

CITY/COUNTY PLANNING BOARD

“Serving Billings, Broadview and Yellowstone County”

Board Attendance Roster: Please note: “E” stands for excused absence, “A” stands for un-excused absence, “1” stands for present. **BYLAWS, YELLOWSTONE COUNTY BOARD OF PLANNING, (Amended. May 25, 2004) Section 4. Absences and Removal A.** Each member shall inform the Planning Director at least one day before the meeting of his/her inability to attend a Board or Committee meeting. Such an absence shall be considered an excused absence. If any Board member accrues three (3) or more consecutive unexcused absences from regular meetings, notice of which has been given at his/her usual place of work or residence, or by announcement at a meeting attended by him/her, the President may call such absences to the attention of the Board which may then recommend to the appointing authority that such member be asked to resign and that another person be appointed to serve out the unexpired term. Schedule: (** denotes a Wednesday meeting)

	Position	01/12/2021	01/26/2021	02/09/2021	02/23/2021	03/09/2021	03/23/2021	04/13/2021	04/28/2021	05/11/2021	** 05/27/2021	06/09/2021	06/23/2021	07/14/2021	07/28/2021	08/11/2021	08/25/2021	09/09/2021	09/22/2021	**10/14/2021	10/27/2021	11/10/2021	11/24/2021	12/08/2021
Teresa Larsen	Mayor/Billings Ward I	1	1	1	1	1	1	1	E	1	E													
Heidi Jensen-Christison	Mayor/Billings Ward II	1	1	E	1	1	E	1	E	1	E													
Dennie Stephenson	Mayor/Billings Ward III	1	1	1	1	1	1	1	1	1	1													
Darell Tunnicliff	Mayor/Billings Ward IV	1	1	1	1	1	1	1	1	1	1													
Jon Thompson	Mayor/Billings Ward V	1	E	1	1	E	1	1	1	E	1													
Troy Boucher	YC District 1	1	1	1	E	1	E	1	1	A	E													
Dennis Cook	YC District 2	1	1	1	1	1	1	1	1	1	1													
Vacant	YC District 3	-	-	-	-	-	-	-	-	-	-													
Vacant	YC District 4	-	-	-	-	-	-	-	-	-	-													
Woody Woods	YC District 5	1	1	1	1	1	1	1	1	1	1													
Vacant	YC District 6	-	-	-	-	-	-	-	-	-	-													
Jarett Hillius	YC District 7	1	1	1	E	1	1	E	1	1	1													
Vacant	Y County Cons. District	-	-	-	-	-	-	-	-	-	-													
Scott Reiter	Ex-Officio SD2	-	-	-	1	E		E	E	A	1													

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"Serving Billings, Broadview and Yellowstone County"

May 25, 2021

Virtual Video Conference Format

DRAFT- To be approved by a motion on June 8, 2021

PUBLIC HEARINGS/PUBLIC HEARING PARTICIPATION GUIDELINES. Due to the COVID-19 health concerns, the format of the Yellowstone County Board of Planning meeting will be held in a virtual videoconferencing environment. The normal hearing room on the 1st Floor at 2825 3rd Ave North (Miller Building) will be closed during the meeting and no one will be attending this hearing in person. Public comment will be taken only during the Public Comment periods as indicated on the agenda, and during the Public Hearings under the Regular agenda. Comments may be sent to Board via email before 1:00 PM on Tuesday, May 25, 2021. All emails received prior to this time will be read into the record for the public.

Due to the COVID-19 health concerns, the format of the Yellowstone County Board of Planning meeting will be held in a hybrid format that includes both in-person AND Zoom. Board Members can choose to attend the meeting virtually or in-person at the Billings Public Library Community Room, 510 North Broadway, Billings, MT 59101. In order to honor the Right of Participation and the Right to Know in Article II, sections 8 and 9, of the Montana Constitution, the City of Billings and Yellowstone County Board of Planning are making every effort to meet the requirements of the open meeting laws.

