

Zone Change #669

Applicant Letter & Pre-application neighborhood meeting minutes

APPLICATION FORM

COUNTY ZONE CHANGE County Zone Change # 669 - Project # PZ-15-00217

The undersigned as owner(s) of the following described property hereby request a Zone Change as outlined in the City of Billings-Yellowstone County Unified Zoning Regulations.

Present Zoning: Agricultural - Open Space (A-1)

Proposed Zoning: Controlled Industrial (CI): Public (P) as to Helipad North 600 feet

Tax ID # D04575L & D04575M Remaining acres COUNTY COMMISSIONER DISTRICT # 2

Legal Description of Property: Tracts 13 & 14 C of S 2037 Yellowstone County

Address or General Location (If unknown, contact County Public Works): West of Airport & North of Highway 3

Size of Parcel (Area & Dimensions): 58.66 acres; 1912' N/S & 1343' E/W

Present Land-Use: Grazing

Proposed Land-Use: Aircraft office; shop; parts; heliport - likely located N/W of corner of tract

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): See Attached Sheet
(Recorded Owner)

(Address)

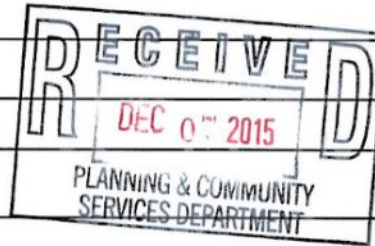
(Phone Number) (email)

Agent(s): Barb Potzman
(Name)

41 Stone Henge Road Columbus, MT 59019
(Address)

(406) 698-5914 barb@potzman.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: See Attached Signature Page Date: _____

(Recorded Owner)

County Zone Change Application (Continued)

1. In what ways is your proposal consistent with the goals and policies of the adopted Growth Policy?

The proposed zone change compliments and contributes to Yellowstone County and the City of Billings' growth policy. In 2008, Yellowstone County, in partnership with the City of Billings, issued its Yellowstone County and City of Billings 2008 growth Policy Update. The policy update analyzed and characterized how Yellowstone County's communities had changed and what tools were needed to improve the area's communities. After the work was done, the completed report identified numerous issues, goals, and objectives. This proposed zone change addresses several of the report's stated issues and will assist Yellowstone County and the City of Billings in meeting its goals and objectives.

The primary impetus for this zone change is, if rezoned, the contract buyer, Almon Blain, would like to construct a helipad and expand the services and facilities of his company Billings Flying Service. Billings Flying Service's needs have outgrown its current facility.

Regarding economic development, the Yellowstone County and City of Billings 2008 Growth Policy calls for a cohesive focus in economic development. Specifically, the plan aspires for: "Coordinated economic development efforts that target business recruitment, retention, and expansion."

Currently, the property is underused. Rezoning will allow for effective economic use. Billings Flying Service maintains and refurbishes helicopters for re-sale, industrial work, and fire suppression. This work requires the continuing services of numerous highly qualified and well compensated employees. Billings Flying Service's personnel needs include aircraft pilots and mechanics.

Most importantly, Billings Flying Service showcases the economic potential of Yellowstone County and the City of Billings' commercial pursuits. Billings Flying Service's aircraft are currently at work around the globe. Operations extend domestically and to countries such as Indonesia, Israel, and the United Kingdom. The continued growth and expansion of Billings Flying Service and the requested rezoning conforms perfectly with Yellowstone County and City of Billings 2008 Growth Policy's goals.

2. Explain your need for the intended zone change and why the property cannot be used under the existing zoning. Explain how the new zoning will fit in with the existing zoning and land uses of the immediate area.

Concerning proper land use, the Yellowstone County and City of Billings 2008 growth Policy Update sets two relevant goals:

- a. Predictable land use decisions that are consistent with neighborhood character and preferred land use patterns identified in neighborhood plans; and
- b. New developments that are sensitive to and compatible with the character of adjacent City neighborhoods and County townsites.

