



CITY ZONING COMMISSION
AGENDA-Tuesday, June 3, 2025, 4:30 p.m.
EOC Room, 5th Floor
316 N 26th St., Billings MT

NOTICE TO THE PUBLIC

Citizens are invited to:

- Review the Agenda Packet on the City's website at: <https://ci.billings.mt.us/117/Agendas-Minutes>

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 the Board via email before 12:00 PM on the meeting date. All emails received prior to this time will be entered into the record for the public hearing. Comments may be submitted by:

- Mail: City/County Planning Division, PO Box 1178, Billings MT 59103
 - Email: bernsb@billingsmt.gov
 - NOTICE: All meetings and official activities of the MPO are held in buildings and locations that comply with accessibility standards according to the Americans with Disabilities Act (ADA). A TTY number for the hearing impaired, 406-657-3079, is available upon request. 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 direct questions to Brenda Berns, Planning Clerk @ bernsb@billingsmt.gov or 406-247-8610

Call the meeting to order.

Introduction of City Zoning Commission Members and Planning Department Staff.

Public Comment

Approval of meeting minutes: May 6, 2025

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

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 1066 -- 828 (aka 844) Grand Ave -- NX2 to CMU1** - A zone change request from Mixed Residential 2 (NX2) to Corridor Mixed Use 1 (CMU1) on Lot 5A of Pierce Subdivision Amnd, a 12,616 square foot parcel of land. A pre-application neighborhood meeting was held on April 22, 2025, at the subject property. Tax ID: A12809A
- b. **City Special Review 1000 -- 840 Shiloh Crossing Blvd -- Bar and Casino** -- A special review request to allow a new bar and casino in a 2,925 square foot addition to an existing 5,730 square foot building (former Rio Sabinas), on Lot 5C, Block 1 of Shiloh Crossing Sub, Amended, a 1.7973-acre parcel of land, in a Corridor Mixed Use 2 (CMU2) zone. Tax ID: A34027B

Other Business/Announcements

Adjournment

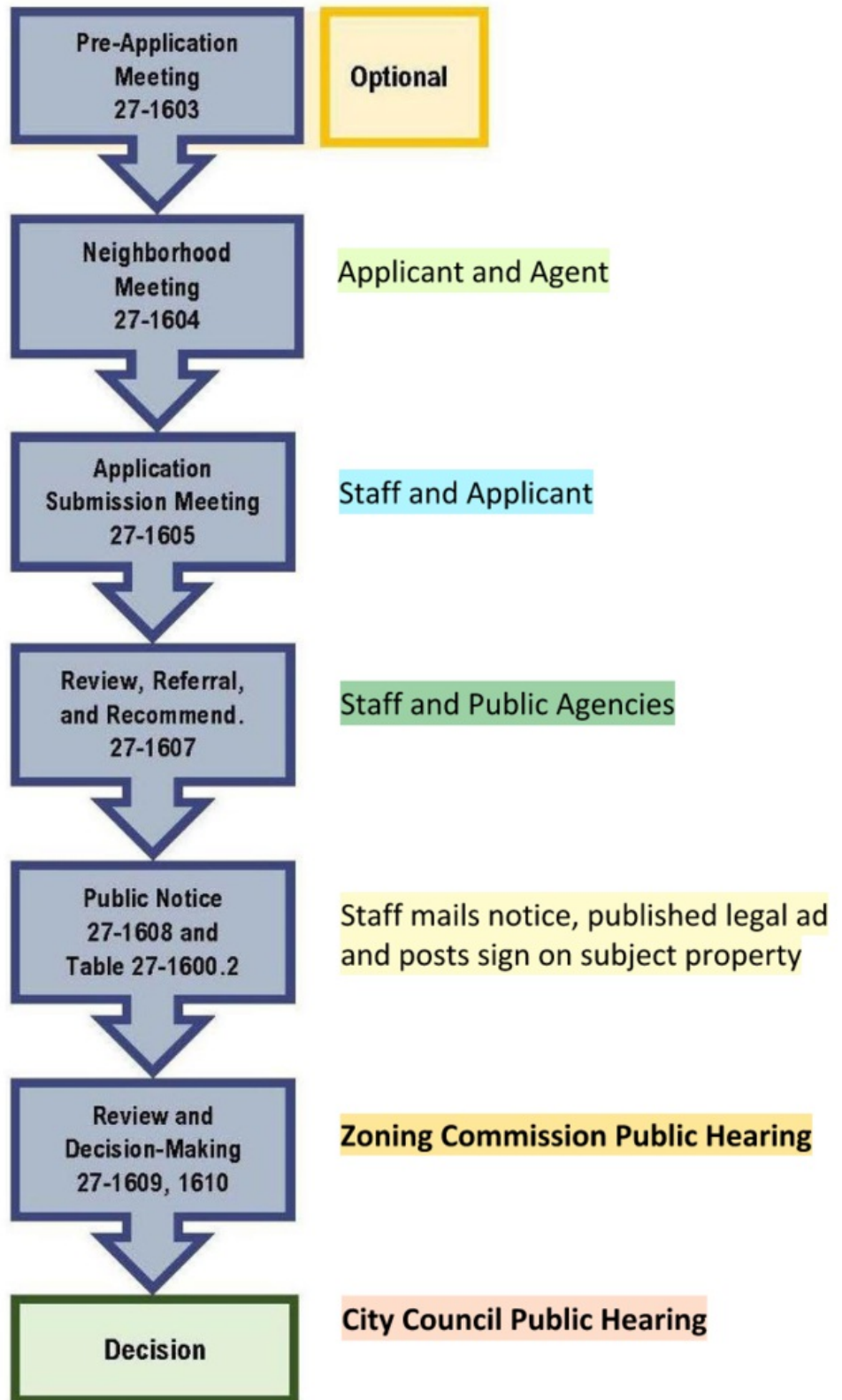
The City Council has designated **June 23, 2025 at 5:30 p.m.** as the date and time to receive the Zoning Commission recommendation for the zone changes and hold a public hearing. If approved on first reading, a **second reading will occur on July 14, 2025 at 5:30 pm.**

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

As provided in Montana Code Annotated, Section 76-2-305(2), in the event of a protest petition against such **zone change** 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.**

Testimony regarding the above-mentioned item may also be submitted in writing to the Planning Division, 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 Brenda Berns, Planning Clerk at bernsb@billingsmt.gov or 406-247-8610



Date: 06/03/2025
Title:
Presented by:
Department: Planning & Community Services
Presentation:

Information

RECOMMENDATION

Approval of Minutes: May 6, 2025

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

ALTERNATIVES

City Council may:

- Approve; or,
- Not Approve

FISCAL EFFECTS

Attachments

Minutes of May 6, 2025

City of Billings Zoning Commission
 Tuesday, May 6, 2025 at 4:30pm

Commission		01/07/2025	02/04/2025	03/04/2025	04/01/2025	05/06/2025	06/03/2025	07/01/2025	08/05/2025	09/02/2025	10/07/2025	11/04/2025	12/02/2025
Daniel J Brooks	Chairman	1	1	1	1	1							
Greg McCall	Vice Chair	1	1	A	1	A							
David Goss	Commissioner	1	1	1	1	1							
Beau Mulvaney	Commissioner	1	1	1	A	1							
Andy Megorden	Commissioner	1	1	A	1	1							

Please note: "A" stands for excused absence, "1" stands for present, "V" stands for Zoom participation, "C" stands for Canceled

Total Number of 2025 Applications	01/07/2025	02/04/2025	03/04/2025	04/01/2025	05/06/2025	06/03/2025	07/01/2025	08/05/2025	09/02/2025	10/07/2025	11/04/2025	12/02/2025	TOTAL
Zone Change	1	1	2	1	1								6
Special Review	-	1			1								2

Call the Meeting to Order: Chairman Brooks called the meeting to order at 4:32 PM

Attending Staff: Anna Vickers, Planning Division Manager; Nicole Cromwell, Zoning Coordinator; Tate Johnson, Planner; Brenda Berns, Planning Clerk

Participants: Taylor Kasperick, Performance Engineering, Cindy Osland, Tracey Rheume, Patricia Huntley, John Dunlap.

Public Comment

Chairman Brooks called for public comments. There were no comments from the public.

Approval of Minutes: April 1, 2025

Commissioner Goss made a Motion, seconded by Commissioner Megorden to approve the meeting minutes of April 1, 2025. The motion passed unanimously.

Disclosure of Exparte Communication

COMMISSIONER	DISCLOSED	NONE	ABSTAINED	ABSENT
Daniel J Brooks		X		
Greg McCall				X
David Goss		X		
Beau Mulvaney		X		
Andy Megorden		X		

Disclosure of Conflict of Interest

COMMISSIONER	DISCLOSED	NONE	ABSTAINED	ABSENT
Daniel J Brooks		X		
Greg McCall				X
David Goss		X		
Beau Mulvaney		X		
Andy Megorden		X		

Site visits: Commissioners Goss conducted site visits for ZC 1065 and SR 999. Chairman Brooks conducted a site visit for SR 999.

Regular Business:

- a. Special Review 999 – 4140 State Ave – Drive-Through Service** – A special review request to allow a drive through service adjacent to residential zone districts for a new laundromat facility, in a Corridor Mixed Use 1 (CMU1) zone, on C.O.S. 3691, TR 1, a 21,958-sf parcel of land. A preapplication neighborhood meeting was held on March 25, 2025 at 6:00pm at the Billings Library. Tax ID: D01590

Tate Johnson presented an overview of the special review request under the updated special review criteria. The proposal involves a laundromat with drive-through service in a CMU1 zone, located adjacent to a residential district.

Ms. Johnson stated that staff recommends approval of the request, contingent on the proposed findings and conditions. There are four findings supporting the recommendation, and eight conditions have been proposed to ensure the protection of public health and safety.

Questions

Chairman Brooks stated a building permit for business hours of 5a-10p seems responsible, no reason staff will restrict that.

Applicant:

Taylor Kasperick, Performance Engineering stated that the drive-through circulation is planned to move in a counterclockwise direction, with space to queue up to nine vehicles. A Traffic Impact Study (TIS) will be submitted, which will include analysis of vehicle exit patterns—currently proposed as a right turn onto State Avenue, subject to confirmation through the TIS.

Mr. Kasperick also noted that the project is currently under construction, permitted under the CMU1 zoning. The addition of a restaurant with drive-through service is what necessitates the special review before the board.

Board Discussion

A question was raised about the potential for traffic to exit onto Van Buren. It was clarified that a street separates the site from that area. It was noted that the conditions outlined in the review are specifically related to the drive-through component. Staff confirmed this.

Concerns were expressed about the limited queueing space and whether this issue is being addressed in the Traffic Impact Study (TIS). Staff responded that the Engineering and Public Works departments are responsible for reviewing the TIS. The applicant added that a third-party consultant is being engaged to prepare the TIS. One potential solution under consideration is to loop vehicles around the building, which would accommodate 12–15 vehicles and help prevent traffic from backing up into the roadway.

Clarification was requested regarding the location of the pickup window and the point-of-sale area. The applicant explained that the pickup window will be located on the north side of the building, with the ordering point on the south side to allow for advanced ordering. It was also noted that dumpsters will be placed at the southwest corner of the property.

Public Hearing

Chairman Brooks opened the Public Hearing. There were no members of the public for SR 999. The Public Hearing was closed.

Motion

Commissioner Megorden made a motion, seconded by Commissioner Mulvaney to forward a recommendation to City Council for approval of Special Review 999 with the Staff recommended Review Criteria. The motion passed unanimously.

COMMISSIONER	Yes	No	ABSTAINED	ABSENT
Daniel J Brooks	X			
Greg McCall				X
David Goss	X			
Beau Mulvaney	X			
Andy Megorden	X			

Recommendation of approval will be forwarded to City Council at their May 27, 2025 meeting.