View the meeting:

- The Public may view the meeting via the Billings Planning & Community Services Facebook page: <https://www.facebook.com/Billings-Planning-Community-Services-Department-1738982159659260/?ref=bookmarks>
- In-Person – capacity is limited in order to practice social distancing. Mask and social distancing requirements will be enforced.

Citizens may submit public comment via the following methods:

Mail: Planning & Community Services Department, 2825 3rd Avenue North, 4th Floor, Billings, MT 59101

- Email deinest@billingsmt.gov or greend@billingsmt.gov
 - Comments may be sent to Planning via email before 3:00 PM on Tuesday, May 25th. Emails received before 3:00 P.M. will be entered into the record, emails received between 3:00 PM and 5:00 PM will be entered into the record during the meeting.
- Attend the meeting and comment in person (limited to approximately 15 spectators with overflow available in lobby). Speakers may be asked to exit after speaking to comply with social distancing protocols.
- Attend virtually through Zoom by registering per instructions and using the link found on the Planning Board webpage. <https://ci.billings.mt.us/95/Yellowstone-County-Planning-Board>

The practice of receiving phone calls for Public Comment will not be available for this meeting.

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Call the Meeting to Order

President Woods called the meeting to order at 6:00 p.m. on Tuesday May 25, 2021.

Introduction of Planning Board Members and Planning Department Staff

President Woods called for introductions of the members of the Planning Board and staff.

Board members in attendance: President Woods, Board member Stephenson, Board member Thompson, Board member Tunncliff

Board members participating virtually: Board member Cook, Board member Hillius; Board member Reiter

Participating Planning staff members: Monica Plecker, Planning Division Manager; Dave Green, Planner II, Tammy Deines, Planning Clerk; Darin Swenson, Yellowstone County Public Works Dept., Lora Mattox, Transportation Planner

Other Participants: Scott Aspenlieder, Performance Engineering; Scott Worthington, InSite Engineering; Lee Hanson, Dan Wells, Regal Land Development, Linda Miller, Don Miller, Merton Musser, Susan Musser, Craig Dalton, Performance Engineering, Taj Mukadam, Barry Kindsfather, Bonita Kindsfather, Kelly Coleman, Greg Miller, Jim & Kathy Kamminga, Steve & Stephanie Miller, Haylie Goodman, Steve Goodman, Darren Miller

Disclosure of Outside (Ex Parte) Communication or Conflicts of Interest– Board Members and Planning Staff. There were no declarations of ex parte communications or conflicts of interest.

Approval of the May 24, 2021 Agenda

Planning Division Manager Plecker requested an agenda item under *Other Business* to discuss a Planning Board member serving on the Transportation Safety Plan Committee.

Board member Tunncliff made a motion and Board member Hillius seconded the motion to approve the May 24, 2021 meeting agenda with the additional agenda item under *Other Business*. The motion carried with a unanimous voice vote.

Approval of Minutes: May 11, 2021

Board member Tunncliff moved and Board member Stephenson seconded the motion to approve the May 11, 2021 meeting minutes. The motion carried with a unanimous voice vote.

Public Comment: President Woods asked if there was anyone wishing to speak during the public comment portion of the meeting. He stated any member of the public might be heard on any subject that is not on the agenda; the Planning Board will not take any action on these items at this time, but could choose to add an item to the next meeting agenda for discussion. There were no public comments. President Woods acknowledged the emails from the public.

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Emails from the public:

- Darren and Julie Miller, owner/operator farm and feedlot, 2007 S 72nd St. West, Billings MT 59106 in opposition to Stone Creek Subdivision.
- Connie Pelican, 5917 Danford Road, Billings, MT in opposition to Stone Creek Subdivision.
- Merton Musser, CAI, Musser Bros. Inc., PO Box 22035, Billings, MT 59104 in opposition to Stone Creek Subdivision.
- Timothy J. Veches, 3425 S 64th St W, Billings, MT in opposition to Stone Creek Subdivision

7. OLD BUSINESS:

7a. Public Hearing. Motion/Recommendation to BOCC. Stone Creek Subdivision. County Major Subdivision. Dan Wells, Regal Land Development, applicant. Scott Worthington, InSite Engineering, applicant's agent.

