

APPLICATION FORM

CITY ZONE CHANGE Billings Zone Change # 1045 - Project # PZX-24-00053

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 AO – Agricultural Open

Proposed Zoning: CMU1, NMU, NX1, NX2, N2, and P1

TAX ID# D00486 CITY ELECTION WARD 5

Legal Description of Property: Tract 2 of Certificate of Survey 3844 located in Section 10, T01S, R25E, Yellowstone County, MT
P.M.M.

Address or General Location (If unknown, contact City Engineering): 4524 Central Ave.

Size of Parcel (Area & Dimensions): Total Area = 48.492 acres

Present Land-Use: Vacant Agricultural Land

Proposed Land-Use: Mixed Density Commercial and Mix Density Residential Housing

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): Brown Development, LLC

(Recorded Owner) 745 South 56th St. West, Billings, MT 59106

(Address) (406) 698 - 5970 tbrownbuilders@yahoo.com

(Phone Number) (email)

Agent(s): Performance Engineering, Craig Dalton, PE

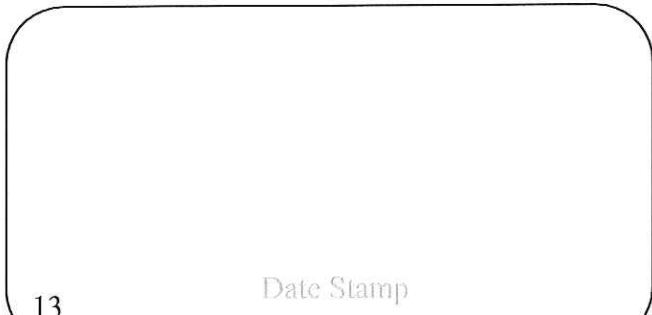
(Name) 608 N. 29th Street, Billings, MT 59101

(Address) (406) 384 - 0080 craig@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: [Signature] Date: 2-1-24
(Recorded Owner)





608 North 29th Street • Billings, MT 59101 • 406-384-0080

Zone Change Questions

Tract 2 of Certificated of Survey 3844 Yellowstone County, Montana. Having a total area of approximately 48.5 acres

1. Explain how the proposed project is consistent with the adopted Growth Policy, Neighborhood Plans, and other applicable city development policies.

Essential Investments - The proposed project is located along Central Avenue which is a critical corridor for growth of the City. The development and extension of municipal services, particularly public utilities, will open further development of a large swath of land between Monad and Broadwater from 48th Street to the east. The proposed development will assure that key parts of the Billings West End will be developed with appropriate density, connected to City services, and added to the City tax base. This property was originally conceptualized to be developed in the County, still drawing on emergency services and the transportation network of the City. Coordination with City Planning and Engineering for the extension of City water and sewer services provided the necessary avenue for this property to annex into the City. The proposed zoning adds necessary density to assure there are adequate taxable properties to provide a return on the City's initial extension investment and lowers the cost of service to the City in the future.

Infill Development Policy - The goal of the Billings Infill Policy is to promote housing and retail choices to encourage economic development, by rezoning this area it will stimulate development of the area and provide a more enjoyable neighborhood environment for the residents. Proposed commercial designation along Central Avenue will bring services closer to residents of the West End, improving neighborhood walkability and reducing commuter traffic into the City for basic services.

Diversified & Affordable Housing - This zone change will provide a mix of housing options. By offering a mix of housing alternatives, residents will be afforded the opportunity to upgrade within in the same neighborhood, creating a more resilient community. The development will also be an affordable option for the City due to the low cost of service created by the proposed mix of density in this proposal. This project will require a short extension of services (less than 800-ft) west while opening future areas for City growth between Monad and Broadwater. The proposed zoning will bring residential density to an area that currently has little diversity in housing, filling in the "missing middle" housing gap that currently exists in this West End area.

2. Explain how the proposed project meets the 10 zone change criteria.

a. Is the new zoning designed in accordance with the growth policy?

The new zoning adheres to the City of Billings growth policy through its expansion of mixed community uses with both residential diversity and commercial services incorporated into the development. The project incorporates multi-modal components with access to trails and parks included to give residents options. The proposal also assures that development of this land is done in a manner that takes into account the cost of services provided by the City with the incorporation of appropriate density and commercial development.

b. Is the new zoning designed to secure from fire and other dangers?

There will be fire hydrants located an adequate distance throughout the interior of the development with a maximum spacing of 500-ft, meeting all City of Billings Fire Codes. Additionally, the project will bring fire services with hydrants to an area of the West End that only operated on dry hydrants within the BUFSA or had not close fire suppression availability at all. Construction of the site will comply with building regulations and zoning code to allow for appropriate separation of buildings and proper lighting for public safety and security. The site is also located outside of any floodplain.

c. Will the new zoning promote public health, public safety, and general welfare?

The proposed zone change will diversify the surrounding neighborhood and create opportunities for housing in what is now considered the “missing middle” within the Billings West End. Buildout of this vacant land will bring more public eyes to the area to help keep watch on public safety. This zone change also requires landscaped or natural open areas to be incorporated within the development which will improve the general well-being of the neighborhood and encourage residents to use services within walking distance to their residence in the neighborhood.

d. Will the new zoning facilitate the adequate provision of transportation, water, sewage, schools, parks and other public requirements?

