



CITY ZONING COMMISSION
AGENDA-Tuesday, December 5, 2023, 4:30 p.m.
Miller Building, 1st Floor Conference Room
2825 3rd Avenue North, Billings, Montana

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
- Call in during the Public Comment periods as indicated on the agenda:
 - Citizens may call in during specific Public Comment periods at **406.237.6165**. All callers will be placed in a queued system and are asked to remain on hold and be patient. Calls will be taken in the order in which they are received. Callers will be limited to 3 minutes of testimony as is customary. Future delivery methods may be explored as best practice is learned.

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

Call the meeting to order.

Introduction of City Zoning Commission Members and Planning Department Staff.

Public Comment

Approval of Minutes:

The minutes of the Board meeting of November 7, 2023 -- DELAYED

Disclosure of any Conflict of Interest-Members of the Commission and Staff

Disclosure of an Outside (Ex Parte Communication)-Members of the Commission and Staff
a.The Exparte Communication Binder is available at the Sign-In and Agenda Station.

Regular Business:

- A. Opening of public hearings.
- B. Reading of rules for the procedure by which the public hearings will be conducted.
- C. Reading of notices of the public hearings on the following items:

Public Hearings:

- a. **City Zone Change 1040 - 1404 and 1406 Avenue B - N2 to NO- N2 (Mid-century Neighborhood) to NO (Neighborhood Office) - A zone change request from N2 (Mid-century Neighborhood) to NO (Neighborhood Office), on Lots 45 to 48 of Block 2, Evergreen Subdivision, a 14,000 square foot parcel of land. A pre-application neighborhood meeting was held on October 23, 2023, at the Stockman Bank at 1403 Grand Avenue.**

- b. **City Special Review 998 - 1406 Avenue B** - New surface parking lot in NO zone- A special review request to allow a new surface parking lot in a proposed Neighborhood Office (NO) zone, on Lots 45 and 46 of Block 2, Evergreen Subdivision, a 7,000 square foot parcel of land. The existing site supports a single family dwelling and the project will preserve the dwelling but add several new parking spaces to the south end of the parcel and connect with the existing surface parking lot at 1404 Avenue B. The parking is in support of the Stockman Bank at 1403 Grand Avenue, south of the alley. A pre-application neighborhood meeting was held on October 23, 2023, at the Stockman Bank at 1403 Grand Avenue.

Other Business/Announcements

Adjournment

The City Council has designated January 8, 2024, at 5:30 p.m. as the date and time to receive the Zoning Commission recommendation for the zone change and special review and hold public hearings. The zone change will have a **first reading**. If approved on first reading, a **second reading will occur on January 22, 2024, at 5:30 pm.**

Before taking any action on an application for a **Zone Change**, the City Council shall first consider the findings and recommendations of the City Zoning Commission. In no case shall the City Council approve a zone change other than the one advertised. The City Council shall take one of the following actions on the zone change requests: 1) approve the application; 2) deny the application; 3) refer the item back to the Zoning Commission based on new information; 4) allow withdrawal of the application; or 5) 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 map** amendment signed by the owners of twenty-five (25) percent or more of: (1) the area of the lots included in any proposed change; or (2) those lots or units, as defined in MCA 70-23-102, **one hundred fifty (150) feet from a lot included in a proposed change**, such proposed amendment shall not become effective except by the favorable vote of two-thirds (2/3) of the present and voting members of the city council. For purposes of this protest provision, interest in the common elements of the condominium, as expressed in the declaration, included in the calculation of the protest. If the property, as defined in 70-23-102, spans more than one lot, the percentage of the unit owner's undivided interest in the common elements must be multiplied by the total number of lots upon which the property is located. The percentage of the unit owner's undivided interest must be certified as correct by the unit owner seeking to protest a change or by the presiding officer of the association of unit owners. The protest petition must be received in the Planning Division office **by 5:00 p.m. on the Friday preceding the first reading of the ordinance by the City Council.**

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

In no case shall the City Council approve a special review use other than the one advertised. The City Council shall take one of the following actions on the request: 1) approve the application; 2) conditionally approve the application; 3) deny the application; 4) send the application back to the Zoning Commission for further review and recommendation; 5) allow withdrawal of the application; or 6) delay the application for a period not to exceed thirty (30) days.

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

Public hearings are accessible to individuals with physical disabilities. Special arrangements for participation in the public hearings by individuals with hearing, speech, or vision impairment may be made upon request at least three days prior to the hearing. Please notify Robbin Bartley, Administrative Assistant, at 247-8676 or e-mail to bartleyr@billingsmt.gov

Zoning Commission

Date: 12/05/2023
Title: Zone Change 1040 - 1404 and 1406 Avenue B - N2 to NO
Presented by: Nicole Cromwell
Department: Planning & Community Services
Presentation: Yes

Information

RECOMMENDATION

Planning staff recommends approval and adoption of the findings of the ten review criteria.

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

This is a zone change application for two parcels of land, 1404 and 1406 Avenue B, directly north of the Stockman Bank at 1403 Grand Avenue. The current zoning is Mid-Century Neighborhood (N2) and the proposed zoning is Neighborhood Office (NO). The bank built the existing parking lot at 1404 Avenue B at the same time as the bank in 2013. The bank drive through and existing parking lot were approved through a special review (SR 890 - 2011). The previous zoning code allowed surface parking lots through special review approval in any residential zone district. The 2021 code update eliminated this provision. The current code allows surface parking lots by special review as a primary use in a few commercial zone districts - Neighborhood Office (NO), Mixed Use districts (NMU, CMU1 and 2), Downtown Support (DX), and Central Business District (CBD). The zone change is paired with a concurrent request for special review to establish a few more parking spots on the adjacent parcel at 1406 Avenue B to be zoned Neighborhood Office. The existing parking lot will not be re-configured.

The location is within the area known as "Midtown" in Billings. Most properties were originally platted as residential subdivision lots but were converted to commercial zoning and uses beginning in the late 1950s and early 1960s. Larger commercial developments such as West Park Plaza were also built during this time frame along the Grand Avenue Corridor from 8th St West to 24th St West. As early as 1954, the corner of 13th St West from Grand Avenue north to Avenue B was zoned commercial. The bank property at 1403 Grand Avenue is zoned Corridor Mixed Use 1 (CMU1) a zone district intended for commercial lots that are adjacent to or across an alley from residential neighborhoods. The types of uses allowed are mostly compatible with residential neighborhoods. Buffering and screening residential properties is essential where lots share property lines. The proposed zoning of NO is typical in neighborhoods that adjoin commercial corridors. The NO zone allows office use and some personal and business services that generally do not operate past 5 pm or over the weekend. There are a limited number of special review uses allowed in the NO zone, including surface parking lots, wireless or radio communications, colleges, civic or religious assembly and shelters. A special review use may or may not be appropriate in the zone depending on site-specific conditions. The NO zone district is intended to be compatible in residential neighborhoods, in particular when located near block ends that intersect non-residential streets (neighborhood entryways).

The planning staff is recommending approval for the zone change request based on the limited uses in the NO zone district, the location near a neighborhood entryway off a non-residential street, and the existing parking lot at 1404 Avenue B. The bank has maintained the parking lot in good condition, and it has not caused concerns or detrimental effects in the neighborhood.

STAKEHOLDERS

The planning staff notified the surrounding owners by mail, posted the property with the zoning request sign and published a legal advertisement as required by local regulations. The applicant conducted a pre-application neighborhood meeting on October 23, 2023 at the Stockman Bank at 1403 Grand Avenue. One surrounding owner attended the meeting. The planning staff has not received any comments or phone calls regarding the proposed zone change or addition to the parking lot.

