
the number of vehicles in the pace is 2612  
the percent of vehicles in the pace is 68.09  
the 7th percentile speed = 39.97 mph  
the 50th percentile speed = 48.62 mph  
the 90th percentile speed = 54.18 mph  
the 93rd percentile speed = 55.44 mph

SPEED ZONE STUDY

station number 6 NB in BLUE CK RD  
S-416

the 85th percentile speed is 62.39 mph  
the total number of vehicles in the sample is 3044  
the average speed of this sample is 56.65 mph  
the standard deviation of this sample is 5.66 mph  
the standard error of the mean is 0.103 mph  
the upper limit of the pace is 62 mph  
the lower limit of the pace is 52 mph  
the number of vehicles in the pace is 1807  
the percent of vehicles in the pace is 59.36  
the 7th percentile speed = 48.18 mph  
the 50th percentile speed = 56.71 mph  
the 90th percentile speed = 63.88 mph  
the 93rd percentile speed = 64.77 mph

SPEED ZONE STUDY

station number 6 SB in BLUE CK RD  
S-416

the 85th percentile speed is 61.14 mph  
the total number of vehicles in the sample is 3517  
the average speed of this sample is 55.60 mph  
the standard deviation of this sample is 5.58 mph  
the standard error of the mean is 0.094 mph  
the upper limit of the pace is 59 mph  
the lower limit of the pace is 49 mph  
the number of vehicles in the pace is 2146  
the percent of vehicles in the pace is 61.02  
the 7th percentile speed = 47.69 mph  
the 50th percentile speed = 55.50 mph  
the 90th percentile speed = 62.40 mph  
the 93rd percentile speed = 63.72 mph



**Recommended Tree Species**

**Large Trees 40 ft. and up  
30 to 40 feet spacing between trees recommended**

Species	Zone	Notes
White Fir <i>Abies concolor</i>	4	Light colored needles that stand up
Norway Spruce <i>Picea abies</i>	3	Pendulous branches. Largest and fastest growing of the spruces. Large cones.
Ponderosa Pine <i>Pinus ponderosa</i>	3	Long needles, native
Serbian Spruce <i>Picea omorika</i>	4	
Colorado Blue Spruce <i>Picea pungens</i>	3	Varies in color from gray-green to blue-green. Sharp needles
Douglas Fir <i>Pseudotsuga menziessi</i>	4	Soft needles
American Elm <i>Ulmus Americana</i> Multiple varieties	4	Fast growing, need training when young. New varieties are dutch elm resistant. Call for recommendation
Elm Hybrids Accolade and Triumph are excellent	4	Dutch elm resistant. Easier to train than American elm. Call for recommendation.
Bur Oak <i>Quercus macrocarpa</i>	3	Ph adaptable, more tolerant of city conditions than most oaks. Small round galls can make tree unsightly in the winter but is harmless to tree.
Swamp White Oak <i>Quercus bicolor</i>	4	Chlorosis can occur in high alkaline soil.
Northern Red Oak <i>Quercus rubra</i>	4	
Scarlet Oak <i>Quercus coccinea</i>	4	
Northern Pin Oak <i>Quercus elipsoidalis</i>	4	
Regal Prince Oak <i>Quercus x warei 'Long'</i>	4	Columnar shape, very narrow, good next to a tall building.
Ginkgo <i>Ginkgo biloba</i>		Very slow growing. Can live hundreds of years.
Northern Hackberry <i>Celtis occidentalis</i>	3	Nipple gall makes leaves unattractive but is harmless to tree. Very tolerant of wind and cold. Salt intolerant.
American Linden <i>Tilia Americana</i>	3	Pyramidal shape. Salt intolerant.
Kentucky Coffeetree <i>Gymnocladus dioicus</i>	3	No serious pest problems.
Northern Catalpa <i>Catalpa speciosa</i>	4	8" to 12" long bean-like fruit capsules persist on tree through winter.

Japanese Zelkova Zelkova serrata 'Green Vase'	4	Similar to American elm
Bloodgood London Planetree Plantanus x acerifolia 'Bloodgood'	4	Will grow in about anything, mostly disease resistant.
Norway Maple Acer platanoides multiple varieties	3	Shallow spreading root system.
Columnar Norway Maple Acer platanoides 'Columnare'	4	Narrow, upright, and compact
Freeman Maple Acer freemianii 'Multiple varieties'	3	Fast growing, cross between red and silver maple, yellow, orange, red fall colors
Sugar Maple Acer saccharum 'multiple varieties'	3	Excellent fall colors from yellow and orange to red.
State Street Maple Acer miyabei 'Morton'	4	Larger and more hardy alternative to Hedge Maple.
Turkish Filbert Corylus colurna	4	Thrives in adverse conditions. Currently being tested in Billings
Honeylocust Gleditsia triacanthos var. inermis 'Skyline' or 'Shademaster'	4	Good urban tree but has been overplanted.
<b>Medium Trees 25 ft. to 40 ft. 20 to 30 feet spacing between trees recommended</b>		
<b>Species</b>	<b>Zone</b>	<b>Notes</b>
Black Hills Spruce Picea glauca densata	3	Short blue-green needles. Shapley.
Austrian Pine Pinus nigra	3	Two needle pine, fast growing
Limber Pine Pinus flexalis	2	Native 5 needle pine
Swiss Stone Pine Pinus cembra	4	5 needle pine
Amur Corktree		Shallow spreading root system
Bigtooth Maple Acer grandidentatum	4	Red fall color
Cladrastus kentukea	4	
Crimson King Norway Maple Acer platanoides	4	Maroon foliage all summer

Deborah Norway maple Acer platanoides 'Deborah'	4	Leaves emerge red then turn maroon then dark bronze-green, finally turning to bronze in the fall.
Hedge Maple Acer campestre	4	Best maple for dry alkaline soils, low branching, dense shade, slow growing.
Sensation Box Elder Acer negundo 'Sensation'	4	Male, improved branch structure from species, very fast growing.
Red Maple Acer Rubrum multiple varieties	4	Susceptible to chlorosis in the high ph soils of Billings
Shantung Maple Acer truncatum 'Pacific Sunset'	4	Green glossy leaves turning yellow orange to bright red in the fall.
River Birch Betula nigra 'Heritage'	4	Resistant to Bronze Birch Borer and Japanese Beetle
Katsuratree Cercidiphyllum japonicum	4	Needs ample water, slow growing
Ohio Buckeye Aesculus glabra	4	Can get leaf scorch in summer, best in light shade. Nuts are poisonous.
Horsechestnut Aesculus hippocastanum	3	Very little seedpods
Hybrid Horsechestnut	4	
Honeylocust Multiple varieties available	4	Overplanted in Billings, very tough tree but will get spider mites with extreme heat and drought.
Goldenrain Tree Koelreuteria paniculata	4	Tolerant of soil extremes. No serious pest problems.
American hophornbeam Ostrya virginiana	3	
Littleleaf Linden Tilia cordata	4	Pyramidal shape. Overplanted in Billings area.
Harvest Gold Linden Tilia x mongolica 'Harvest Gold'	3	Yellow fall color, exfoliating red bark.
Dakota Pinnacle Asian White Birch Betula platyphylla 'Fargo'	3	Good resistance to Bronze Birch Borer, drought tolerant, adaptability to heavy clay soils and fairly high ph.
Paper Birch Betula papyrifera	3	Fast growing, white bark
American Hornbeam Carpinus caroliniana	3	No pest problems, no litter, slow growing, beautiful fall color.
Turkish Filbert Corylus colurna	4	Pest-free, tolerates drought and alkaline soil.

**Small Trees 15 ft. to 25 ft.  
10 to 20 feet spacing between trees recommended**

Species	Zone	Notes
Rocky Mountain Juniper <i>Juniperis scopulorum</i>	3	
Mugo Pine <i>Pinus mugo</i>	2	To 15 feet
Bristlecone Pine <i>Pinus aristata</i>	4	Small, very slow growing
Amur maple <i>Acer ginnala</i>	2	Low branched or multi-stemmed tree, brilliant orange-red to deep red.
Tatarian Maple <i>Acer tataricum</i>	3	Bright red samaras, adaptable to dry, high ph soils and cold winters.
Robin Hill Serviceberry <i>Amelanchier grandiflora</i> 'Robin Hill'	3	Edible berries
Autumn Brilliance Serviceberry <i>Amelanchier x grandiflora</i> 'Autumn Brilliance'	4	
Eastern Redbud <i>Cercis Canadensis</i>	4	Needs protection from cold and wind
Amur Maackia <i>Maackia amurensis</i>	3	Blooms late summer, ornamental seed pods and bark offers winter interest.
Amur Chokecherry <i>Prunus maackii</i>	2	Glossy bronze-colored bark
Newport Plum <i>Prunus Newport</i>	3	
Thundercloud Plum <i>Prunus cerasifera</i> 'Thundercloud'	5	
Mountain Frost Pear <i>Pyrus ussuriensis</i> 'Bailfrost'	3	Heavily flowering, beautiful fall tree.
European Mountain Ash <i>Sorbus aucuparia</i>	3	Susceptible to sunscald
China Snow Tree Lilac <i>Syringa pekinensis</i> 'China Snow'	3	
Ivory Silk Lilac <i>Syringa reticulata</i> 'Ivory Silk'	4	

### **Planting Tips**

- ❖ **Avoid planting trees too deep. The tree's first major root should be at ground level. Often times trees come too deep from the nursery and require having soil removed from the top of the root ball to reach the proper planting depth.**
- ❖ **Keep sod away from the tree's stem. The use of mulch is highly advised. Place 2-3 inches deep, out to the drip line of the tree but not up against the tree.**
- ❖ **Watering trees require different watering requirements than turf. Trees should be watered before and after planting. Deep root watering should be done until the tree is established approximately every 7-10 days.**
- ❖ **Do not fertilize in the first year of planting.**
- ❖ **Call 811 for underground utilities prior to any digging.**

## Recommended boulevard trees for City of Billings

Large Trees 40 ft. and up Requires 30 feet spacing between trees and 7 ft. + planting strip		
American Elm <i>Ulmus Americana</i> Multiple cultivars	3	There are a number of new cultivars that are Dutch Elm Disease resistant. Ex. Lewis & Clark, Valley Forge
Hybrid Elm Multiple cultivars	4	There are a number of new cultivars of elm. Ex. Accolade, Triumph
Paper Birch <i>Betula papyrifera</i> Multiple cultivars	3	White peeling bark
Regal Prince Oak <i>Quercus x warei</i> 'Long'	4	Columnar shape, good for tight spots next to tall buildings
Ginkgo <i>Ginkgo biloba</i>	3-4	Select male varieties, very slow growing but can live hundreds of years
Northern Hackberry <i>Celtis occidentalis</i>	3	Nipple gall makes leaves unattractive but is harmless to tree. Very tolerant of extreme conditions.
American Linden <i>Tilia Americana</i>	3	Pyramidal shape.
Northern Catalpa <i>Catalpa speciosa</i>	4	8" to 12" long bean-like fruit capsules persist on tree through winter. Very large leaves
Norway Maple <i>Acer platanoides</i> multiple cultivars	4	Prone to frost cracking and sunscald, subject to limb breakage with high winds and heavy snowloads, prefers sheltered location. Can be a highly desirable tree with proper growing conditions.
Honeylocust <i>Gleditsia triacanthos</i> var. <i>inermis</i> 'Skyline' or 'Shademaster'	4	Tough urban tree but has been overplanted, produces filtered shade from it's many small leaves
Medium Trees 25 ft. to 40 ft. Require 20 feet spacing between trees and 5 to 7 ft. planting strip		
Species	Zone	Notes
Sensation Box Elder <i>Acer negundo</i> 'Sensation'	4	Male, improved branch structure from species. Very fast grower.
Honeylocust <i>Gleditsia triacanthos</i> var. <i>inermis</i>	3-4	Northern Acclaim, Imperial, Prairie Silk, skyline. Honeylocust has become overplanted in Billings.
Honeylocust <i>Gleditsia triacanthos</i> var. <i>inermis</i> 'Street Keeper'	4	A more narrow, upright, pyramidal shape. Perfect for city streets.
Littleleaf Linden <i>Tilia cordata</i>	3	Pyramidal shape, fast growing, overplanted in Billings area. Ex. Greenspire and Morden
Harvest Gold Linden <i>Tilia mongolica</i> 'Harvest Gold'	3	Yellow fall color, exfoliating red bark.
Dropmore Linden <i>Tilia x flavescens</i> 'Dropmore'	3	Slightly coarser foliage than <i>Tilia cordata</i> with larger leaves.

Dakota Pinnacle Asian White Birch <i>Betula platyphylla</i> 'Fargo'	3	Good resistance to Bronze Birch Borer, drought tolerant, adaptability to heavy clay soils and fairly high ph. Columnar to pyramidal growth habit.
Turkish Filbert <i>Corylus Colurna</i>	4	Pest-free tolerates drought and alkaline soil, slow growing.

