

Application

APPLICATION FORM

CITY ZONE CHANGE Billings Zone Change # 999 - Project # PZX-21-00223

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 Corridor Mixed Use 1 (CMU1)

Proposed Zoning: Corridor Mixed Use 2 (CMU2)

TAX ID# A290320 CITY ELECTION WARD 5

Legal Description of Property: Lot 4, Block 16A of Amended Lot 1, Block 16A, Lampman Subdivision

Address or General Location (If unknown, contact City Engineering): 733 S 31st Street W

Size of Parcel (Area & Dimensions): 294'x213' = 62,464 sqft

Present Land-Use: Vacant

Proposed Land-Use: Additional service building and parking for existing Mercedes dealership

Covenants or Deed Restrictions on Property: Yes _____ No X

If yes, please attach to application

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

Owner(s): Patricia Harvey

(Recorded Owner) 841 Remington Boulevard, Bolingbrook, IL 60440

(Address) 630-967-4956 pharvey@weathertech.com

(Phone Number) (email)

Agent(s): WWC Engineering - Greg Reid

(Name) 550 S. 24th Street W, Billings, MT 59102

(Address) 406-894-2210 greid@wwcengineering.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: *Patricia Harvey* Date: 8/26/2021
(Recorded Owner)

8/27/21

Applicant Letter

(1) Whether the new zoning is designed in accordance with the growth policy;

The 2016 City of Billings Growth Policy, states that growth will be managed by "encouraging development within and adjacent to the existing City limits, but preference will be given to areas where City infrastructure exists or can be extended within a fiscally constrained budget and with consideration given to increased tax revenue from development." The proposed zone change would provide additional tax revenue to the city and provide an expansion of an existing business onto the adjacent infill lot that is already provided city services.

(2) Whether the new zoning is designed to secure from fire and other dangers;

The change of CMU1 to CMU2 zoning would not create any dangers within the neighborhood. With the zone change, the developer intends to fence the property to encompass it with the existing Mercedes dealership and service center to the south. The business expansion will eliminate a vacant property with deferred maintenance. There is an existing fire hydrant installed on the southwest corner of the intersection of South 31st Street W and Henesta Drive in addition it is anticipated that the new development will include fire sprinklers within the building due to the expected size of the building, therefore there are no anticipated dangers of fire protection with the development.

(3) Whether the new zoning will promote public health, public safety and general welfare;

The proposed zone change from CMU1 to CMU2 would allow for the developer to expand the existing Mercedes dealership and service center to the property. The developer will be required to improve existing infrastructure adjacent to the property and install new infrastructure such as water, sewer, stormwater retention, and landscaping. The required improvements also will include curb/gutter, sidewalk, and widening of South 31st Street W along the subject property. The expansion will improve the property value in the neighborhood and eliminate a vacant lot within the city limits. The vacant lot is also an unlighted lot with vehicles for service stored on it for the dealership. This scenario attracts vandalism at night. The proposed development may include lighting and security fence to remove the allure to this neighborhood at night for vandalism, decreasing police calls to the area.

(4) Whether the new zoning will facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements;

The proposed zone change from CMU1 to CMU2 will have minimal impact on transportation surrounding the property. Currently, the two roadways providing access to the parcel (South 31st Street W and Henesta Drive) are improved and maintained with connectivity to King Avenue W and Rosebud Drive.

The City of Billings was contacted regarding capacity of the water and sewer mains in the area of the proposed project. It was noted that the proposed project would have adequate capacity by the existing facilities. Each of the two roads that access the property has a water, sewer, and storm main within the roadway. Given that the property will have a commercial development, there will be minimal impact on the water and sewer main. A requirement with commercial development is that the site needs to have the capacity to handle a 50 year storm event. As this is intended as an expansion of the existing business to the south, the storm service for that facility may be utilized to limit additional connections to the City storm mains.

Since the development will be commercial, the neighborhood schools and parks will not be impacted by this zone change.

(5) Whether the new zoning will provide adequate light and air;

In comparison of CMU1 development to CMU2 development, it is not anticipated that air pollution will be changed. A CMU1 zoned property has a number of available permitted use types from gas stations to restaurants to boarding kennels similar to CMU2 zoning. With the commercial development and vandalism that has previously occurred on the unlighted property, adequate lighting will be necessary on the property.

(6) Whether the new zoning will effect motorized and nonmotorized transportation;

The proposed zoning will not have a negative effect on motorized and nonmotorized transportation. The motorized transportation will be entering the property thru the existing service center or from the existing approach along South 31st Street W. As part of the commercial development requirements, the portion of South 31st Street W along the subject property will need to be widened with installation of new curb/gutter and sidewalk. Those improvements will allow nonmotorized transportation to travel safely outside the property.

(7) Whether the new zoning will promote compatible urban growth;

The proposed zoning will allow the developer to expand the Mercedes dealership and service center to meet the needs of local and regional customers. The development will be required to satisfy the City of Billings regulations for commercial development on the street, sidewalks, water, sewer, stormwater, fencing, and lighting. The business expansion will eliminate a vacant lot within a commercial and residential neighborhood. Development of an infill property is encouraged within the city limits. The required property improvements will increase the value of property within that area.

(8) Whether the new zoning considers the character of the district and the peculiar suitability of the property for particular uses;

The character of the district surrounding the subject property, is a mix of residential and commercial businesses. The proposed zone change from CMU1 to CMU2 would allow the property to stay consistent with the adjacent property to the south which is also zoned for CMU2. For expansion of the existing business, the developer will be required to comply with the requirements for commercial development such as (but not limited to) infrastructure improvements and landscaping.

(9) Whether the new zoning will conserve the value of buildings; and

Immediately adjacent to the proposed development is an existing CMU2 development. As such, this development would not be changing the type of commercial development that exists within the neighborhood. Further, the vacant property will be developed by changing the zoning to allow the extension of the existing business, which will remove an unmaintained lot from the area and improve it to maintained landscaping and buildings with fully widened roadways and sidewalks in the public right-of-way adjacent to the property.

(10) Whether the new zoning will encourage the most appropriate use of land throughout the City of Billings.

Given the growth of commercial development and businesses within Billings, this proposed zone would allow the developer to provide additional resources and services to meet the needs of their clients. The infill development of commercial business would generate a return on investment for the City of Billings. The requirements for commercial development of CMU2, will require street and city service improvements adjacent to the property and landscaping.

This zone change is necessary for the dealership to expand their business within their current footprint. Alternatively, the dealership would be required to purchase vacant land on the outskirts of the City and expand their business there, leaving this property and the existing dealership to sit unused for an indeterminate time into the future.