ALTERNATIVES

The Zoning Commission may:

- Recommend approval of the zone change and adopt the findings of the 10 review criteria; or,
- Recommend denial of the zone change and adopt different findings of the 10 review criteria; or
- Prior to closure of the public hearing, the zoning commission may also grant a request from the applicant, without prejudice to the applicant, to allow either a delay of the hearing or a withdrawal of the application; or
- Delay or continue the public hearing to a date certain in response to a finding of the review criteria that requires additional information from the applicant.

Only one delay in the public hearing not to exceed 60 days is allowed. The applicant has not requested a delay or

withdrawal of the request. The Zoning Commission must make a recommendation to the City Council. In the case of a tie vote on a motion, the Commission must make another motion on the application, or reconsider the same motion at the public hearing.

FISCAL EFFECTS

Approval or denial should have no impact on the Planning Division budget.

SUMMARY

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

1. Is the new zoning designed in accordance with the Growth Policy and neighborhood plans? The proposed zone change is consistent with the following guidelines of the 2016 Growth Policy:

Prosperity (promoting equal opportunity and economic advancement)

- Predictable, reasonable City taxes and assessments are important to Billings' taxpayers
- A diversity of available jobs can ensure a strong Billings' economy.
- Successful businesses that provide local jobs benefit the community.
- Retaining and supporting existing businesses helps sustain a healthy economy.

The proposed zoning would allow an existing parking lot for Stockman Bank at 1404 Avenue B approved through special review to conform to the 2021 zoning code, and will allow a small addition to that parking lot through a zone change and new special review for 1406 Avenue B. The Stockman Bank development about 12 years ago, provided a significant re-investment in an underdeveloped and vacant commercial property. The Grand Avenue lots were not deep enough to accommodate all the parking needs of the bank, so the corner lot at 14th St West and Avenue B was developed for a few additional off-street spaces. The bank would like to provide more off-street parking for employees and bank customers. This is compatible with the streets and with the adjacent residential neighborhood. The NO zone is intended to allow only uses that are compatible with neighborhoods and excludes general commercial uses that may be intrusive to the neighborhood. For example, a coffee kiosk or any restaurant food service would not be allowed. Consideration of a special review and not just the zone change is required for the parking lot expansion. This will reinforce the compatibility of the new parking spaces.

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

The new zoning requires minimum setbacks, open and landscaped areas and building separations. The new zoning, as do all zoning districts, provides adequate building separations and density limits to provide security from fire and other dangers.

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

Public health and public safety are promoted by both the existing the proposed zoning. The proposed NO zoning would allow the owner to ensure future development is not intrusive to neighboring property, and still allow compatible uses with the adjacent zoning. Buffer yards will be required along with landscaping. The proposed NO zone will also allow the retention of the existing home at 1406 Avenue and development of the parking lot expansion through special review.

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

Transportation: The proposed zoning will not increase traffic on the adjacent streets. The zone change and special review may reduce the demand for on-street parking on 14th St West and Avenue B. This increase will not require a traffic study. Any changes to drive approaches will need approval from the City Engineering Division.

Water and Sewer: The city provides water and sewer for the area. Water is stubbed into the property off Monad Rd and sewer service is available in the alley. The Utilities Division voiced no concerns.

Schools and Parks: Schools and parks will not be affected by the proposed zoning.

Fire and Police: The subject property is served by city public safety services. The Police and Fire Departments had no concerns about 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?

The existing property has a fully developed sidewalk on Avenue B and 14th St West. The sidewalks appear to be in good condition. The new zoning designation itself should not have any measurable effect on the transportation system. Demand for on-street parking may decrease slightly.

7. Will the new zoning promote compatible urban growth?

The proposed zoning is compatible with the adjacent zoning and existing urban growth in the vicinity. Property west and north of the subject parcels is zoned N2. Zoning lots at block ends for more dense residential development or for neighborhood service business is a common development pattern in Billings. The zoning does promote compatible urban growth.

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 or uses. The proposed zoning will allow a small expansion of an existing parking lot and allow the existing parking lot to conform to the 2021 zoning code.

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

The new zoning is not expected to alter the value of any buildings in the area. Any development of the property will need to meet the site development requirements for new construction including all zoning standards, landscaping, screening, building heights and setbacks. The expansion of the parking lot will require positive findings for the special review criteria and will have conditions of approval. These conditions are expected to conserve and protect the value of buildings.

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

The proposed zoning will allow the property to conform to the 2021 zoning code, and request a small expansion of an existing parking lot. Any future re-development of the lots will allow compatible uses such as small offices and personal services. Supporting local business needs will have a positive impact on the Billings economy.