Small Trees 15 ft. to 25 ft.  
Require 15 feet spacing between trees and 4 ft. + planting strip

Species	Zone	Notes
Robin Hill Serviceberry <i>Amelanchier grandiflora</i> 'Robin Hill'	3	Edible berries
Princess Diana Serviceberry <i>Amelanchier grandiflora</i> 'Princess Diana'	3	
Snowcloud Serviceberry <i>Amelanchier laevis</i> 'Snowcloud'	4	Edible berries
Autumn Brilliance Serviceberry <i>Amelanchier x grandiflora</i> 'Autumn Brilliance'	4	
Amur Maackia <i>Maackia amurensis</i>	3	Blooms late summer, ornamental seed pods and bark offers winter interest.
Newport Plum <i>Prunus Newport</i>	3	
European Bird Cherry <i>Prunus padus</i>	3	
Showy Mountain Ash <i>Sorbus decora</i>	2	Good disease and sun scald resistance
Ivory Silk Lilac <i>Syringa reticulata</i> 'Ivory Silk'	3	
Princess Kay Plum <i>Prunus nigra</i> 'Princess Kay'	3	

## Planting Tips

- ❖ Avoid planting trees too deep. The tree's first major root should be at ground level. Often times trees come too deep from the nursery and require having soil removed from the top of the root ball to reach the proper planting depth.
- ❖ Keep sod away from the tree's stem. The use of mulch is highly advised. Place 2-3 inches deep, out to the drip line of the tree.
- ❖ Watering trees require different watering requirements than turf. Trees should be watered before and after planting. Deep root watering should be done until the tree is established approximately every 7-10 days.
- ❖ Do not fertilize in the first year of planting.
- ❖ Call 811 for underground utilities prior to any digging.

## Zoning Commission

**Date:** 01/03/2023  
**Title:** City Zone Change 1021 - Vista West - Agriculture to N1, NX2, NX3 and Public 1 (PND)  
**Presented by:** Nicole Cromwell  
**Department:** Planning & Community Services  
**Presentation:** Yes

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### Information

#### RECOMMENDATION

Planning staff recommends approval and adoption of the findings of the 10 review criteria for Zone Change 1021.

#### 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 27.7 acre parcel located south of Bell Avenue and north of Rocky Vista Way and the Bannister Drain generally located west of Shiloh Road. The proposed Mixed Residential PND will include 14.1 acres of NX3, 2.49 acres of NX2, 2.2 acres of N1 and 1.53 acres of Public 1 (P1). The PND process 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 and includes two types of mixed residential zoning (NX3 and NX2), an N1 zoned area adjacent to the County residences on Obie Lane and along Bell Avenue to the north. The PND zoning plan includes 5.9% of the area as open space (P1).

The applicant had submitted a similar request in 2021 that was withdrawn in February 2022, before the City Council acted on the Zoning Commission recommendation of approval (Zone Change 1004). A valid protest had been filed and there was a large volume of public comment regarding the proposed access to the property from Bell Avenue and the traffic generation from the site.

This new application is requesting the City Council approve the proposed street layout that has no connections to Bell Avenue (City public street) or Obie Lane (County public road). This would be a variance from the PND regulations at Section 27-804.C that requires connectivity to existing streets from adjoining property. The Zoning Commission and City Council may consider the merits of the requested variance. The proposal includes two full access points from Rocky Vista Way (south) and includes connections points on the west property line to allow future development of county land to the west. The proposed concept plan for the Master Site Plan (MSP) shows the dwellings on the north will face Bell Avenue, but vehicle access to these dwellings will be from the private internal street system.

Planning staff does not support the requested variance. Vehicle connectivity is a critical component of a safe and livable community. Several city and county neighborhoods have been constructed without the minimum number of public access roads and without good internal street systems. There are in some cases "emergency access" roads that are gated and may alleviate some public safety risks but provide no connection to adjacent neighborhoods. The more connections from neighborhoods out to external collector or arterial streets, the less public safety risk there might be in the future. Subdivisions such as Ironwood, Rehberg Ranch, Briarwood, Cedar Park, Bitterroot Heights, Emma Jean Heights, Logan Acres and Morningside are all examples of neighborhoods that were allowed to build with only one full access road. Some were allowed with an "emergency access" road that may or may not be useful during a public safety emergency. Some of these developed areas are expected to complete secondary full accesses at some time in the future. Regular maintenance of emergency access roads is not consistent or reliable. Connecting streets from one neighborhood to another is also an important component for walk-ability and resiliency of neighborhoods as they grow and change over time. Vehicle access between city-maintained streets and roads maintained in the county takes some coordination between the jurisdictions for both making the design connections and also managing maintenance, but this may be managed between the jurisdictions. For example, in Emma Jean Heights, Columbine Drive connects to a county road of the same name but has a barrier in place at the connection point. This is only a temporary "road closed" sign, not a permanent fixture. The road could be opened in the future.

#### APPLICATION DATA

OWNER: Dorn Property and Homes, Rick Dorn

AGENT: Sanderson Stewart, John Halverson and Rick Leuthold  
LEGAL DESCRIPTION: Tracts 1 & 2 of C/S 2828 and the adjacent Bannister Drain right of way  
CURRENT ZONING: Agriculture (A)  
EXISTING LAND USE: Agriculture  
PROPOSED USE: Mixed Residential development with 1-2 family dwellings as well as multifamily residences  
SIZE OF PARCEL: 27.7 acres

CONCURRENT APPLICATIONS:  
Petition for Annexation

**SURROUNDING ZONING AND LAND USE:**

NORTH: Zoning: N2 - Mid-Century Neighborhood

Land Use: Two-family dwellings

SOUTH: Zoning: Lenhardt Square Planned Development and St Vincent's Healthcare Planned Development

Land Use: Rocky Vista University (medical college under construction in St Vincent's Healthcare) multifamily apartments (Lenhardt Square)

EAST: Zoning: RR1 - Rural Residential 1 and P2 - Public 2

Land Use: Low density single family dwellings on lots of at least 1 acre and Emmanuel Baptist Church

WEST: Zoning: Agriculture (A)

Land Use: Agricultural

This area of Billings has experienced a great deal of growth and development in the past decade. This includes three Planned Development zones, customized zoning for specific parcels, that include mixed uses, residential development and medical facilities. Housing demand has reached a high level while supply of all types of housing choices has not kept up with the demand. 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. The 2020 Census saw a slight increase to 2.8 persons per household, with 17.5% of the city population over the age of 65. 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 Lenhardt Square already including the InterUrban and Interpointe Apartments, and the KWO Apartments. A new multi-family project is underway for the northern piece of Lenhardt Square. Several other multi-family developments have come on-line in the last 15 years around King Avenue West and Shiloh Road including Long Beach Apartments, Affinity at Billings (age restricted), and Hoop Dreams Apartments and condominiums. Apartments, townhomes and unit ownership housing choices are still in high demand in Billings especially in areas close to shopping, schools and recreational opportunities. The Ridgeline Subdivision and PND zoning was approved early this year and will include areas for mixed residential and two-family townhomes as well as a small commercial node at King Ave West and 48th St West.

There are challenges to an area of urban development that is on the edge of the city limits. These challenges include ensuring there are transitions between adjacent county property and uses and the new urban neighborhoods 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 for different 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 October 25, 2022, at the King of Glory Church located at 4125 Grand Avenue. Twenty-seven persons attended the meeting including the applicants, Rick Leuthold and John Halverson from Sanderson Stewart, agent for the applicant. The required notification area for all new PND zone changes is 1/4-mile from the property boundary. In this case, over 180 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 the number of new dwelling units. The applicants estimated at the time of the pre-application meeting about 550 units might be built. Attendees asked about the traffic impacts and access to surrounding existing streets. The agents stated they would seek a variance from the requirement to connect to existing streets and a full traffic impact study would be based on whether the requested variances are approved or not approved. A preliminary traffic study was done on the prior zone change proposal that included two vehicle connections to Bell Avenue. In response to a question about management of the development, the agents stated this would be under one management

company.

The applicant attended the West End Task Force meeting on November 15, 2022, at the Community Connections Church at 5556 Grand Avenue. Meeting notes from this meeting are also included. A third public meeting was held at Riverfront Park on November 22, 2022, at 10:30 am. Notes from this "public event" are also included.

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 except for the requested variance from connecting existing streets to this development. City staff does not support the variance. At least one vehicle connection should be made to Bell Avenue and a connection to Obie Lane, a County public road at this time, should be developed.

## ALTERNATIVES

The Zoning Commission may:

- Recommend approval and adoption of the findings of the ten review criteria for Zone Change 1021; or,
- Recommend denial and adopt different findings of the ten review criteria for Zone Change 1021; or,
- Delay action on the zone change request for up to 30 days; or,
- Allow the applicant to withdraw the zone change request.
- Recommend approval of the requested variance from Sec. 27-804.C - Connectivity for Planned Neighborhood Developments.
- Recommend denial of the requested variance from Sec. 27-804.C - Connectivity for Planned Neighborhood Developments.

In case of a tie vote on either the zone change or the requested variance, the application will be delayed for 30 days until the next Zoning Commission meeting. The Zoning Commission must forward a recommendation with findings to the City Council.

## 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 Planned Neighborhood Development for the 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-use environment. The proposed development will also have good access to outdoor activities and is in proximity to commercial centers and transportation options.

The applicant has requested a variance from the requirement to connect the new streets to existing adjacent streets. This requirement is found in Section 27-804.C of the PND regulations:

*Sec. 27-804. - Blocks.*

*Each development shall contribute to an interconnected system of streets and blocks as required by the city subdivision regulations in addition to the following requirements. Streets shall be located to result in the following block regulations.*

*C. Connectivity.*

*1. Streets shall connect and continue existing or planned streets from adjoining areas.*

*2. Block faces at the maximum length above require pedestrian access at mid-block points to ensure walkability.*

*Pedestrian access or walkways may be incorporated as a dedicated alley or as an easement between lots.*

The 2021 application for this new neighborhood included two connections to Bell Avenue, one connection to the south to Rocky Vista Way (formerly Monad Rd), a pedestrian connection to Obie Lane, and a new north/south road along the

western property line. The applicant has re-designed the proposed development to eliminate vehicle access to Bell Avenue and Obie Lane, have one pedestrian access to Bell Avenue, two vehicle access points to Rocky Vista Way, and two potential access points to the west. While connections to the west and south are maintained, no vehicle connections are proposed to the east or the north. City staff is opposing the proposed variance as it limits the city's ability to plan for growth of well-connected neighborhoods, decreasing public safety, hampering future extension of city utilities and private utilities and decreasing resiliency in new neighborhoods.

The proposed zone change is 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 streetlights, 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 property will allow the higher density housing to be located internal to the property and the dwellings adjacent to the County development to the east will be similar. The dwellings on the Bell Avenue frontage will be similar to the two-unit dwellings in the Twin Pines development to the north. The layout of the parkland will provide a central park area for the new residents and two smaller parks on the northeast and southeast corners of the property. There is a linear area along the eastern property line to handle stormwater infiltration and provide open space.

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 is designed to secure the development from fire and other dangers. City staff does not support the variance from the connectivity requirement especially no vehicle access to the north. Staff believes this connection will help secure the development from fire and other dangers. A right-of-way connection to the east (Obie Lane) will also help provide security from fire if a future annexation requires installation of water lines.

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. This finding is proposed with the caveat it does not include the variance from the connectivity requirement. Approval of the overall zoning plan 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. The applicant has proposed a variance to allow no vehicle connections to the north or east to established streets. These two streets are local streets and are not shown on any official transportation planning map for future extensions. The future transportation map only includes collector streets and arterial streets. A mid-section collector street (44th St West) is intended to come south from Central Avenue. This mid-section street is further west from this development. Bell Avenue could extend further west to meet this collector street in the future. Disconnecting this neighborhood from existing neighborhoods to the north and east places unequal traffic volume and demand on street systems to the south and west. In addition, it hampers the future ability of the city to make connections to the north and east as the city grows.

**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 including the multi-use trail on Shiloh Road, the trail systems under construction and development in Lenhardt Square and St. Vincent's Healthcare development to the south and to the nearby Shiloh Conservation Area Trail system south of King Avenue West. Pedestrian connections to the north will be ensured through the development, and the property is close to a fixed route MET bus line. The applicant is proposing no pedestrian connection to the existing neighborhood to the east. This is disruption to normal foot, vehicle and public safety traffic between neighborhoods. A person in the new neighborhood may have to walk 3/4 of a mile to visit a neighbor who lives behind their back fence on Obie Lane. This is a poor neighborhood design, and city staff does not support this variance from the connectivity requirement. Traffic counts in the area on King Ave West are well below the expected volume on a principal arterial street. King Avenue West has an average daily traffic volume of 11,390 vehicles per day at this location, less than Rimrock Road at 17th St West. Shiloh Road just south of the Central Avenue intersection is about 16,300 vehicle trips per day. In comparison, 24th St West at Central Avenue handles almost 30,000 vehicle trips per day. Most local streets average about 2,500 vehicles per day. As development increases in the area, these three arterial streets will need to build in additional controls, management facilities and safety features. MDT retains jurisdiction over the management of King Avenue West and the city manages Shiloh Road and Central Avenue.