Planner Dave Green opened this agenda item with the staff presentation. He pointed out that the existing ditch will not be altered by the subdividor. During Phase 2, a crossing will be provided across the ditch. The proposal is for a community well system to provide water for the subdivision. Each lot will have its own septic system reviewed and approved by MDEQ. A dry hydrant will be provided for fire suppression within the subdivision. An RSID will be created to maintain the tank. Public roads will be built to County standards with an RSID for maintenance. Phase 2 will go through the public hearing process in order to open Phase 2 of the subdivision. He noted five letters received from surrounding property owners with concerns with water, traffic, and the continuance of farming activities. Yellowstone County Public Works has stated that nothing will be allowed to be located within the right-of-way. The BOCC will hear this application on June 22, 2021.

RECOMMENDATION

Staff recommends that the Yellowstone County Planning Board recommend to the Board of County Commissioners to conditionally approve the preliminary plat of Stone Creek Subdivision and adopt the Findings of Fact as presented in the staff report.

VARIANCES REQUESTED No variances are requested for this subdivision.

PROPOSED CONDITIONS OF APPROVAL

Pursuant to Section 76-3-608(4), MCA, the following conditions are recommended to reasonably minimize potential adverse impacts identified within the Findings of Fact.

1. To protect existing uses around the proposed subdivision, prior to final plat approval, the applicant will add a paragraph to the SIA under the heading, *II. Conditions That Run With The Land* to inform lot purchasers of existing active farming surrounding the subdivision and to expect farming noises, dust and all other things associated with farming to occur around them.

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2. To protect public health and safety, prior to final plat approval, the applicant will receive approval from the MDEQ for the proposed water systems, septic systems and the proposed storm water management.
3. To protect public health and safety and ensure the subdivision water system works properly, prior to final plat approval, the applicant will provide documentation outlining how the system will be maintained and who will be responsible for ensuring it is maintained.
4. To protect public health and safety and keep public roads without obstructions, prior to final plat approval, the applicant will obtain written permission from County Public Works for any type of obstruction, sign or other item, in the public right of way. This requirement will be included in the SIA under the heading III Transportation A. Streets.
5. To protect public health and safety with proper fire suppression, prior to final plat approval, the applicant will submit construction drawings of the dry hydrant system to Billings Fire Department for review and approval. Once installed, the applicant will request Billings Fire Department to test the system to ensure it works correctly; the applicant will obtain a sign off from Billings Fire Department stating it is functioning correctly. The applicant will also create an RSID for the dry hydrant system.
6. To protect public safety and to ensure future maintenance of the parkland, prior to final plat approval, the applicant will follow the requirements of Section 10.6 Yellowstone County Subdivision Regulations to determine the correct amount for the cash in lieu contribution for parkland. The applicant will create and RSID for parkland maintenance for this subdivision. The parkland will also be planted and irrigated to be usable parkland for the residents of the subdivision.
7. To minimize the effects on local service, prior to final plat approval the applicant will coordinate with the USPS for locating and providing the correct amount of space for safely delivering the mail to the residents.
8. To minimize effects on the natural environment, prior to final plat approval a weed management plan and property inspection shall be completed by the County Weed Department.
9. Minor changes may be made in the SIA and final documents, as requested by the Planning and/or Public Works Departments to clarify the documents and bring them into the standard acceptable format.
10. The final plat shall comply with all requirements of the County Subdivision Regulations, rules, regulations, policies, and resolutions of the Yellowstone County, including laws regarding moving houses onto or off the property, and the laws and Administrative Rules of the State of Montana.

