

Certificate of Survey 2828, Tracts 1 & 2, & Drainage Ditch ROW

Zone Change Request from Agriculture to N2 Mid-Century Neighborhood Residential, NX1 Mixed Residential 1, NX3 Mixed Residential 3 and P1

Statement of Proposal

Robert D Bell and Bonnie E Bell, with Dorn/ Lowe LLC as their agent, are seeking to Annex and Rezone Tracts 1 and 2 of Survey CS 2828 and A 55-foot wide strip of land adjoining the south line Tracts 1 and 2 of Certificate of Survey 2828, located in the Northeast Quarter of Section 10, Township 1 South, Range 25 East, P.M.M., Yellowstone County, Montana in order to develop duplex, fourplex, townhome, and multi-family residential units, which will allow for a transition between the existing Twin Pines Townhomes and Legends West subdivision to the north and existing county residential lots to the east of the subject parcels. This is in accordance with the general development pattern for adjacent development to the south of the subject parcels.

Responses to Questions in Zoning Application

In what ways is your proposal consistent with the statutory criteria, guidelines and policies of the adopted Growth Policy?

The Growth Policy states:

In the next 20 years, Billings will manage its growth 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 City will prosper with strong neighborhoods with their own unique character that are clean, safe and provide a choice of housing and transportation options.

The 10 Zone Change Criteria

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

Yes, tracts 1 and 2 of COS 2828, and the drainage ditch ROW are being developed under the consideration of the Growth Policy statement above. It is a project adjacent to parcels where municipal services exist and is compatible with other recent developments in the area to the south and is in accordance with the newly adopted Recode zoning document.

2. Whether the new zoning is designed to secure from fire and other dangers?

The subject parcels will be serviced by City fire and police services and will be designed in accordance with City of Billings rules and regulations thus assuring protection from common dangers.

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

All development on Tracts 1 and 2 of COS 2828 and the drainage ditch ROW will be designed under the new City Zoning code which will regulate density and land use transitions. All residential uses will be subject to City of Billings building codes, and the utility and surface infrastructure will be constructed in accordance with City of Billings rules and regulations assuring compliance to this criterion.

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

The modifications proposed by this zone change ensure an area that is desirable for developers, the home buyers, renters and the current demographic and development trends they face. The project will be responsible for extending municipal water, sewer and storm drain to service the new development as well as constructing new asphalt roads and sidewalks to service the new residents.

5. Whether the new zoning will provide adequate light and air?

Tracts 1 and 2 COS 2828 and the drainage ditch ROW are being developed in accordance with City of Billings rules and regulations and therefore meets this requirement.

6. Whether the new zoning will affect motorized and nonmotorized transportation?

The zone change will continue to support and address growth needs and have additional connections to the local street network while concentrating housing within the established City of Billings projected growth areas.

7. Whether the new zoning will promote compatible urban growth?

The zone change is intended to provide a transition from the existing townhome, condo, twin home and single-family residential uses to the north and the single-family uses east of the subject parcels to the existing multi-family residential uses south of the subject parcels.

8. Whether the new zoning considers the character of the district and the peculiar suitability of the property for the particular use?

The property is located to the north, across the Monad and Bannister Drain rights of way from the existing multi-family and commercial neighborhood center at Lenhardt Square and the new medical school campus. This development is designed to contribute to that neighborhood center, and provide a transition to single-family and twin home residential uses to the north and single-family uses east of the subject parcels.

9. Whether the new zoning will conserve the value of buildings?

Although there is no evidence to suggest that the development of multi-family residential uses has any negative effect on the value of adjacent, existing single-family and twin home residential uses, the design of this development will provide transitional buffer zones of N2 and NX1 between existing single-family twin home uses and proposed NX3 uses.

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

The City of Billings continues to need projects that provide for a variety of affordable housing types. It is appropriate to continue to promote efficient development in close proximity to the City Limits boundaries. This zone change helps support an appropriate level of development which will serve the City both now and in the future. It is also beneficial to have greater densities near the new medical school campus and other business and commercial uses in order to reduce overall vehicular loads on local area streets.

Essential Investments (Relating Public and Private Expenditures to Public Values)

- ***Planning and construction of safe and affordable interconnected sidewalks and trails are important to the economy and livability of Billings.***

This property will provide pedestrian connections to adjacent development on Obie Lane and along the Bannister Drain.

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

This property will be annexed and will be served by extensions of existing City and municipal infrastructure adjacent to and within the site. This zone change will allow for efficient use of City and municipal infrastructure improvements and assure that it is secure from fire and other hazards in a cost-effective manner.

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

This property should not impact public health, safety and welfare any differently than the other area neighborhood developments which are developing in accordance with the City's zoning requirements.

Place Making (Enhance, Maintain, Preserve, and Improve Existing Public Places)

- ***A multi-use community recreation facility is desirable***

The project provides public open spaces in the form of pedestrian connections, park space, dog park, and private pool.

- ***The history and heritage of Billings are cornerstones of our community***

Billings has always adapted to the changes in economic drivers and been welcoming of projects that allow the community to continue to grow and prosper in a systematic and planned way. This zone change will follow in that light by supporting a variety of housing units at an attainable price.

Community Fabric (Attractive, Aesthetically Pleasing, Uniquely Billings)

- ***Attractive streetscapes provide a pleasant and calming travel experience in urban and suburban neighborhoods***

This property will be developed in accordance with the City’s code regulating street section to include planted boulevards.

- ***Planning and construction of interconnected sidewalks and trails are important to the livability of Billings***

This property will feature sidewalks on all streets, including pedestrian connections to adjacent development and the surrounding pedestrian network.

Strong Neighborhoods (Livable, Safe, Social and Resilient Neighborhoods)

- ***Walkable Zoning regulations that allow a mixture of housing types provide housing options for all age groups and income levels***

This property will develop with a range of housing types including duplex, townhome, and apartment. This will allow a greater diversity of income level, demographic, and age among its residents.

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

By locating a greater density of residences in proximity to the medical school, commercial and business uses to the property’s south, and providing pedestrian connections between them, this project will promote active transportation trips between the two.

- ***Public safety and emergency service response are critical to the well-being of Billings’ residents and businesses***

The property considered under this zone change will use named streets within its bounds to better address locations within and obtain an enhanced level of public safety.

Prosperity (Promoting Equal Opportunity and Economic Advancement)

- ***Predictable, reasonable City taxes and assessments are important to Billings’ taxpayers***

The densities that will result from this proposed zone change will promote efficient use of city services and high tax revenues per acre.

- ***Community investments that attract and retain a strong, skilled and diverse workforce also attracts businesses***

This development, the lifestyle and amenities it will offer will attract a diverse demographic of residents seeking housing alternatives to single-family detached residential. The property's proximity to the commercial center developing around the intersection of Shiloh and King will also reduce those residents' transportation costs. The density that will result from the proposed zone change will also provide tax revenues that will support the high-quality services that a quality work force demands.

The COS 2828 Tracts 1 and 2 and the drainage ditch ROW Zone Change will help Billings manage its growth by encouraging development within and adjacent to the existing City limits, giving preference to areas where City and municipal infrastructure exists helping to maintain fiscal responsibility for the City. This development will allow the City to increase tax revenue and the City will prosper by further developing a variety of neighborhoods with their own unique character that are governed by City regulations and provide a further choice of housing options and additional housing inventory.