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 King Avenue West and Central Avenue 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 Neighborhood with N1, NX2, NX3 and Public 1 zoning will encourage the most appropriate use of this land in Billings.

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#### Attachments

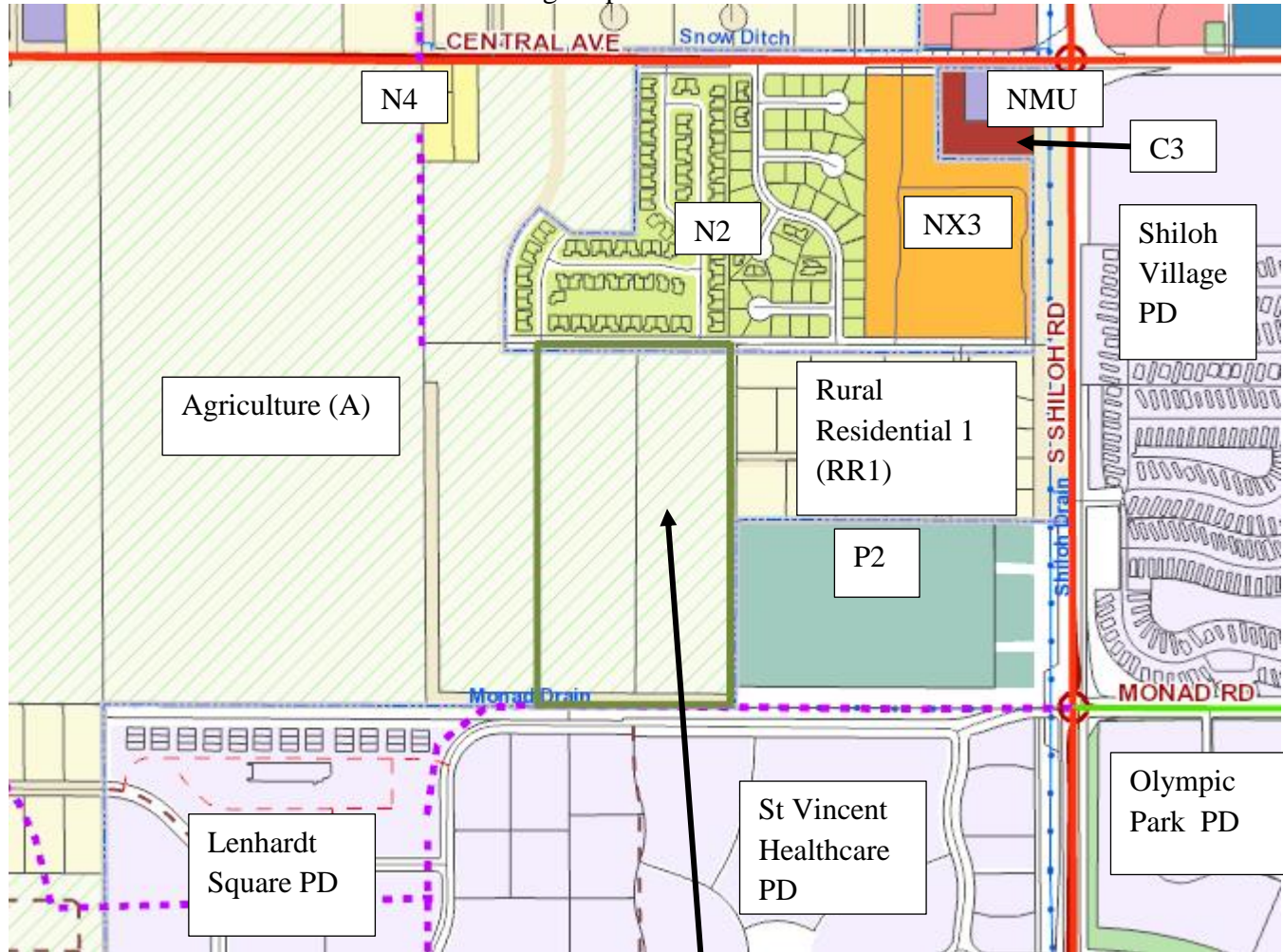
Zoning Map and Site Photos

Application and Letter

Preapplication meeting materials

Letter Requesting Variance from 27-804.C

City Zone Change 1021 – C/S 2828 Tracts 1 & 2 – Planned Neighborhood Development  
Zoning Map and Site Photos



Subject Property  
Existing Zone = A  
Proposed Zone = N1, NX2, NX3 and Public 1

# Zoning Plan – Without Variance to Connectivity

## EXHIBIT A LAND USE AND ANNEXATION DETAILS

### TRACTS 1 & 2, CERTIFICATE OF SURVEY No. 2828

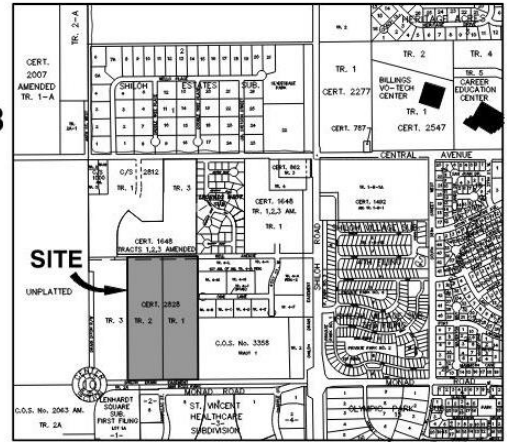
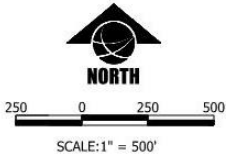
PREPARED FOR : DORN REAL ESTATE AND DEVELOPMENT

PREPARED BY : **SANDERSON STEWART** 

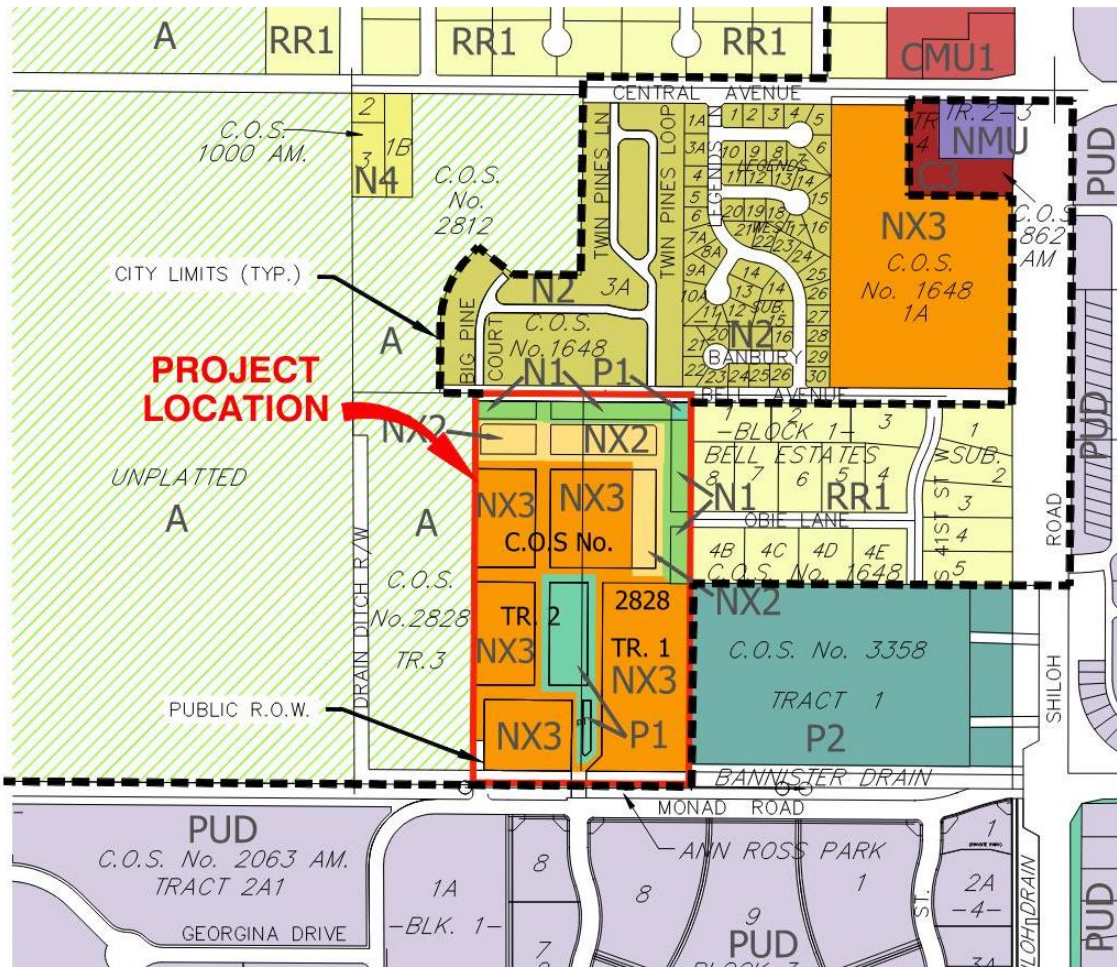
BILLINGS, MONTANA NOVEMBER, 2022

#### LAND USE SUMMARY

- P1 = 1.547 ACRES = 5.90%
- N1 = 2.022 ACRES = 7.71%
- NX3 = 14.155 ACRES = 53.98%
- NX2 = 2.349 ACRES = 8.96%



**VICINITY MAP**



# Zoning Plan with Variance to Connectivity

## EXHIBIT B

### LAND USE AND ANNEXATION DETAILS

## TRACTS 1 & 2, CERTIFICATE OF SURVEY No. 2828

PREPARED FOR : DORN REAL ESTATE AND DEVELOPMENT

PREPARED BY : **SANDERSON STEWART** 

BILLINGS, MONTANA NOVEMBER, 2022

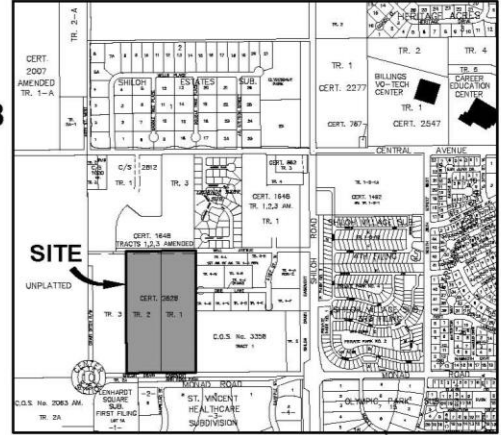
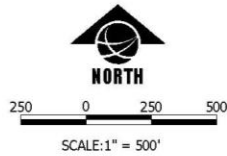
#### LAND USE SUMMARY