President Woods called for presentation by the applicant.

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Dan Wells, 5847 Whisperingwoods Drive, Billings, Montana

Mr. Wells is the developer for this subdivision. He stated they would meet or exceed all of the conditions of approval. He said he appreciates staff’s time investment to consider the future to sort out what is good for today and the future. He referenced Steve Jobs’ visionary impact that changed the world forever. He stated he has been developing home sites for 30 years in Yellowstone County. Mr. Wells said wastewater management is regulated by the State Environmental Quality Department through modeling. Well processes are required to ensure that the water is attainable and of good quality. This subdivision will have adequate road right-of-way, paved road surfaces, and parkland dedication. They plan to bring in a Level 2 Treatment System that produces less nitrates, and independent labs will send test samples to the State. The community water system water line will be built to similar standards of the City of Billings. These systems allow the state to have continuous monitoring and the introduction of chlorine. Mr. Wells commented there would be opportunity to tie the community’s eight-inch main line when 64th Street West becomes part of the City. Parkland will be provided in the neighborhood with improvements such as grass, irrigation, and playground area. Sidewalks are not required but will be provided. Water shares allocated to this land for irrigation will be coursed through the storm drain allowing a recharge to the aquifer. They are required to meet all of the identified conditions, along with DNRC and DEQ requirements.

Discussion

President Woods called for questions and discussion by the Board.

Board member Hillius asked regarding the 8-inch water lines, the blow off assembly, and if the individual septic systems will be part of the Home Owners Association Agreement. Mr. Wells said DEQ requires annual testing and he anticipates the Home Owners’ Association handling the test submittals.

Board members asked about the need to install fencing to divide the parkland from the traffic and roadway due to the location. Mr. Wells stated fencing is not in the current plan. Usually they provide a playground pavilion and the Homeowners Association pays for ongoing maintenance.

Board member Tunnicliff said the location of the parkland is mutually exclusive to the neighborhood and the water system. Mr. Wells said the community well infrastructure will be on the surface including a 16” well casing with landscaping and trees. In addition to the wellhead, there will be a pump house, which may be needed in the future for reverse osmosis systems. Board member Tunnicliff voiced concern with the playability of the parkland with these physical limitations and stated, “Parks are parks and infrastructure is infrastructure”. He pointed out that there is a significant safety issue with the proximity of the park to 64th Street West, which has 60 mph traffic speeds and no pedestrian pathway on the western boundary of the proposed subdivision. He said the location of the park and the infrastructure in the park would have safety risks along with the lack of pedestrian and bike trail ways.

Dan Wells referenced a similar layout in Skycrest Subdivision, which borders 64th Street West. He said there are several visual barriers and he is willing to work toward improving and increasing safety. In regards to traffic moving to the school, he is willing to participate in getting something going further north to the school but this is outside the conditions of approval for this subdivision.

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Board member Tunnickliff spoke to the need for creating pathways as subdivisions are developed. Dan Wells stated he is “on board” with finding better means of getting kids safely to school.

Board member Thompson stated he agrees with Board member Tunnickliff. He asked where the wells will be located and how the parkland will be maintained. Dan Wells said they would be located in the middle of the parkland and maintained by the Homeowners’ Association with a monthly fee. He said the playground will be installed. Board member Thompson said the location of the park is not accessible to the neighborhood and it is a utility site rather than a park with limited parking alignment. Board member Thompson stated he would like to see the park located in the middle of the subdivision instead. Dan Wells said going forward he plans to provide the ground without the improvements. Board member Thompson said neighborhood parks should be accessible to the neighborhood. Board member Stephenson agreed with these comments.

President Woods asked regarding the County’s determination on installation of public utilities in parkland. Monica Plecker said discussions were held with Yellowstone County Legal and Yellowstone County Public Works. County Legal determined that since public parkland is dedicated, the County does have the authority to prohibit private infrastructure within public parks. As for private parkland, if the Planning Board or Board of County Commissioners makes findings, the case may be made to have private infrastructure in private parks.

