

CITY ZONE CHANGE APPLICATION FORM

CITY ZONE CHANGE Billings Zone Change # 1043 Project # PZX-24-00033

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 RMH (Residential Mobile Home)

Proposed Zoning: CX (Heavy Commercial)

PARCEL TAX ID# D01871 CITY ELECTION WARD 1

Legal Description of Property: _____

Address or General Location (If unknown, contact City Engineering): 4190 S Frontage Road

Size of Parcel (Area square feet or acres): 1.35 acres

Present Land-Use: vacant

Proposed Land-Use: construct a shop for light commercial/contractor use

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

Owner(s) Don Grewell IRA c/o First Premier Bank Trust

(Record Owner)

Sioux Falls, SD 57101-2640

(Address)

406-855-2939

(Phone Number)

d3jsgrewell@gmail.com

(email)

Agent(s): WWC Engineering - Aaron Redland

(Name)

550 S. 24th Street Ste. 201, Billings, MT 59102

(Address)

406-671-5606 aredland@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: Don Grewell 01/29/24 Date: _____

(Record Owner – Digital Signature Allowed)

CITY ZONE CHANGE Pre-Application Statement of Owner(s) and Agent(s)

The owner(s), contract purchasers (if any) and agents (if any) are required to submit this completed form and any attachments along with a completed zone change application packet, including any required fees, for a zone change to be processed by the Planning Division.

1. **Present Zoning:** RMH (Residential Mobile Home)

2. **Written description of the Zone Change Plan** including existing and proposed new zoning:
CX (Heavy Commercial)

3. **Legal Description of Property:**
Tract 2-A of Amended Tracts 1 & 2 of Certificate of Survey No. 741

4. **Neighborhood Task Force Area:** Yes /// No . If Yes, Name of Task Force
No

5. **Roster of persons who attended the pre-application neighborhood meeting:** please attach to on line application

6. **A brief synopsis of the meeting results including any written minutes or audio recording.**
please attach to on line application

7. **The undersigned affirm the following:**
 - 1) The pre-application neighborhood meeting was held on the 18th, day of Jan, 2024 .
 - 2) The zone change application is based on materials presented at the meeting.

Owner (s):

Don Grewell IRA c/o First Premier Bank Trust Telephone: 406-855-2939

Address:

Souix Falls, SD 57101-2640 Email: d3jsgrewell@gmail.com

Agent (s):

WWC Engineering - Aaron Redland Telephone: 406-671-5606

Address: 550 S. 24th Street, Ste 201, Billings, MT 59102 Email: aredland@wwcengineering.com

Complete this form and upload to your on-line Zone Change application

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

The 2016 City of Billings Growth Policy states that 'Infill development and development near existing City infrastructure may be the most cost effective and retaining and supporting existing businesses helps sustain a healthy community'. The proposed zone change will provide a location for a light commercial business or contractor a space for their business and will eliminate a vacant lot within the city limits of Billings.

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

The change of RMH (Residential Mobile Home) to CX (Heavy Commercial) zoning would not create any dangers within the neighborhood. With the zone change, the owner intends to construct a commercial building sized to fit within the constraints of the property which would follow the zoning and building code requirements at the time of construction. There are existing fire hydrants located at the intersection of Arlington Avenue Southwest and South Frontage Road and Gray Eagle Ditch and South Frontage Road. 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 RMH to CX will allow the owner to construct a shop on the property. The property is currently vacant and not economically feasible for building out as mobile home park due to no direct access to the city sanitary sewer main along with the additional infrastructure requirements as part of city code. If the owner proceeds to construct a shop building, stormwater management and all additional requirements will be required to be addressed at that time.

(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 RMH to CX would not impact transportation surrounding the property since the existing approach has been recognized by MDT. If the owner proceeds with the site improvements, a site plan will be submitted to the city and MDT for review and approval. There is an existing city water service extended onto the property that may be used unless development exceeds the size of a single service at which time additional service taps or a main extension would be necessary. Due to the significant cost for an extension of the city sewer main, the property would be utilized in an economical way such as dry storage as a mobile home park is uneconomical. If, in the future, it is economically feasible for the owner to connect to the city sewer system, they will do so. The change from residential to commercial zoning shall have no impact on the schools or parks since the property is currently vacant.

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

CX development is for commercial development. When the property is developed, it would be required to include an area for stormwater control and follow the existing city code regulations for lighting. As such, the development could have an increase of structures with the open space, resulting in an increase in the impacts to light and air, however those improvements would be following City permitting requirements.

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

The proposed zoning will not have a negative effect on motorized and nonmotorized transportation. The motorized transportation entering the property IS from an existing approach on South Frontage Road that has been recognized by MDT. Since there will be a change in land use, future development will require the owner to contact MDT for a review of the site plan and existing approach. At that time MDT would determine if mitigation would be required, such as on-site drainage or highway-related traffic mitigation.

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

The proposed zoning allows the owner to utilize an infill lot for a local commercial business. Due to the size limitations of the property and constraints to the access to the city sewer service, this would be the highest and best use of the property. Due to the proximity and cost of connection of the city sanitary main along the construction of additional infrastructure requirements, development of this property as a mobile home park is not economically feasible.

(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. The proposed zone change from RMH to CX would allow the property to stay consistent with a majority of the properties along South Frontage Road within the city limits, which is also zoned for CX. The city limits boundary is along the west side of the property with a county RMH zoned property. Due to existing access constraints to the public sewer system, the property is currently vacant.

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

To the west of the proposed development is RMH zoning and to the east and south is CX. Although this development would be changing the type of residential development that exists within the neighborhood, it will be fitting to the commercial developments that are currently following this portion of South Frontage Road. The property is currently a vacant lot within the city limits which tends to cause unnecessary crime and vandalism.

(10) Whether the new zoning will encourage the most appropriate use of land throughout the city;

Given the property has a variety of constraints which will limit the ability for constructing a mobile home park that is economically viable, changing the zoning to allow a commercial building is the highest and best use of the property. Historically, commercial development has been following South Frontage Road and this zone change would continue that trend.