

Zone Change 987  
Applicant's Letter and Information

**APPLICATION FORM**

CITY ZONE CHANGE Billings Zone Change # 987 - Project # PZ-21-00001

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: Open Ag

Proposed Zoning: HC : C1

TAX ID# see Attached CITY ELECTORAL DISTRICT # \_\_\_\_\_

Modified to Tr 1A & 1B  
C/S 1889 only - HC (CX)  
20 acres

Legal Description of Property: see Attached  
CS 1889 ; TR 6A, 6B, 1A, 1B, 2, 3 & 4

Address or General Location (If unknown, contact City Engineering): None Assigned

Size of Parcel (Area & Dimensions): see Attached

Present Land-Use: Agricultural

Proposed Land-Use: Commercial Development

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): Aviation Properties, LLC

(Recorded Owner) 3055 AJ Way, Billings, MT 59101

(Address) 400.292.6921 erin@flybty.com

(Phone Number) \_\_\_\_\_ (email)

Agent(s): Collaborative Design Architects

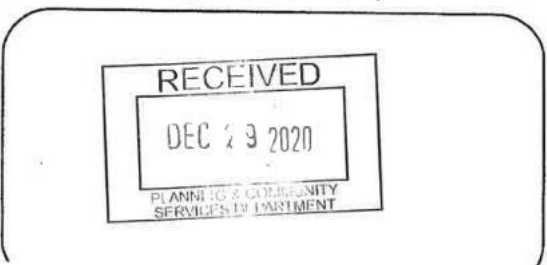
(Name) 1280 Grant Road, Billings, MT 59102

(Address) 400.248.7443 jeff@cd-mt.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: 12/29/20  
(Recorded Owner)



**Pre-Application Statement of Owner(s) or 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:** Open Ag
2. **Written description of the Zone Change Plan** including square footage or acres of proposed new zoning: \_\_\_\_\_
3. **Subject Property Map:** please attach to this form
4. **Legal Description of Property:** see Attached
5. **Neighborhood Task Force Area:** Yes  No  If Yes, Name of Task Force and mailing address of Chairperson: \_\_\_\_\_
6. **Roster of persons who attended the pre-application neighborhood meeting:** please attach to this form
7. **A copy of the meeting notice.** please attach to this form
8. **A brief synopsis of the meeting results.** please attach to this form
9. **The undersigned affirm the following:**
  - 1) The pre-application neighborhood meeting was held on the 9<sup>th</sup> day of December 2020
  - 2) The zone change application is based on materials presented at the meeting.

**Owner (s):** Aviation Properties LLC Telephone: 400-252-6937  
**Address:** 3055 Airport Email: erin@flybfz.com  
Billings, MT 59101

**Agent (s):** Collaborative Design Telephone: 400-248-2443  
**Address:** 2290 Grant Rd, Ste. C Email: jeff@cd-mt.com  
Billings, MT 59102

**Aviation Properties  
 Neighborhood rezoning meeting  
 December 9, 2020**

NAME	SIGNATURE	DATE
NORM Boyd	<i>Norm Boyd</i>	12/9/2020
PAUL R. SCARPARI	PAUL R. SCARPARI	DEC 9, 2020
Jim & Theresa Helus	<i>Jim Helus</i>	12-9-2020
Jim Mahan	<i>Jim Mahan</i>	12-9-2020
Dick Bell	<i>Dick Bell</i>	12-9-2020
Barb Ramlow	BARB RAMLOW	12-9-20
Donna Delevy	<i>Donna Delevy</i>	12-9-20
Lyle Gabrián	<i>Lyle Gabrián</i>	12/9/20 RNTF
RODIE BLATTIE	<i>Rodie Blattie</i>	12-9-20

Hello Neighbors,

Lyle Gabrian, Chair and Alice Lahren, Vice-Chair, RNTF, attended a pre-application neighborhood meeting hosted by Aviation Properties on 12/9/20 along with nine other neighbors who were sent meeting invitations. The meeting was about their pending zone change request. They did not give any opening presentation; however, one of the owners of Aviation Properties and a representative from Collaborative Design Architects opened the meeting with only a short statement that they are requesting a zone change from Agricultural (Ag) zoning to Controlled Industrial (CI) on six tracts of land and a zone change from (Ag) zoning to Highway Commercial (HC) zoning on two tracts they also own, all shown on a large site plan map in the room (see attached site map). They shared with us some types of businesses that could be allowed in (CI) and (HC) zoning; however, they said that there are no immediate plans for any development at this time.