P1 = 1.547 ACRES = 5.90%

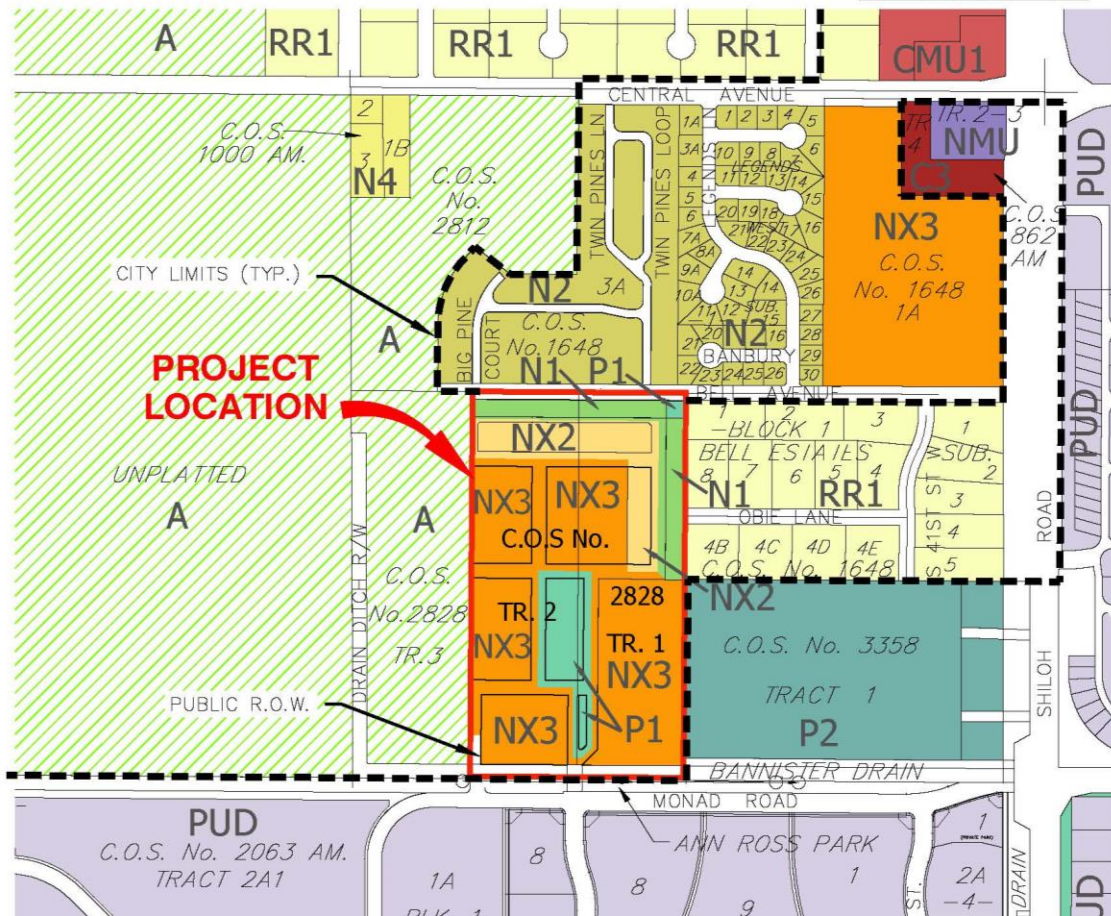
N1 = 2.208 ACRES = 8.42%

NX3 = 14.155 ACRES = 53.98%

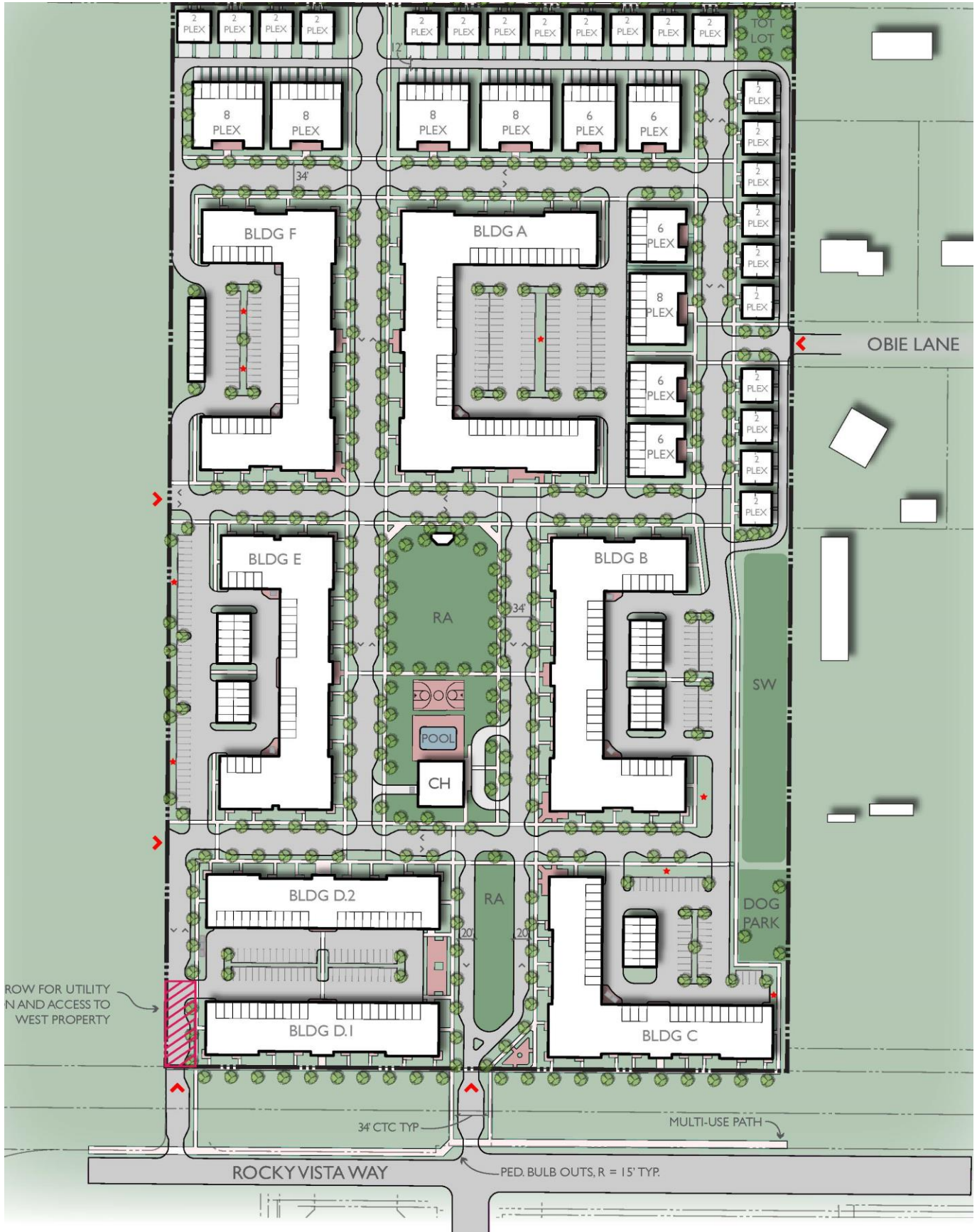
NX2 = 2.494 ACRES = 9.51%



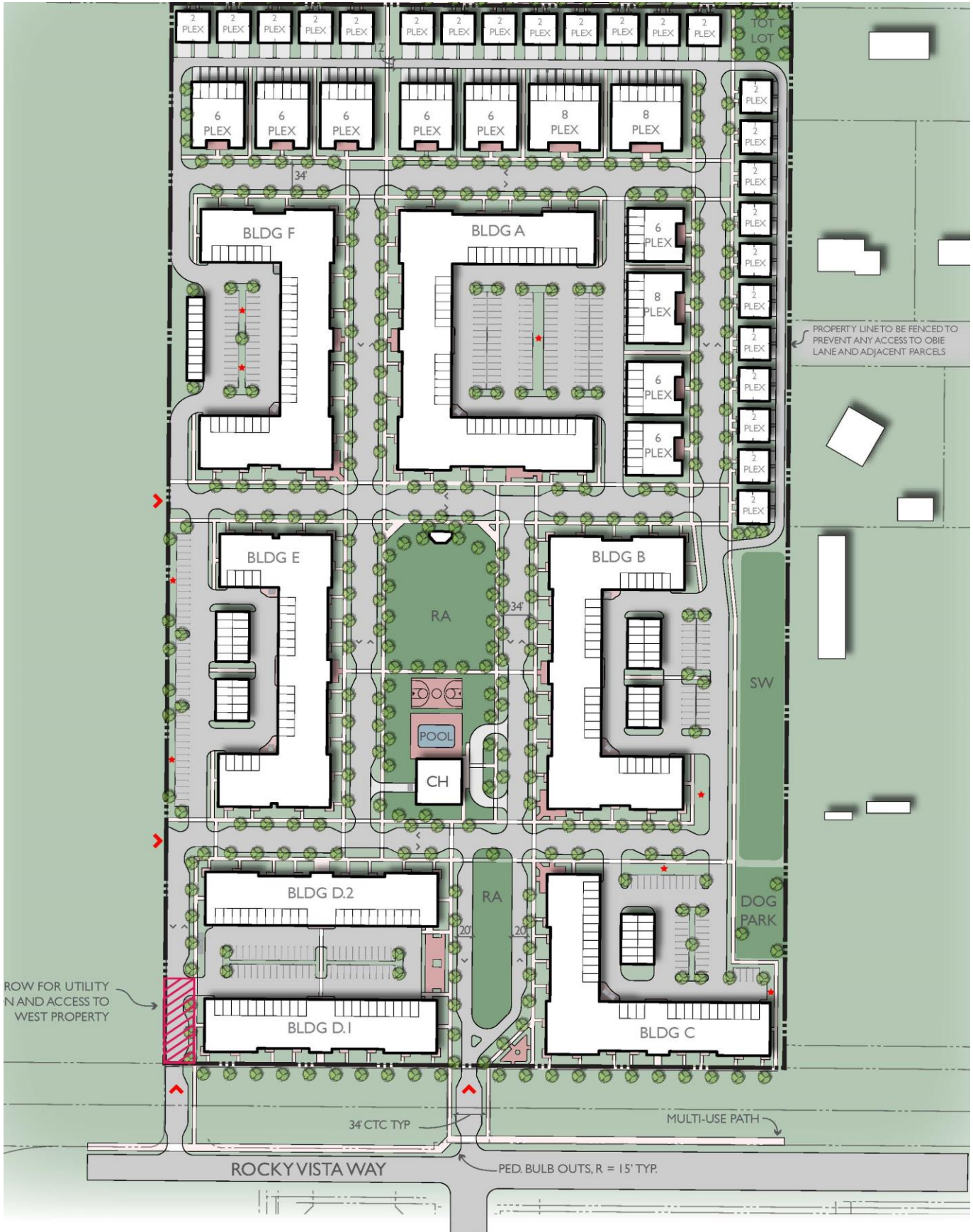
VICINITY MAP



# Illustrated Concept Plan without Variance



# Illustrated Concept Plan with Variance to Connectivity



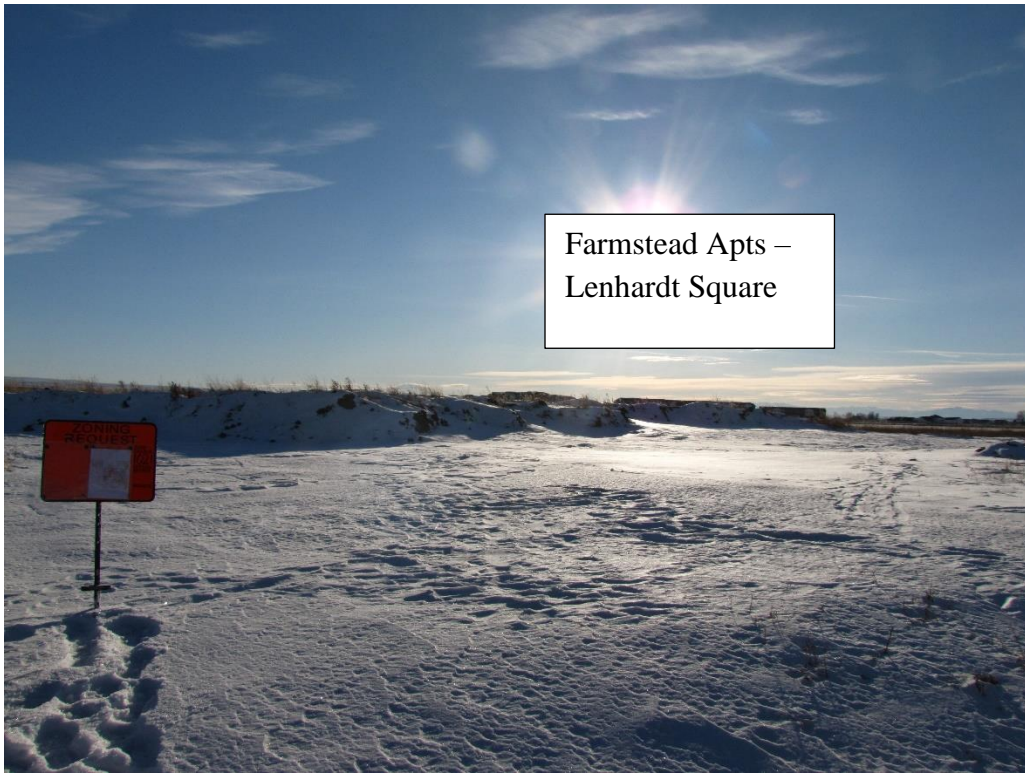




Subject Property view south from Bell Avenue



View east from subject property – along Bell Avenue



Farmstead Apts –  
Lenhardt Square

View south and west from Bell Avenue



Twin Pines  
Townhomes

View west along Bell Avenue



View north and west across Bell Avenue to intersection with Twin Pines Lane – a private street



View east on Bell Avenue from current deadend at Big Pine Court

# APPLICATION FORM

CITY ZONE CHANGE Billings Zone Change # 1021 - Project # PZX-22-00289

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 Agriculture

Proposed Zoning: N1, NX2, NX3, P1

TAX ID# D00503, D00503A, D00486A CITY ELECTION WARD 5

Legal Description of Property: S10, T01 S, R25 E, C.O.S. 2828, TRACTS 1 & 2 Drain ROW (attached)

Address or General Location (If unknown, contact City Engineering): Bell Ave.