- b. City Zone Change 1065 – 1440 Governors Blvd – from P2 to NX1** – A zone change request from Public 2 (P2) to Mixed Residential 1 (NX1), on C.O.S. 1105, Parcel 5C & TR 7 AMD, a 2,500 acre parcel of land. A preapplication neighborhood meeting was held on March 20, 2025 at 5:30pm at Castle Roack Middle School. Tax ID: D05257

Planning staff provided an overview of the current zoning designation, explaining that the existing P2 zoning district is primarily intended to accommodate institutional uses such as churches and schools. The request involves a proposed zone change for a parcel of land measuring just under three acres.

Staff is recommending approval of the proposed zone change, stating that it meets the required evaluation standards. Specifically, the proposal satisfies the four primary criteria for zone changes, including demonstrating compatibility with the surrounding neighborhood and land uses.

In total, the application has been reviewed against ten zone change criteria, and staff has determined that all necessary conditions have been adequately addressed to support approval.

Questions

A question was raised regarding whether a similar zoning change had been approved in recent years. Staff responded that no comparable action has been taken since 2021.

There was also an inquiry about the size and configuration of the lot, specifically whether a driveway would be included. Staff explained that such details will be addressed during the master site plan review process, which will evaluate access, circulation, and related site development considerations.

Applicant:

Dax Simek, the plan is not to have access off the street, exit off the left side of the lot. There is a need for affordable housing, worked with SD2 for usable land to create workforce housing.

Board Discussion

A question was raised about the ownership of the property, with clarification that it is being sold to a developer.

The developer explained that the project is being implemented under 2023 legislation as part of a pilot program focused on providing housing for workforce residents. The homes will be individually owned and are designed to ensure that housing costs do not exceed 30% of the resident's gross income. Planned units include three bedrooms, two bathrooms, and a two-car garage, with garage access via rear alleys.

The total funding allocated for the project by Yellowstone County is estimated to be between \$8.4 million and \$9.1 million. The project envisions the construction of approximately 220 to 240 single-family townhome-style units. The sequence of land transfer will proceed from School District 2 to the Billings Housing Authority.

When asked about land ownership, the developer explained that individual homeowners will own their units through a condominium conveyance structure, with front yards maintained as part of a common area.

Further clarification was requested regarding the term "workforce" residents. The developer stated that state funding will help structure the financing mechanisms, including affordable loans for eligible buyers. It was also noted that Homefront will assist with underwriting, and the Community Organization for Reinvestment (COR) is involved in supporting the initiative.

In response to a question about taxes, it was confirmed that the homes will be individually owned and there will be no special tax districts or abatements. Property taxes will be paid in the usual manner, with the intent being to maintain affordability without requiring tax incentives.

Public Comment:

Cindy Oslund 1435 Benjamin Blvd; Ms. Oslund expressed concern regarding existing traffic issues in the Castle Rock area, particularly related to access and congestion. While there was no opposition to the proposed development, Ms. Oslund emphasized that the area is already experiencing traffic challenges, and there is interest in seeing a traffic light installed to improve safety and flow. It was also noted that the intersection near Castle Rock has lacked a crossing guard for several years, raising additional concerns about pedestrian safety, especially for students and other residents navigating the area.

Patricia Hunter 991 Calico Ave; Ms. Hunter expressed concern about existing congestion in the area, with the observation that adding additional traffic, particularly in an area with limited or no outlet options, could worsen the situation. Ms. Hunter also voiced reservations about the proposed housing type, perceiving it as low-income housing, and indicated a lack of support for that aspect of the project.

Tracy Rheume 1001 Calico Ave; Ms. Rheume expressed concern that the proposed development could lead to increased traffic through the surrounding neighborhood. Ms. Rheume questioned how the change might impact property taxes in the area. Additionally, there was concern about the introduction of low-income housing and its potential effects on the neighborhood.

Questions

A question was raised about the notification process for zone changes. Staff explained that property owners within a 600-foot radius of the subject parcel are notified. Properties located outside of that radius do not receive notification.

Clarification was made regarding the nature of the proposed housing, emphasizing that it is not low-income housing, but rather a state-supported program that helps reduce the cost of homeownership through mortgage assistance, allowing residents to own higher-quality homes at more affordable monthly payments. The affordability is achieved not through reduced construction quality, but by buying down the mortgage cost.

It was noted that prospective homeowners must go through an application process to qualify. Additionally, if a homeowner decides to sell their unit, the new buyer must also meet the eligibility criteria. The program includes an appreciation cap and gives the housing association the right of first refusal to repurchase the home and maintain its affordability for the next qualifying homeowner.

Motion

Commissioner Megorden made a motion, seconded by Commissioner Goss to forward a recommendation to City Council for approval of Zone Change 1065 with the Staff recommended Review Criteria. The motion passed unanimously.

Board Discussion

Support was expressed for the proposed housing project, noting its value for workforce populations such as teachers, and its alignment with the broader goal of increasing access to attainable housing. It was also stated that the project represents a good use of the land and appears to be a positive infill development that fits well within the context of the surrounding zoning and land use patterns.

A question was raised regarding the Traffic Impact Study (TIS), and staff confirmed that the project will still be subject to a TIS review. If the applicant chooses to submit the project as a single lot under a condominium structure, it will still require a comprehensive analysis, with any required infrastructure improvements addressed through the subdivision process.

It was further clarified that the site will be platted with public infrastructure, and that the layout will need to incorporate alleys to serve the units. Engineering staff will determine the final requirements as part of the subdivision review.

COMMISSIONER	Yes	No	ABSTAINED	ABSENT
Daniel J Brooks	X			
Greg McCall				X
David Goss	X			
Beau Mulvaney	X			
Andy Megorden	X			

Recommendation of approval will be forwarded to City Council at their May 27, 2025 meeting.

Other Business: There was no Other Business

Adjournment: The meeting adjourned at 5:26 PM

Brenda J Berns, Planning Clerk

Zoning Commission

Date: 06/03/2025
Title: City Zone Change 1066-828 (aka 844) Grand Ave â€“ NX2 to CMU1
Presented by: Karen Husman
Department: Planning & Community Services
Presentation: Yes

Information

RECOMMENDATION

Planning staff is recommending approval based on the findings of the 10 criteria for Zone Change 1066.

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

This application is a request to rezone Lot 5A of the Pierce Subdivision Amended--a 12,616 square foot parcel--from Mixed Residential 2 (NX2) to Corridor Mixed Use 1 (CMU1). The proposed CMU1 zoning is consistent with the existing zoning of adjacent properties to the north and west. The current NX2 zoning restricts development to residential uses only and does not permit commercial activity. The applicant is seeking the zone change in order to allow for an appropriate commercial use on this corner lot, located at the intersection of 9th Street West and Grand Avenue, a designated arterial street.

The definition of Corridor Mixed Use 1 (CMU1) better fits the location of the subject parcel: "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 pedestrians. 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, any story could accommodate residential and/or office uses."

Planning staff is recommending approval based on the proposed findings of the zone change review criteria. The location is on an arterial street and the surrounding development includes a mix of commercial and residential uses. There is a multifamily apartment to the south, a coffee shop with drive-through to the west, a bar with casino on the northwest corner of Grand and 9th Street West, and a drive-through fast food restaurant to the north across Grand Ave. The existing traffic on Grand Avenue at Virginia Lane is about 21,950 trips per day.

STAKEHOLDERS

The applicant conducted a pre-application meeting on April 22, 2025, at the subject property. No surrounding owners attended the meeting.

Planning staff prepared and mailed a notice to the surrounding owners, published the legal ad, posted the property and placed a synopsis of the application on the Current Zoning Applications' web page. Planning staff received no public comments in writing or by telephone before the preparation of this report.

ALTERNATIVES

The Zoning Commission may:

- Recommend Approval of the Zone Change and adopt the findings of the 10 review criteria for Zone Change 1046; or,
- Recommend Denial of the Zone Change and adopt different findings of the 10 review criteria for Zone Change 1046; or,
- Delay action on the zone change request for up to 30 days; or,
- Allow the applicant to withdraw the application.

The Zoning Commission is required to make a recommendation to the City Council on this application for zone change. The application will not proceed to the City Council without a recommendation. The applicant has not requested a delay or withdrawal of the application.

FISCAL EFFECTS

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

SUMMARY

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

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

The proposed zone change is most consistent with the following guidelines of the 2016 Growth Policy:
Strong Neighborhoods;

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

Prosperity and Essential Investments;

- *Infill development and development near existing City infrastructure may be the most cost effective*
- *A diversity of available jobs can ensure a strong Billings' economy*
- *Retaining and supporting existing businesses helps sustain a healthy economy*

The Growth Policy encourages mixed-use development, infill, and the efficient use of existing infrastructure, particularly along major corridors like Grand Avenue.

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

The new zoning (CMU1) requires minimum setbacks, open and landscaped areas and building separations, which creates security from fire and other dangers. The new zoning, as do all zoning districts, provides adequate building separations. Any new structures would comply with the building code and other development codes in Billings intended to keep places safe.

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

Public health and public safety are promoted by the proposed zoning. This is not unique to the CMU1 zone, but instead is promoted by all adopted zoning districts within the City of Billings. The site and structure regulations found in 27-406 for the CMU1 district promote the minimum standards to ensure public health and safety and promote general welfare. The approval of the zone change should not have negative affects on public health, safety and welfare given the existing conditions, site requirements and existing development.

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

Transportation: The proposed zoning itself will not increase the traffic at this location. Any traffic increases will be determined when the site is developed. City Engineering will require advance discussion on access to the parcels before any development is approved.

Water and Sewer: Water and sewer, if needed, will be provided by the City of Billings. There are no anticipated impacts related to these services on any proposed future use.

Schools and Parks: Schools and parks should not be negatively affected by the proposed zoning. These uses are impacted by additional residential development. This is a proposed commercial development, therefore there are no identified concerns for parks and schools.

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

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

Similar to criteria 2 and 3, the proposed CMU1 zone, like all zones, requires minimum setbacks to allow for adequate separation between structures and adequate light and air. The proposed zoning provides for sufficient setbacks to allow for adequate separation between structures and adequate light and air. Therefore, any new structure will be required to meet the standards required by Section 27-400-3.

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

Traffic generation will vary depending on the size and specific type of facility developed on the site. Based on the proposed zoning and permitted land uses, a traffic impact analysis may be required for any future development. The City Engineering Division may also require mitigation measures to ensure that surrounding street intersections continue to operate at acceptable levels of service.

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. Existing CMU1 zones are located to the north and west. The subject property is adjacent to residential uses to the east and south. Additionally, site and landscape requirements of the CMU1 district will promote compatibility specifically by requiring a landscaped buffer for the use and adjacent to other zones with different uses.

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

particular uses?

The proposed zoning and its permitted uses are appropriate for this location. Any future development will be required to comply with applicable site development standards, ensuring the property's continued suitability. The existing garage structure, currently used by the adjacent apartment complex to the south, is expected to be removed before redevelopment occurs. Once removed, the parcel would be an ideal candidate for infill development.

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. Due to the existing uses and established zones to the east, west and north, the proposed use should not impact the value of these buildings. New construction tends to increase property value. The CMU1 building and siting requirements will help conserve the value of any surrounding property.

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

The proposed zoning will encourage an appropriate commercial use that will be separated from any existing or future residential uses with an approved landscape buffer area.