Most of the information we gathered from them was from questions of the attending neighbors and their answers were very guarded. To our questions regarding development, they repeatedly answered that there was no development plan and no immediate plans to do any development at this time. We asked if their intention was to develop the land in the future within the City with water and sewer services or within the County without these services. They answered this question indirectly as they don't have a current development plan for the properties that they are asking for a zone change; however, they do plan to request annexation into the City for tracts 13 and 14 which are currently zoned (CI) and (HC) (see attached site map). We also asked if it was their intention to sell or lease any of the properties they own. They said they didn't have any intention now. When asked why they are asking for a zone change now without any development plans, they said it would be better to do the zone changes now rather than just before any future development, saving time, etc. They also shared that the City has purchased tract(s) 12 (white on the site map) for airport expansion and it should be annexed into the City soon.

Aviation Properties will apply for the zone changes on the eight tracts they own currently zoned (Ag) and also ask for City annexation of two tracts currently zoned (CI) and (HC) on Monday 1/4/2021 (see attached site map).

They said that they want to be good neighbors and want to continue the communication and will share information with us as it develops. We are open to continued communication with them and others since these zone change requests are very important to the neighbors living in the RNTF area. We will continue to share with you information regarding this zone change application, as appropriate.

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Rimrock Neighborhoods Task Force  
[www.ci.billings.mt.us/index.aspx?NID=1730](http://www.ci.billings.mt.us/index.aspx?NID=1730)

STATEMENT OF PRE-APPLICATION MEETING – AVIATION  
PROPERTIES, LLC

Per the City of Billings Zone Change Information Packet, the required Pre-Application Neighborhood Meeting was held at 10:00 am on Wednesday December 9, 2020 in a hangar on the Billings Flying Service property located at 3655 AJ Way, Billings, MT. A Pre-Application map and a description of the proposed zone change was mailed to the addresses provided by the Planning Department. That same map and description was presented at the meeting for comments and discussion. A copy of the map used, and the sign-in sheet of attendees is attached. Below is a brief synopsis of the meeting discussion.

- Attendees on the behalf of Aviation Properties, LLC were Erin Heringer – Billings Flying Service, Jeff Kanning – Collaborative Design Architects, and Tyler Dugger – Toliver Law Firm.
- Erin opened the meet providing an overview of the zoning request and provided the description of the two current zoning classifications. There was discussion about Project Re-Code and the proposed comparable zoning districts.
- Erin further confirmed coordination meetings were held with the City Planning Division, City Engineering and the Public Utilities Division. An additional meeting was held with Kevin Ploehn at the Billings Logan Airport.
- Jeff discussed the potential impact of Project Re-Code and some of the new development requirements.
- Neighbors expressed concern about increased vehicular traffic – Jeff noted future development that had more than 500 trips per day would require a Traffic Accessibility Study to be completed and any new development would be required to follow the mandates of the study.
- Neighbors asked about future annexation plans.
- Neighbors raised concerns about noise, light, and billboards – Jeff referenced sections of the zoning code regulating the same as well as the Area of Influence Ordinance requirements from the airport.
- Neighbors raised potential concerns about property values.
- Most questions concerned future development plans for the property – Erin confirmed no set plans were in place.

Agent – Jeff Kanning, AIA

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**ZONE CHANGE APPLICATION – QUESTIONS  
AVIATIONS PROPERTIES, LLC**

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

In the current Billings Growth Policy Scenario Planning, three separate scenarios are proposed. The North Public Preferred Scenario calls for this area to be developed to Commercial High Density and Industrial Light-Craftsman land uses. The zone changes proposal's request for Highway Commercial and Controlled Industrial are the most closely aligned with and consistent with the Preferred Growth Scenario.

