

CITY ZONE CHANGE APPLICATION FORM

CITY ZONE CHANGE

Billings Zone Change # 1055 Project # PZX-24-00190

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 single family and various multi-family within a Planned Development (PD)

Proposed Zoning: N3, N2, & NX2 - see attached Exhibit B

PARCEL TAX ID# see Exhibit C CITY ELECTION WARD Ward #1

Legal Description of Property: see Exhibit C

Address or General Location (If unknown, contact City Engineering): Aronson/Asteroid Avenue

Size of Parcel (Area square feet or acres): see Exhibit C

Present Land-Use: vacant

Proposed Land-Use: residential

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

Owner(s) Jay Lyndes

(Record Owner)

1693 Red Lodge Creek Road, Roberts, MT 59070

(Address)

406-855-6779

(Phone Number)

cowboymt@maverick-cattle.com

(email)

Agent(s): WWC Engineering - Greg Reid

(Name)

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

(Address)

406-799-1415 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: Jay Lyndes Date: 07/30/24

(Record Owner – Digital Signature Allowed)

GALAXY SUBDIVISION ZONE CHANGE - EXHIBIT C

Lot	Block	Subdivision	TaxCode	Acres
1	3	Galaxy Subdivision	A24485	0.89
2	3	Galaxy Subdivision	A24486	0.88
3	3	Galaxy Subdivision	A24487	0.68
4	3	Galaxy Subdivision	A24488	0.69
5	3	Galaxy Subdivision	A24489	1.02
6	3	Galaxy Subdivision	A24490	0.94
8	3	Galaxy Subdivision	A24492	0.85
10	3	Galaxy Subdivision	A24494	1.04
11	3	Galaxy Subdivision	A24495	0.70
13	3	Galaxy Subdivision	A24497	0.24
14	3	Galaxy Subdivision	A24498	0.22
15	3	Galaxy Subdivision	A24499	0.22
16	3	Galaxy Subdivision	A24500	0.22
17	3	Galaxy Subdivision	A24501	0.22
18	3	Galaxy Subdivision	A24502	0.22
19	3	Galaxy Subdivision	A24503	0.22
20	3	Galaxy Subdivision	A24504	0.22
21	3	Galaxy Subdivision	A24505	0.22
22	3	Galaxy Subdivision	A24506	0.22
23	3	Galaxy Subdivision	A24507	0.22
24	3	Galaxy Subdivision	A24508	0.22
25	3	Galaxy Subdivision	A24509	0.22
26	3	Galaxy Subdivision	A24510	0.22
27	3	Galaxy Subdivision	A24511	0.22
28	3	Galaxy Subdivision	A24512	0.25
29	3	Galaxy Subdivision	A24513	0.26
33	6	Galaxy Subdivision	A24610	0.40
31	6	Galaxy Subdivision	A24608	0.39
26	6	Galaxy Subdivision	A24603	0.38
24	6	Galaxy Subdivision	A24601	0.41
23	6	Galaxy Subdivision	A24600	0.41
22	6	Galaxy Subdivision	A24599	0.37
21	6	Galaxy Subdivision	A24598	0.38
20	6	Galaxy Subdivision	A24597	0.45
19	6	Galaxy Subdivision	A24596	0.64
18	6	Galaxy Subdivision	A24595	0.29
17	6	Galaxy Subdivision	A24594	0.23
16	6	Galaxy Subdivision	A24593	0.23
15	6	Galaxy Subdivision	A24592	0.22
14	6	Galaxy Subdivision	A24591	0.25