Attachments

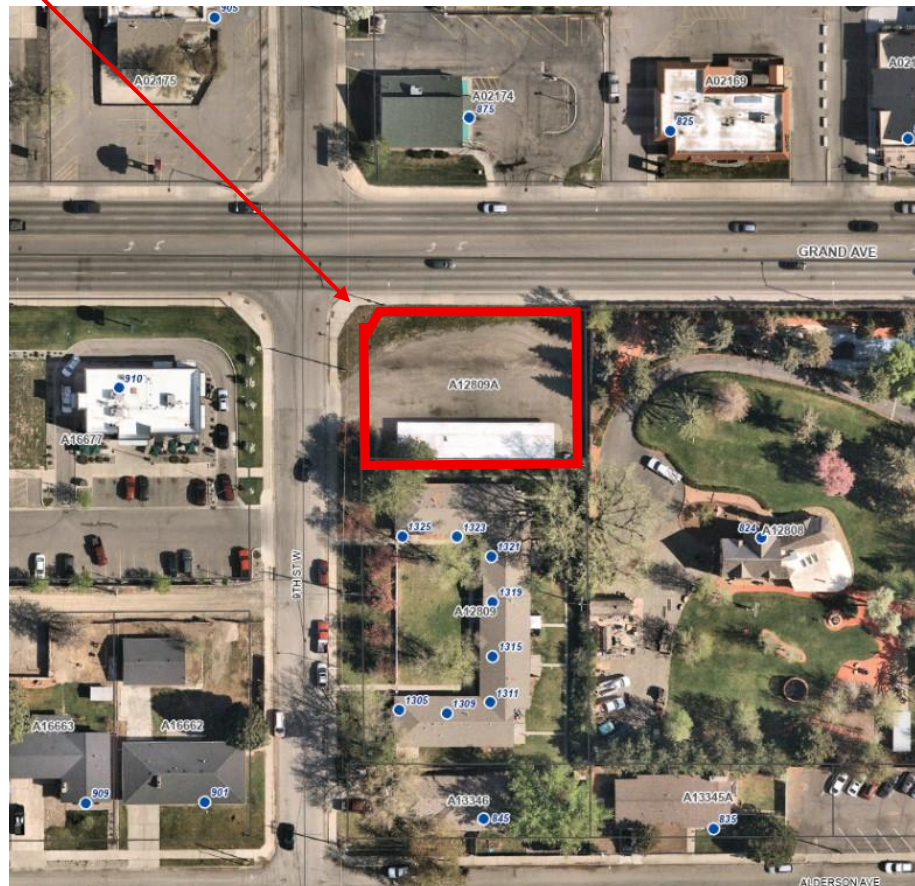
Zoning Map & Site Photos
Application & Applicant Letter
Neighborhood Meeting Info.
Site Plan
History

Zone Change 1066 Attachments

Zoning Map & Site photos



Subject Property





South





North across Grand Ave.



North west across Grand Ave. @ 9th



East



West across 9th

CITY ZONE CHANGE APPLICATION FORM

CITY ZONE CHANGE Billings Zone Change # 1066 Project # PZX_25-00060

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 NX2-Mixed Residential 2 - 2 to 8 units

Proposed Zoning: CMU1-Corridor Mixed Use 1

PARCEL TAX ID# A12809A CITY ELECTION WARD Ward: 3 - (BILLINGS)

Legal Description of Property: PIERCE SUBD, S05, T01S, R26E, LOT 5A, AMD (2S)

Address or General Location (If unknown, contact City Engineering): 9th & Grand (828 or 848 Grand Ave)

Size of Parcel (Area square feet or acres): 12,616 square feet (0.290 acres)

Present Land-Use: Vacant lot with carport

Proposed Land-Use: Commercial or Mixed Use per CMU1 Zoning

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

Owner(s) Tiffany Youngren

(Record Owner)

1112 Clark Ave, Billings MT 59102

(Address)

360-333-2058

(Phone Number)

tiffany@youngrenolutions.com

(email)

Agent(s): Duane Youngren

(Name)

1112 Clark Ave, Billings MT 59102

(Address)

406-426-4027 duane@youngrenolutions.com

(Phone Number)

(Email)

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

Signature:  Date: 4/23/2025

(Record Owner - Digital Signature Allowed)

CHANGE OF ZONING APPLICATION

PARCEL: #A12809A
LEGAL: PIERCE SUBD, S05, T01 S, R26 E, Lot 5A, AMD (25)
OWNER: TIFFANY YOUNGREN

April 23, 2025

Dear Zoning Commission Chairperson,

We respectfully submit this request for a zone change for the property located at the corner of **Grand Avenue and 9th Street West**, legally described as **Lot 5A, PIERCE SUBD, S05, T01 S, R26 E**, also known as **828 or 844 Grand Avenue**. The property is currently zoned **NX2 – Mixed Residential 2**, and we are requesting a change to **CMU1 – Corridor Mixed-Use 1**.

Our intent is to allow for the future development of the property in a way that takes advantage of its prime location along the Grand Avenue corridor. While no specific site plan is proposed at this time, we envision future **redevelopment that may include commercial or mixed-use structures** designed to serve neighborhood residents and visitors. This change would allow for greater flexibility and encourage reinvestment in a property that is currently underutilized.

This request involves a **change in use** for future **new construction** on the site. Any development will comply with all applicable zoning, building, and fire code regulations, and will be designed to respect the surrounding neighborhood character while contributing positively to the Grand Avenue corridor.

Thank you for your consideration.

Sincerely,

Tiffany Youngren, Owner

CHANGE OF ZONING APPLICATION

PARCEL: #A12809A
LEGAL: PIERCE SUBD, S05, T01 S, R26 E, Lot 5A, AMD (25)
OWNER: TIFFANY YOUNGREN

A. What reasons prevent you from using this property in conformance with the Zoning Regulation requirements?

The property's current zoning designation, **NX2 – Mixed Residential 2**, significantly limits the types of allowable uses and the development potential for this parcel, despite its location on a major commercial and transportation corridor. NX2 restricts the site to low-density residential development (2–8 units), and does not permit commercial uses or neighborhood-serving businesses.

Given that the property is located at the **corner of Grand Avenue and 9th Street West**, directly across from multiple commercial establishments (including Starbucks, Mazevo Coffee, and Nickels Casino), the NX2 zoning is **inconsistent with the existing land use context**. It prevents reasonable reinvestment or redevelopment aligned with the character of the area and the economic opportunity presented by its arterial frontage.

B. Why is there a need for the intended use of the property at this location?

There is a clear need for expanded commercial or mixed-use options in this area to meet the needs of both nearby residents and corridor travelers. The property's visibility, access, and adjacency to other businesses make it a **prime candidate for neighborhood-serving commercial or flexible mixed-use development** — the types of uses supported by the CMU1 zoning designation.

Allowing the CMU1 zone would enable the property to contribute to the **walkability, service accessibility, and economic vitality** of this portion of Grand Avenue. This zoning better matches the City's Growth Policy goals for corridor redevelopment and infill and ensures the property can be developed in a way that is **compatible with surrounding uses and beneficial to the broader community**.

Subject Property:

Legal Description: Lot 5A, PIERCE SUBD, S05, T01 S, R26 E

The Yellowstone County Assessor does not list an address, but this property been referred to as 828 at the time it was purchased, and most recently as 844 Grand Avenue by utilities providers.

GeoCode: 03-0927-05-1-20-07-0000

Owner: Tiffany Youngren

Current Zoning: NX2 – Mixed Residential 2

Proposed Zoning: CMU1 – Corridor Mixed-Use 1

Growth Policy Consistency

This rezoning request from NX2 to CMU1 is directly consistent with the City of Billings' 2016 Growth Policy. The Growth Policy encourages mixed-use development, infill, and the efficient use of existing infrastructure, particularly along major corridors like **Grand Avenue**.

- **Corridor Redevelopment:** The parcel fronts Grand Avenue, a designated arterial with increasing commercial intensification. The area includes adjacent businesses such as **Starbucks, Subway, Nickels Casino, Grandstand Casino, and Mazevo Coffee**, all within 200 feet of the subject property. Rezoning this property to CMU1 enables compatible commercial/mixed-use redevelopment that matches this pattern.
- **Efficient Infrastructure Use:** The site is fully served by existing City water, sewer, roads, and public safety services, minimizing cost to the City and supporting infill goals.
- **Housing & Economic Flexibility:** CMU1 allows for a wide range of neighborhood-serving commercial, office, and residential uses, consistent with the Growth Policy goals to diversify housing types and promote local entrepreneurship.
- **Transportation Access:** The site has frontage on Grand Ave and immediate access to public transit routes, supporting walkability and multimodal transport goals.
 - MET Transit Bus Service, Route 5 – Grand: This route operates along Grand Avenue and provides service between the Stewart Park Transfer Center and the Downtown Transfer Center. As of August 26, 2024, Route 5 travels on 9th Street West between Grand Avenue and Avenue D, which places it in close proximity to the subject property.
 - Uber, Taxis, Etc.

Fits with Existing and Planned Development:

The proposed CMU1 zoning is consistent with both existing uses and the foreseeable development pattern of the Grand Avenue corridor. Multiple commercial and mixed-use properties already operate directly across the street and within one block in both directions. Rezoning this parcel fills a logical gap in the land use pattern and aligns with the City's long-range strategy to intensify development at key intersections and transit nodes, especially within designated arterial corridors.

Neighborhood & Corridor Plan Consistency

Though the parcel lies outside a defined neighborhood plan boundary, it falls within the **West End arterial corridor**, which has been increasingly designated for higher-intensity and mixed-use development in recent years. The proposed zoning:

- Provides a **logical transition** between low-density residential neighborhoods to the south and commercial corridors to the north and west.
- Aligns with the **corridor's evolving use pattern**, which includes entertainment, dining, and service-based businesses.
- Supports the **City's land use strategy** of concentrating commercial activity near intersections and transit-served nodes (this site is at the corner of 9th St W and Grand Ave).

✓ Statutory Review Criteria (BMCC §27-1628)

1. **Growth Policy:** ✓ Yes. Aligns with the 2016 Growth Policy for infill, mixed-use, and infrastructure efficiency.
2. **Safety from Fire and Other Dangers:** ✓ Yes. The proposed CMU1 (Corridor Mixed-Use 1) zoning designation enhances safety and reduces potential fire or hazard risks for the following reasons:
 - a. **Maintains Safe Building Separation and Design Controls**
CMU1 zoning includes specific standards for building height, setbacks, lot coverage, and access, which reduce the risk of fire spread between structures. These standards support safe design and layout of future development and ensure that site planning aligns with city fire safety regulations.
 - b. **Improves Emergency Access Through Arterial Frontage**
The subject property is located on **Grand Avenue at 9th Street West**, on a designated arterial route. This ensures **direct, unobstructed access** for fire, police, and emergency medical services, which is especially important during

emergency response scenarios. CMU1 requires development to comply with access and circulation regulations that maintain this emergency accessibility.

c. **Reduce Safety Risk of Vacant/Underutilized Conditions**

Rezoning the site encourages redevelopment of a currently **underutilized or potentially deteriorating residential property**. New construction in CMU1 will trigger compliance with **modern building and fire codes**, including fire-resistant construction materials, fire-rated separations, and suppression systems where required. This not only reduces the risk of fire ignition or spread but improves overall life safety for occupants and adjacent properties.

3. **Public Health, Safety, and Welfare:** ✓ Yes. The proposed CMU1 zoning promotes public health, safety, and welfare by enabling flexible development opportunities on a well-located parcel. While the CMU1 district permits mixed-use development, this request does not commit to a specific use or project at this time. However, the zone does allow for a range of neighborhood-serving commercial and residential uses that can contribute positively to the area.

a. **Health:** The site's proximity to existing services and public transit along Grand Avenue allows future development that can support walkability and reduce automobile dependency, which contributes to cleaner air and more active lifestyles.

b. **Safety:** Located on a primary arterial (Grand & 9th St W), the property ensures safe ingress and egress for vehicles and emergency responders. Future development under CMU1 will also follow city site design standards for safe pedestrian and vehicular circulation.

c. **Welfare:** Rezoning the property encourages reinvestment and more efficient use of an underutilized site. The flexibility provided by CMU1 can accommodate a variety of future uses that respond to market demand while aligning with the character and needs of the surrounding neighborhood.