Attachments

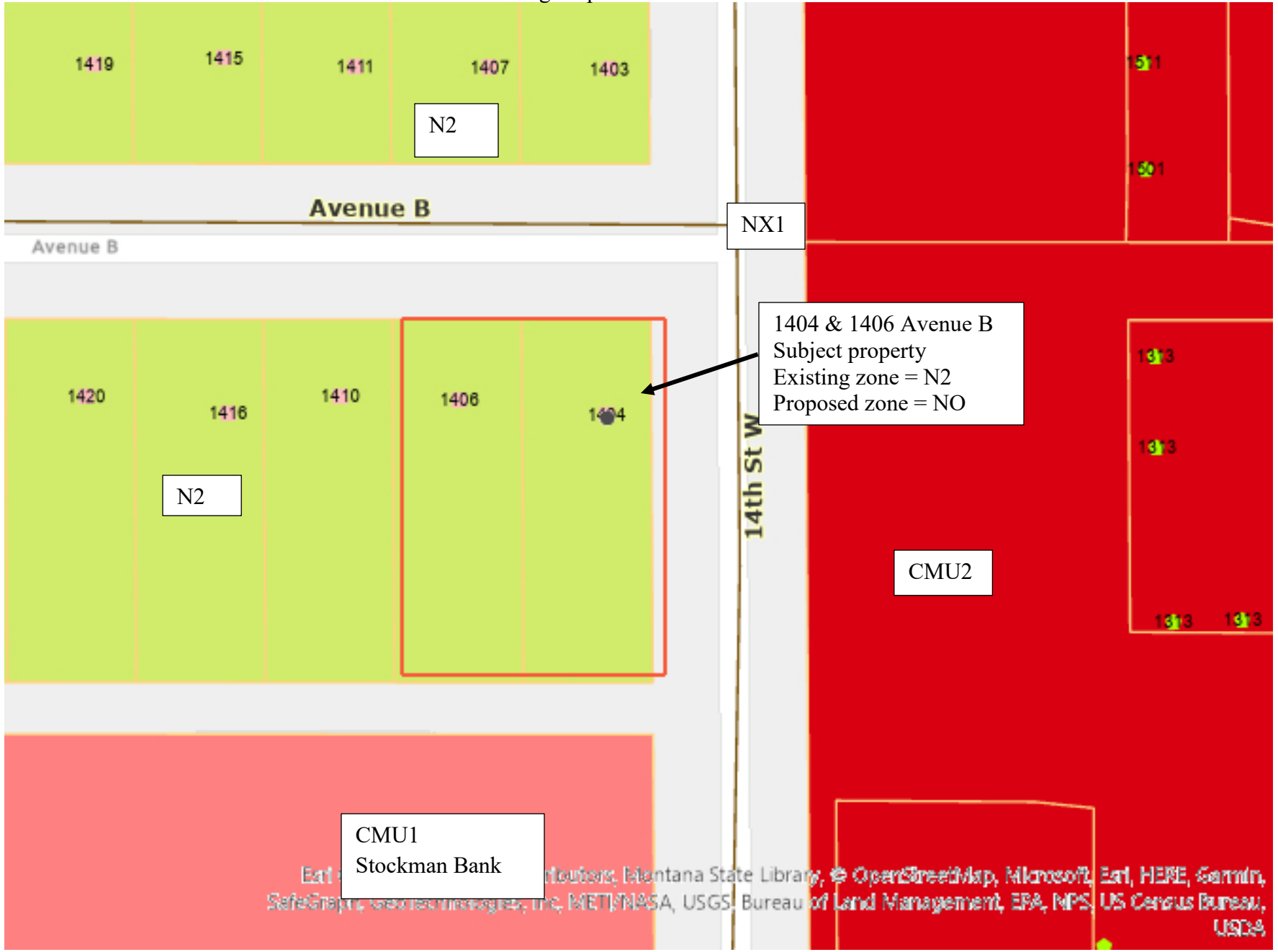
Zoning Map and Site Photos ZC 1040

Pre application material ZC 1040

Application Materials ZC 1040

Zoning History Chart ZC 1040

City Zone Change 1040 – 1404 and 1406 Avenue B
Zoning Map and Site Photos



Subject Property





Subject Property 1406 Avenue B



Subject Property 1404 Avenue B



View east on Avenue B to intersection of 14th St West



View north and east on Avenue B



View north and west across Avenue B



View west on Avenue B



Zone Change Notice of Neighborhood Meeting

Address: 1404 and 1406 Avenue B

Legal description: Lots 45 - 48, Block 2, Evergreen Subdivision, Section 36, T 01 N, R 25 E, City of Billings, Yellowstone County, Montana.

Existing zoning: N2 Mid-Century Neighborhood

Proposed zoning: NO Neighborhood Office

Owner: Stockman Bank of Montana

PO Box 250

Miles City, MT 59301

Meeting time and location:

5:15 PM, Monday October 23

Stockman Bank, 1403 Grand Avenue, Billings

Dear Neighbors,

To create more convenient parking for staff and reduce the number of cars parking on the street, Stockman Bank would like to add to its parking lot.

Stockman purchased Susan Peterson's house at 1406 Avenue B. We would like to create staff parking off the alley and in a portion of the rear yard that adjoins our parking lot at the corner of Avenue B and 14th.

The city code will not allow us to park on a residentially zoned lot. Being sensitive to the residential character of the block, we are requesting a zone change to Neighborhood Office for only the rear portion of the lot. We intend to keep the house on the front portion of the lot, continuing its current residential zone and use as a home.

We are hosting a neighborhood meeting to discuss the project with the neighbors.

Questions please contact owners representative:
Dayton Rush PLA, Cushing Terrell (406) 248-7455

Property plan located on back of page.

Neighborhood meeting Sign In

Dayton Rush , Cushing Terrell (agent)

Mike Tuss, Cushing Terrell (Agent)

HENSON, MARY ANN (Neighbor not within 500' of property)

Bill Coffee, Stockman Bank (owner)

Spence Fredrick, Stokman Bank (owner)

Neighborhood Meeting Munities

5:15 PM, Monday October 23

Stockman Bank, 1403 Grand Avenue, Billings

Introduction of neighborhood meeting and overview of project history – Mike tuss

- Two neighborhood properties at the corner of avenue B and 13th street, one is currently a parking lot for stockman bank and the second is a house.
- Stockman bank is hosting a neighborhood meeting to inform the neighbors that they intent to apply for a change of zoning to NO zoning from N2 for both properties.
- Stockman bank is hosting a neighborhood meeting to the inform the neighbors that they intent to apply for a special review to construct parking as a primary use.
- Stockman intends to preserve the existing parking as a primary use and add parking to the back yard of the existing residence while maintaining the existing home , patio and garage.
- The site plan was presented for comments and feedback on a large screen in the conference room.

Neighborhoods comments

- Mary Ann Hensen (Invited to the meeting by a property neighbor but not on the initial mailing list) her comments included a desire for stockman to maintain the existing large trees including the apple tree that was currently planned on being preserved and a honeylocust that was not the plan to be preserved.
- Mary Ann Hansen supported stockman creating offstreet parking to keep vehicles off the street long term and to provide more accessible space for all abilities.
- Mary Ann Hansen stated that she would like stockman to provide gate locks and cameras to prevent the unhoused from using the alley.

Stockman supported saving the trees and agreed to modify the plan preserve the trees.

No other comments from the neighborhood were brought up.

End of munities.

Written statement to the Zoning Commission

Address: 1404 and 1406 Avenue B

Legal description: Lots 45 - 48, Block 2, Evergreen Subdivision, Section 36, T 01 N, R 25 E, City of Billings, Yellowstone County, Montana.

Existing zoning: N2 Mid-Century Neighborhood

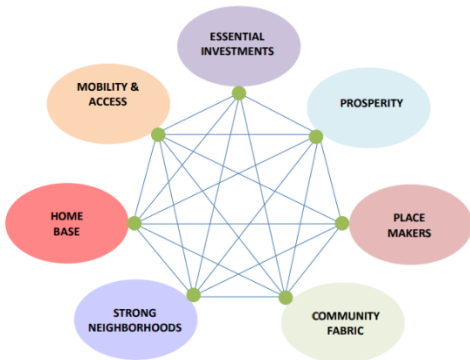
Proposed zoning: NO Neighborhood Office

Owner: Stockman Bank of Montana

PO Box 250

Miles City, MT 59301

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



- *Community Fabric; preserve existing trees, provide attractive landscape buffer.*
- *Walkable neighborhoods that permit convenient destinations such as neighborhood services*
- *Successful businesses that provide local jobs benefit the community*

B. 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.

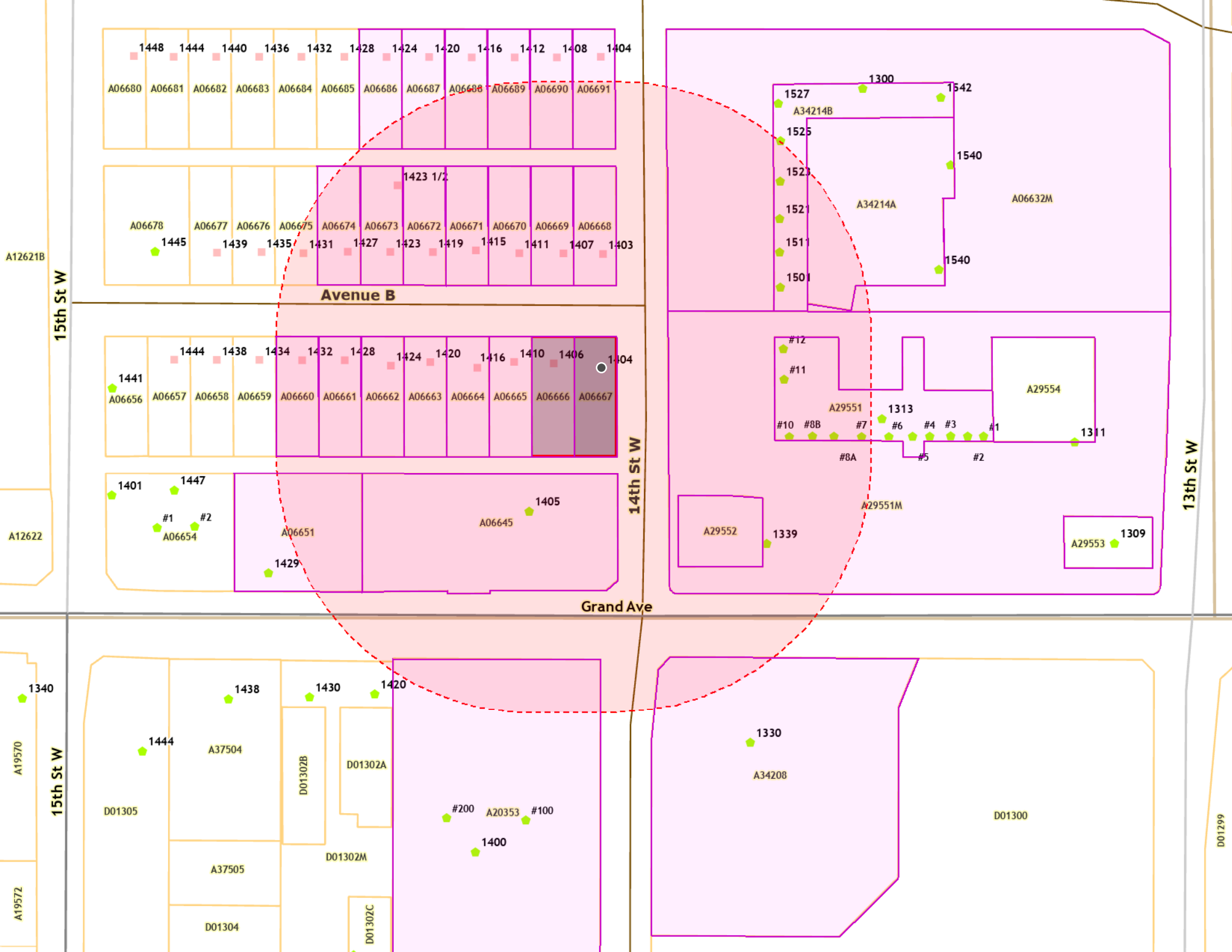
The lot is adequate in size to accommodate landscape buffers between residential and commercial, and to support the need for off street parking withing the neighborhood to support the existing bank building on grand avenue.