13	6	Galaxy Subdivision	A24590	0.60
12	6	Galaxy Subdivision	A24589	0.39
11	6	Galaxy Subdivision	A24588	0.46
9	6	Galaxy Subdivision	A24586	0.38
8	6	Galaxy Subdivision	A24585	0.38
7	6	Galaxy Subdivision	A24584	0.38
6	6	Galaxy Subdivision	A24583	0.38
5	6	Galaxy Subdivision	A24582	0.38
4	6	Galaxy Subdivision	A24581	0.38
3	6	Galaxy Subdivision	A24580	0.38
2	6	Galaxy Subdivision	A24579	0.38
18	5	Galaxy Subdivision	A24575	0.23
17	5	Galaxy Subdivision	A24574	0.24
16	5	Galaxy Subdivision	A24573	0.22
15	5	Galaxy Subdivision	A24572	0.21
14	5	Galaxy Subdivision	A24571	0.19
13	5	Galaxy Subdivision	A24570	0.19
12	5	Galaxy Subdivision	A24569	0.22
11	5	Galaxy Subdivision	A24568	0.24
PARK	5	Galaxy Subdivision	A24621A	1.61
10	5	Galaxy Subdivision	A24567	0.21
15	4	Galaxy Subdivision	A24528	0.30
16	4	Galaxy Subdivision	A24529	0.21
17	4	Galaxy Subdivision	A24530	0.32
18	4	Galaxy Subdivision	A24531	0.26
19	4	Galaxy Subdivision	A24532	0.28
20	4	Galaxy Subdivision	A24533	0.27
21	4	Galaxy Subdivision	A24534	0.30
22	4	Galaxy Subdivision	A24535	0.28
23	4	Galaxy Subdivision	A24536	0.28
24	4	Galaxy Subdivision	A24537	0.27
25	4	Galaxy Subdivision	A24538	0.21
26	4	Galaxy Subdivision	A24539	0.24
27	4	Galaxy Subdivision	A24540	0.22
28	4	Galaxy Subdivision	A24541	0.27
29	4	Galaxy Subdivision	A24542	0.29
30	4	Galaxy Subdivision	A24543	0.28
31	4	Galaxy Subdivision	A24544	0.23
32	4	Galaxy Subdivision	A24545	0.22
33	4	Galaxy Subdivision	A24546	0.24
34	4	Galaxy Subdivision	A24547	0.19
35	4	Galaxy Subdivision	A24548	0.22

36	4	Galaxy Subdivision	A24549	0.22
37	4	Galaxy Subdivision	A24550	0.24
38	4	Galaxy Subdivision	A24551	0.22
39	4	Galaxy Subdivision	A24552	0.27
40	4	Galaxy Subdivision	A24553	0.19
41	4	Galaxy Subdivision	A24554	0.19
42	4	Galaxy Subdivision	A24555	0.20
43	4	Galaxy Subdivision	A24556	0.31
44	4	Galaxy Subdivision	A24557	0.29

10 Statutory Review Criteria – Galaxy Subdivision

- (1) Whether the new zoning is designed in accordance with the growth policy;
Since the proposed area was previously platted and zoned with a PD (Planned Development), the new zoning is designed in accordance with the adopted 2016 Billings Growth Policy. The proposed zoning will decrease the allowable density within the development while keeping more consistent with the surrounding neighborhoods by following the current City zoning code. The proposed zone change would provide additional tax revenue to the city by spurring an expansion of city services onto the infill subdivision that is surrounded by existing residential developments.

- (2) Whether the new zoning is designed to secure from fire and other dangers;
The current PD allows for 373 units of multi-family and single-family residences within the development. The proposed zoning will decrease the density to 235 units reducing the number of units and individuals living within the development, therefore providing more security from fire and other dangers. Further, spurring of development of the area will remove an open grassland without fire protection from the interior of the City and provide fire hydrants throughout the developed area.

- (3) Whether the new zoning will promote public health, public safety, and general welfare;
The proposed zoning closely mimics the existing PD zoning on the property while updating it to follow the current City of Billings zoning code in lieu of following the PD code that is over 40 years old at this time. The existing PD zoning allows extremely high-density multi-family development (e.g., 8-plexes allowed on 16,500 square foot lots). The high-density development in the PD would be difficult to accomplish without removal of as much green space as possible for parking purposes and without minimizing living area within the units. By completing the proposed zone change, the property value of the neighborhood would be retained.

