

Attachment B

Zoning Commission Determinations

Zone Change #931 – Yellowstone Avenue – Midway Townhomes

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 consistent with the following goals of the Growth Policy:

- *Predictable land use decisions that are consistent with neighborhood character and land use patterns. (Land Use Element Goal, page 6)*

The proposed zoning would allow an underutilized property within the city limits to develop in a similar pattern and density consistent with the surrounding property. The zoning district is compatible with the neighborhood character and land use patterns.

- The Infill Policy encourages development of vacant and undervalued property within the city limits with emphasis on housing choice and efficient use of existing city infrastructure and services.

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 will be promoted by the proposed zoning. Development of the vacant land in the city will promote the public health and safety of the adjacent residential neighborhood by providing full development of streets, closing informal traffic cut-through on Yellowstone Avenue and address storm water issues in the area.

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

Transportation: The proposed zoning and subsequent Master Site Plan will have an impact on the surrounding transportation systems. The City Engineering Division will work closely with the owner to ensure impacts are minimized.

Water and Sewer: The City will provide water and sewer to the property. There should be no additional impact to the system from the proposed zoning.

Schools and Parks: There may be a limited impact to schools from the proposed zone change. Residential development is an allowed use in both the current zoning and the proposed zoning. The development plan is for two-family dwellings as townhomes (each unit separately owned).

Fire and Police: The subject property will be served by city public safety services. The Police Department had no concerns with the zone change and the Fire Department will be involved in the Master Site Plan approval process. Access for emergency services will assured

through this process. Fire Station #4 is approximately $\frac{3}{4}$ of a mile to the south and east.

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 new zoning will have an effect on vehicle and pedestrian traffic. Yellowstone Avenue is not a dedicated right of way all the way through this property. In addition, 10th Street West to the east is also not a dedicated right-of-way although a sanitary sewer main exists under this gravel road. There is a small section of Yellowstone Avenue constructed along the south side of 910 10th Street West (apartments) but it is a dead-end. People drive around the barricades to access the Shrine Auditorium parking lot. Development of the property will remove this informal access. There is an alley to the south that will provide access to alley garbage service for some of the townhomes. 10th Street West south of Yellowstone Avenue also is an incomplete street. The city has sanitary sewer main under the dirt/gravel section of the street but no right of way has been dedicated. This sanitary sewer main was installed in 1974. The City Engineering Division will determine the required street improvements for Yellowstone Avenue and 10th Street West.

7. *Will the new zoning will promote compatible urban growth?*

The new zoning does promote compatibility with urban growth. The proposed zoning will allow residential uses with an efficient density as an infill project.

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 a mix of housing types in the neighborhood.

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

The property is currently vacant. The value of existing buildings should increase when the property is developed.

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

The proposed zoning will permit residential dwellings of similar type and density as the surrounding neighborhood and is the most appropriate use of land at this location.