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

The applicant intends to preserve the existing house and garage and build parking on the rear of the site with appropriate landscape buffers and site obscuring fencing to keep the neighborhood in tack on avenue B while supporting the commercial use of Grand Avenue.

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

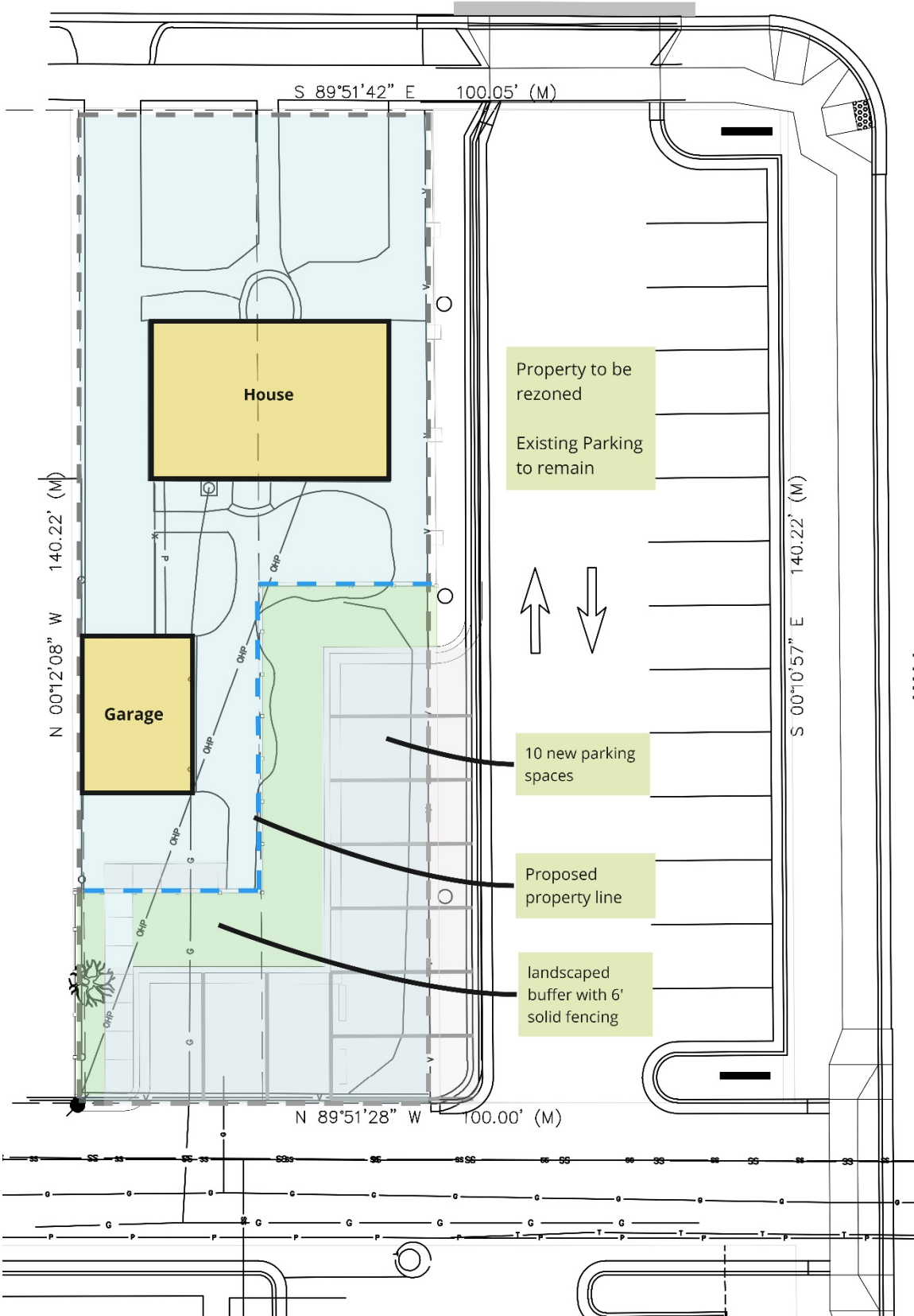
Since the parking will be added to the existing parking lot circulation the neighborhood circulation will be minimally modified and will have as little impact on the neighborhood as possible. Additional off-street parking will help preserve the walkability of the neighborhood and free up on street spaces.



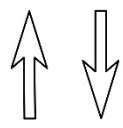


Lots 45 - 48, Block 2, Evergreen Subdivision, Section 36, T 01 N, R 25 E, City of Billings, Yellowstone County, Montana.
Existing zoning: N2 Mid-Century Neighborhood
Proposed zoning: NO Neighborhood Office