4. **Public Infrastructure:** ✓ Yes. Fully serviced parcel. Rezoning does not require off-site upgrades to utilities or streets.

5. **Light and Air:** ✓ Yes. The proposed CMU1 zoning includes clear development standards that maintain access to light and air for both the subject property and surrounding parcels. While CMU1 allows for a wider range of building types than the current NX2 designation, it retains setback, height, and transition requirements that protect adjoining properties from excessive shadowing or overcrowding.

Future development will be subject to the City's zoning and building code requirements, which ensure that structures are spaced appropriately, provide sufficient open space,

and preserve environmental quality through controlled massing and orientation. This ensures the continued provision of adequate light and air to current and future residents and users of the site.

6. **Transportation Impacts:** ✓ Yes. Grand Avenue is a major arterial with bus service and signalized intersections; proposed use supports multimodal transportation.
7. **Compatible Urban Growth:** ✓ Yes. Surrounding land uses are commercial and mixed-use; CMU1 matches this pattern.
8. **Character of the District:** ✓ Yes. The property directly fronts a commercial corridor and is no longer suited to low-density residential-only zoning.
9. **Value of Buildings:** ✓ Yes. Facilitates reinvestment and productive use, likely enhancing surrounding property values.
10. **Most Appropriate Use of Land:** ✓ Yes. Current zoning is a remnant of prior use; CMU1 is better suited to corridor conditions and community needs.

CITY ZONE CHANGE Pre-Application Statement of Owner(s) and 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:** NX2-Mixed Residential 2 - 2 to 8 units

2. **Written description of the Zone Change Plan** including existing and proposed new zoning:
Change from NX2 to CMU1-Corridor Mixed Use 1

3. **Legal Description of Property:**
PIERCE SUBD, S05, T01 S, R26 E, Lot 5A, AMD (25)

4. **Neighborhood Task Force Area:** Yes /// No . If Yes, Name of Task Force
No

5. **Roster of persons who attended the pre-application neighborhood meeting:** please attach to on line application

6. **A brief synopsis of the meeting results including any written minutes or audio recording.**
please attach to on line application

7. **The undersigned affirm the following:**
 - 1) The pre-application neighborhood meeting was held on the 22, day of April, 2025.
 - 2) The zone change application is based on materials presented at the meeting.

Owner (s):

Tiffany Youngren Telephone: 360-333-2058

Address:

1112 Clark Ave., Billings MT 59102 Email: tiffany@youngrensolutions.com

Agent (s):

Duane Youngren Telephone: 406-426-4027

Address: 1112 Clark Ave., Billings MT 59102 Email: duane@youngrensolutions.com

Complete this form and upload to your on-line Zone Change application

City Pre-app statement 2024-2025

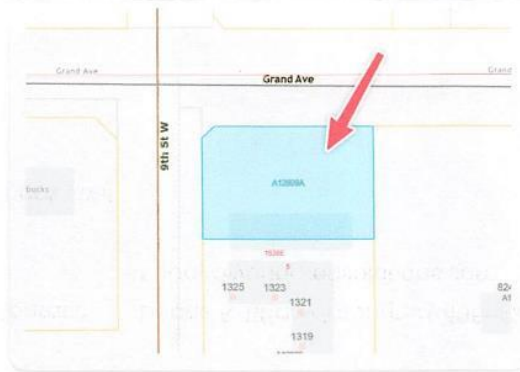
April 15, 2025

You are Invited:

Neighborhood Pre-Application Meeting for Zone Change

Date of Meeting: April 22, 2025 at 6:00 PM

Location: Onsite at the Subject Property
Corner of Grand and 9th St. W. in Carport



Primary Owner: YOUNGREN, TIFFANY
Tax Code: A12809A
GeoCode: 03-0927-05-1-20-07-0000
Legal Description: PIERCE SUBD, S05, T01 S, R26 E, Lot 5A, AMD (25)
Street Address: Pending
Sometimes referred to as: "844 Grand Ave" or "828 Grand Ave"

Existing Zoning: NX2-Mixed Residential 2 - 2 to 8 units
Proposed Zoning: CMU1-Corridor Mixed Use 1

Contact: Duane & Tiffany Youngren, 406-426-4027
tiffany@youngrensolutions.com

Thank you!

Date of Meeting: April 22, 2025 at 6:00 PM

Neighborhood Pre-Application Meeting for Zone Change

Location: Onsite at the Subject Property (Corner of Grand and 9th St. W. in Carport)

Primary Owner: YOUNGREN, TIFFANY

Presenters: Duane & Tiffany Youngren

Tax Code: A12809A

Legal Description: PIERCE SUBD, S05, T01 S, R26 E, Lot 5A, AMD (25)

Street Address: Pending / Sometimes called: "844 Grand Ave" or "828 Grand Ave"

1. Welcome

- a. Introductions: Duane & Tiffany own the neighboring 8-unit apartment building at 1905-1925 9th St W
 - i. We believe the Proposed Zoning serves the neighborhood better and is the best use considering its location in a highly commercial and growing area on Grand Avenue

2. Zoning

- a. Pages 118-124 of "Chapter_27___ZONING through Supp 62 Aug 2023.pdf" from the City of Billings:
<https://www.billingsmt.gov/755/Zoning-Information>
 - i. Existing Zoning Uses (NX2-Mixed Residential 2)
 - ii. Proposed Zoning (CMU1-Corridor Mixed Use 1)

3. Questions / Comments

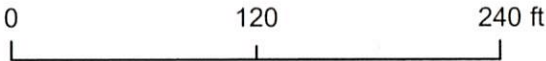
NAME	ADDRESS	QUESTION/COMMENT
<i>None - no one attended</i>		
<i>[4/15/2025 Duane Youngren called Kyle Hodik (844 Grand) - He indicated he has no issues with zoning changes</i>		

ArcGIS Web Map



Billings - County Zoning

Legend				
A - Agriculture (10+ acres)*	CBD - Central Business District	DX - Downtown Support	EBURD 13th St Main St	N3 - Suburban Neighborhood
C3 - General Commercial*	CMU1 - Corridor Mixed-Use	EBURD Rail Spur Village Main St	I1 - Light Industrial	N4 - Large Lot Suburban Neighborhood*
	CMU2 - Corridor Mixed-Use & Commercial Centers	EBURD Rail Spur Village	I2 - Heavy Industrial	NMU - Neighborhood Mixed-Use
	CX - Heavy Commercial	EBURD Central Works	N1 - First Neighborhood	
		EBURD Industrial Sanctuary	N2 - Mid-Century Neighborhood	



Date: 4/23/2025



Zoning History for City ZC 1066

SUBJECT PROPERTY	Zone Change	DATE	FOR	APPROVED (Y/N)	ADDITIONAL DATA
None.					
SURROUNDING PROPERTY	Zone Change	DATE	FOR	APPROVED (Y/N)	ADDITIONAL DATA
Skyview Ridge Subdivision	788	12/5/2006	A to CC, NC, RP, RMF-R, R60, R70, R70R, R96 and Public	Withdrawn	Zone districts updated 2021 to CMU1, NMU, NO, NX3, NX2, N2, N3 and Public 1
Skyview Ridge Subdivision	814	7/23/2007	R96 to R70R, R60, RMF-R, RP, NC, CC and Public	Yes	
Zimmerman Home Place	1038	10/3/2023	NX1 to NX2 & Nx3	Y	
Michelloti Sawyer	1020	10/24/2022	A to NX1 and NX3	Yes	Steward Land townhomes
ZHP 3 rd Filing Zimmerman Trail frontage	1019	1/9/2023	NO to CMU1	Withdrawn	
Cardwell Ranch PD	986	10/26/2020	Update to PD	Y	
733 S 31 st St. W	999	10/25/2021	CMU1 to CMU2	Y	
E.D. King Sub	782	7/10/2006	A-1 to CC	Y	Country Meadow Apts 1997
1501 Zimmerman Trail	807	7/9/2007	R-60-R to CC & RP	Y	Ace Hardware & Offices
3737 Grand Ave	779	6/26/2006	RP to NC	Y	Multi-tenant office/retail
1500 Golden Blvd	572	2/28/1994	A-1 to RMF	Y	Carriage Homes 1997
3155 Avenue C	413	10/25/1983	R-96 to RMF-R	Y	Aspen Meadows 2005
2291 Avenue C	68	8/26/1974	PD to R-60	Y	Rosepark Plaza Apts 1981

Zoning Commission

Date: 06/03/2025
Title: Special Review 1000- 840 Shiloh Crossing Blvd. -All Beverage with Gaming
Presented by: Karen Husman
Department: Planning & Community Services
Presentation: Yes

Information

RECOMMENDATION

Planning staff recommends conditional approval and adoption of the findings of the review criteria for Special Review 1000.

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

This is a Special Review request to allow a new bar and casino in a 2,925 square foot addition to an existing 5,730 square foot building. The subject property is located at 840 Shiloh Crossing Blvd (former Rio Sabinas). The applicant is proposing to renovate the building, previously Rio Sabinas restaurant, into a bar/tavern/casino and a restaurant with indoor and outdoor seating.

The Corridor Mixed Use 2 (CMU2) zoning district is similar in intent to Corridor Mixed Use 1 (CMU1), supporting 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. CMU2 differs from CMU1 as it is meant to accommodate larger-scale commercial, warehouse-style buildings, and other uses in multiple buildings on larger, deeper parcels along the corridors. Within this district, any business seeking an all-beverage liquor license must obtain Special Review approval to assess potential site-specific impacts and ensure compatibility with nearby land uses.

This particular site is located within an established commercial center, Shiloh Crossing, on the west end of Billings and has previously operated as a restaurant. Currently vacant, the applicant plans to renovate and expand the building to accommodate a restaurant that includes a bar and casino. This proposed use is permitted under the CMU2 zoning and is considered compatible with adjacent land uses.

APPLICATION DATA

OWNERS: John Johnson
AGENT: Mitchell Ostlund, Collaborative Design Architects
PURPOSE: A special review request to allow a new bar and casino
LEGAL DESCRIPTION: Lot 5C, Block 1 of Shiloh Crossing Sub, Amended
ADDRESS: 840 Shiloh Crossing Blvd.
EXISTING LAND USE: Restaurant (currently vacant) Rio Sabinos
PROPOSED LAND USE: Restaurant with Bar and Casino
EXISTING ZONING: CMU2
SIZE OF PARCEL: 1.7973 Acres.

SURROUNDING ZONING & LAND USE

NORTH: CMU2 -Corridor Mixed Use 2
Land Use: Financial institution -First Interstate Bank
SOUTH: CMU2 -Corridor Mixed Use 2
Land Use: Commercial Retail - Time Square Furnishings
EAST: CMU2 -Corridor Mixed Use 2
Land Use: Commercial Retail- Kohl's department store
WEST: CMU2 - Corridor Mixed Use 2
Land Use: Auto Sales- GMC and Kia dealership

The 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) Update to existing structures or sites to bring the facility closer to compliance with the current building or site development standards including but not limited to signage, landscaping, parking lot landscaping, doors and windows on the street facades of buildings, or other site and building standards; and
 - (l) 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.