Size of Parcel (Area & Dimensions): Approx 27.7 Acres, 816' wide x 1482' long

Present Land-Use: Agriculture

Proposed Land-Use: Residential, SF, Duplex and MF

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): Dorn Property & Homes  
(Recorded Owner)  
PO Box 81524  
(Address) (406) 652-8232 rick@dornrealestate.com  
(Phone Number) (email)

Agent(s): Rick Dorn, Dorn/ Lowe LLC  
(Name) PO Box 81524  
(Address) (406) 652-8232 rick@dornrealestate.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: *Rick Dorn* Date: 11/30/22  
(Recorded Owner)



## Certificate of Survey 2828, Tracts 1 & 2, & Drainage Ditch ROW

Zone Change Request from Agriculture to N1 First Neighborhood Residential, NX2 Mixed Residential 2, NX3 Mixed Residential 3 and P1

### Statement of Proposal

Dorn Property and Homes LLC, with Dorn/ Lowe LLC, are seeking to Annex and Rezone Tracts 1 and 2 of Survey CS 2828 and A 55-foot wide strip of land adjoining the south property lines of Tracts 1 and 2.

The intent of the requested zoning will allow for the future development of duplex, townhome, and multi-family residential units. The proposed zoning meets the intent of the Planned Neighborhood Development (PND) standards by providing the requisite mix of residential zones, open public space, and block formats.

The proposed Residential PND will allow for a transition between the existing Twin Pines Townhomes and Legends West subdivision to the north and existing county residential lots to the east of the subject parcels. This is in accordance with the general development pattern for adjacent development to the south of the subject parcels.

### Responses to Questions in Zoning Application

- a. **In what ways is your proposal consistent with the statutory criteria, guidelines and policies of the adopted Growth Policy?**

The Growth Policy states:

In the next 20 years, Billings will manage its growth 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 City will prosper with strong neighborhoods with their own unique character that are clean, safe and provide a choice of housing and transportation options.

The requested zoning is in compliance with the following growth guidelines:

### Essential Investments (Relating Public and Private Expenditures to Public Values)

- ***The safety of all users and the connectivity of the transportation system are important criteria to consider in roadway designs and transportation plan.***

Yes. Streets within the PND are designed for low speeds to calm traffic and provide safe environments for all users while still providing enough room for emergency vehicles to safely navigate.

- ***Planning and construction of safe and affordable interconnected sidewalks and trails are important to the economy and livability of Billings.***

Yes. This PND will provide pedestrian connections to adjacent development on Bell Avenue and along the Bannister Drain.

- ***Developed parks that provide recreation, special amenities (community gardens, dog parks, viewing areas), and active living opportunities are desirable for an attractive and healthy community***

Yes. This PND will provide a centrally located park that will be developed, owned, and maintained by the developer. This park area will be zoned P1 and will host amenities including a clubhouse and pool. Other areas within the development are also planned to include dog parks and play equipment.

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

Yes. The proposed PND is in close proximity to areas of similar intensity of development which already have city services. When annexed, extension of City and municipal infrastructure will be more cost effective than less-dense development, on a per-capita basis.

- ***Neighborhoods that are safe and attractive and provide essential services are much desired***

Yes. The design of this PND, in compliance with relevant PND and zoning regulations will promote a high level of public safety. This includes streets, parking and recreational areas which are easily observable from residences within the development. This property will not impact public health, safety and welfare any differently than the other neighborhood developments which are developed in accordance with the City's zoning requirements.

#### **Place Making (Enhance, Maintain, Preserve, and Improve Existing Public Places)**

- ***A multi-use community recreation facility is desirable***

Yes. This PND provides recreational open spaces in the form of pedestrian connections, a centrally located park space, a dog park, tot lot, and private pool.

- ***The history and heritage of Billings are cornerstones of our community***

Yes. Billings has always adapted to the changes in economic drivers and been welcoming of projects that allow the community to continue to grow and prosper in a systematic and planned way. This zone change will follow in that light by supporting a variety of housing units at an attainable price.

- ***Enhancing public buildings and spaces to be more efficient in their uses of energy, money, and space is important to having a vibrant and livable City***

Yes. The PND's centrally located public park will serve as a shared community gathering and recreation space for the entire neighborhood. The compact nature of this development will ensure that the public space is a well-used and vibrant community asset.

### **Community Fabric (Attractive, Aesthetically Pleasing, Uniquely Billings)**

- ***Attractive streetscapes provide a pleasant and calming travel experience in urban and suburban neighborhoods***

Yes. This PND will be developed in accordance with the City's code regulating street section to include planted boulevards. This will ensure that vehicular traffic is calmed and can navigate the development at slow, safe speeds for all street users. Street-front landscaping will be provided in accordance with the zoning code's landscape section, providing street trees and other water-efficient landscaping.

- ***Planning and construction of interconnected sidewalks and trails are important to the livability of Billings***

This property will feature sidewalks on all streets, including pedestrian connections to adjacent development and the surrounding pedestrian network.

### **Strong Neighborhoods (Livable, Safe, Social and Resilient Neighborhoods)**

- ***Zoning regulations that allow a mixture of housing types provide housing options for all age groups and income levels***

The mixture of zones and housing types within this PND exceeds the percentages required by the city's PND regulations. Most of the site, 54% gross, is proposed as NX3 which, because of its efficient use of land, will be the most affordable rental homes within the proposed PND. NX2 is the second-most prevalent zone district in the PND with almost 9% of the site's gross area. This zone can host structures of up to eight units, which will likely take the form of townhomes or multiplexes designed to closely resemble large mansion-style homes. The remainder, 7.7% gross, of residentially zoned land within the proposed PND is N1 first neighborhood, which can host single family or duplex homes. The diversity of housing in the proposed PND will allow residents of varying income levels to call this neighborhood home.

- ***Walkable neighborhoods that permit convenient destinations such as neighborhood services, open space, parks, schools and public gathering spaces foster health, good will and social interaction***

By locating a greater density of residences in proximity to the medical school, commercial and business uses to the property's south, and providing pedestrian connections between them, this project will promote active transportation trips between the two.

- ***Public safety and emergency service response are critical to the well-being of Billings' residents and businesses***

The property considered under this zone change will use named streets within its bounds to better address locations within and obtain an enhanced level of public safety.

**Prosperity (Promoting Equal Opportunity and Economic Advancement)**

- ***Predictable, reasonable City taxes and assessments are important to Billings' taxpayers***

The densities that will result from this proposed zone change will promote efficient use of city services and high tax revenues per acre.

- ***Community investments that attract and retain a strong, skilled and diverse workforce also attracts businesses***

This development, the lifestyle and amenities it will offer will attract a diverse demographic of residents seeking housing alternatives to single-detached residential. The property's proximity to the commercial center developing around the intersection of Shiloh and King will also reduce those residents' transportation costs. The density that will result from the proposed zone change will also provide tax revenues that will support the high-quality services that a quality work force demands.

The COS 2828 Tracts 1 and 2 and the drainage ditch ROW Zone Change will help Billings manage its growth by encouraging development within and adjacent to the existing City limits, giving preference to areas where City and municipal infrastructure exists helping to maintain fiscal responsibility for the City. This development will allow the City to increase tax revenue and the City will prosper by further developing a variety of neighborhoods with their own unique character that are governed by City regulations and provide a further choice of housing options and additional housing inventory.

The West Billings Plan states:

- ***More compact development patterns are desirable because they make full use of urban services, offer cost-effective infrastructure, and hold down costs to the taxpayer***

Yes. This proposed PND will develop in a compact manner and will host residential densities that will support cost-effective provision of municipal services.

- ***Plan for a mix of land uses that reduces automobile usage by locating stores, housing, schools, and recreation within a very short drive (or walking distance) from each other in compact neighborhoods with pedestrian-oriented streets***

Yes. The proposed PND is in very close proximity to job and commercial centers and planned recreational facilities on the Shiloh Corridor. Streets within the proposed PND will be designed in accordance with all relevant City regulations to include pedestrian facilities and planted boulevards.

- ***PG1.M.5 Enable the approval of development project that incorporate innovative mixed-use land planning concepts that provide for community aesthetics, compatible land uses, a mix of housing opportunities, open space, and other community amenities by revising zoning and subdivision regulations***

Yes. In accordance with the City of Billings' PND regulations, the proposed PND includes a mixture of housing opportunities including zones that allow single-detached homes, duplexes, townhomes, multiplexes, and apartment buildings. The proposed PND also includes area zoned P1 public space for a centrally located park and a tot lot in the northeastern corner of the site for use by the development's residents and the surrounding neighborhood. The total area in the proposed PND designated P1 is nearly 300% of the area required by code.

The 10 Zone Change Criteria:

- ***Whether the new zoning is designed in accordance with the Growth Policy***

Yes, tracts 1 and 2 of COS 2828, and the drainage ditch ROW are being developed under the consideration of the Growth Policy statement and guidelines on previous pages. It is a project adjacent to parcels where municipal services exist and is compatible with other recent developments in the area to the south and is in accordance with the newly adopted Recode zoning document.

- ***Whether the new zoning is designed to secure from fire and other dangers***

Yes, The subject parcels will be serviced by City fire and police services and will be designed in accordance with City of Billings rules and regulations thus assuring protection from common dangers.

- ***Whether the new zoning will promote public health, public safety and general welfare***

Yes, All development on Tracts 1 and 2 of COS 2828 and the drainage ditch ROW will be designed under the new City Zoning code which will regulate density and land use transitions. All residential uses will be subject to City of Billings building codes, and the utility and surface infrastructure will be constructed in accordance with City of Billings rules and regulations assuring compliance to this criterion.

- ***Whether the new zoning will facilitate the adequate provision of transportation, water sewerage, schools, parks and other public requirements***

Yes, the proposed PND will provide streets designed in compliance with relevant City of Billings regulations for adequate transportation provision. Water, sewer and storm facilities will also be developed in accordance with all relevant regulations. The residential densities proposed in this PND will create a neighborhood that costs less for schools to serve, as it will require less distance for buses to travel for student pick up and drop off. Areas zoned P1 within the PND exceed the city's PND regulations by nearly 300%, thus providing ample recreational opportunity for area residents.

- ***Whether the new zoning will provide adequate light and air***

Yes. Tracts 1 and 2 COS 2828 and the drainage ditch ROW are being developed in accordance with City of Billings rules and regulations and therefore meets this requirement.

- ***Whether the new zoning will affect motorized and nonmotorized transportation***

Because the proposed zone change/ PND is adjacent to one of the fastest growing and largest commercial and job centers in the state, it is reasonable to predict that a significant portion of the trips generated by the residential uses planned for this site will be captured by walking, bicycling, or public transit use, thus reducing the impact of this development on the surrounding roadway network.

When this development progresses through the approvals process to master site plan review, a Traffic Impact Study will be completed, and the developer will be responsible for any improvements the study deems necessary because of the trips generated by this development.

The zone change will continue to support and address growth needs and have additional connections to the local street network while concentrating housing within the established City of Billings projected growth areas.

- ***Whether the new zoning will promote compatible urban growth***

Yes, the proposed PND site is within a quarter mile of Shiloh Road, is a principal arterial, designated as a controlled access highway and facility, and is one of the most heavily trafficked and quickly developing corridors in the state of Montana. The Shiloh Road corridor hosts a broad range of uses and intensities of development both existing and planned. Exhibit C, attached to this application, illustrates this point. The intersection of Shiloh Road and King Avenue, approximately one-half mile from this site, is the center of a rapidly developing commercial and job center that rivals many of the downtowns in Montana in terms of its economic activity. Locating the number of homes that this PND proposes near this activity center will yield significant cost efficiencies to the City of Billings and its taxpayers for provision of services.

The proposed PND also provides an ample transitional distance of approximately 350' between the existing duplex residential uses across Bell Avenue, north of the subject parcels to the proposed NX3 zone. It similarly provides a transitional distance of approximately 220' between the single-detached uses to the east of the subject parcels and the proposed NX3-

zoned areas within the subject parcels. The proposed zone change provides NX3-zoned area where it faces, across the Bannister Drain and Rocky Vista Way to the Rocky Vista Medical School Campus and existing NX3-zoned areas to the south-east of the subject parcel.

- ***Whether the new zoning considers the character of the district and the peculiar suitability of the property for the particular use***

Yes. The property is located to the north, across the Monad and Bannister Drain rights of way from the existing multi-family and commercial center at Lenhardt Square and the new medical school campus. This proposal is compatible with those developments while providing a transition to existing single-detached and duplex residential uses to the north and single-detached uses east of the subject parcels.

The subject parcels and those parcels to the west of the proposed PND are undeveloped, and currently under agricultural use. The commercial center south of the proposed PND hosts a variety high intensity uses as compared to those uses to the north and east of the subject parcels. Thus, any one character in this neighborhood has not been established and will continue change as development occurs.

- ***Whether the new zoning will conserve the value of buildings***

Neutral. Although there is no evidence to suggest that the development of multi-family residential uses has any negative effect on the value of adjacent, existing single-detached and twin home residential uses, the design of this development will provide generous transitional buffer zones of N1 and NX2 between existing single-detached twin home uses and proposed NX3 uses.