AVENUE B



Property to be rezoned
Existing Parking to remain



10 new parking spaces

Proposed property line

landscaped buffer with 6' solid fencing

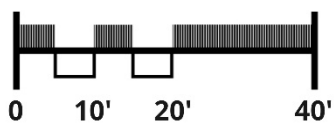
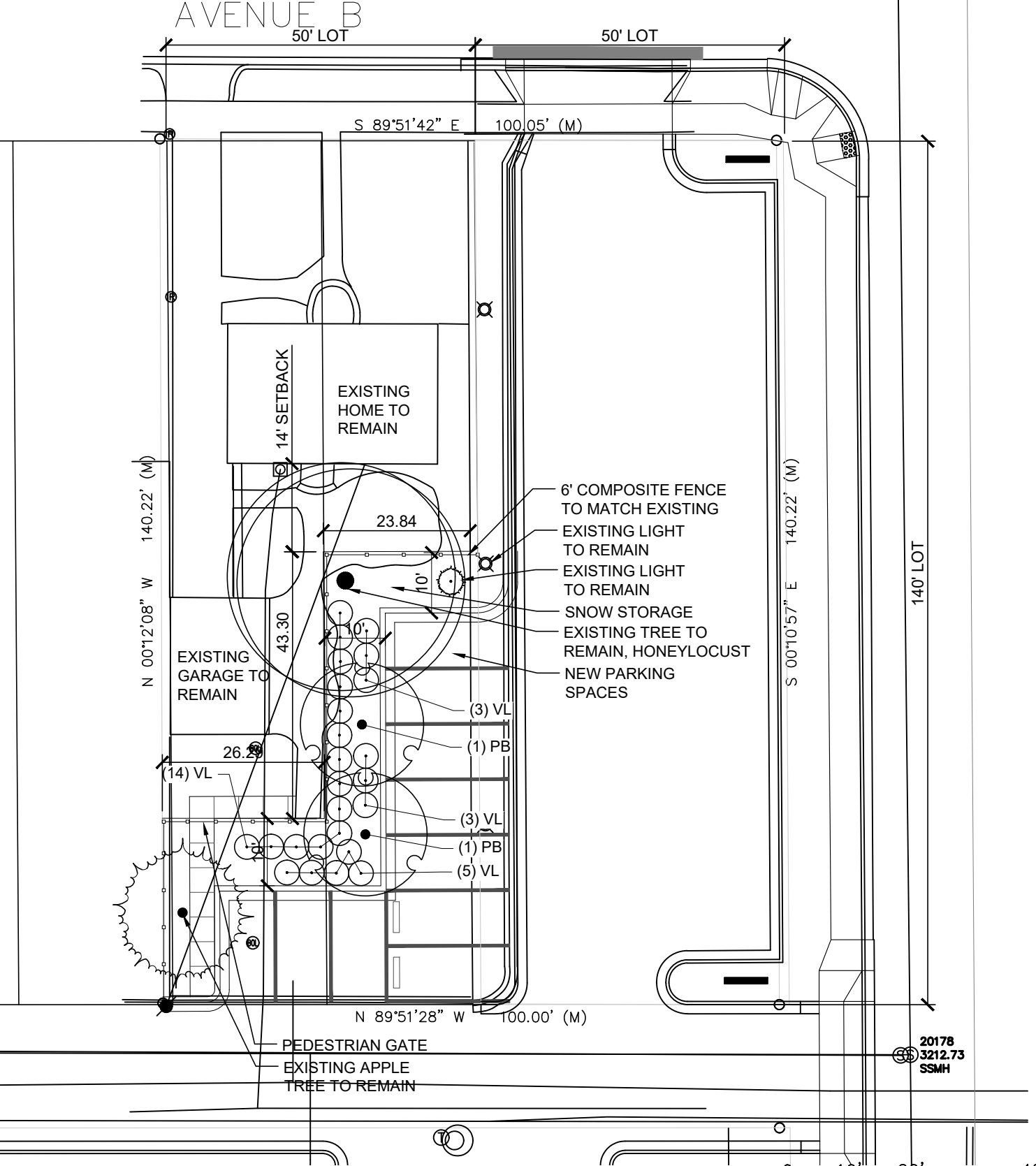


EXHIBIT FOR NEIBORHOOD MEETING

PLANT SCHEDULE

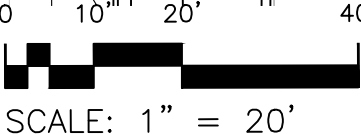
TREES	QTY	BOTANICAL NAME	COMMON NAME
PB	2	PYRUS CALLERYANA 'BRADFORD'	BRADFORD CALLERY PEAR
VL	25	VIBURNUM LANTANA 'MOHICAN'	MOHICAN WAYFARING TREE
DECIDUOUS TREES	QTY	BOTANICAL NAME	COMMON NAME
GT3	1	GLEDITSIA TRIACANTHOS INERMIS	THORNLESS HONEYLOCUST



1
L100

SITE PLAN

1"=20'-0"











14th St W
Avenue B

S



Zoning History for City ZC 1040 – 1404 & 1406 Avenue B

SUBJECT PROPERTY	Zone Change	DATE	FOR	APPROVED (Y/N)	ADDITIONAL DATA
	Special Review 890	7/11/2011	1404 Avenue B parking lot for Stockman Bank	Yes	
SURROUNDING PROPERTY	Zone Change	DATE	FOR	APPROVED (Y/N)	ADDITIONAL DATA
1438 Avenue B	54	4/23/1974	R60 to CC	Yes	Current zone is N2 – project for CC zone never developed
1910/1912 Avenue B	108	12/22/1975	R70 to RP	Yes	Current zone is N2
1601-1643 Lewis	126	6/7/1976	R60 to NC	Yes	Updated to NO
1444 Avenue B	172	7/1/1977	R60 to RP	Yes	Updated to NO
1445 Avenue B	187	1/9/1978	R60 to RP	Yes	Updated to NO
1540 13 th St W & 1501- 1527 14 th St West	265	8/27/1979	R60 to CC	Yes	Updated to CMU2 Evergreen Midtown Plaza & Ace Hardware
1441 15 th St W	333	10/26/1981	RP to NC	Yes	Updated to CMU1
1115 16 th St W	Special Review 946	8/22/1016	Parking lot in R70 zone for the benefit of 1601-1643 Lewis	Yes	Current zone is N2

Zoning Commission

Date: 12/05/2023
Title: Special Review 998 - 1406 Avenue B - New surface parking lot in NO zone
Presented by: Nicole Cromwell
Department: Planning & Community Services
Presentation: Yes

Information

RECOMMENDATION

The Planning staff recommends conditional approval of the proposed parking lot spaces on the south and east sides of the property at 1406 Avenue B, and adoption of the findings of the review criteria.

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

The subject property is also part of a concurrent zone change application to update the zoning from Mid-Century Neighborhood (N2) to Neighborhood Office (NO). Prior to the adoption of the new zoning code, the establishment of surface parking in residential zone districts was possible through special review approval. The 2021 code update removed this provision in residential zones but included it for certain commercial zone district such as Neighborhood Office. Planning staff recommended approval of the zone change.

The adjacent parcel at 1404 Avenue B is already developed for a surface parking lot for Stockman Bank directly south of the alley at 1405 Grand Avenue. This was done through a special review (SR 840) in 2011. The applicant will remove a portion of the sight obscuring fence on the common boundary line to building 9 new parking stalls on the south and east areas of the property at 1406 Avenue B. The existing home at 1406 Avenue B will remain in place and occupied by a tenant. A new sight-obscuring fence and landscaping will be installed to shield this residence and the residence at 1410 Avenue B. The site development details are shown on the attached site plan for the property.

Special review uses are no longer considered "allowed" uses in a zoning district. The burden for proof of compatibility is on the applicant for each special review use that might be allowed. This compatibility is developed through the specific findings of the review criteria, including conformance with the growth policy, whether the use will not cause detriment to public safety, the size of the parcel for the particular use, the impact on the use of adjacent property and whether the use will impede the normal development pattern in the area. If all the findings are positive, then conditions of approval may be imposed to ensure the project is developed according to the site plan and will continue to have compatibility with surrounding uses.

Planning staff finds the proposed use in the location shown on the site plan conforms to the adopted growth policy to support local businesses, protect existing neighborhood patterns, and add public safety elements such as lighting in parking areas around businesses. The existing parking lot at 1404 Avenue B has low level, shielded pedestrian lighting for the safety of employees who use the lot. It also provides good visibility of the lot during overnight hours when the bank is closed. There are security cameras on the north side of the bank building as well as security lighting over the one access door that faces the alley. The ten new parking spaces behind the residence at 1406 Avenue B will be an addition to the south and part of the east side of the lot and will leave the existing home in place. The proposed plan shows the preservation of two significant landscape trees in the yard, including a 40-50 ft honey locust and a 20-30 ft apple tree. Two new trees are shown in the parking lot buffer yard. The street frontage on Avenue B and 14th St W will also need street trees and Planning staff is proposing a condition for the installation of these new street trees. The 14th St W frontage is missing one of the original four street trees. Street tree species are on the Billings tree list (pages 6 & 7), attached to the report. Specific information to the criteria are found in the Summary portion of this report.

STAKEHOLDERS

The Planning staff mailed the surrounding owners notices of the application, posted the property with a zoning request sign, placed application materials on the city's Zoning Information web page, and published a legal ad. The applicant conducted a pre-application neighborhood meeting on October 23, 2023, at the Stockman Bank at 1405 Grand Avenue. One surrounding property owner attended the meeting. Planning staff did not receive any comments over the phone, in person, by US Mail or by email prior to the publication of this report.

