

CITY ZONE CHANGE APPLICATION FORM

CITY ZONE CHANGE Billings Zone Change # 1066 Project # PZX_25-00060

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 NX2-Mixed Residential 2 - 2 to 8 units

Proposed Zoning: CMU1-Corridor Mixed Use 1

PARCEL TAX ID# A12809A CITY ELECTION WARD Ward: 3 - (BILLINGS)

Legal Description of Property: PIERCE SUBD, S05, T01S, R26E, LOT 5A, AMD (2S)

Address or General Location (If unknown, contact City Engineering): 9th & Grand (828 or 848 Grand Ave)

Size of Parcel (Area square feet or acres): 12,616 square feet (0.290 acres)

Present Land-Use: Vacant lot with carport

Proposed Land-Use: Commercial or Mixed Use per CMU1 Zoning

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

Owner(s) Tiffany Youngren

(Record Owner)

1112 Clark Ave, Billings MT 59102

(Address)

360-333-2058

(Phone Number)

tiffany@youngrenolutions.com

(email)

Agent(s): Duane Youngren

(Name)

1112 Clark Ave, Billings MT 59102

(Address)

406-426-4027 duane@youngrenolutions.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:  Date: 4/23/2025

(Record Owner - Digital Signature Allowed)

CHANGE OF ZONING APPLICATION

PARCEL: #A12809A
LEGAL: PIERCE SUBD, S05, T01 S, R26 E, Lot 5A, AMD (25)
OWNER: TIFFANY YOUNGREN

April 23, 2025

Dear Zoning Commission Chairperson,

We respectfully submit this request for a zone change for the property located at the corner of **Grand Avenue and 9th Street West**, legally described as **Lot 5A, PIERCE SUBD, S05, T01 S, R26 E**, also known as **828 or 844 Grand Avenue**. The property is currently zoned **NX2 – Mixed Residential 2**, and we are requesting a change to **CMU1 – Corridor Mixed-Use 1**.

Our intent is to allow for the future development of the property in a way that takes advantage of its prime location along the Grand Avenue corridor. While no specific site plan is proposed at this time, we envision future **redevelopment that may include commercial or mixed-use structures** designed to serve neighborhood residents and visitors. This change would allow for greater flexibility and encourage reinvestment in a property that is currently underutilized.

This request involves a **change in use** for future **new construction** on the site. Any development will comply with all applicable zoning, building, and fire code regulations, and will be designed to respect the surrounding neighborhood character while contributing positively to the Grand Avenue corridor.

Thank you for your consideration.

Sincerely,

Tiffany Youngren, Owner

CHANGE OF ZONING APPLICATION

PARCEL: #A12809A
LEGAL: PIERCE SUBD, S05, T01 S, R26 E, Lot 5A, AMD (25)
OWNER: TIFFANY YOUNGREN

A. What reasons prevent you from using this property in conformance with the Zoning Regulation requirements?

The property's current zoning designation, **NX2 – Mixed Residential 2**, significantly limits the types of allowable uses and the development potential for this parcel, despite its location on a major commercial and transportation corridor. NX2 restricts the site to low-density residential development (2–8 units), and does not permit commercial uses or neighborhood-serving businesses.

Given that the property is located at the **corner of Grand Avenue and 9th Street West**, directly across from multiple commercial establishments (including Starbucks, Mazevo Coffee, and Nickels Casino), the NX2 zoning is **inconsistent with the existing land use context**. It prevents reasonable reinvestment or redevelopment aligned with the character of the area and the economic opportunity presented by its arterial frontage.

B. Why is there a need for the intended use of the property at this location?

There is a clear need for expanded commercial or mixed-use options in this area to meet the needs of both nearby residents and corridor travelers. The property's visibility, access, and adjacency to other businesses make it a **prime candidate for neighborhood-serving commercial or flexible mixed-use development** — the types of uses supported by the CMU1 zoning designation.

Allowing the CMU1 zone would enable the property to contribute to the **walkability, service accessibility, and economic vitality** of this portion of Grand Avenue. This zoning better matches the City's Growth Policy goals for corridor redevelopment and infill and ensures the property can be developed in a way that is **compatible with surrounding uses and beneficial to the broader community**.

Subject Property:

Legal Description: Lot 5A, PIERCE SUBD, S05, T01 S, R26 E

The Yellowstone County Assessor does not list an address, but this property been referred to as 828 at the time it was purchased, and most recently as 844 Grand Avenue by utilities providers.

GeoCode: 03-0927-05-1-20-07-0000

Owner: Tiffany Youngren

Current Zoning: NX2 – Mixed Residential 2

Proposed Zoning: CMU1 – Corridor Mixed-Use 1

Growth Policy Consistency

This rezoning request from NX2 to CMU1 is directly consistent with the City of Billings' 2016 Growth Policy. The Growth Policy encourages mixed-use development, infill, and the efficient use of existing infrastructure, particularly along major corridors like **Grand Avenue**.

