

**APPLICATION FORM**

**CITY ZONE CHANGE** Billings Zone Change # 1000 - Project # PZX-21-00231

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 N2 - Mid-Century Neighborhood

Proposed Zoning: NO

TAX ID# A02533A CITY ELECTION WARD 2

Legal Description of Property: Lots 10, Block 1 of Arrowhead Subdivision

Address or General Location (If unknown, contact City Engineering): 436 Wicks Lane, Billings, MT

Size of Parcel (Area & Dimensions): 0.288 Acres

Present Land-Use: Residential

Proposed Land-Use: Neighborhood Office - Dental

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.

Laighton D. Jones, DMD

Owner(s): \_\_\_\_\_

(Recorded Owner) 502 Wicks Lane, Billings, MT 59105

(Address) 406-248-7868

(Phone Number)

(email)

Agent(s): Scott Aspenlieder - Performance Engineering, LLC

(Name) 608 N 29th St, Billings, MT 59101

(Address) (406) 384-0080

scott@performance-ec.com

(Phone Number)

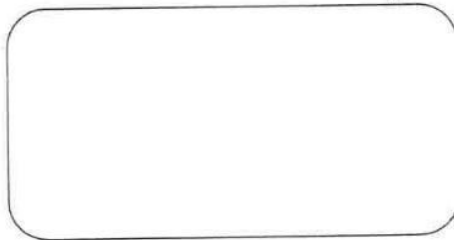
(email)

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: \_\_\_\_\_

(Recorded Owner)

Date: 9-14-21





608 North 29<sup>th</sup> Street, • Billings, MT 59101 • (406) 384-0080

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## Laighton Jones Dental – Zone Change Questions

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

The tract of land of interest is currently zoned N2 – Mid-Century Neighborhood. The land surrounding the property generally residential to the west, both behind the lot and across Wicks Lane and then commercial to the east of the lot, both directly adjacent and across Wicks Lane. The Growth Policy has several goals that would be met by changing the zoning of the property from N2 to NO under the new Zone Ordinance. The issues that will be addressed are described below.

The proposed change will continue to provide the local neighborhood with services based on the NO zoning. The development plan is to extend the existing NO zoning for the Jones Dental Facility directly adjacent to the east so the older building and office can be demolished and a new larger facility can be built on the existing lots and lot affected by the zone change. The proposed change will result in a reduction in traffic by eliminating the existing residential house and consolidating lots for an improved dental facility to be rebuilt. This project will also serve to improve the quality of the neighborhood and values by removing an aged and deteriorating house and building and constructing a new, modern facility meeting the current zoning and building codes.

### **B. Meets the 10 criteria for a zone change.**

1. Is the new zoning designed in accordance with the Growth Policy?
  - a. The proposed change consolidates lots and buildings to allow for redevelopment of the area to help rejuvenate a portion of the Heights. The proposed zone changes aligns with allowing continued light commercial use along a busy arterial road. The NO zoning continues to provide neighborhood services to the area while bringing new construction into compliance with new zoning regulations and construction requirements.
2. Is the new zoning designed to secure from fire and other dangers?
  - a. The new zoning requires minimum setbacks and landscaped areas with building separation. These zonings will provide adequate building separation 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?
  - a. Public health and safety will be promoted through the consolidation of the properties and new construction which in turn adds to the rate payer base for the City and increase property taxes revenue.
4. Will the new zoning facilitate the adequate provision of transportation, water, sewage, schools, parks and other public improvements?
  - a. Transportation: The proposed zoning will reduce density and therefore reduce transportation impacts on the area through removal of the residential house and consolidation of the lots.
  - b. Water and Sewer: The City currently provides water and sewer to the area through existing infrastructure.
  - c. Schools and Parks: Neither should be impacted by the development as it proposes to reduce the density of residential houses in the area.
  - d. Fire and Police: The area is served by the City public safety services.

5. Will the new zoning provide adequate light and air?
  - a. The proposed new zoning and building regulations require setbacks for vertical construction that will provide for adequate separation between buildings.
6. Will the new zoning effect motorized and non-motorized transportation?
  - a. Trip generation for the area will be reduced from the original zoning through elimination of the residential house and consolidation of the lots for a single building/facility. The proposed zoning should not have any negative impacts on the planned trip generation for this area.
7. Will the new zoning promote compatible urban growth?
  - a. The proposed zoning will allow for redevelopment of an aged area of the community through consolidation of buildings into a new facility to help rejuvenate this part of the City.
8. Does the new zoning consider the character of the district and the peculiar suitability of the property for particular uses?
  - a. The proposed zoning will eliminate an aging residential building and allow for consolidated use of the lots for a new facility following current zoning requirements, meeting the character of the district.
9. Will the new zoning conserve the value of buildings?
  - a. The proposed zoning will eliminate an aging residential house and commercial building to allow for construction of a new commercial building and require construction to meet the new zoning standards which will add value to the area.
10. Will the new zoning encourage the most appropriate use of land throughout the City of Billings?
  - a. The proposed zone changes encourages commercial use along Wicks Lane while still ensuring the new construction aligns with neighborhood style building and construction. This approach will be the most appropriate use of the property.

**C. Explain how the new zoning will fit in with the existing zoning and land uses of the immediate area.**

The proposed development plan is to remove the residential house on the subject property along with the existing Jones Dental facility adjacent to the east and consolidate them into one new office for Laighton Jones Dental. The NO zone will allow the property to be redeveloped into an attractive and appropriately sized facility that fit within the local neighborhood. The land surrounding the property east is stepped down commercial uses which align with the growth policy. The developer is requesting this zone change to align with the timeline of redevelopment of the property in 2022.