Board member Tunnickliff asked about the impact on local services and the adequacy of the aquifer in to maintain a water supply over a period. He asked if MDEQ could help assess the impact of the aquifer. Division Manager Plecker said this has been done in certain areas of the state with landowners hiring hydrologists to work through DEQ. She said there is no hydraulic study forwarded or water protection area created at this time. DEQ will not conduct this process on their own. She is not aware of local government funding for these types of studies. Board members stressed that the water supply is an important factor in the community. Ms. Plecker said she could investigate funding sources. She said DEQ is tasked with water quality and water quantity and are the authority whether wells are appropriate for an area or not. Board member Tunnickliff stated homeowners should have a responsible expectation that their current water supply will be adequate in the future. Board member Cook said there are concerns but they seem to be lending towards more legislative changes. He supports moving the subdivision to the Board of County Commissioners for their review.

Public Hearing

At 7:05 PM, President Woods opened the public hearing and asked if there is anyone wishing to speak in favor or against Stone Creek Subdivision.

Stephanie Miller (Steve Miller, Melvin Miller), Billings, MT ssmillertime1@gmail.com

Ms. Miller stated the Miller family has been located on a parcel east of the proposed subdivision since the 1920’s. She voiced concern with the ditch being located in the middle of the proposed subdivision and the easement. She said they understand that progress is inevitable and commented on last month’s presentation, which stated the farms feed the aquifer. She said her father-in-law’s house water table decreased due to Knife River. Ms. Miller said children are not encouraged to walk or bike to Elder Grove School. She said it would be desirable to have the ditch piped and asked how

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Mr. Wells will help the farmers bring the water to the subdivision and who will be cleaning the ditches.

Merton Musser, 6125 Landing Point, Billings, MT

Mr. Musser is a contiguous landowner to the north of this parcel. He said this proposal is for a city subdivision plan in the middle of agricultural land surrounding this parcel on four sides. He said Yellowstone County has failed to stay level with the amount of traffic and this subdivision will add 250-350 vehicles traveling to school or work. Mr. Musser stated that walking is unpleasant or impossible due to the high-speed zones, and asked how many children could use a walkway or bike path on the way to school. Mr. Musser said groundwater and nitrates are an issue in the west end of Billings and this subdivision will affect the groundwater. The well placement is in direct line with feedlots. He asked if the homeowners would be prevented from drilling their own wells. He voiced concerns as chlorination does not remove nitrates; 80-acres of irrigated fairground will be removed from operation; and wells will either diminish or become contaminated. He said there has been numerous accidents at the intersection of 64th and Neibauer Road. In addition, this subdivision will affect the wildlife habitat including whitetail deer and waterfowl. Mr. Musser feels an effort should be made to preserve the ag-land. He adamantly opposes this subdivision as proposed and feels a more suitable plan with 1-acre lots with larger green spaces should be considered. Mr. Musser submitted an additional letter to the Board.

Darin Miller, 2007 S 72nd Street West, Billings, MT

Mr. Miller is a contiguous landowner on the north of the proposed subdivision. He said the area roads are decent but have an abrupt edge with no shoulder. Private parties maintain the lateral ditches. He asked how the wastewater would be handled within the subdivision. He voiced concern with the proposed density. He said the speed limit is not respectful and this is not a safe place for a park. They are concerned that the three large commercial wells will have an effect on the groundwater. He said potentially the Knife River gravel mining would move to Neibauer Road, which will affect the aquifer. He said his vision was for his family's 5th generation to farm his property.

Katherine Kamminga, 6444 Neibauer Road, Billings, MT

Ms. Kamminga said they were not formerly notified of these meetings. She feels the number of homes proposed for this subdivision is atrocious. She said there have been three to four people killed at their intersection. Ms. Kamminga voiced concern with having individual septic tanks. She said this would affect the quality of life and the water table in the area. She asked why they were not notified as taxpayers. Division Manager Plecker said the subdivision regulations only require formal notifications for parcels immediately adjacent to the proposed subdivision.