STAKEHOLDERS

The applicant conducted a pre-application neighborhood meeting on March 25, 2025. No surrounding property owners attended the meeting, however, there were other attendees at the meeting. Planning staff prepared and mailed the public hearing notice to surrounding property owners, published a legal ad and posted the property with the Zoning Request sign. Planning staff received no communication on the application from the surrounding owners or the public as of writing this report.

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's budget should not be affected by either approval or denial of the requested special review.

SUMMARY

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

Planning staff recommends conditional 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.

Essential Investments

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

The proposed Special Review facilitates the redevelopment of an underutilized parcel that previously operated as a restaurant and is now vacant. Located along a key commercial corridor already supported by public infrastructure, the project promotes efficient infill development within the city limits. This approach optimizes the use of existing streets, utilities, and public services, minimizing the need for costly infrastructure expansion.

Strong Neighborhoods

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

This redevelopment brings a neighborhood-oriented commercial use to the area, featuring a restaurant, a bar and casino. The site is located within an established commercial node that already provides a range of services. Conditions of approval will help preserve the character of the surrounding area, promoting safety and ensuring a comfortable environment for patrons visiting the site.

Prosperity

- *A diversity of available jobs can ensure a strong Billings economy.*
- *Successful businesses that provide local jobs benefit the community.*

The proposed project will add new commercial space, generating short-term construction jobs and long-term employment opportunities within the planned restaurant, bar, and casino. These types of businesses help strengthen the local economy by providing essential, everyday services and fostering economic resilience. The development supports the City's goals for business growth and job creation, contributing to the continued vitality of the West Billings 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.

The proposed restaurant with a bar and casino has been designed to minimize potential negative impacts on public health, safety, and the general welfare, particularly given its location within an established commercial area. The site layout, traffic circulation, and operational features have been carefully considered to promote compatibility with surrounding uses and ensure safe and efficient site operations. With these site features and appropriate conditions of approval in place, the proposed use can operate in a manner that is not detrimental to the health, safety, or comfort of the surrounding neighborhood and uses.

3. The site is adequate in size 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 subject property at 840 Shiloh Crossing Blvd. is approximately 1.797 acres and is zoned Corridor Mixed Use 2 (CMU2). The CMU2 district is intended to accommodate a variety of commercial and mixed-use developments along key corridors and permits bar and casino operation with special review approval. The proposed development, which includes both a restaurant with a bar and casino is consistent with the scale and intent of uses allowed in the district. The site is relatively flat and does not present any known topographical or environmental constraints that would limit development. The development will utilize an existing building and include expansion of the building. The submitted site plan demonstrates compliance with all applicable dimensional standards of the CMU2 zone, height allowance, and landscape buffer but does have nonconforming site characteristics for build-to areas.

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 proposed restaurant with a bar and casino is located within the CMU2 zoning district and is surrounded by commercial uses. The use is consistent with the intent of the CMU2 zone, which accommodates commercial uses along transportation corridors to promote development that is comfortably accessible. There is no indication that new development on this property would negatively affect or reduce property values in the surrounding 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.

The proposed restaurant with a bar and casino is located within the Corridor Mixed Use 2 (CMU2) zoning district, which is designed to accommodate a wide range of commercial and mixed-use developments along key transportation corridors. The proposed project is located within a developed subdivision and will utilize existing city infrastructure like roadways, water and sewer connections.

6. Conditions necessary to protect the 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 an all-beverage license and gambling into the existing building, and the addition of an outdoor patio, located at 840 Shiloh Crossing Blvd. on Lot 5C, Block 1 of Shiloh Crossing Sub, Amended, a 1.7973-acre parcel of land. No other use is intended or implied.
2. No outdoor music or outdoor public announcement systems will be allowed with this application.
3. Any new lighting on the building or within the parking lot shall have full cutoff shields, so light is directed to the ground and not onto adjacent property.
4. Lighting of signs shall comply with the City of Billings Zoning Code in place at the time of sign permit application.
5. The applicant will comply with all other city codes including building, engineering and fire codes that may apply to the proposed expansion and use of the building and outdoor seating.
6. All other limitations on expansion shall apply in accordance with the Zoning Code restrictions of the Billings Montana City Code.

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

Any new construction on the site will follow applicable building codes, engineering standards, and all zoning requirements will be followed.

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

There are existing accesses to the site one provided from the interior street off of Shiloh Crossing Blvd. and two from the adjacent parking lot to the south. These accesses will be updated and improved with the development of this parcel. The City Engineering Division will review any changes or upgrades to these access points.

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 development meets all other zoning code requirements, and no variances are needed or required.

Attachments

Zoning Map & Site Photos
Application & Applicant Letter
Neighborhood Meeting Info.
Site Plan
History

Attachments Variance 1000

Zoning Map & Site Photos



Attachments Variance 1000



Attachments Variance 1000



Attachments Variance 1000



Attachments Variance 1000

CITY SPECIAL REVIEW **CITY SPECIAL REVIEW APPLICATION FORM**
City Special Review# 1000 - Project # PZX-25-00059

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: CMU2

Special Review Requested: _____

Per Table 27100.1 of BMCC City Zoning Code (2021), Special review is required for Casino, Large (10 or more machines) in CMU2 zoning.

TAX ID# A34027B **CITY ELECTION WARD #** V

Legal Description of Property: _____

SHILOH CROSSING SUB (09), S14, T01 S, R25 E, BLOCK 1, LOT 5C, LT 5C BLK 1 SHILOH CROSSING SUB AMD (09)

Address or General Location (If unknown, contact City Engineering): _____

840 Shiloh Crossing Blvd, Billings, MT, 59102

Size of Parcel (Area & Dimensions): 1.7973 acres, 369.40' (E/W), 218.90 (N/S)

Present Land-Use: EATING AND DRINKING ESTABLISHMENT - ALL BEVERAGE LICENSE, ON

EATING AND DRINKING ESTABLISHMENT - ALL BEVERAGE LICENSE, ON-PREMISE CONSI

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

Owner(s): John Johnson
(Recorded Owner)

2230 Bryan Stock Trail, P.O. 50630, Casper, WY 82605

(Address)

(307)-262-1735

(Phone Number)

john@jrgrestaurants.com

(email)

Agent(s): Collaborative Design Architects

(Name)

2280 Grant Road, Suite C, Billings, MT 59102

(Address)


406-248-3443

(Phone Number)

mitchell@cd-mt.com

(Email)

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

Signature:  Date: 4/22/2025
(Recorded Owner - digital signature allowed)

Attachments Variance 1000

Johnson Restaurant Group
2230 Bryan Stock Trail (82601)
PO Box 50630
Casper, WY 82605

April 21, 2025

Daniel J. Brooks, Chairman
City of Billings Zoning Commission
Planning & Community Services Department
2825 3rd Ave North, 4th Floor
Billings, MT 59101

RE: Support Letter for Special Review Application – 840 Shiloh Crossing Blvd

Dear Chairman Brooks,

On behalf of Johnson Restaurant Group, I am pleased to submit this letter in support of our application for Special Review related to the proposed remodel and addition at **840 Shiloh Crossing Blvd** in Billings, Montana. The project involves the revitalization of the existing Rio Sabinas building into a new and enhanced dining and entertainment destination: **J's Pub & Grill**, paired with a complementary gaming component, **Black Chip Casino**.

The proposed development aligns with the City of Billings' adopted Growth Policy by reactivating a currently vacant commercial property within a key commercial corridor. Our project supports infill development, leverages existing infrastructure, and encourages reinvestment in an established commercial district, consistent with the goals of sustainable, compact, and coordinated growth.

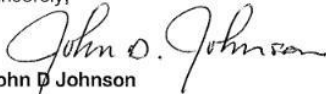
The site is of adequate size and appropriate location to accommodate the proposed use. Our team has carefully developed a design that remains fully compliant with all applicable zone district standards, including **parking, landscaping, and setbacks**. The layout also ensures efficient internal circulation and compatibility with adjacent commercial uses.

We are committed to minimizing potential impacts on surrounding properties. The restaurant and casino uses are planned with sensitivity to neighboring developments, featuring controlled access, defined service areas, and an enhanced façade to improve visual appeal. Our team has taken steps to ensure that the scale, function, and activity level of the project harmonize with the character of the Shiloh Crossing district.

Importantly, this project will **not impede the normal improvement or development** of surrounding properties. Rather, it is expected to catalyze positive momentum in the area by drawing additional customers, enhancing the streetscape, and contributing to the overall vibrancy of the Shiloh corridor.

We are enthusiastic about the opportunity to contribute to the continued growth of the community through this project and appreciate your consideration of our application.

Sincerely,



John D Johnson
Owner
Johnson Restaurant Group
Office: 307.265.3029 (Ext 103)
Cell: 307.262.1735

Attachments Variance 1000

City Special Review 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:** CMU2
2. **Written description of the Special Review** including existing conditions and proposed development:
Addtion & remodel of the existing Rio Sabinas building located in Shiloh Crossing. The development includes J's Pub & Grill as the primary restaurant function as well as the Black Chip Casino as the secondary tenant.
3. **Subject Property Map:** please attach to this form
4. **Legal Description of Property:**
SHILOH CROSSING SUB (09), S14, T01 S, R25 E, BLOCK 1, LOT 5C, LT 5C BLK 1 SHILOH CROSSING SUB AMD (09)
5. **Neighborhood Task Force Area:** Yes /// No . If Yes, Name of Task Force and mailing address of Chairperson: WEST END TASK FORCE, STEVE ZEIER, 5415 SUMMER STONE ST, BILLINGS, MT, 59106
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 17th day of April, 2025.
 - 2) The Special Review application is based on materials presented at the meeting.

Owner (s): John Johnson Telephone: (307)-262-1735
Address: 2230 Bryan Stock Trail, P.O. 50630, Casper, WY 82605 Email: john@jrgrestaurants.com

Agent (s): Collaborative Design Architects Telephone: (406)-248-3443
Address: 2280 Grant Road, Suite C, Billings, MT 59102 Email: mitchell@cd-mt.com

Johnson Restaurant Group
2230 Bryan Stock Trail (82601)
PO Box 50630
Casper, WY 82605

April 21, 2025

City of Billings – Zoning Commission
Planning & Community Services Department
2825 3rd Ave North, 4th Floor
Billings, MT 59101

RE: Neighborhood Preapplication Meeting Certification for 840 Shiloh Crossing Blvd

To Whom It May Concern,

This letter is provided to formally certify that a Neighborhood Preapplication Meeting was held on **April 17, 2025**, from **6:00 PM to 7:00 PM MST**, at the project site located at **840 Shiloh Crossing Blvd, Billings, MT 59102**, in accordance with the requirements of the Special Review process administered by the City of Billings.

The purpose of the meeting was to present and discuss the proposed design for the remodel and addition to the existing **Rio Sabinas** building. The new project will introduce **J's Pub & Grill** alongside **Black Chip Casino**, revitalizing the currently vacant property with an updated restaurant and gaming concept.

The meeting was hosted by representatives from **Johnson Restaurant Group (Owner)**, **Collaborative Design Architects (Architect/Agent)**, and a broker from **NAI Business Properties**. Attendees included two local stakeholders, including representatives of the **Long Family**, who expressed enthusiastic support for the revitalization of the site and the anticipated increase in business activity it would bring to the area. Notably, Mack Long commented on the sign-in sheet, "this will be a great improvement," reflecting the community's optimism for the project.

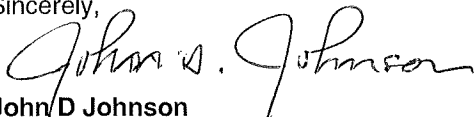
During the meeting, the architectural team presented the **Schematic Design Package** to convey the intent of the proposed remodel and addition. The materials included floor plans, site information, and representative imagery. Visitors had the opportunity to walk the site and discuss design elements, finishes, and structural changes with the architects, who were available to answer questions and explain the complexity of the improvements.

