

## Attachment B

### Zoning Commission Determinations Zone Change #932 – 808 Grand Avenue

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 with the surrounding property. The zoning district is compatible with the neighborhood character and land use patterns. It is located at the intersection of 2 high traffic streets. Adjacent residential zones will be protected through application of the criteria for development in Section 27-612.e of the Unified Zoning Regulations that requires mitigation of light, noise, traffic and other typical commercial site issues.

- The Infill Policy encourages development of vacant and undervalued property within the city limits with emphasis on 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 as well as the general welfare by developing the final corner of this major intersection of Grand Avenue and 8<sup>th</sup> Street West. The applicant and developer is cognizant of the access easement, underground spring as well as the adjacent residential neighborhood that will need protection from intrusion of commercial activity.

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

Transportation: The proposed zoning 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. A development plan and specific use of the property is not yet finalized.

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 any development plan and building permit(s). Fire Station #4 is approximately 1 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. Any new development will need to be evaluated for its impact on Grand Avenue and 8<sup>th</sup> Street West. Existing sidewalks may need to be repaired or replaced at the time of a building permit. Construction on the site may disrupt traffic patterns for short periods of time. Any new access will be evaluated by the City Engineering Division. The existing private access easement across the property from 8<sup>th</sup> Street West must be retained but it could be re-located by mutual agreement of the property owners.
7. *Will the new zoning will promote compatible urban growth?*  
The new zoning does promote compatibility with urban growth. The proposed zoning will allow commercial and 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 except for a vacant residential structure. 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 commercial uses and mixed uses of similar type and density as the surrounding neighborhood and is the most appropriate use of land at this location.