Darin Miller, Mary Jane Miller, 2007 S 72nd Street West, Billings, MT

Mr. Miller said he should have been notified of this meeting as the parcel is under contract for deed. President Woods acknowledged this issue and related Board discussions on the need to get this changed. He commented that the Board intends to discuss extension of the zoning boundary with the Board of County Commissioners.

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President Woods asked if there is anyone else wishing to speak in favor or against Stone Creek Subdivision. There was none. The public hearing was closed at 7:32 PM. President Woods called for rebuttal by the applicant and the applicant’s agents.

Rebuttal

Scott Worthington, In Site Engineering, siteproscott@gmail.com

Scott Worthington opened the rebuttal with comments on the proposed water supply system. DEQ provides analysis of the community water supply. He feels the community water supply system is the best option as it is monitored by the state. One of the principal means of recharge is the ditches. The aquifer, wells, and potential contaminates are vetted by DEQ. An application for water rights has been submitted to DNRC. They have been able to demonstrate an adequate water supply both in quantity and quality. There is no requirement for nitrate removal. He pointed to Oakridge Subdivision, which has been monitored for twenty years. He stated he has no concerns as a civil engineer that the water availability will meet the needs of the subdivision. Storm water will be held in storm water drainage swales. Mr. Worthington stated it is disingenuous to lay all of the fears at the feet of one developer. This proposal complies with the Subdivision Platting Act and the Yellowstone County Regulations. This will be a high quality subdivision without creating adverse impacts.

Craig Dalton, Performance Engineering, craig@performance-ec.com

Mr. Dalton explained the difference between local and state reviews for subdivision. Pump tests are conducted and forwarded to DNRC for modeling on water quantity. He explained the workings of Level-Two septic systems that are regulated by DEQ. As for traffic, Mr. Dalton said high levels of traffic in the west end is not unknown factor. Trails are constructed as development takes place. The infrastructure in the parkland is a wellhead spaced about 200-feet apart with the radius landscaped. He said the City Parks Department expressed the need for accessibility from trail ways to parks that may apply in the future for this parcel.

Discussion

President Woods asked if the ditch will be piped or remain open. Mr. Dalton stated the property owners in the subdivision would hold no water rights. Dan Wells said they have no plans to pipe the subdivision at this time. Board member Thompson said he sympathizes with the need to manage cleaning ditches, as it will be a problem if it is left up to individual homeowners. Dan Wells said this will be addressed in the subdivision Covenants and Restrictions. Board member Hillius said while this subdivision is following the regulations, it is a long-term issue. He commented on the need to address the zoning boundary and asked about a water quality district. Board member Thompson said the Planning Board has no authority to put a trail along 64th Street West. He would like to vote against the subdivision but feels that he would have to vote in favor. Board member Tunnicliff stated this subdivision would have an impact on services, public safety, and health. He discussed additional conditions based on findings. The 60 mph speed limit on 64th Street West along with the narrow width paved street creates an unsafe environment for homeowners. A security fence could be installed to protect the parkway from the 60 mph traffic around the perimeter. A recommendation is needed for the County to analyze the speed limit on 64th Street West. Board member Stephenson discussed the need for a barrier instead of fence or trees.

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Motion

Board member Tunncliff made a motion and Board member Stephenson seconded the motion to forward a recommendation to the Board of County Commissioners to deny Stone Creek Subdivision based on public health and safety issues.

Discussion

Board members discussed fencing the perimeter of the parkland. Board member Tunncliff pointed out that the Board is trying to mitigate putting a park in an unsafe place.

The motion carried with a unanimous voice vote.