Future development of the property is barred by current zoning. The property is currently zoned as Agricultural-Open Space (A-1). This classification is designated to "protect and preserve agricultural lands for the performance of a wide range of agricultural functions. The intent is to limit the scattered intrusion of uses not compatible with an agricultural environment; to encourage agricultural pursuits and protect environmental concerns." Due to its location adjacent to the Billings Logan International Airport and increased development atop the Billings Rimrocks the property serves little agricultural utility. Currently, the property is used for limited grazing. In short, the property is being held in storage awaiting productive use.

As confirmed by airport authorities, the planned development complements and is compatible with airport operations. Due to noise and vertical limitations, an airport's presence

diminishes the effective use and value of surrounding property. Yellowstone County and the City of Billings have the rare opportunity to put airport area property to full and effective use. Billings Flying Service benefits from proximity to the airport. Building near the airport provides better access to Billings Flying Services fixed wing aircraft which are used to fly parts and mechanics to helicopters in the field. Billings Flying Service can be a good airport neighbor in the way only an air service can be. Further, planned development is consistent with the activities conducted as the Montana Department of Transportation's nearby maintenance facility.

Nearby residential neighborhoods may be impacted by the requested zone change. In anticipation of this application, testing has been done to assess the potential impact. Results have been positive. Residential neighborhoods lie south of Highway 3. Billings Flying Service conducted sound tests along Highway 3. The company measured the sound of Chinooks, their largest aircraft, on approach and departure. The highest decibel readings were 55 decibels. Approach and departures take approximately 60 seconds. It is anticipated during the summer months there would be approximately six arrivals and departures per month. Operations wind down by winter. In comparison, highway noise reached 100 decibels. The planned rezoning and development protects area neighborhoods while promoting efficient land use.

Future development in the area is inevitable. Current plans for rezoning and development fit consistently with the existing zoning and land uses of the immediate area.

Conclusion

Considering Yellowstone County and the City of Billings' economic and land use interests, this proposed zoning change is perfectly timed and conceived. Accordingly, the property should be rezoned from Agricultural Open (A-1) to dual Controlled Industrial (CI) and Public (P) designations.

Zone Change Application Meeting Synopsis

The Pre-Application Neighborhood Meeting was held at Tolliver Law Firm, 1004 Division St., Billings, Montana, on Friday November 20, 2015 at 4:00 p.m. Approximately forty community members attended.

Ken Tolliver and Almon Blain presented. Both discussed at length the current operations of Billings Flying Service and the proposed plan for rezoning. Discussion was aided by a handout detailing Billings Flying Service's operation, as well as a map and picture of the proposed zoning site. Al Blain also noted he had conducted sound testing from Highway 3, and based on his tests highway noise was louder than the noise emanating from Billings Flying Service's helicopters flying, landing, and departing in the area of the anticipated helipad.

Throughout the meeting, a number of attendees raised concerns about the proposed rezoning. Some of the concerns raised are listed as follows:

- Many are residents expressed concern over increased noise. Some residents discussed current noise levels caused by air travel over their homes;
- A representative for one property owner raised concerns about dust;
- Nearby property owners were concerned about the potential impact rezoning could have on their property values;
- Concerns were raised about increased traffic on Highway 3;
- Attendees were curious and concerned about whether and how the airport would maintain tower control over Billings Flying Service's helicopters;
- Some attendees asked why the proposed helipad had to be placed on the property;
- Concerns were raised about the aesthetic impact of the proposed and possible future development; and

- Area residents were concerned about the impact of development, in addition to the helipad, on the site.

Almon Blain and Ken Tolliver responded to the concerns raised by attendees.

Area residents indicated they generally preferred that the property remain zoned for agriculture or possibly used for residential development. Ken Tolliver responded that residences could not be built so close to the airport. In addition, area residents discussed the possibility of a setback or conservation easement along Highway 3. Kevin Ploehn, Director of Aviation at Billings Logan International Airport, attended the meeting on the behalf of the airport and answered questions when posed by community members.