This letter is submitted alongside the following materials for documentation:

1. Mailer Notice of the Neighborhood Meeting (as distributed on 04/09 by Johnson Restaurant Group)
2. Meeting Sign-In Sheet (as recorded at meeting)
3. Schematic Design Package presented during the event (attached for reference)

Should additional information be required, I would be happy to provide clarification or further documentation.

Sincerely,



John D Johnson

Owner

Johnson Restaurant Group
Office: 307.265.3029 (Ext 103)
Cell: 307.262.1735

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Meeting Agenda

Client: Johnson Restaurant Group **Date:** 04/17/25
Project: J's Pub & Grill Neighborhood Meeting **Time:** 6:00 pm
Project No: 2454 **Location:** X

Attendees: Mitchell Osland, Travis Smith, John Johnson, **Brian McDonald, Mack Long, Karen Long**

Agenda Items

Topic X *meeting notes in red

Meeting Agenda:

1. **Welcome & discuss purpose of the Meeting.**
 - a. Meeting started at 6:10 PM.
2. **Present J's Pub & Grill Schematic Design Package**
 - a. Collaborative Design Architects to review packages to participants.
 - b. All 14 pages of package were reviewed and presented to meeting participants.
3. **Site walk & questions.**
 - a. Walk site with Architects & Owner to see the space and talk about the future vision.
 - b. Exterior and Interior walk was had with meeting participants.
4. **Meeting close & Sign out**
 - a. Please write your name on the sign in sheet & leave any comments you may have about the project.
 - b. Comments from the Long Family (Mack & Karen): The Long family is excited for the new restaurant to come to the currently unoccupied space.



J'S PUB & GRILL NEIGHBORHOOD MEETING - SIGN IN SHEET
04/17/25 - 6:00PM - 840 SHILOH CROSSING

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NAME / CONTACT INFORMATION (OPTIONAL)	COMMENTS:
Mack Long 406-208-0707	This will be a great improvement.
Travis Smith	
MICHELLE OSLAND	
John A. Johnson	
Karen J. Song	

YOU'RE INVITED

NEIGHBORHOOD MEETING

JOIN US FOR A BRIEF PRESENTATION OF THE NEW VISION
FOR 840 SHILOH CROSSING BLVD.

WHEN: APRIL 17TH, 6:00 PM
WHERE: 840 SHILOH CROSSING BLVD

COMING SOON



J'S PUB & GRILL
SCHEMATIC DESIGN



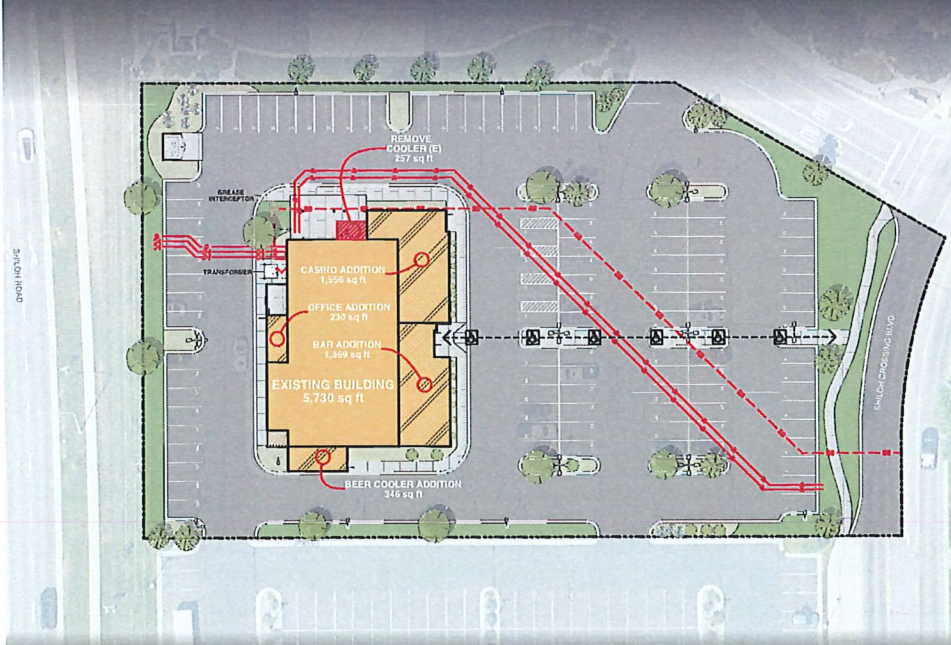
ARCHITECTS



THE NEW VISION

Located in the former *Rio Sabinas Cantina*, **J's Pub & Grill** will provide a refreshed contemporary atmosphere with American cuisine and dining. The addition and remodel will include refreshed areas for outdoor seating, enlarged bar seating for the more casual scene, and a spacious dining room. **The Black Chip Casino** will offer exciting gaming experiences on site with a full bar and a lively atmosphere.

Join us on **April 17th at 6 pm at 840 Shiloh Crossing Blvd,**
Billings, MT to learn more!



JOHNSON
RESTAURANT
GROUP



COLLABORATIVE
DESIGN
ARCHITECTS



J'S PUB & GRILL REMODEL

SCHEMATIC DESIGN PACKAGE

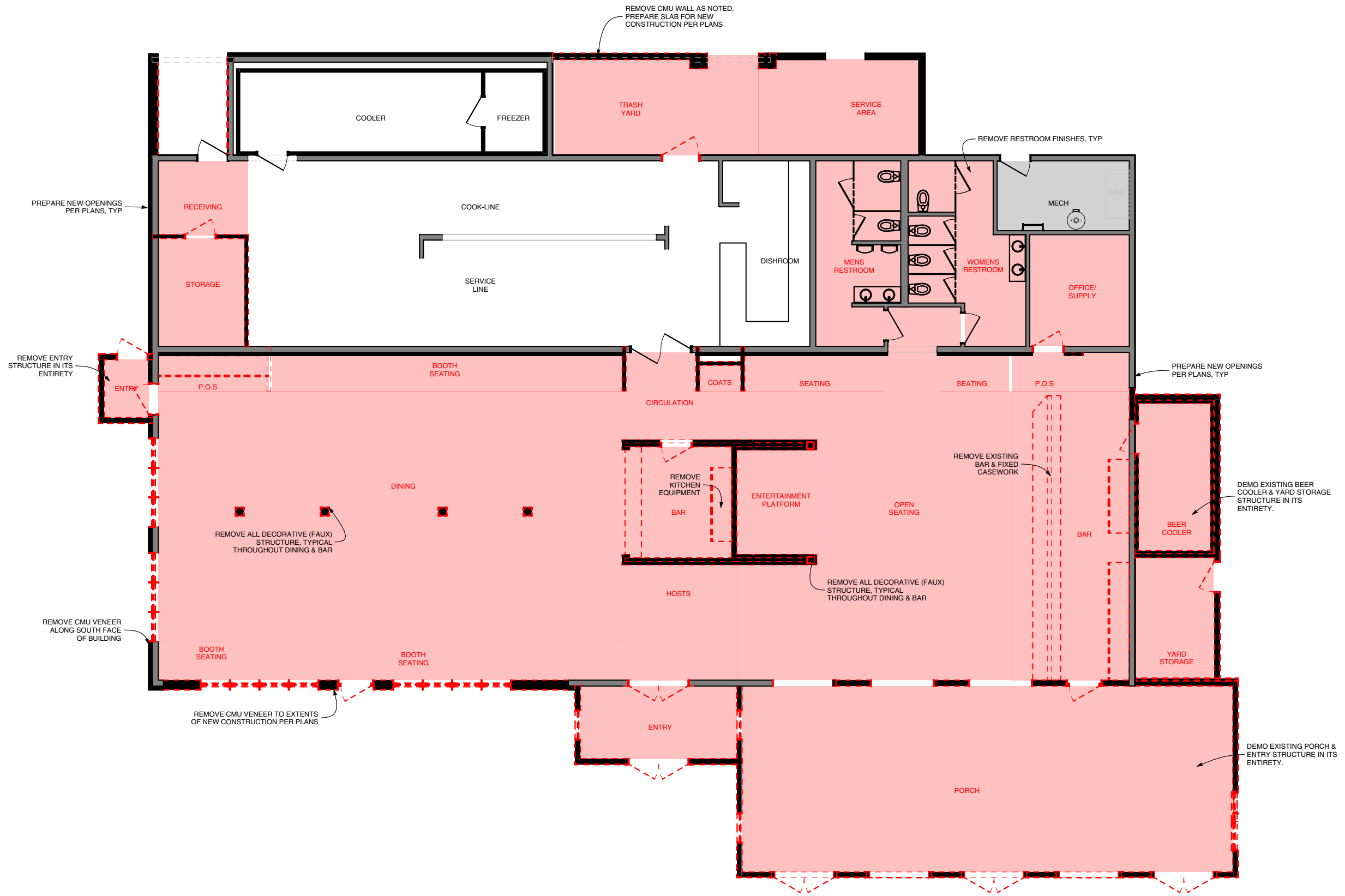
DESIGN PACKAGE

G001	COVER SHEET
AS101	SITE PLAN
D101	DEMOLITION PLAN
D111	ROOF DEMOLITION PLAN
A101	PROPOSED FLOOR PLAN
A102	AXONOMETRIC VIEWS
A103	FFE COORDINATION PLAN
A104	PROPOSED ROOF PLAN
A201	ELEVATIONS
A202	ELEVATIONS
A801	EXTERIOR RENDERINGS
A802	EXTERIOR RENDERINGS



1 SITE PLAN
1" = 40'





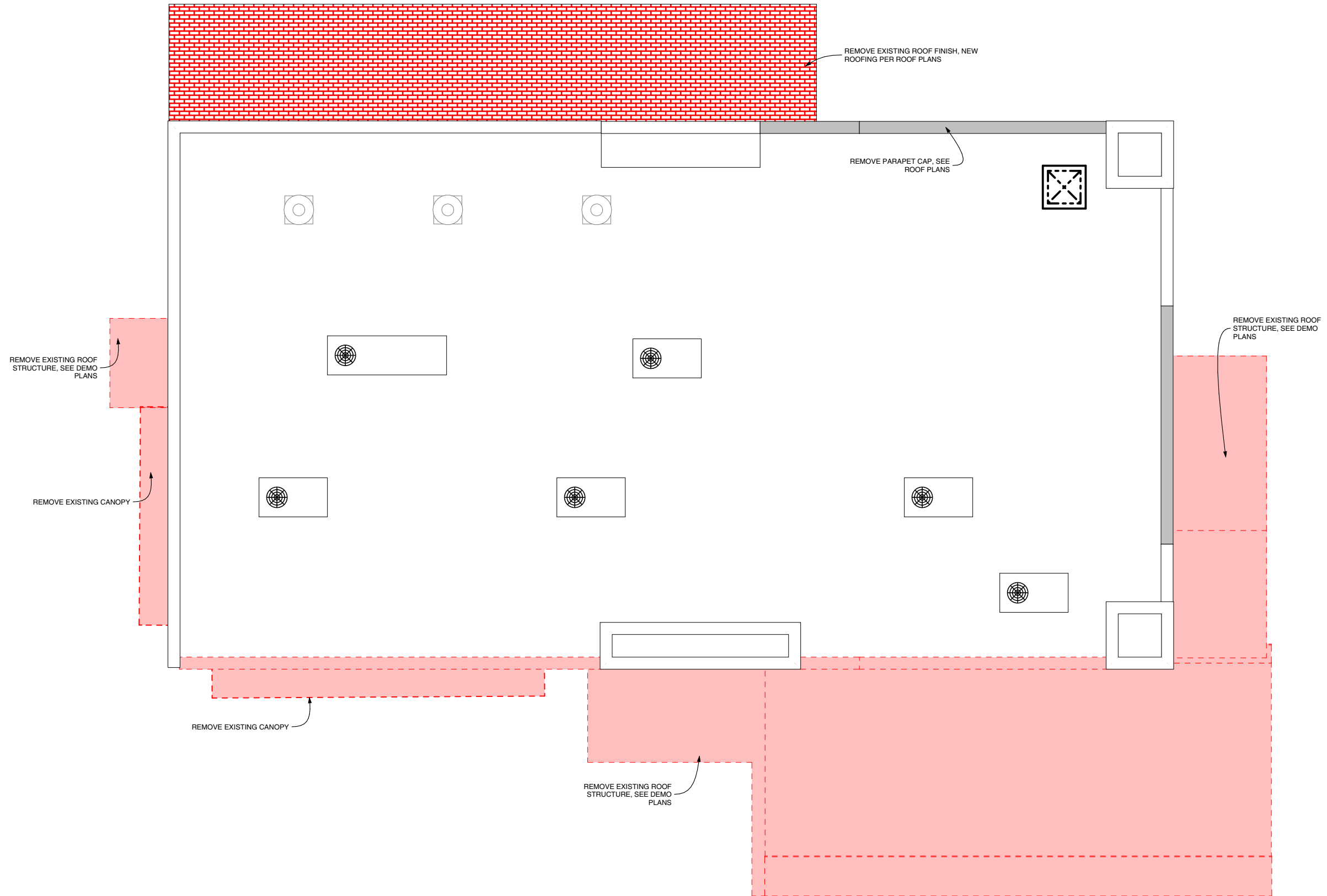
1 DEMOLITION FLOOR PLAN
 3/32" = 1'-0"