8. NEW BUSINESS

**8a. Presentation/Discussion. “METRA Park Master Plan. Vision 2025-50 More Years.”
Tim Goodridge, METRA Park Assistant Manager, presenting.**

Board member Tunncliff announced he is an active member of the METRA Park Board.

Mr. Goodridge followed with a presentation.

INTRODUCTION

2025 will mark 50 years since the construction of the Metra Park Arena. Now is the time to establish a vision for the next half-century, propelling Metra Park forward as the premiere entertainment and recreation facility in the region.

HISTORY

- 2019: First Interstate Bank became the facility’s title sponsor, at a price of \$875,000 for five years.
- 2007: Metra Park entered into a 10-year naming rights agreement for the Arena with Rimrock Auto Group for \$1 million.
- 1975: at the Midland Empire Fairgrounds, the Montana Entertainment, Trade,

In addition, Recreation Arena (METRA) was completed. The boulders on the grounds by the Arena were unearthed during construction.

- 1993: Expo Center and Montana Pavilion constructed
- Feb. 14, 1976: Chuck Berry plays Metra Arena

NOTABLE EVENTS-FATHER’S DAY TORNADO JUNE 20, 2010, (12 MINUTES)

Ripped off the arena roof, destroyed nearby businesses

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Arena rebuilt • More modern, energy efficient • Improved sound & rigging • Better restrooms

METRA TODAY

- \$151M in annual gross economic impact
 - \$107.7M in direct impact: annual operating budget, forecasted capital improvement expenses, estimated benefits from vendor revenues, and estimated values for visitor spending
 - \$43.3M in indirect/induced impacts: changes in sales, income or jobs in tourism sector; increased household spending from local earnings in the tourism and supporting sectors
- **Facilities**
 - First Interstate Arena: 50,000 sq. feet, 12,000 seats
 - Expo Center: 77,400 sq. feet
 - Montana Pavilion: 28,800 sq. feet
 - Smaller buildings/facilities: 4-H building, barns, Chiesa Plaza
- Average number of event days per year: 282



FOUNDATIONAL CONCEPTS More landscaping • Improved entrance/exit • Additional parking • Improved midway • RV Park in floodplains • Expanded Expo Center • Recreational trail connections

OPPORTUNITIES TO INNOVATE Outdoor Amphitheater • Indoor/outdoor multi-purpose arena • Athletic facility • Grandstands/hybrid facility • Public/private partnerships • New ideas?

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PROCESS: CONCEPT TO CONSENSUS Public engagement in desired amenities and design concepts Virtual and in-person meetings; tours of entire Metra campus • Steering committee with specific work groups • Integrate public feedback to a single concept • Final design plan – adopted by Metra Board and County Commission • Discussion on funding strategies, looking forward to celebrating 50 years of Metra Park

PRELIMINARY PUBLIC FEEDBACK _____

ICONIC FACILITY	COMMUNITY GATHERING	UNIFYING LEADERSHIP
<ul style="list-style-type: none">• Make Metra the crown jewel of the county• Define who we are – include art, history, culture• Attract tourism in 500-mile drive radius	<ul style="list-style-type: none">• Maintain reputation as place where entire county comes together• Improve programming diversity, more residents benefit• Plan for youth, next generation connected	<ul style="list-style-type: none">• Transparent public process, clear leadership, collaboration from elected officials• Evidence to support vision: user benefits, economic projections, operations cost, maintenance plan• Bring county together

KEY DATES AND MILESTONES-

- **April - May** Public engagement and education
- **May – June** Draft master plan
- **July – August** Final master plan
- **Fall 2021** Master plan adoption; funding discussion

PUBLIC OUTREACH: Community Presentations and Website Communications; Social Media Outreach

Discussion

The Board thanked Mr. Goodridge for his presentation. President Woods commented on an upcoming discussion at the next PCC meeting regarding aesthetics on the trail section bringing a bike-pedestrian path from Jim Dutcher Trail and the Lockwood Interchange to METRA Park. He stressed the importance of taking advantage of timing and influencing projects. This would be an opportunity to enhance this area. Board member Thompson pointed out the need for maintenance plans.