ALTERNATIVES

The Zoning Commission may:

- Recommend conditional approval and adoption of the proposed findings to the City Council, as submitted by Planning staff; or

- Recommend denial and adopt different findings of the review criteria; or
- Delay action on the application at the request of the applicant; or
- Allow the applicant to withdraw the application; or
- Delay the hearing on its own motion in response to a finding of one or more of the criteria that requires additional information.

The applicant has not requested a delay or a withdrawal of the application. Only one motion to delay for up to 60 days is allowed per application. The Zoning Commission must make a recommendation to the City Council. Any tie vote on a motion will require a new motion or reconsideration of the motion at the hearing.

FISCAL EFFECTS

Approval or denial of the special review should have no effect on the Planning Division budget.

SUMMARY

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

Planning staff recommends approval of the requested special review based on the proposed findings of the criteria.

1. The special review use is consistent with the City's growth policy and applicable neighborhood plans, if any. The proposed establishment of 9 new surface parking spots for employees of Stockman Bank on the rear of the property at 1406 Avenue B is in conformance with the following growth policy guidelines:

- Infill development and development near existing city infrastructure may be the most cost-effective. (Essential Investments and Strong Neighborhoods)
- 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. (Strong Neighborhoods)
- Neighborhoods that are safe and attractive and provide essential services are much desired. (Strong Neighborhoods)
- Successful businesses that provide local jobs benefit the community. (Prosperity)
- Community investments that attract and retain a strong, skilled and diverse workforce also attract businesses. (Prosperity)
- Retaining and supporting existing businesses helps sustain a healthy economy. (Prosperity)

Stockman Bank at 1405 Grand Avenue is a convenient location for customers and employees. In general, adequate and accessible parking is desired for commercial and retail services. Surface parking on commercial corridor streets can be challenging and may not be the best return on investment for high-value street frontage. Grand Avenue does not have on-street parking. 14th St W does have some on-street parallel parking. The Billings zoning code requires new surface parking in commercial mixed use corridors to be to the side or rear of new buildings. This preserves the highest value frontage for new buildings. New buildings should frame the corridor to help manage traffic flow and to assist customers with finding their destination. Developing the right number and location of employee and customer parking stalls helps businesses succeed. The location of the new parking stalls is in the right place and will not intrude unnecessarily on the neighborhood of Avenue B. The site plan shows new fencing and buffer yards to protect the home and residents of 1406 Avenue B and adjacent homes.

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.

The proposed use of up to 9 surface parking spaces located north of the alley at the rear of the property at 1406 Avenue B will not be detrimental to public health, safety, or the general welfare. The applicant will retain the existing home on the street frontage, and it will be occupied as a residence. A new landscaped buffer yard will be put in place, so there is private backyard space for the residents. Two existing mature landscape trees will be retained. These site-specific development conditions will preserve public health and safety.

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

The proposed uses of a small portion of the lot is adequate for the proposed 9 parking spots. The remaining area on the lot will be used by the residents of the home that will remain at 1406 Avenue B. Street trees will be added to the front of 1406 Avenue B and one missing street tree will be replaced on 14th St West.

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.

The development will not be injurious to the existing use and enjoyment of the residential property in the immediate area. The value of property in the area should be improved through new development on the property. The value of site improvements to land value is a strong 4 to 5 ratio - e.g. improvements equal or exceed four times the value of the land. This indicates a stable neighborhood area with good maintenance and improvements to property over time.

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.

The proposed addition of 9 off-street parking spaces accessed from the alley will not impede the normal development of the surrounding neighborhood as all existing uses including the home and parking are being maintained, just altered slightly. If the bank may need additional parking in the future and wish to expand the parking to include the entire parcel, this will require another special review approval.

6. Conditions necessary to protect public health, safety, and general welfare can be established. Staff recommends the following conditions of approval for this project based on the findings of the review criteria:

1. The special review approval is for the establishment of up to 9 new off-street parking spaces on the south end of the property legally described as Lots 47 and 48, Block 2, Evergreen Subdivision. The address of the parcel is 1406 Avenue B. No other use is intended or implied.
2. The site will be developed in substantial conformance to the submitted site plan, including the retention of the two landscape trees (one honey locust and one apple tree), relocation of the 6-foot solid fence to enclose the smaller backyard, installation of the landscaping in the new buffer yard, and installation of new lighting.
3. The applicant will install two new street trees in front of 1406 Avenue B either in the boulevard or within 5 feet of the back of the sidewalk. The missing street tree on 14th St West will be replaced with a new street tree. New street trees should be large enough to have the lowest branch height trimmed up to at least 8 feet above grade to preserve clear vision at driveways and intersections. The applicant will choose trees from the City of Billings tree list for boulevard trees.
4. The applicant will ensure the new light fixtures are similar in style to the existing fixtures at 1404 Avenue B including a maximum height of 15 feet above grade (including the footing, pole and light fixture), and a fully shielded fixture, so no part of the lens is visible below the shielding.
5. No work on the site improvements will occur before 7 am or after 8 pm daily.
6. The applicant will apply for a permit for the work within one year of City Council approval and complete the work authorized within two years of Council approval.
7. Failure to meet the described deadlines above or complete the authorized work will void the special review approval. Abandonment of the use for more than 6 consecutive months will void the special review approval. Re-establishment of the use or expansion of the use will require a new special review application.
8. These conditions run with the land use and are binding upon and must be adhered to by the owner and any successors, transferees or assigns.
9. The right of building, engineering, final inspections 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.

The site is served by water and sewer and the parking spaces will only be accessible from the alley. The existing residence will have the required two off-street spaces within the area reserved for their use. Given the existing use and the addition of parking, there are no concerns with adequate utilities, access, drainage, or other facilities.

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

The site will not increase traffic on any adjacent street, and the bank has already improved the alley pavement and drainage to accommodate daily use by customers and employees. Some customers or employees that currently parking on 14th St W or Avenue B will have off-street spaces available. This will minimize traffic congestion on these 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.

The proposed site improvements conform to the requirements for off-street parking, landscaping and buffering. The applicant has not requested any variances or modifications of these requirements.

Attachments

Zoning Map and Site Photos SR 998
Zoning History for SR 998
Site Plan for SR 998
Pre-application meeting info SR 998
City of Billings Tree List
Application Materials SR 998