The residential uses included in this PND will likely have a positive effect on the commercial properties to the south and the residential properties to the southwest of the subject parcels.

- ***Whether the new zoning will encourage the most appropriate use of land throughout the City of Billings***

Yes. The City of Billings continues to need projects that provide for a variety of housing types. It is appropriate to continue to promote efficient development in close proximity to the City Limits boundaries. This zone change helps support an appropriate level of development which will serve the City both now and in the future. It is also beneficial to have greater densities near the new medical school campus and other business and commercial uses in order to reduce overall vehicular loads on local area streets.

# Exhibit C: Shiloh Corridor

## Existing and Planned Uses

- Res - Single Family
- Res - Townhouse/Duplex
- Res - Mobile Home
- Res - Multi Family (2 Lvl)
- Res - Multi Family (3-4 Lvl)
- Commercial
- Civic
- Office
- School
- Misc PUD
- Industrial
- Green Space
- Ag/Undeveloped

RIMROCK RD

GRAND AVE

CENTRAL AVE

Project Location

KING AVE W

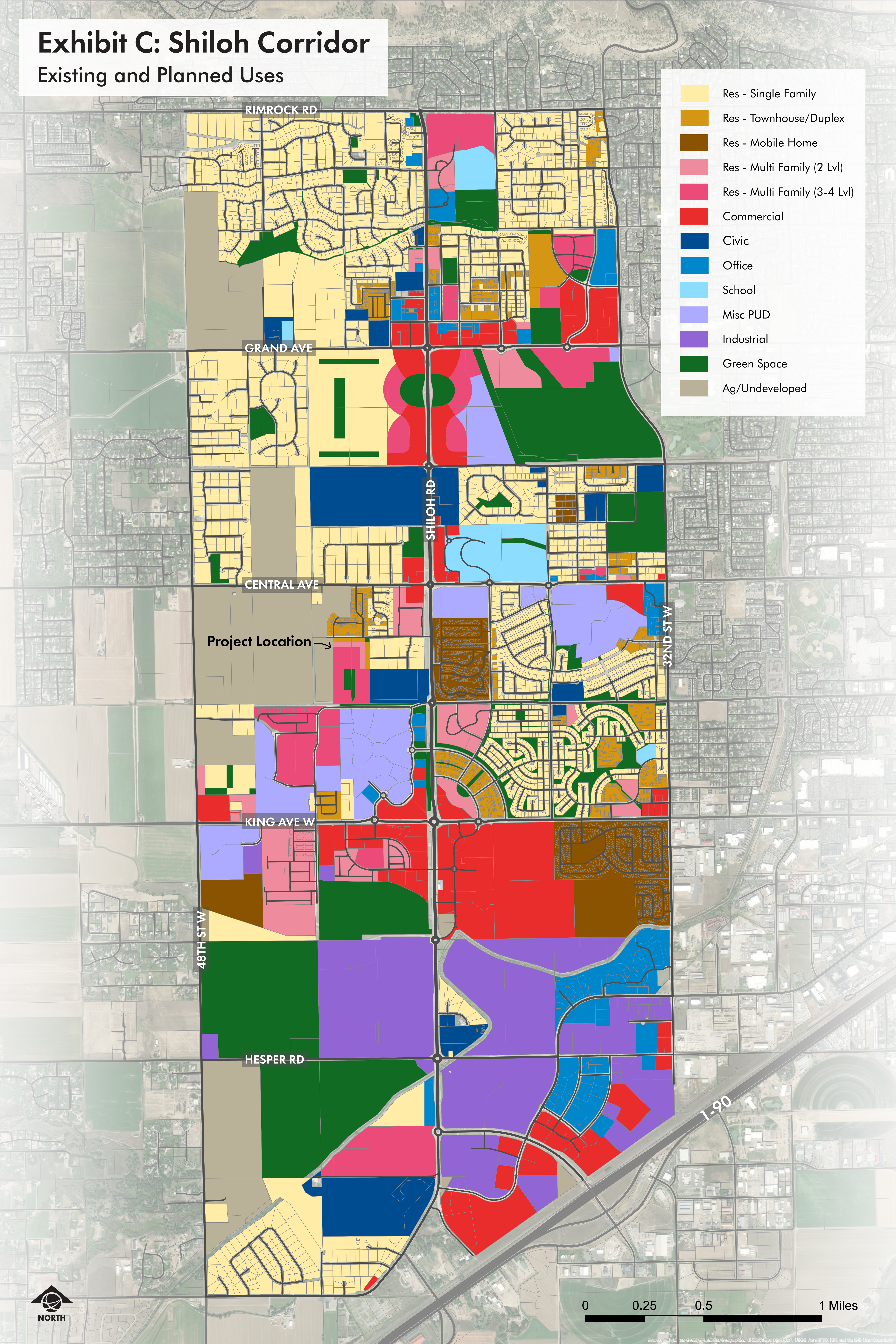
48TH ST W

HESPER RD

SHILOH RD

32ND ST W

I-90



**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:** Agriculture \_\_\_\_\_
- 2. **Written description of the Zone Change Plan** including existing and proposed new zoning:

Existing use of Agriculture to be changed to Residential use N1, NX2, NX3 AND P1 \_\_\_\_\_

- 3. **Subject Property Map:** please attach to this form

- 4. **Legal Description of Property:**  
S10, T01 S, R25 E, C.O.S. 2828, TRACT 1  
S10, T01 S, R25 E, C.O.S. 2828, TRACT 2  
Drain ROW (legal description attached) **Exhibit A**

- 5. **Neighborhood Task Force Area:** Yes /// No . If Yes, Name of Task Force and mailing address of Chairperson:

Yes. West End Task Force. Chairperson: Gordon Olson windrivermts@yahoo.com

- 6. **Roster of persons who attended the pre-application neighborhood meeting:** please attach to this form **Exhibit B**

- 7. **A copy of the meeting notice.** please attach to this form **Exhibit C**

- 8. **A brief synopsis of the meeting results including any written minutes or audio recording.** please attach to this form **Exhibit D** **Synopsis of additional public input in exhibits E, F, and G**

- 9. **The undersigned affirm the following:**

- 1) The pre-application neighborhood meeting was held on the 25, day of Oct, 2022, 20\_\_.
- 2) The zone change application is based on materials presented at the meeting.

**Owner (s):** Dorn Property & Homes Telephone: (406) 652-8232

Address: PO Box 81524 Email: rick@dornrealestate.com

**Agent (s):** Dorn/ Lowe LLC Telephone: (406) 652-8232

Address: PO BOX 81524 Email: rick@dornrealestate.com  
BILLINGS, MT 59108-1524

## Exhibit A

### LEGAL DESCRIPTION: DRAINAGE DITCH RIGHT-OF-WAY

A 55-foot wide strip of land adjoining the south line Tracts 1 and 2 of Certificate of Survey 2828, located in the Northeast Quarter of Section 10, Township 1 South, Range 25 East, P.M.M., Yellowstone County, Montana, more particularly described as follows:

Beginning at the southeast corner of Tract 1 of Certificate of Survey 2828, thence S 00°08' 00" W, a distance of 55.00 feet along the prolongation of the east line of said Tract 1 to the east-west mid-section line of Section 10, Township 1 South, Range 25 East, P.M.M.; thence N 89°49' 29" W, a distance of 817.10 feet along said east-west mid-section line to a point being the intersection of said east-west midsection line and the prolongation of the west line of Tract 2 of Certificate of Survey 2828; thence N 00°08' 00" E, a distance of 55.00 feet along said prolongation of the west line of Tract 2 to the southwest corner of Tract 2 of Certificate of Survey 2828; thence S 89°49' 29" E, a distance of 408.59 feet along the south line of said Tract 2 to the southeast corner of said Tract 2, also being the southwest corner of said Tract 1 of Certificate of Survey 2828; thence S 89°49' 29" E, a distance of 408.51 feet along the south line of said Tract 1 to the southeast corner of said Tract 1 and the point of beginning. Said strip of land containing 1.0317 acres.







PRE-APPLICATION MEETING  
ATTENDANCE SIGN-IN SHEET

Date: 10/25/2022

Time: 5:30

Project: Down/Pull

Project No.: 12004.01

Meeting Location: King of Glory

Name and Title: (Please Print)	Representing:	Phone Numbers		Email Address
		Office	Mobile	
VERA Willis			678-863-6741	WILLENE1129@COMCAST.NET
Cinda & Greg Biggs			406 656 6664	cinda.sbiggs@nr.com
Terri Kaufman			928-242-7966	kaufmanterri@gmail.com
DONNA TIMMERMAN			406-860-4597	2golft4life@gmail.com
JAN ROSS			406 598 1641	JAN.ROSS49@gmail.com
DEEWIN & BEV McCRAZY			307-654-1589	WYOGEESEK@HOTMAIL.COM
Dwight & Lisa Moen			406-955-8102	dmdist@bresnan.net
VERN & DIANNE SANDAU			406 692-7203	SANDAU@OV@GMAIL.COM
Rick & Kathy Brookshire			(406) 670-5205	rck.brookshire@outlook.com
Toby Erickson			281-468-1872	TLEricksonmail@gmail.com
Nancy Pederson			406-860-0150	ourmen47@gmail.com

October 17, 2022

Reference: Notice of Pre-Application Neighborhood Meeting for Annexation and Planned Neighborhood Development (PND) Zone Change Certificate of Survey No. 2828, Tracts 1 and 2.

Dear Neighbors:

You are receiving this letter because the City of Billings requires a pre-application neighborhood meeting for any zone change request on property located within or intending to be annexed to the City. By City Code, the surrounding property owners within 1,320 feet (quarter mile) are notified of this meeting so you can ask questions of the materials described in this letter. This is not your last time to comment on this proposal, as future public hearings by the Zoning Commission and City Council will be scheduled.

The request for this property involves annexation of the two tracts of land, as noted in the enclosed exhibit, and a zone change from Agricultural to a combination of NI-First Neighborhood, NX1-Mixed Residential 1 (1-4 dwelling units per structure), NX2-Mixed Residential 2 (2-8 dwelling units per structure), NX3-Mixed Residential 3 (5 or more dwelling units per structure) and PI-Open Space, Parks, Recreation. As part of its process, variances are being sought to honor neighbors' requests to bar vehicular access to Obie Lane and Bell Avenue, although pedestrian access to Bell Avenue will be provided.

The Neighborhood Pre-Application Meeting will be held on **Tuesday, October 25, 2022, at 5:30 PM**. This meeting will be held in-person at King of Glory Lutheran Church. Their address is 4125 Grand Ave, Billings, MT 59106. You may also receive log in credentials so that you can join remotely via Teams. If you plan on attending or would like the log in information, please email John Halverson at [jhalverson@sandersonstewart.com](mailto:jhalverson@sandersonstewart.com) so that we can verify accommodations for the in-person meeting and have a list of attendees that will be joining via Teams.

Comment may also be given via an online survey, which can be accessed by typing the following URL address into your internet browser:

<https://lp.constantcontactpages.com/sv/euWqtM5/WestBillingsPUD>

The survey may also be accessed by opening your smart phone's camera and aiming it at this QR code:



Exhibit C



Billings  
Bozeman  
Fort Collins

Please plan on attending this Neighborhood Pre-Application meeting if you have comments or questions regarding the proposed Annexation and Planned Neighborhood Development Zone Change. If you have immediate questions or cannot attend the meeting, please contact me at (406) 869-3311 or via my email at [jhalverson@sandersonstewart.com](mailto:jhalverson@sandersonstewart.com)

Respectfully,

A handwritten signature in blue ink, appearing to read 'John Halverson'.

John Halverson, LEED AP, Land Planner

JDH/hl

Enc.