The change in zone will tie into existing services with short extension to the parcel which will also open up future development at appropriate density between Monad and Broadwater east of 48th Street. Additional park land areas, above the required 2% as part of the PND, will take form as the property moves into the subdivision process. Ultimately the development will look to provide centralized park spaces to maximize accessibility for residents. The development is not necessarily close to MET transportation however the inclusion of commercial with the intent of providing neighborhood services is an attempt to minimize the need for residence to travel outside their neighborhood, straining our transportation network. Over time the development will connect to

pedestrian systems, such as the multi-use path along Monad, that will tie back to Shiloh and the multi-use trail running along that corridor.

e. Will the new zoning provide adequate light and air?

The proposed zone change will have some impact on light and air as the property will move from agricultural use to residential, however, the open space, and subsequently park dedication, requirements will allow for adequate lighting and air for the property and surrounding area. Any improvements to the land must adhere to the zoning requirements for lighting laid out by the City's Zoning Code which directly addresses open areas and light.

f. Will the new zoning affect motorized and nonmotorized transportation?

As the zone change will convert agricultural lands to mixed commercial and residential development, additional residents will move to the area creating an impact on the motorized transportation in the area. This will be studied and accounted for in the review of a Traffic Impact Study (TIS) associated with the subdivision through the subdivision process. The developer, as part of the overall development, will contribute to intersection impacts in the areas identified by City Public Works to mitigate any negative impact coming from the overall development.

The incorporation of commercial neighborhood services are important in alleviating the traffic volumes currently existing, and what will be contributed to by this development, along the Central Avenue by bringing commercial services closer to residential neighborhoods. The most recent example of how this can alleviate pressures on arterial corridors is the opening of the new Albertsons at 54th Street West and Grand Avenue. The Albertsons at Rehberg and Grand was once the busiest Albertsons in the state, drawing traffic from most properties west of Zimmerman Trail along Grand Avenue. With the opening of this new store, traffic volumes along Grand Avenue between 54th and Shiloh have significantly decreased (outside of typical commuter hours) as the travel distance to this major service has been greatly reduced.

Because the surrounding developments and neighborhoods are primarily County there is limited sidewalk and trail connectivity in this area. The development will be constructed with walkability in mind, anchoring future development in the area with pedestrian facilities. Initially, traffic will undoubtedly increase marginally on Central Avenue. The development will construct or contribute to improvements to Central Avenue along its frontage. Connections will be provided to properties to the east, west, and south to allow for inter-neighborhood movement, reducing impacts to Central Avenue. Over the life of the development, as it approaches full buildout, the diversity in commercial and residential density along with connectivity to the east, west and south will help with traffic congestion on Central Avenue.

g. Will the new zoning promote compatible urban growth?

The proposed mix of zoning will promote compatible urban growth as it is nestled between low density residential on the west and north sides and medium to higher density residential coming (planned, presented and approved by Council) to the east and south of the project area. This zoning will allow for new residents to move into a thriving and safe neighborhood that can easily meet most of their needs in the immediate area. The proposed zone change provides the desired step-back in density placing commercial along the arterial corridor (Central Ave.) and stepping back to mix density residential to the south. The proposed mix in commercial and residential, with varying residential densities, is what both City Council and urban growth policies ask for in new neighborhood development. The proposed plan will introduce new housing variety and density to this area of the Billings West End while creating neighborhoods in a walkable manner with commercial designations to service the surrounding areas.

h. Does the new zoning consider the character of the district and the peculiar suitability of the property for particular uses?

The area of the proposed development is currently surrounded by active agricultural production land with county subdivisions to the northeast and northwest across Central Avenue. Southeast of the proposed development, the City has already approved annexation and zoning for a similar mixed use development north of Monad. The compatibility will be seamless between the development of the Vista property and what is proposed in this application. As presented, the proposal achieves the directives from City of Billings planning documents in that mixed commercial and low to medium density residential is layered through the property. The proposed zoning steps back density with the highest commercial uses along the arterial corridor (Central Ave.) and mixed density residential as the development moves south towards Monad. Because of the surrounding adjacent agricultural uses, the proposed development is buffered in large part from any surrounding developments and will be setting the stage for future development of the City in this area. The proposed medium density residential zoning will allow for a variety of housing options including single-family residences, aligning with the character of the existing County community.

i. Will the new zoning conserve the value of buildings?

It should be noted that the proposed development is only directly adjacent to active agricultural land with County subdivisions to the northwest and northeast across Central Avenue. The proposed zoning will conserve the value of buildings in the area by creating new amenities for nearby neighborhoods while not intruding upon them. Inclusion of parks and pedestrian facilities open for public use along with

construction of additional transportation infrastructure will also benefit the surrounding neighborhoods.

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

By providing a mixed density and mixed service development the proposal allows for a lower cost of service to the City of Billings, making the development the most appropriate use of the land. The proposed development adequately steps back density from the arterial corridor (Central Ave.) while providing a diversity in housing options and mixed residential neighborhoods within the Billings West End. Services in the area can support expanded growth without straining City infrastructure or EMS services.

3. Does the new zoning fit with the existing or planned developments within the area?

The new zoning will fit seamlessly into the area as the surrounding land is still agricultural in nature. This proposal provides the “missing middle” medium density housing between the larger single-family County properties and the high density apartments of the existing Farmstead apartments and the recently approved Vista development. The proposed development will provide neighborhood diversity in both housing options and services. The site will help provide housing density and diversity to start serving the “missing middle” of our City with medium density residential development supported by many amenities and necessities for the current and future residents in the area. Lastly, the development stepped back density from Central Ave. with appropriate distances to minimize impacts and the feel of higher density being within the core of subdivision.