City Special Review 998 – 1406 Avenue B
Zoning Map and Site Photos



Subject Property





Subject Property 1406 Avenue B



Subject Property 1404 Avenue B



View east on Avenue B to intersection of 14th St West



View north and east on Avenue B



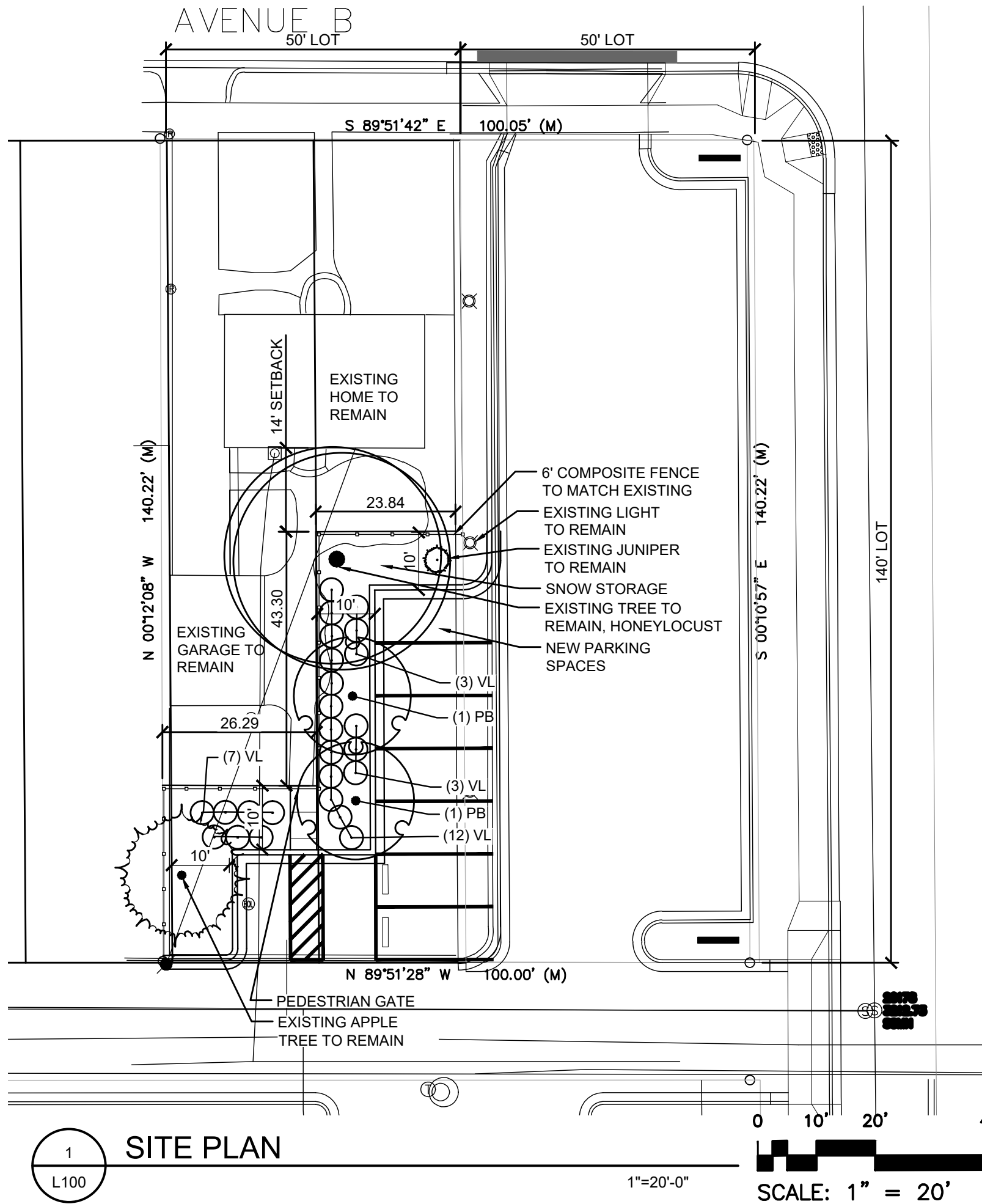
View north and west across Avenue B



View west on Avenue B

Zoning History for City SR 998 – 1406 Avenue B

SUBJECT PROPERTY	Special Review	DATE	FOR	APPROVED (Y/N)	ADDITIONAL DATA
None					
SURROUNDING PROPERTY	Special Review	DATE	FOR	APPROVED (Y/N)	ADDITIONAL DATA
1635 Alderson	Special Review 774	1/10/2005	Parking lot for City Brew/City Vineyard at 1640 Grand	Yes	City Brew and T-Mobile Current zone is NX2
1404 Avenue B	Special Review 890	7/11/2011	1404 Avenue B parking lot in R70 zone for Stockman Bank	Yes	Included in ZC 1040 NO to N2
816 Avenue B	Special Review 920	1/12/2015	Parking lot in R60 zone for Mazevo Coffee	Yes	Current zone is CMU1
1115 16 th St W	Special Review 946	8/22/2016	Parking lot in R70 zone for the benefit of 1601-1643 Lewis	Yes	Current zone is N2



PLANT SCHEDULE

TREES	QTY	BOTANICAL NAME	COMMON NAME
PB	2	PYRUS CALLERYANA 'BRADFORD'	BRADFORD CALLERY PEAR
VL	25	VIBURNUM LANTANA 'MOHICAN'	MOHICAN WAYFARING TREE
DECIDUOUS TREES	QTY	BOTANICAL NAME	COMMON NAME
GT3	1	GLEDITSIA TRIACANTHOS INERMIS	THORNLESS HONEYLOCUST

ADDITIONAL PARKING
BILLINGS MT
STOCKMAN BANK

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CHECKED BY
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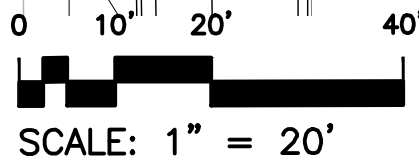
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REVISION
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REF SHEET
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SHEET NAME
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L100
SITE PLAN



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 Special Review application packet, including any required fees, for a Special Review to be processed by the Planning Division.

1. **Present Zoning:** N2

2. **Written description of the Special Review** including existing conditions and proposed development:
preserve existing parking and construct parking on site as primary use.

3. **Subject Property Map:** please attach to this form
4. **Legal Description of Property:** Lots 45 - 48, Block 2, Evergreen Subdivision, Section 36, T 01 N, R 25 E, City of Billings, Yellowstone County, Montana.
Existing zoning: N2 Mid-Century Neighborhood
Proposed zoning: NO Neighborhood Office
5. **Neighborhood Task Force Area:** Yes // No . If Yes, Name of Task Force and mailing address of Chairperson:

6. **Roster of persons who attended the pre-application neighborhood meeting:** please attach to this form
7. **A copy of the meeting notice.** please attach to this form
8. **A brief synopsis of the meeting results including any written minutes or audio recording.** please attach to this form
9. **The undersigned affirm the following:**
 - 1) The pre-application neighborhood meeting was held on the 23, day of Oct., 2023.
 - 2) The Special Review application is based on materials presented at the meeting.

Owner (s): Stockman Bank Telephone: (406) 234-8420
Address: PO Box 250 Email: mcservice@stockmanbank.com
Miles City, MT 59301

Agent (s): Dayton Rush, PLA Cushing Terrell Telephone: (406) 248 7455
Address: 13 N. 23rd Street Email: daytonrush@cushingterrell.com
Billings MT, 50101



Zone Change Notice of Neighborhood Meeting

Address: 1404 and 1406 Avenue B

Legal description: Lots 45 - 48, Block 2, Evergreen Subdivision, Section 36, T 01 N, R 25 E, City of Billings, Yellowstone County, Montana.

Existing zoning: N2 Mid-Century Neighborhood

Proposed zoning: NO Neighborhood Office

Owner: Stockman Bank of Montana

PO Box 250

Miles City, MT 59301

Meeting time and location:

5:15 PM, Monday October 23

Stockman Bank, 1403 Grand Avenue, Billings

Dear Neighbors,

To create more convenient parking for staff and reduce the number of cars parking on the street, Stockman Bank would like to add to its parking lot.

Stockman purchased Susan Peterson's house at 1406 Avenue B. We would like to create staff parking off the alley and in a portion of the rear yard that adjoins our parking lot at the corner of Avenue B and 14th.

The city code will not allow us to park on a residentially zoned lot. Being sensitive to the residential character of the block, we are requesting a zone change to Neighborhood Office for only the rear portion of the lot. We intend to keep the house on the front portion of the lot, continuing its current residential zone and use as a home.

We are hosting a neighborhood meeting to discuss the project with the neighbors.

Questions please contact owners representative:
Dayton Rush PLA, Cushing Terrell (406) 248-7455

Property plan located on back of page.