JOHNSON RESTAURANT GROUP
 PREPARED FOR: JOHN JOHNSON

J'S PUB & GRILL REMODEL | SCHEMATIC DESIGN PACKAGE
 840 SHILOH CROSSING BLVD, BILLINGS | MT





1 DEMOLITION ROOF PLAN

3/32" = 1'-0"

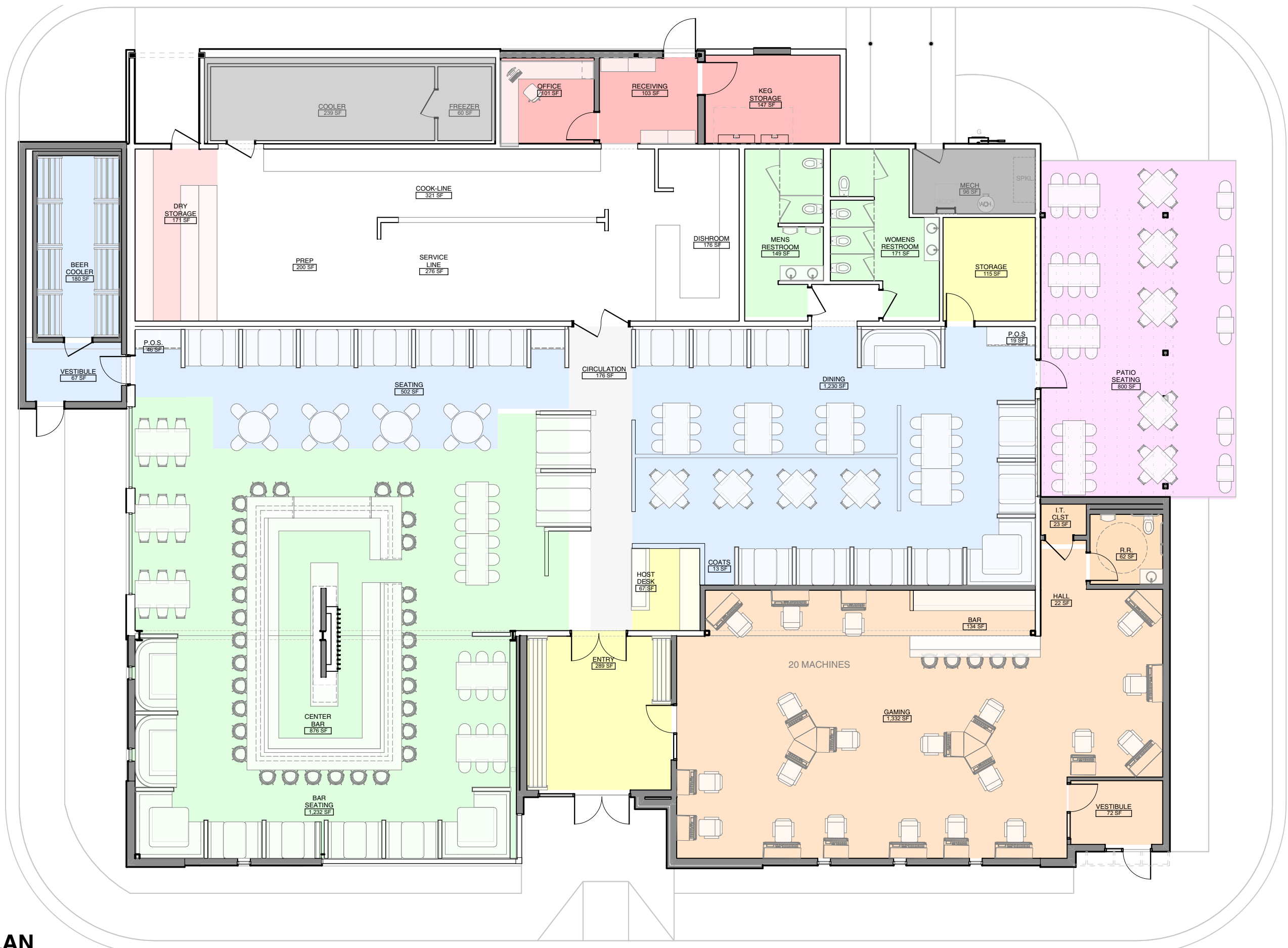


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ROOF DEMOLITION PLAN



1

FLOOR PLAN

3/32" = 1'-0"



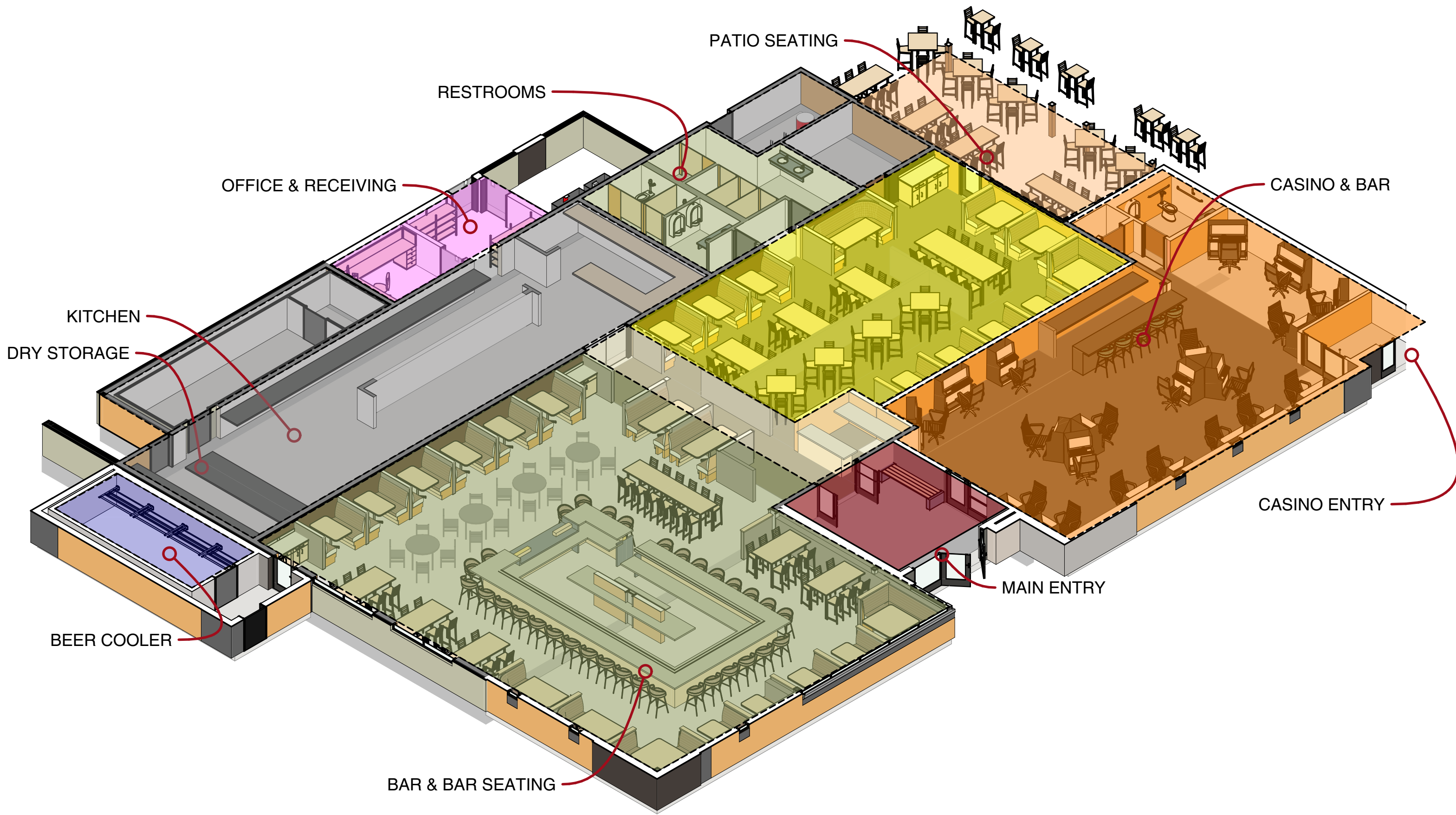
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PROPOSED FLOOR PLAN