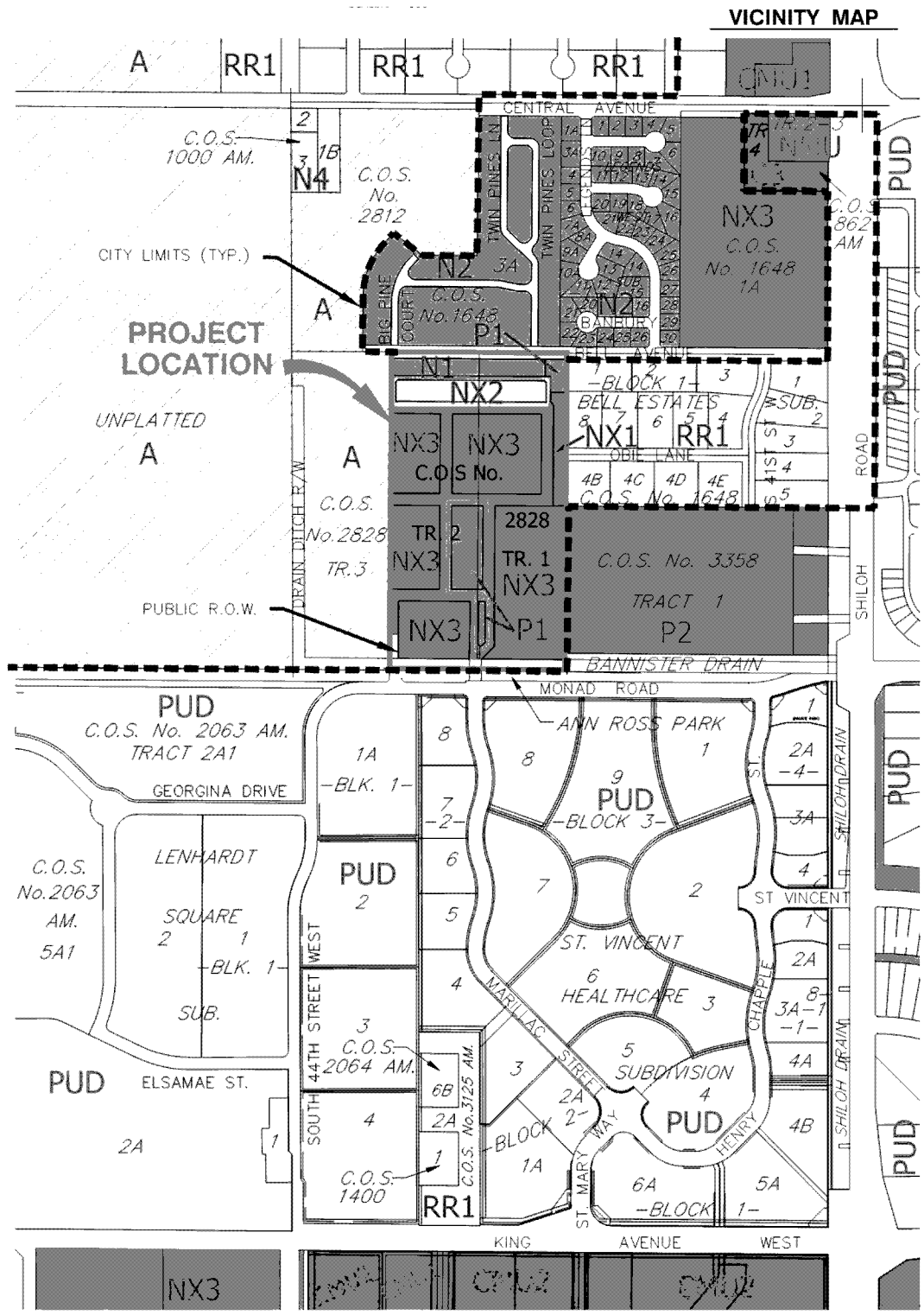
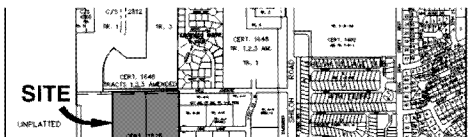
c: Nicole Cromwell, Zoning Coordinator / Code Enforcement Supervisor, City of Billings  
Rick Dorn, Dorn Real Estate and Development

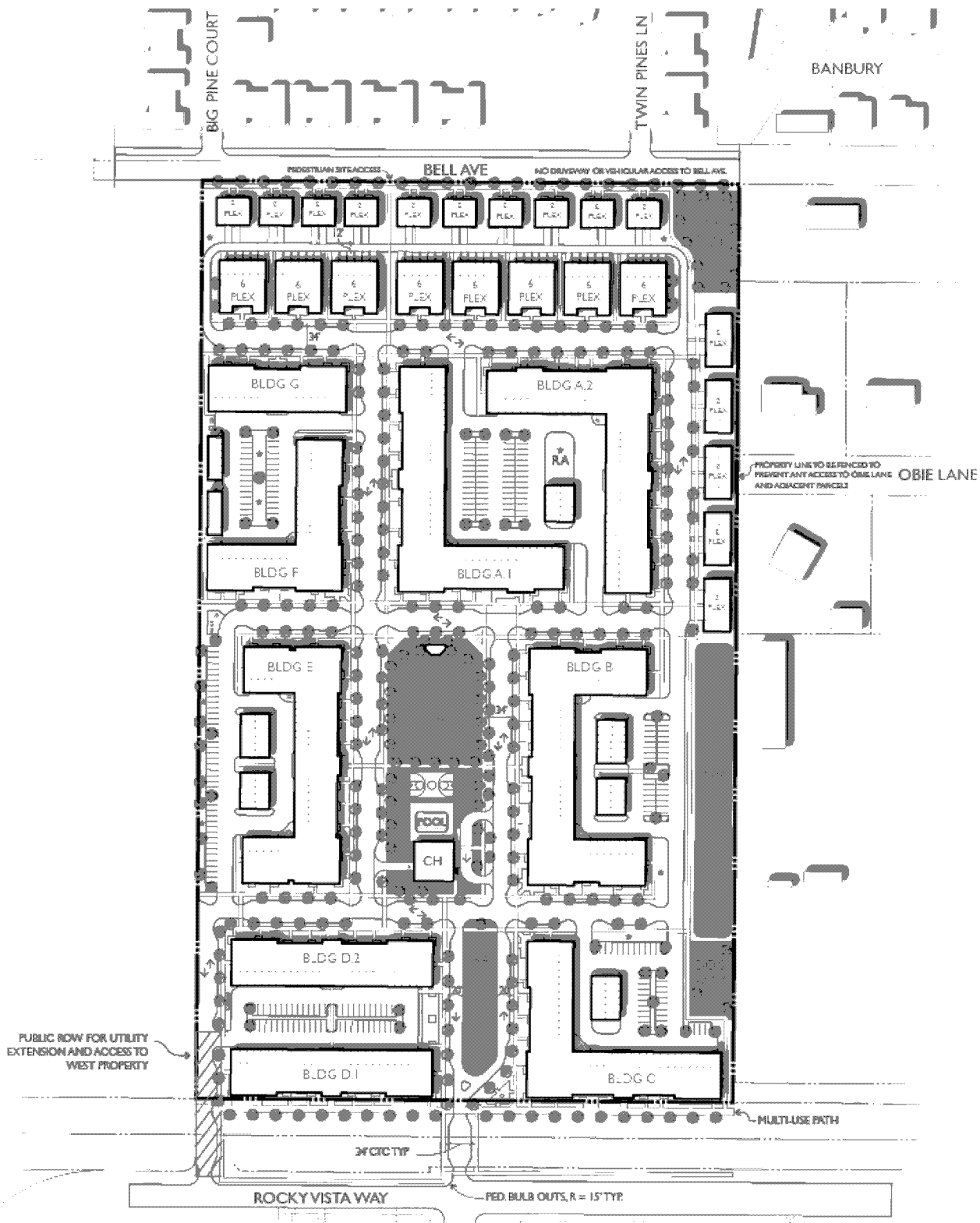
PREPARED FOR : BORN REAL ESTATE AND DEVELOPMENT

PREPARED BY : SANDERSON STEWART

BILLINGS, MONTANA      OCTOBER, 2022

LAND USE SUMMARY





PROGRAM	
MF Units (NX3)	504
6-plex Units (NX2)	48
Duplex Units (N1, NX1)	30
<b>Total Dwelling Units</b>	<b>582</b>
Res Surface Pkg Stalls	495
Res Garage Pkg Stalls	380
Parking Stalls Per Dwelling Unit	1.5
Recreation Area	2.58 Acres

ZONES			
Zone	Acres	% Net	% Gross
NX3	15.0	73.5	57.5
NX2	1.6	7.9	6.1
NX1	0.7	6.4	2.8
N1	1.3	6.4	5.0
P1	1.7	8.5	6.6
ROW	5.7	-	21.8

LEGEND	
Dumpsters	
Snow Storage	
Site Boundary	
Recreation Area	
Landscape	

ABBREVIATIONS	
Stormwater	SW
Clubhouse	CH
Recreation Area	RA

**MEETING MINUTES**

<b>PROJECT: Certificate of Survey #2828 Tracts 1&amp; 2</b>			
Project No: 12004.01			
Meeting Location: King of Glory Lutheran Church 4125 Grand Ave, Billings MT 59106		Meeting Date: 10/25/22 5:30 PM	
Meeting Subject: Zone Change Neighborhood Pre-Application Meeting		Prepared by: John Halverson	
Attending:		(See attached sign-in sheet)	
Sanderson		Rick Leuthold	
Stewart:		John Halverson	
Date of Issue: 12/01/2022			

Minutes:

- Mr. Halverson opened the meeting at 5:30 PM by introducing himself and outlining the agenda, which included a presentation on the zone change, a brief explanation of the new zoning code, and time for questions and comments.
- After completing that presentation, Mr. Leuthold and Mr. Halverson took questions and comments from the attendees.
- An attendee asked how many residential homes would be included in the planned neighborhood development.
- Mr. Leuthold responded that the estimated number of units was about 550, but that the development is early in its process, and that actual counts would not be solidified until an architectural plan was completed.
- An attendee asked what the future development and approvals process is.
- Mr. Leuthold answered that the current plan would require a variance to allow it not to connect to the public rights of way of Bell Avenue and Obie Lane. He explained that staff had objected to the proposed plan

on those grounds and had asked Sanderson Stewart to create an alternative plan illustrating what the street layout would be without that variance.

- An attendee asked about traffic impacts in the surrounding area.
- Mr. Leuthold answered that a “traffic study lite” had been undertaken as part of the previous zone change effort in 2021 and that a full traffic impact study would be completed in the site development phase of project approval.
- An attendee asked for clarification on the matter of the variance and non-variance plans that would proceed concurrently.
- Mr. Leuthold responded that, at the pre-application staff review meeting, police, fire, planning, and engineering staff had raised concerns about lack of connection to Bell Ave. and Obie Lane, and asked Sanderson Stewart to draw up an alternative concept plan that does connect to those public rights of way.
- An attendee raised the concern that the variance concept plan shown having only 2 points of access onto Rocky Vista Way was not sufficient
- Another attendee asked if the variance could be rescinded after it was granted.
- Mr. Leuthold answered that it could not and explained the impacts of the variance.
- An attendee suggested that, if the variance were not granted, a security gate could be installed to restrict access onto Bell Avenue.
- Mr. Leuthold replied that such a restriction was unlikely, but that traffic calming measures could be taken on Bell Avenue to ensure safety.
- An attendee asked if the development would be under an HOA.
- Mr. Leuthold answered that it would likely be under collective management by Dorn Real Estate.
- An attendee asked if a buffer yard and fence would be included at Obie Lane.
- Mr. Leuthold responded that, under the plan that would require a variance, a buffer yard and fence would be included, and that, if the variance were denied, a buffer yard would be included along the boundary with Bell Estates.
- An attendee asked if a fence would be built along the western boundary of the project where it abuts an agricultural field.
- Mr. Leuthold answered that it would not be fenced, but that measures could be taken to prevent people from driving onto that field from the site.

## Exhibit D

- An attendee asked if short term rentals or VRBOs would be part of the development.
- Mr. Leuthold replied that Dorn Homes would retain full ownership of the site and any development thereon, and that there were no plans to include short term rentals on site.
- An attendee stated their preference for the site to have no access to any adjacent properties other than to the south.
- An attendee urged the other attendees to google Dorn Real Estate.
- An attendee asked why the city would consider a non-compliant option at all.
- Mr. Leuthold responded that the neighborhood held sway over council despite non-compliance.
- An attendee referred to the proposed zone change as “the same pig in different skin” and stated that “we’re not going to let it happen.” They also stated a preference to see the entire project changed to only N zones (rather than NX zones) and stated that they would be mobilizing to oppose the project.
- Mr. Leuthold responded that most of Billings is Single detached housing and that this project would help supply much needed housing choice.
- An attendee raised concerns that there was not enough parking on site.
- Mr. Halverson responded that residents would likely use public transit at higher rates.
- Attendees laughed at Mr. Halverson’s response.
- An attendee asked about stormwater provisions on the site.
- Mr. Leuthold responded that a legal manual dictated what stormwater facilities would be required on site, and that underground facilities, green space and city stormwater would be utilized.
- An attendee stated that he had been a broker in Jackson Wyoming and that developers there followed their profit motive.
- Mr. Leuthold cited the city’s current housing crisis, that there are 4300 unfilled job openings in Billings. He noted the need to house the city’s workforce and the basic supply and demand dynamics of housing market.
- An attendee asked what could be done to prevent the owner from accepting a section 8 housing voucher.
- Mr. Leuthold responded that land would have to be specially designated for HUD’s voucher program and that there were no plans to do so on this property.