Neighborhood meeting Sign In

Dayton Rush , Cushing Terrell (agent)

Mike Tuss, Cushing Terrell (Agent)

HENSON, MARY ANN (Neighbor not within 500' of property)

Bill Coffee, Stockman Bank (owner)

Spence Fredrick, Stokman Bank (owner)

Neighborhood Meeting Munities

5:15 PM, Monday October 23

Stockman Bank, 1403 Grand Avenue, Billings

Introduction of neighborhood meeting and overview of project history – Mike tuss

- Two neighborhood properties at the corner of avenue B and 13th street, one is currently a parking lot for stockman bank and the second is a house.
- Stockman bank is hosting a neighborhood meeting to inform the neighbors that they intent to apply for a change of zoning to NO zoning from N2 for both properties.
- Stockman bank is hosting a neighborhood meeting to the inform the neighbors that they intent to apply for a special review to construct parking as a primary use.
- Stockman intends to preserve the existing parking as a primary use and add parking to the back yard of the existing residence while maintaining the existing home , patio and garage.
- The site plan was presented for comments and feedback on a large screen in the conference room.

Neighborhoods comments

- Mary Ann Hensen (Invited to the meeting by a property neighbor but not on the initial mailing list) her comments included a desire for stockman to maintain the existing large trees including the apple tree that was currently planned on being preserved and a honeylocust that was not the plan to be preserved.
- Mary Ann Hansen supported stockman creating offstreet parking to keep vehicles off the street long term and to provide more accessible space for all abilities.
- Mary Ann Hansen stated that she would like stockman to provide gate locks and cameras to prevent the unhoused from using the alley.

Stockman supported saving the trees and agreed to modify the plan preserve the trees.

No other comments from the neighborhood were brought up.

End of munities.

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.
Medium Trees 25 ft. to 40 ft. 20 to 30 feet spacing between trees recommended		
Species	Zone	Notes
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 Filburt 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.

Written statement to the Zoning Commission

Address: 1404 and 1406 Avenue B

Legal description: Lots 45 - 48, Block 2, Evergreen Subdivision, Section 36, T 01 N, R 25 E, City of Billings, Yellowstone County, Montana.

Existing zoning: N2 Mid-Century Neighborhood

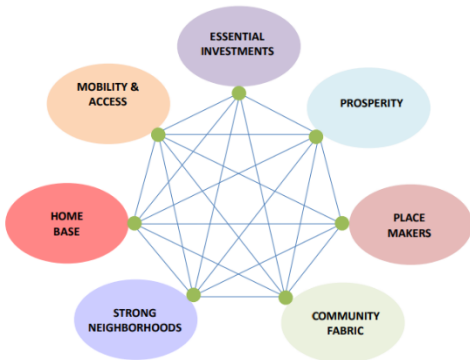
Proposed zoning: NO Neighborhood Office

Owner: Stockman Bank of Montana

PO Box 250

Miles City, MT 59301

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



- *Community Fabric; preserve existing trees, provide attractive landscape buffer.*
- *Walkable neighborhoods that permit convenient destinations such as neighborhood services*
- *Successful businesses that provide local jobs benefit the community*

B. 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 lot is adequate in size to accommodate landscape buffers between residential and commercial, and to support the need for off street parking withing the neighborhood to support the existing bank building on grand avenue.

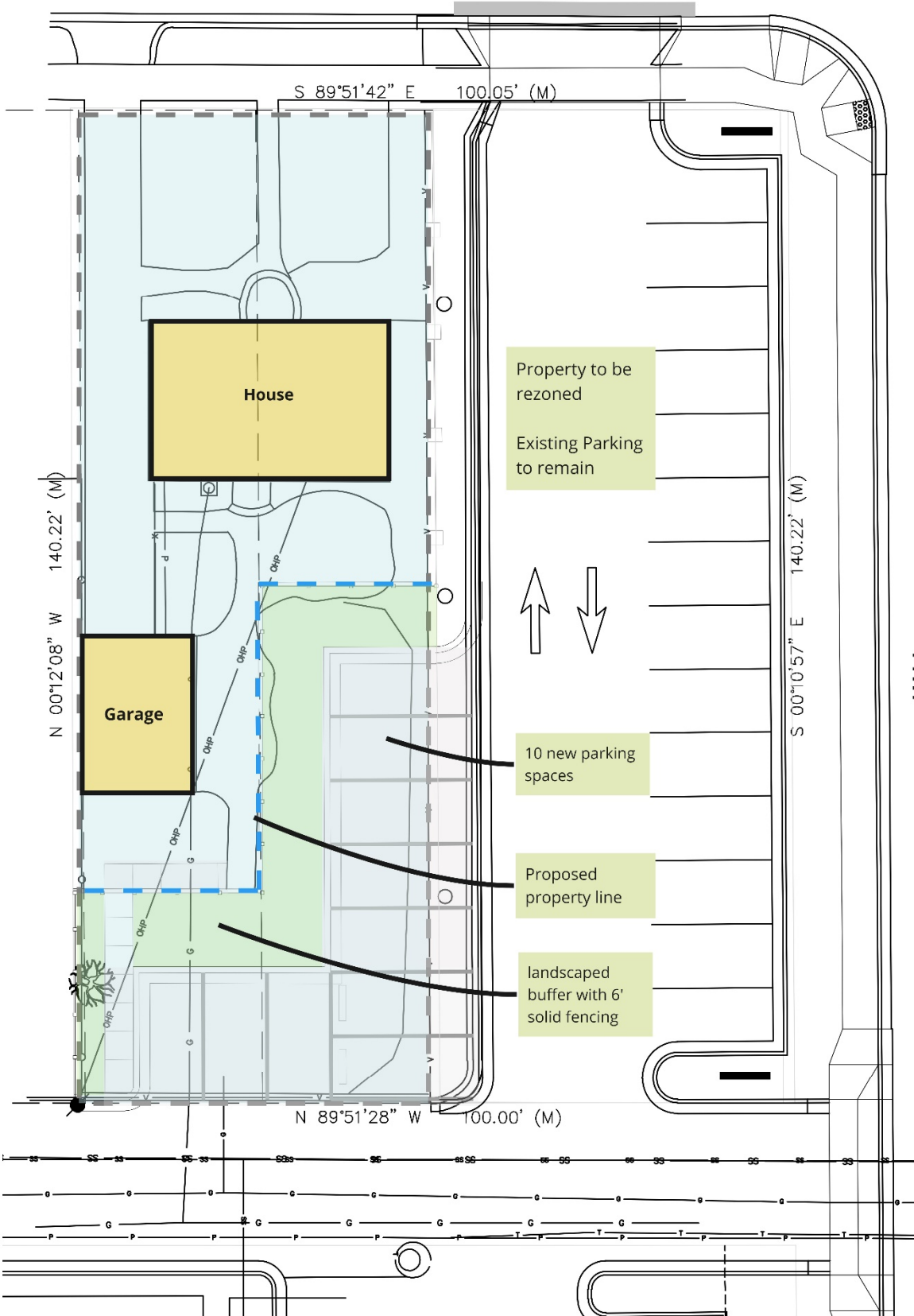
C. How the proposed use is compatible with nearby uses and how the applicant intends to mitigate any potential impacts.

The applicant intends to preserve the existing house and garage and build parking on the rear of the site with appropriate landscape buffers and site obscuring fencing to keep the neighborhood in tack on avenue B while supporting the commercial use of Grand Avenue.

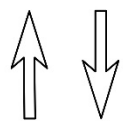
D. How the proposed use will not impede the normal improvement of surrounding property.

Since the parking will be added to the existing parking lot circulation the neighborhood circulation will be minimally modified and will have as little impact on the neighborhood as possible. Additional off-street parking will help preserve the walkability of the neighborhood and free up on street spaces.

AVENUE B



Property to be rezoned
Existing Parking to remain



10 new parking spaces

Proposed property line

landscaped buffer with 6' solid fencing

14TH

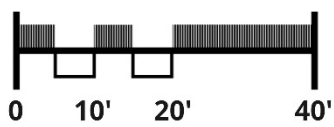


EXHIBIT FOR NEIBORHOOD MEETING