Several attendees indicated that they believed some kind of the development on the site was inevitable. As opposed to an out of state company, many individuals stated they liked the fact that a local company with a long history in the area was interested in developing the site. One individual stated he thought the proposed development was logical and it made sense to have business development on the proposed site.

A copy of the pre-application neighborhood meeting's audio recording is included in this application.



Billings Flying Service Zone Change Application

BFS will be applying for a zone change for the land shown on the attached map.

Land: Tracts 13 and 14 C/S 2037; about 58 acres; 1311 feet highway 3 frontage; 1921 feet deep running north from highway.

Planned use: Billings Flying Service office, shop, warehouse, and heliport facilities.

Nature of Business: BFS maintains and refurbishes helicopters for re-sale, industrial and fire suppression work. Ordinarily, the helicopters do not operate within the county. Most of the industrial work is mountain power line work. Most of the fire suppression work is also mountain work and out of state. So, when the helicopters are in Billings they spend most days in storage or in the shop for inspections. After inspection, each helicopter will take off and land for test flight.

During the winter few flight operations occur. The machines are gone through and then stored until the next seasons operations.

More flight operations occur in the spring, and then our equipment is often out of state until fall.

Why here:

BFS needs to build a new facility to replace its existing facility located on the family farm south of Billings. Our existing facility is in a rural neighborhood on the farm where both owners grew up. Over the years the neighborhood has developed with homes. We have good relationships with our neighbors at the existing facility. Our reason for building near the airport is to provide better access to our fixed wing aircraft that are airport based that fly parts and mechanics to the helicopters in the field where they are working during the summer months.

This site allows approaches and departures to occur over runway areas and under tower control.

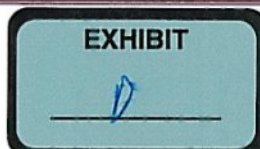
Our impact on you:

The primary impact will be helicopter noise during departure and approach. Our largest helicopters are Chinooks. We have measured their sound upon departure and approach at distances close to their distance from highway 3 during planned operations. The decibel readings were 55 decibels. A departure takes about 60 seconds, as does an approach. The highway noise next to the highway is about 100 decibels, reducing at greater distance from the highway.

You can expect about 6 operations per month on average over the year.

We have been good neighbors in our current location and intend to be good neighbors in our new location.

Billings Flying Service Inc.
6309 Jellison Road
Billings, MT 59101



Phone: (406) 252-6937
Fax: (406) 259-4166
billingsflyingsew@usadig.com



Questions from you:

County rules require a neighborhood meeting where you can ask questions. Or, you can call Al Blain at 698-4419 to visit about this project.

Billings Flying Service Inc.
6309 Jellison Road
Billings, MT 59101

Phone: (406) 252-6937
Fax: (406) 259-4166
billingsflyingserv@usadig.com

ZONE CHANGE MEETING

ATTENDANCE SIGN - IN SHEET

Date: November 20, 2015

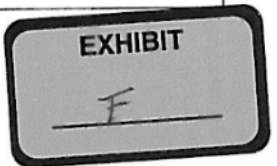
Project:

Meeting Location:

Tolliver Law Firm, PC
1004 Division Street
Billings, MT 59101

Time: 4:00 p.m.

Project No.:



Name (Please Print)	Property Address	Phone Number	E-Mail Address
W. Tr. Kordambak	4513 Rowles	406 676-7462	wkordambak@billygo.com
YVES M. EGAN	2690 SOUTH RIDGE	406 855-0008	yves@billygo.com
Kyle Gaborian	3142 Zimmerman Place	406-357-1833	kgaborian@bresnan.net
Leatrice Mosser	237 Quiet Water Ave.	406-534-1447	lmosser@m-w.net
Richard Dowlin	218 LAWLEY CIND CIRCLE	406-835-6788	RDOWLIN@BNSF.COM
Dave Kinnard	106 Sky Ranch Dr.	245-2844	kinnard@bresnan.net
EDWARD RYAN MATH	3005 SUMMERDALE	855-449	ryan@billygo.com
Gene Dando Jr. Esq.	303 N. Strawberry	406 657-2489	gene@billygo.com
Ken Sathar	2501 Montana Ave #202	406-294-1700	ksathar@billygo.com
Jim Staff	2244 Shady Ridge Rd	406-245-2606	jsathar@billygo.com
Anna Staff	104 Sky Ranch	855-4976	anna@billygo.com
PRYMA MCKENNA	"	241 7250	pryma@billygo.com
RYAN MCKENNA	3441 Western Circle	406-670-7750	ryan@billygo.com
Lenny & Kristi Budic	Northwest of air port	406-690-6028	lenny@billygo.com
Tim & Kerry Vincent	3450 MASTERSON DR	406 697-1726	tim@billygo.com
STEVE SKIDBY STANFORD	3342 King Kelly Rd	406 656-4838	skidby@billygo.com
Steve & Barb Skidby	2835 Hwy 3	406 252-9364	skidby@billygo.com
Michael Tiers	2930 Hwy 3	406 252 0417	mtiers@billygo.com
David Burg	320 Green Tower	406-259-5804	dburg@billygo.com
Shane Hogan	3120 Moon Terrace Dr	406-259-5804	shane@billygo.com

ZONE CHANGE MEETING ATTENDANCE SIGN - IN SHEET

Date: November 20, 2015

Project:

Meeting Location:

Tolliver Law Firm, PC
1004 Division Street
Billings, MT 59101

Time: 4:00 p.m.

Project No.:

Name <i>(Please Print)</i>	Property Address	Phone Number	E-Mail Address
O'Rourke, Carla			
O'Rourke, James			
Pekovich, Becky			
Pekovich, Greg			
Peterson, Julie			
Peterson, Garde			
Peterson, Sharon			
Robert H Sukin Trust			
Rutz, Jennifer	3440 Madison Dr	406-781-5712	jenniferutz101@gmail.com
Rutz, Lucas	3440 Madison Cir	406-781-7027	lutz@overlandwest.com
Skyline Partnership			
Anthony Ridge Development			
Vincent, James			
Vincent, Kerry			
Johnnie Oliver	108 Sky Road	406-252-6085	johnnieoliver@overlandwest.com
Kim O'Brien	2112 FAIRVIEW RD	406-672-9554	MON TANA OZ @ AOL.COM
MARC OSBORN	4150 Night Hawk Rd	406-698-3787	troutman@me.com
Tacy Troutman	2207 Trails End Rd. 59106		

ZONE CHANGE MEETING

ATTENDANCE SIGN - IN SHEET

Date: November 20, 2015

Project:

Time: 4:00 p.m.

Project No.:

Meeting Location:
Tolliver Law Firm, PC
1004 Division Street
Billings, MT 59101

Name <i>(Please Print)</i>	Property Address	Phone Number	E-Mail Address
Beley, Beckie	3382 Stoney Ridge Rd	406-248-4467	beckie51@aol.com
Beley, James	"	"	jammerjim114@gmail.com
Boyd, Joe			
Boyd, Sharon			
Crippen, Bruce			
Dossert, Brenda	3420 Madison Circle	406-534-1255	courange2e@veru.com
Dossert, Robert	"	"	courange@veru.com
Gudger, Anne			
Gudger, Scot			
Helus, James	3362 Stoney Ridge Rd	406-245-6320	thelus@charter.net
Helus, Theresa	"	"	
Jack D Sulkin Revocable Trust			
Kinnard, David			
Kinnard, Elaine			
Lahren, Alice			
Longan, Cameron			
Longan, Lynn			
Longan, Frederick			
McKamy, Donna			
McKamy, RW			
Gwenn C Meyers Trust			
Moyer, Leslie			
Moyer, William			