- **Corridor Redevelopment:** The parcel fronts Grand Avenue, a designated arterial with increasing commercial intensification. The area includes adjacent businesses such as **Starbucks, Subway, Nickels Casino, Grandstand Casino, and Mazevo Coffee**, all within 200 feet of the subject property. Rezoning this property to CMU1 enables compatible commercial/mixed-use redevelopment that matches this pattern.
- **Efficient Infrastructure Use:** The site is fully served by existing City water, sewer, roads, and public safety services, minimizing cost to the City and supporting infill goals.
- **Housing & Economic Flexibility:** CMU1 allows for a wide range of neighborhood-serving commercial, office, and residential uses, consistent with the Growth Policy goals to diversify housing types and promote local entrepreneurship.
- **Transportation Access:** The site has frontage on Grand Ave and immediate access to public transit routes, supporting walkability and multimodal transport goals.
 - MET Transit Bus Service, Route 5 – Grand: This route operates along Grand Avenue and provides service between the Stewart Park Transfer Center and the Downtown Transfer Center. As of August 26, 2024, Route 5 travels on 9th Street West between Grand Avenue and Avenue D, which places it in close proximity to the subject property.
 - Uber, Taxis, Etc.

Fits with Existing and Planned Development:

The proposed CMU1 zoning is consistent with both existing uses and the foreseeable development pattern of the Grand Avenue corridor. Multiple commercial and mixed-use properties already operate directly across the street and within one block in both directions. Rezoning this parcel fills a logical gap in the land use pattern and aligns with the City's long-range strategy to intensify development at key intersections and transit nodes, especially within designated arterial corridors.

Neighborhood & Corridor Plan Consistency

Though the parcel lies outside a defined neighborhood plan boundary, it falls within the **West End arterial corridor**, which has been increasingly designated for higher-intensity and mixed-use development in recent years. The proposed zoning:

- Provides a **logical transition** between low-density residential neighborhoods to the south and commercial corridors to the north and west.
- Aligns with the **corridor's evolving use pattern**, which includes entertainment, dining, and service-based businesses.
- Supports the **City's land use strategy** of concentrating commercial activity near intersections and transit-served nodes (this site is at the corner of 9th St W and Grand Ave).

✓ Statutory Review Criteria (BMCC §27-1628)

1. **Growth Policy:** ✓ Yes. Aligns with the 2016 Growth Policy for infill, mixed-use, and infrastructure efficiency.
2. **Safety from Fire and Other Dangers:** ✓ Yes. The proposed CMU1 (Corridor Mixed-Use 1) zoning designation enhances safety and reduces potential fire or hazard risks for the following reasons:
 - a. **Maintains Safe Building Separation and Design Controls**
CMU1 zoning includes specific standards for building height, setbacks, lot coverage, and access, which reduce the risk of fire spread between structures. These standards support safe design and layout of future development and ensure that site planning aligns with city fire safety regulations.
 - b. **Improves Emergency Access Through Arterial Frontage**
The subject property is located on **Grand Avenue at 9th Street West**, on a designated arterial route. This ensures **direct, unobstructed access** for fire, police, and emergency medical services, which is especially important during

emergency response scenarios. CMU1 requires development to comply with access and circulation regulations that maintain this emergency accessibility.

c. **Reduce Safety Risk of Vacant/Underutilized Conditions**

Rezoning the site encourages redevelopment of a currently **underutilized or potentially deteriorating residential property**. New construction in CMU1 will trigger compliance with **modern building and fire codes**, including fire-resistant construction materials, fire-rated separations, and suppression systems where required. This not only reduces the risk of fire ignition or spread but improves overall life safety for occupants and adjacent properties.

3. **Public Health, Safety, and Welfare:** ✓ Yes. The proposed CMU1 zoning promotes public health, safety, and welfare by enabling flexible development opportunities on a well-located parcel. While the CMU1 district permits mixed-use development, this request does not commit to a specific use or project at this time. However, the zone does allow for a range of neighborhood-serving commercial and residential uses that can contribute positively to the area.

a. **Health:** The site's proximity to existing services and public transit along Grand Avenue allows future development that can support walkability and reduce automobile dependency, which contributes to cleaner air and more active lifestyles.

b. **Safety:** Located on a primary arterial (Grand & 9th St W), the property ensures safe ingress and egress for vehicles and emergency responders. Future development under CMU1 will also follow city site design standards for safe pedestrian and vehicular circulation.

c. **Welfare:** Rezoning the property encourages reinvestment and more efficient use of an underutilized site. The flexibility provided by CMU1 can accommodate a variety of future uses that respond to market demand while aligning with the character and needs of the surrounding neighborhood.

4. **Public Infrastructure:** ✓ Yes. Fully serviced parcel. Rezoning does not require off-site upgrades to utilities or streets.

5. **Light and Air:** ✓ Yes. The proposed CMU1 zoning includes clear development standards that maintain access to light and air for both the subject property and surrounding parcels. While CMU1 allows for a wider range of building types than the current NX2 designation, it retains setback, height, and transition requirements that protect adjoining properties from excessive shadowing or overcrowding.

Future development will be subject to the City's zoning and building code requirements, which ensure that structures are spaced appropriately, provide sufficient open space,

and preserve environmental quality through controlled massing and orientation. This ensures the continued provision of adequate light and air to current and future residents and users of the site.

6. **Transportation Impacts:** ✓ Yes. Grand Avenue is a major arterial with bus service and signalized intersections; proposed use supports multimodal transportation.
7. **Compatible Urban Growth:** ✓ Yes. Surrounding land uses are commercial and mixed-use; CMU1 matches this pattern.
8. **Character of the District:** ✓ Yes. The property directly fronts a commercial corridor and is no longer suited to low-density residential-only zoning.
9. **Value of Buildings:** ✓ Yes. Facilitates reinvestment and productive use, likely enhancing surrounding property values.
10. **Most Appropriate Use of Land:** ✓ Yes. Current zoning is a remnant of prior use; CMU1 is better suited to corridor conditions and community needs.