The property, for which the zone change is being requested, has been submitted for annexation as it borders the current city limits and is adjacent to both public water and sewer services. This will allow for adequate provision for those services as well as transportation and other public requirements.

1.B. 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.


Under the current Open Ag zoning, the property cannot be developed to the Preferred Growth Scenario and for a development of a commercial service area to support the Billings Logan Airport. A supporting airport service area will provide a diversity of jobs to ensure a strong Billings economy. This type of community investment can attract and retain a strong, skilled and diverse workforce. A strategically placed commercial development like this will encourage a more diverse City economy and can provide predictable, reasonable City tax assessments.

Essential investments like this will provide for landscaping of public rights-of-way and entryways to make Billings more visually appealing to residents and visitors. This infrastructure and service investment will stabilize or improve property values, secure future utility costs and be cost effective.





The final scenarios showing the added hypothetical transportation network, bus routes, and other facilities used as indicators are shown in the following series of images.

**Scenario Map Legend**

**Hypothetical Facilities/Infrastructure**

-  Branch Libraries
-  Elementary Schools
-  Community Parks
-  Co-located Police/Fire Stations
-  Bus Routes
-  Arterials & Collectors

**Land Use Type**

-  Commercial High Density
-  Commercial Low Density
-  Commercial Medium Density
-  Industrial Light-Craftsman
-  Institutional
-  Mixed Use
-  Open Space Conservation
-  Open Space Park
-  Residential High Density
-  Residential Low Density
-  Residential Medium Density

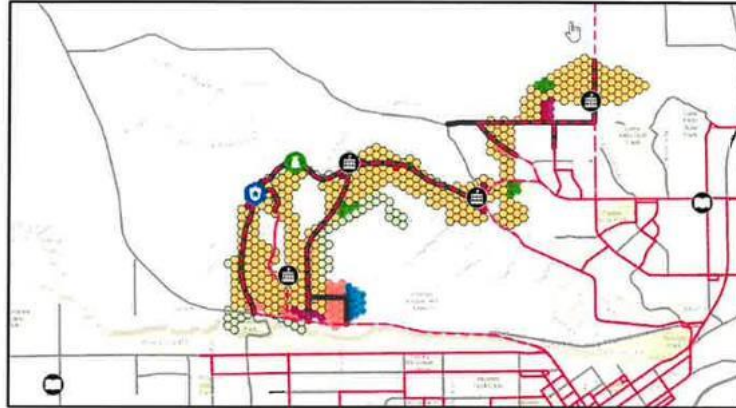
1 hexagon = 5.739 acres or approximately  
2.8 city blocks

Residential high & mixed use density = 16 d.u./acre

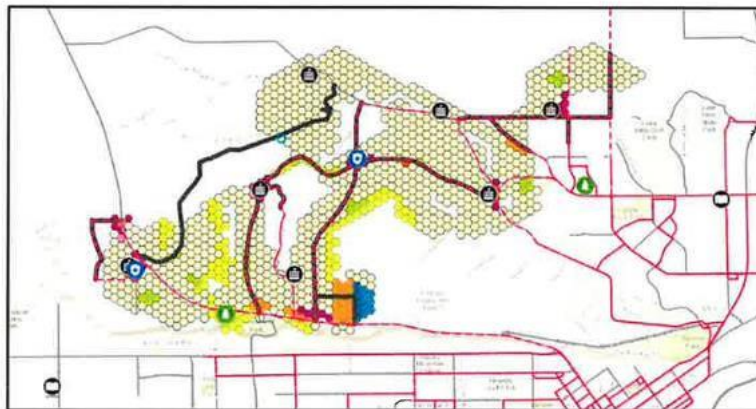
Residential medium density = 9 d.u./acre

Residential low density = 5 d.u./acre

**NORTH HIGH DENSITY SCENARIO (NHD)**



**NORTH LOW DENSITY SCENARIO (NLD)**



**NORTH PUBLIC PREFERRED SCENARIO (NPP)**