- (4) Whether the new zoning will facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements;
The development of the property as it is currently designed will create a significant amount of additional vehicular traffic on the adjacent roads without any contribution from the developer.
The City of Billings will be providing the water service. Concerns were raised by area neighbors regarding water pressure and future affects. Follow up discussions with City staff identified that this concern was addressed with the addition of a booster station to what is identified as Zone 3 East of the City's water system. It is of note that this pressure zone extends from the bottom of Alkali Creek to the area of the proposed project on top of the hill. Due to the significant elevation differences, static water pressures in the area south of the development range from 55 to 70 psi, which is on the lower end of typical pressures. However, review of hydrant flow tests conducted by the City suggests that all hydrants are well within operating range. Further, spurring forward of this development would connect currently dead-end lines within Galaxy

Subdivision, providing better fire flows throughout that area. The property may also be served by the gravity sanitary main within Aronson Avenue, Aries Avenue, Zodiac Avenue, and Asteroid Avenue, as far as practical while maintaining burial depths on the sanitary main. That will be determined when the developer initiates the design of the system which will be reviewed and approved by the City of Billings prior to construction.

Since the development will be residential, the neighborhood schools and parks may be impacted by this zone change. This will depend on the types of individuals that purchase property within the development. Previous dedication of the Galaxy Subdivision included parkland contribution within it as well. Hultgren Park that was included with the development was previously auctioned off by the City, of which the developer has included rezoning of this property to allow development of it.

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

With any city developments, there would be expected to be an increase of structures resulting in an increase in the impacts to light and air. By decreasing in number of units within the development, it is anticipated to decrease the impacts to light and air.

- (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 proposed zone change is anticipated to decrease the potential number of building units as opposed to developed as is. In comparison this zone change would decrease any negative affects on transportation. The motorized transportation will be entering the property from either Aronson Avenue or from Neptune Boulevard. As part of the subdivision development requirements, installation of new curb/gutter and sidewalk based on the City of Billings standards will be continued along Aries Avenue, Zodiac Avenue, and Asteroid Avenue. Those improvements will allow nonmotorized transportation to travel safely throughout the neighborhoods.

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

The proposed zoning will spur the developer to expand the residential development within an infill subdivision. The development will be required to satisfy the City of Billings regulations for residential development on the street, sidewalks, water, sewer, and stormwater. The residential expansion is within a vacant subdivision immediately adjacent to City of Billings residential neighborhoods. Additionally, the required property improvements such as improvements for stormwater and pedestrian pathways, 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 multi-family and single-family. The proposed zone change would allow the property to stay

consistent with lots already improved within the development to the northeast which are zoned single-family and lots in the northwest that are zone multi-family within the PD. The development to the south is zoned N-3. It is of note that the proposed zoning generally follows that of the existing PD zoning and as such would be considered to remain with the character of the district. There is existing parkland dedicated along the easterly and westerly sides of the existing development. For completion of the residential development, the developer will be required to comply with the requirements for residential development such as (but not limited to) infrastructure improvements.

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

Immediately adjacent to the proposed development is an existing N-3 development along with multi-family zoned by the PD to the north. As such, development of this property with the existing PD zoning or the proposed zoning would not be changing the type of residential development that exists within the neighborhood. Further, the vacant property will be spurred into development by changing the zoning, which will remove vacant property from the area and improve it to City of Billings standards with roadways, sidewalks, and infrastructure.

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

Given the demand for residential development within Billings, this proposed zone would provide additional residential property with a reasonable density. The development of residential property would generate a return on investment for the City of Billings due to the minimal extension of services throughout the development. The property is located adjacent to an arterial street and is in an area of significant other residential development of the City of Billings. Continued growth of this area as residential property increases the return on investment of the City for all improvements within the area. Further, this property is located off of arterials or major collectors within the City that could provide valuable property for commercial development desperately needed in the Heights. As additional access would not be available to the west to allow any part of this property to have greater flow through traffic, this area is suited well for the expansion of residential properties in the City.