1

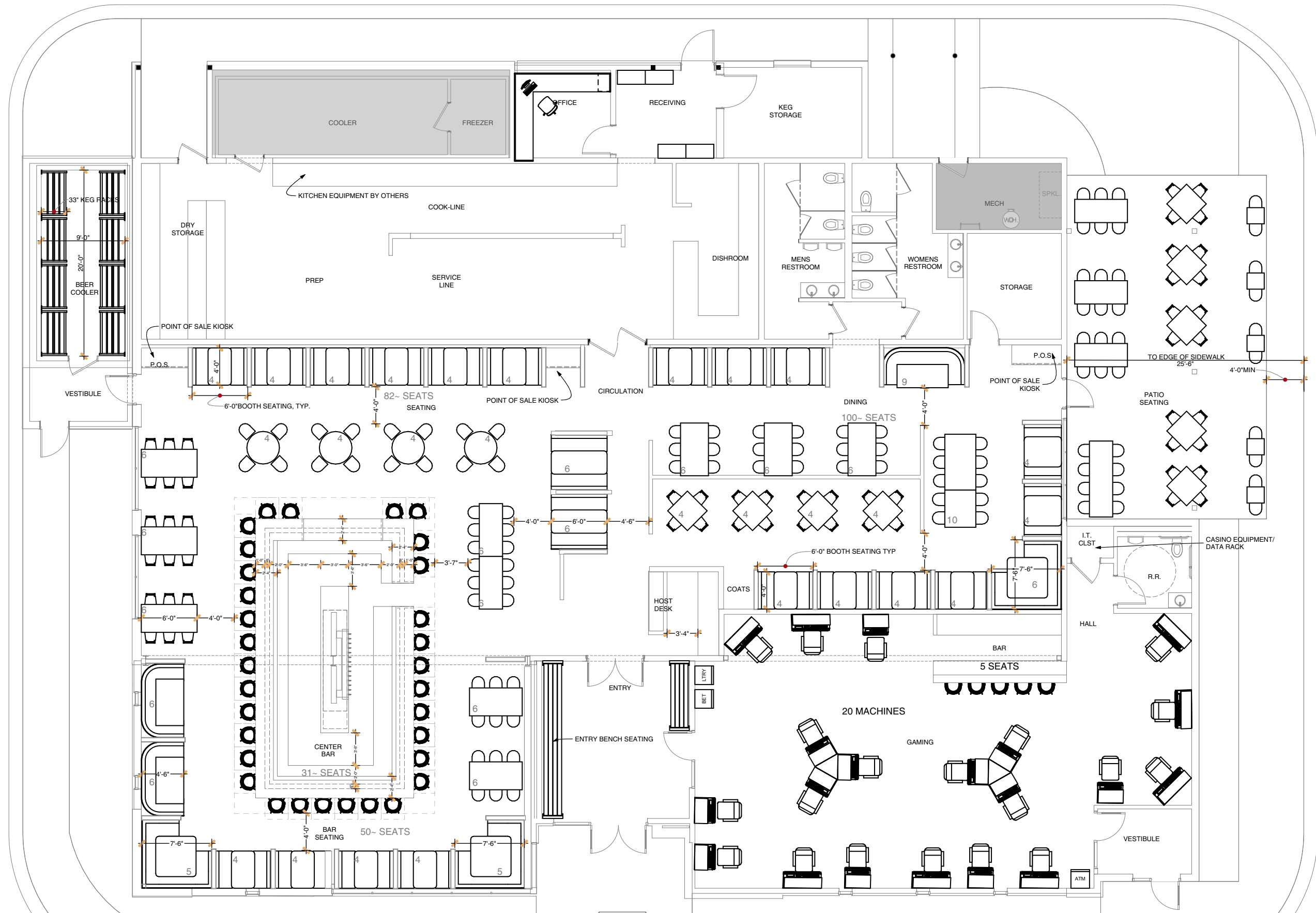
AXONOMETRIC VIEW - SOUTHEAST



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AXONOMETRIC VIEWS



1 FFE COORDINATION PLAN
 3/32" = 1'-0"

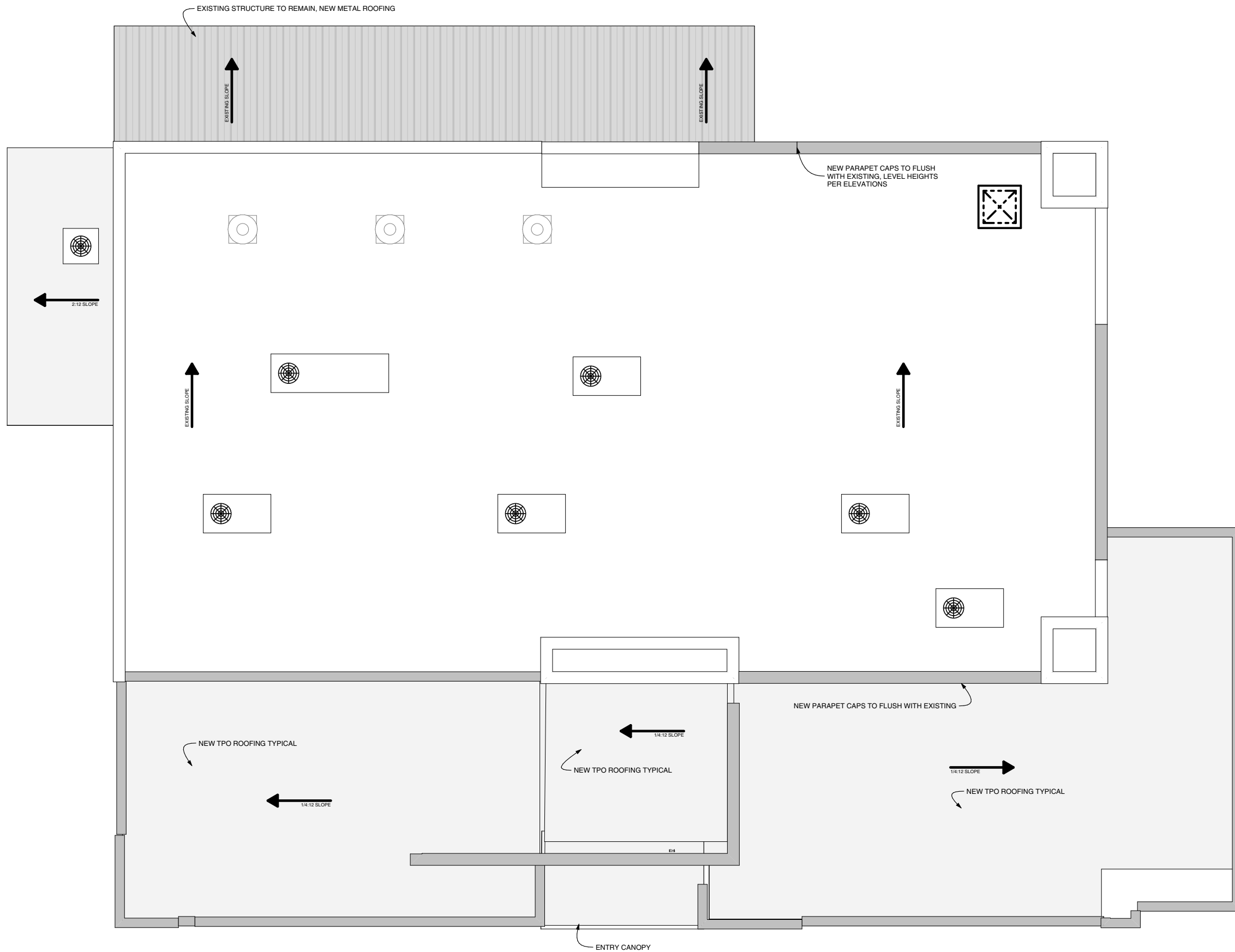


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J'S PUB & GRILL REMODEL | SCHEMATIC DESIGN PACKAGE
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FFE COORDINATION
 PLAN



1 **ROOF PLAN**

3/32" = 1'-0"



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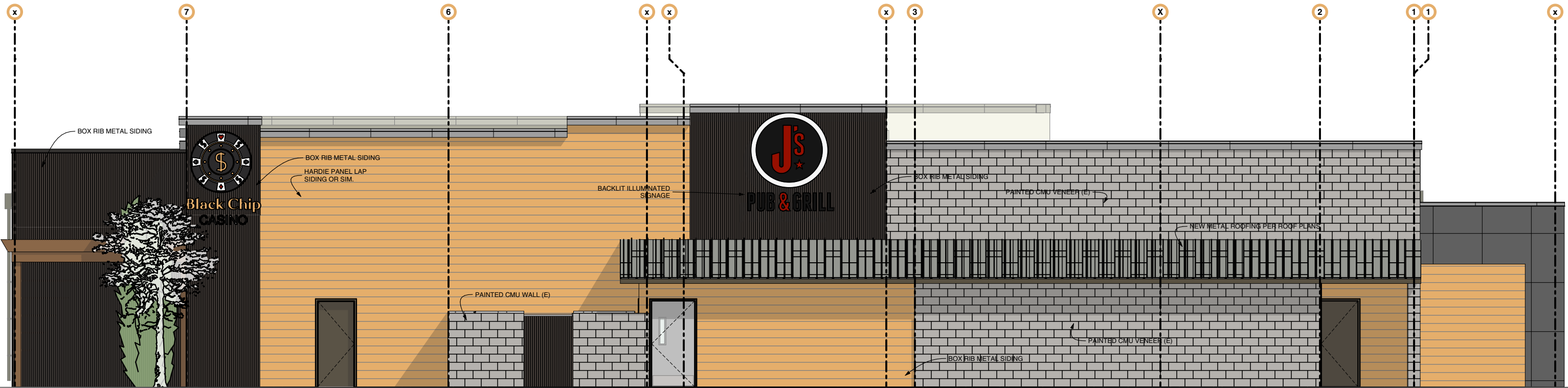
PROPOSED ROOF PLAN



1 EAST ELEVATION
1/8" = 1'-0"



2 SOUTH ELEVATION
1/8" = 1'-0"



1

WEST ELEVATION

1/8" = 1'-0"



2

NORTH ELEVATION

1/8" = 1'-0"



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ELEVATIONS



1 EXTERIOR CONCEPTUAL PERSPECTIVE



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EXTERIOR RENDERINGS



1 EXTERIOR CONCEPTUAL PERSPECTIVE



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**EXTERIOR
RENDERINGS**

SUBJECT PROPERTY	Special Review	DATE	FOR	APPROVED (Y/N)	ADDITIONAL DATA
None					
SURROUNDING PROPERTY	Special Review	DATE	FOR	APPROVED (Y/N)	ADDITIONAL DATA
5435 Midland Rd – High Tide Casino	552	June 12, 1995	Beer & Wine w gaming	Yes	
1212 Mullooney Lane – former Western Emporium	649	Dec 14, 1998	All Beverage	Yes	
2001 Overland Ave – Outback Steakhouse	216	Jan 7, 1985	Beer & Wine	Yes	
2011 Overland Ave – Fuddruckers	231	May 6, 1985	Beer & Wine	Yes	
2021 Overland Ave – former Jade Palace	373	Jan 9, 1989	All Beverage	Yes	
2011 Overland Ave – Fuddruckers	394	Nov 27, 1989	All Beverage	Yes	
2201 Grant Rd – Olive Garden 2250 King Ave W – Red Lobster	475	Nov 9, 1992	All Beverage two locations	Yes	
2300 King Ave W – Rendezvous Bar & Casino	496	Aug 2, 1993	Beer & Wine	Yes	
2001 Overland Ave – Outback Steakhouse	654	March 22, 1999	All Beverage & Patio	Yes	
2010 Overland Ave – Denny's	776	Feb 28, 2005	All Beverage w/o gaming	Yes	
1824 King Ave W – Texas Roadhouse	725 & 726	Aug 26, 2002	Beer & wine w/gaming	Yes	
1911 King Ave W – Asian Sea Grill	895	Jan 9, 2012	All Beverage	Yes	
1911 King Ave W – Silver City Casino	836	Feb 26, 2007	Beer & Wine w/gaming	Yes	
1225 Mullooney Lane	77	April 28, 1980	Gas Station	Yes	Gas station, convenience store, carwash and laundry
1225 Mullooney Lane	274	April 1986	Add Gas Island	Yes	
1225 Mullooney Lane	487	May 6, 1986	Arterial setback for fuel canopy	Yes	
4121 Kari Ln (aka 4100 King Ave W)	823	7/24/06	Beer & Wine	Y	With Gaming, Hollywood Casino
4020 Montana Sapphire Dr (aka 920 Shiloh Rd)	927	7/27/15	All beverage	Y	No Gaming, The Divide Restaurant & Bar
4010 Montana Sapphire Dr	930	8/24/15	Beer & Wine	Y	With Gaming, Dotty's Casino
4241 Kari Ln	832	1/8/07	All Beverage	Y	Restaurant, Montecito Pizza
3189 King Ave W	989	1/5/21?	All Beverage	?	With Gaming & Restaurant, Warden's Casino w/ Pie Guys Pizza

741 24 th St West	943	6/27/16	Auto Service Station	Y	Construction in a Neighborhood Commercial zone
4120 Kari Lane	992	11/22/21	Auto Service	Y	Auto collision repair Service over 5,000 sf
Shiloh Crossing Blvd	993	3/27/23	Auto Service	Y	Auto collision repair Service over 5,000 sf