## Exhibit D

- An attendee suggested that development already approved in the area would provide sufficient supply to meet the region's demand.
- Mr. Leuthold responded that the homes approved in the area of King and 48<sup>th</sup> is planned to be 4-plex development and was not of sufficient scale to satisfy the Billings job market's housing demand.
- An attendee asked why NX1 and 4-plexes were planned for the land immediately abutting Bell Estates. And stated a preference for N1 at that location to provide a more significant buffer.
- An attendee asked if such residential density could be moved further west to where there were no neighbors.
- Mr. Leuthold answered that it would not be efficient to provide services to such far-flung locations without first developing closer-in areas such as the area in question.
- Mr. Leuthold closed the meeting at 6:50 PM

## MEETING MINUTES

<b>PROJECT: Certificate of Survey #2828 Tracts 1&amp; 2</b>			
Project No: 12004.01			
Meeting Location: Connections Church 5554 Grand Avenue		Meeting Date: 11/15/22 7:00 PM	
Meeting Subject: West End Neighborhood Task Force Meeting		Prepared by: John Halverson	
Attending:	(See attached sign-in sheet)		
Sanderson	John Halverson		
Stewart:			
Date of Issue: 12/01/2022			

Minutes:

- Mr. Halverson was invited to present the proposed zone change/ PND at the West End Neighborhood Task Force by task force chairperson, Gordon Olson, who, having completed discussion of several other items on the evening’s agenda, introduced Mr. Halverson and gave him the floor.
- Mr. Halverson introduced himself and outlined the agenda, which included a presentation on the zone change, a brief explanation of the new zoning code, and time for questions and comments.
- After completing that presentation, which was substantially the same presentation given at the neighborhood pre-application meeting on October 25 at King of Glory Lutheran Church, Mr. Halverson opened the floor to questions and comments from the attendees.
- An attendee asked if the homes in the proposed PND would be for sale or rent.
- Mr. Halverson answered that the homes would all be for rent.
- An attendee raised concerns that the two access points onto Monad [Rocky Vista Way] would be too much for that right of way to handle.
- Mr. Halverson explained that city staff had raised the same concern at the project’s pre-application staff meeting and directed Sanderson

Stewart to create an alternative plan that provided access onto Bell and Obie Lane.

- An attendee raised the concern that there is not enough parking on the site.
- Mr. Halverson explained how parking calculated for multi-family residential under the zoning code and that the project takes advantage of a reduction in parking stalls required by purchasing bus passes for residents, which is allowed under the code. He also explained that the project's proximity to commercial and job centers makes it more likely that residents will make trips by bicycle, walking, or public transit.
- An attendee asked how this development would impact public services like schools, and asked how children living in this development would safely walk to school.
- Mr. Halverson answered that Billings SD2 has an advisory role in the approval process for residential development and that he was unaware of the district's plans to accommodate increasing population. He explained that safe routes to school on Billings' West End is a major cause for concern and called out the planned multi-use path along Rocky Vista Way's north side. He also explained that a traffic impact study would be completed later in the development process, which could include broader pedestrian improvements in the area.
- An attendee asked about trail access for the residents in the proposed PND.
- Mr. Halverson reiterated the planned mixed-use path on Rock Vista Way and that broader trail connectivity concerns were beyond the scope of this project.
- An attendee suggested that the West End would benefit from a community center.
- Mr. Halverson pointed out the clubhouse planned for the central park of the PND.
- Mayor Cole mentioned that a new transit plan is in progress and may affect the PND's ability to make use of the transit parking discount.
- An attendee mentioned that in their neighborhood, Vintage Estates, that a developed park had been advertised, but had yet to be built.
- Mayor Cole explained that, depending on whether the park were dedicated or privately owned, either the city or the developer would be responsible for the park improvements.
- An attendee asked whether bike lanes would be included in the PND.
- Mr. Halverson answered that the streets were designed with traffic calming features so as to create a slow-speed right of way in which a

## Exhibit E

bicycle could safely share the lane with vehicular traffic similar to those found in Annafeld or Josephine Crossing.

- An attendee raised the concern that in those neighborhoods, street parking made driving difficult at higher speeds.
- Mr. Halverson responded that that outcome is intended as part of the design to slow vehicular traffic and create pedestrian and child-friendly streets.
- At this point Mr. Olson moved the meeting onto its next agenda item.
- After the meeting adjourned, Mr. Halverson made remained to answer any questions attendees still had.
- An attendee raised the concern that the PND did not have enough connectivity to surrounding neighborhoods.
- Mr. Halverson answered that he shared those concerns and that the developer is seeking a variance not to connect to those surrounding neighborhoods as a concession to the residents of those neighborhoods.
- An attendee stated their preference for a separated bicycle facility

### EVENT MINUTES

<b>PROJECT: Certificate of Survey #2828 Tracts 1&amp; 2</b>			
Project No: 12004.01			
Event Location: Riverfront Park		Event Date: 10/22/22 10:30 AM	
Event Subject: Zone Change/ PND Public Input Event		Prepared by: John Halverson	
Attending:	Unknown members of the public		
Sanderson Stewart:	John Halverson		
Date of Issue: 12/01/2022			

Public Comments:

- Mr. Halverson set up a table and three presentation boards (attached) and solicited public comment from attendees of The Great Masked Pumpkin Race at Riverfront Park.
- At 10:30 AM the race event was initiated. The organizer introduced Mr. Halverson and stated his purpose for tabling at the event and invited the attendees to give comment on the proposed PND.
- At 10:36 AM a member of the public expressed the need for a new public high school on the West End.
- At 10:56 a member of the public expressed that they liked the pool on the concept plan.
- At 11:07 a member of the public expressed that more apartments are needed for both young people and elderly in the Billings area.
- At 11:23 a member of the public stated that the PND looked good and they like Shiloh Commons and the businesses therein. They also asked the cost of rent.
- Mr. Halverson replied that these homes would likely have similar rents to those in the area.

## Exhibit F

- The same member of the public stated that rentals are good for immigration and noted the need to supply housing for the workers at the Laurel refinery and that such development is “a good thing.”
- At 11:55 a member of the public expressed that locating housing close to the commercial uses on Shiloh would have the benefit of reducing travel distances.
- At 12:16 a member of the public expressed that, “as long as it’s not in my back yard, I like it.”
- At 12:26 a member of the public stated that they “like it” but also said the PND has “too many apartments” while also stating the need for the city to develop efficiently for tax and service efficiency. They also expressed the need for sufficient parking, and noted that Interpointe is high quality. They stated that they like the park and expressed the need for understandable addressing and wayfinding.
- At 12:30 Mr. Halverson broke down the booth and left the event.

## Exhibit G

### Constant Contact Survey Results

**Campaign Name:** Dorn PUD Survey

**Survey Starts:** 197

**Survey Submits:** 25

**Export Date:** 11/22/2022 01:39 PM

#### MULTIPLE CHOICE

"A mix of housing types that meet the needs of a diverse population is important."

Answer Choice	0%	100%	Number of Responses	Responses Ratio
Very Well			9	39%
Well			8	34%
Somewhat			3	13%
Poorly			3	13%
Very Poorly			0	0%
<b>Total Responses</b>			<b>23</b>	<b>100%</b>

#### MULTIPLE CHOICE

"Common to all types of housing choices is the desire to live in surroundings that are affordable, healthy, and safe."

Answer Choice	0%	100%	Number of Responses	Responses Ratio
Very Well			10	41%
Well			6	25%
Somewhat			6	25%
Poorly			1	4%
Very Poorly			1	4%
<b>Total Responses</b>			<b>24</b>	<b>100%</b>

#### MULTIPLE CHOICE

"Developed parks that provide recreation, special amenities (community gardens, dog parks, viewing areas), and active living opportunities are desirable for an attractive and healthy community."

Answer Choice	0%	100%	Number of Responses	Responses Ratio
Very Well			13	54%
Well			4	16%
Somewhat			5	20%
Poorly			2	8%
Very Poorly			0	0%
<b>Total Responses</b>			<b>24</b>	<b>100%</b>

## Exhibit G

### MULTIPLE CHOICE

"Allowing a mixture of housing types provides housing options for all age groups and income levels."

Answer Choice	0%	100%	Number of Responses	Responses Ratio
Very Well			8	33%
Well			8	33%
Somewhat			6	25%
Poorly			1	4%
Very Poorly			1	4%
<b>Total Responses</b>			<b>24</b>	<b>100%</b>

### MULTIPLE CHOICE

"Community investments that attract and retain a strong, skilled, and diverse workforce also attracts businesses."

Answer Choice	0%	100%	Number of Responses	Responses Ratio
Very Well			12	50%
Well			6	25%
Somewhat			5	20%
Poorly			1	4%
Very Poorly			0	0%
<b>Total Responses</b>			<b>24</b>	<b>100%</b>

### MULTIPLE CHOICE

Do you rent or own the home where you currently live?

Answer Choice	0%	100%	Number of Responses	Responses Ratio
Rent			5	20%
Own			19	79%
<b>Total Responses</b>			<b>24</b>	<b>100%</b>

### MULTIPLE CHOICE

Approximately how close do you live to this PND?

Answer Choice	0%	100%	Number of Responses	Responses Ratio
Immediately Adjacent			1	4%
Less than 1/4 mile			0	0%
Between 1/4 mile and 1 mile			4	16%
1 mile or more			19	79%
<b>Total Responses</b>			<b>24</b>	<b>100%</b>

OPEN QUESTION

What else would you like us to know?

Housing affordability also involves integrating work opportunities into the neighborhood, reducing the burden of vehicle ownership and complicated commuting for work and childcare—how does this neighborhood support light mixed use or neighborhood commercial activities?

All access to the site appears from one point—how is this site safe for fire services access, evacuation, or reduced traffic congestion? Will only one entrance degrade faster causing wear the City will need to maintain?

My parents built their dream home two years ago. This potential PND abuts next to their property. I don't think they would have built there if they knew this could happen. They moved to the outskirts of Billings for peace and quiet. I don't think they were counting on the equivalent of a small Montana city to move in next door. These developments effect people's lives. They worked their whole life for their dream home on the outskirts of town. Not sure this development is appreciated.

Are these for sale? Then I'm all in.

I would like to see more fourplex, duplex options and a little less apartment living to integrate more generations and appeal to greater income levels.

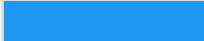

It is difficult to agree with any of the policy statements regarding mixed housing without knowing the targeted income levels for the housing types.

I hope the city approves this annex proposal so that anything built in such a prime location complies with our Growth Policy. I also love that these will be majority apartments. The lack of affordable housing options in Billings, especially apartments for rent, impacts everyone in our city, not just people who leave near this PND. The positive impact of a project like this needs to carry as much weight--or more!--than any potential opposition from residents in the immediate vicinity.

**11 Response(s)**

MULTIPLE CHOICE

Do you plan on attending the neighborhood meetings or public hearings?

Answer Choice	0%	100%	Number of Responses	Responses Ratio
Yes			7	29%
No			17	70%
<b>Total Responses</b>			<b>24</b>	<b>100%</b>

December 1, 2022

Ms. Nicole Cromwell  
Ms. Monica Plecker  
2825 3rd Avenue North 4th Floor  
Billings, MT 59101

Reference: Variance Request  
COS 2828 Tracts 1 & 2 (Vista West fka Dorn/Bell property)

Dear Ms. Cromwell and Ms. Plecker:

Per our discussions on this project, we are making application for a Variance to the strict interpretation of Section 27-804 of the City Zoning Code under paragraph C which calls for all Streets to connect and continue as they either exist or are planned for from adjacent developments. We provide the following reasons for this request as is associated with the Concept 2 illustrative plan.

1. A previous zone change submittal for this project included access to Bell Avenue because of its importance as an east/west connector in the area, but no access to Obie Lane as it was deemed a low volume short run county access road.
2. As part of the earlier submittal, we provided a summary review of the project traffic impacts that demonstrated the acceptability of the connection under the City's standard requirements.
3. During the processing of the earlier submittal there was significant neighbor input at the Neighborhood Meeting and the Zoning Commission meeting as well as City Council and Mayor comments both at a council meeting and in other forums that acknowledged the neighbor concern about the connection and indicated support of the elimination of that connectivity.
4. The development of the site has been reviewed in consideration of no additional access to Bell Avenue or Obie Lane, but rather providing two accesses to Rocky Vista Way. This is a standard development layout for many developments of this nature throughout our community. Once again, the access and road impacts have been initially reviewed and such a layout would meet all requirements with the exception of the connectivity aspect.
5. It should be noted that the land uses as indicated in the separate zone change request for this project are in full compliance with City of Billings zoning regulations regardless of which Concept layout is chosen.

Ms. Nicole Cromwell  
Ms. Monica Plecker  
December 1, 2022  
Page 2

It is on this basis that we have prepared Concept 2 of this development, and it is under this layout that we are requesting a Variance to the strict interpretation of that section of the Zoning Code. It should be noted, that through discussion with staff, we have also prepared a Concept 1 layout, that meets in full the requirements of Section 27-804, C as it applies to connectivity. Concept 1 is also a part of the overall zone change for this project and will allow the City Council the ability to weigh the various merits of each option and approving the one they find to be most beneficial.

Please feel reach out to me directly if you have an y immediate comments or questions.

Respectfully,



Rick Leuthold, PE, LEED AP  
Principal | Chairman