OTHER BUSINESS

9a. Discussion PlnBoard@billingsmt.gov Planning Board e-mail address for Board communications and City/County websites. Staff will email instructions on how to add this new

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email address. This address will be used for all Board communications going forward instead of Board member's personal addresses.

9b. Standing Item. Staff Updates. Long Range Strategic Issues and an overview of future City and County issues and projects.

9b1. Project Steering Committee Volunteer for the 2016 Transportation Safety Plan Update. Transportation Planner Lora Mattox requested a volunteer to represent the Planning Board in this capacity. Board member Tunnicliff volunteered to participate as a steering committee member.

9b2. Announcement: The Tuesday, June 8, 2021 Planning Board meeting will be canceled due to a lack of applications. The next meeting will be on Tuesday, June 22, 2021.

ADJOURNMENT: 8:45 PM

DRAFT—TO BE APPROVED BY A MOTION- June 27, 2021

--Tamara L. Deines, Planning Clerk

May 25, 2021
Billings Library Community Room

Printed Name	Address/email
Lee Hanson	r/hanson91@gmail.com
Dan Wells	dan@wellsbrill.com
Scott Worthington	siteproscott@gmail.com
Jinda Miller	LJM@a.com
Don Miller	"
MERTON MUSSER	MERTON C MBAUCTION.COM
Susan Musser	sjmusser.dagmar@gmail.com
Craig Dalton	craig@performance-ec.com
Taj Mukadam	tajmukadam@gmail.com
Barry Kinsfather	barrykin8@gmail.com
Bonita Kinsfather	bonniekin77@gmail.com
Kelly Coleman	kellhancock@gmail.com
Breg Miller	Millerqdt@gmail.com
Jim & KATHY KAMMINGA	JIMKAMMINGA SR@GMAIL.COM
Forest Stephanie Miller	ssm.lbertme1@gmail.com

Jerry & Connie Johnson
3245 S. 64th St W
Billings, MT 59106

5/25/2021

Re: Stone Creek Subdivision

While we see the need for more and affordable housing this development is not compatible for our area.

There are serious issues to consider like our streets. They're not safe! We're already challenged with 60 MPH speed limits, and only 2 lanes with no shoulders for walking or bike riding. Often, collisions in our local intersections result in serious property damage and injuries, as well as fatalities.

We believe another large neighborhood would stress the Elder Grove School system causing the real estate taxes to increase again.

Our strongest opposition is loss of water. We have lived at 3245 S. 64th St W. since 1976. We have had good water and plenty of it. Lately, water wells all around us are going dry. Until our water situation stabilizes and we can be guaranteed an adequate supply we do not need another development with a large number of homes to ruin our quality of life.

It appears when Ag land sells the buyers are either developers or gravel operations. We believe the lessor of the two exposures is a subdivision. With that said, by decreasing the number of homesites would create a better neighborhood that would be typical of our surrounding developments like Greensleeves Estates, Hesper Meadows + the Nines to name a few. Our area is still rural West Billings + we need to respect the space of others.

Respectfully Submitted,

Jerry Johnson

Connie Johnson

To : County Planning Board

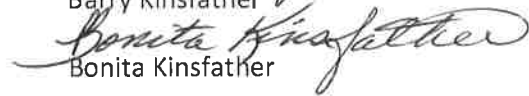
May 25, 2021

We are opposed to the Stone Creek Subdivision housing development as planned for 126 homesites.

1. 64th and Neibauer and the surrounding streets are not designed to handle the amount of traffic that this type of development will create
2. We are not against west end development. We feel that THIS high density development is not compatible with the area. Properties of approximately one acre would be more in line with the new proposed developments in this area.
3. We also feel that this many wells and septic systems would have a very negative effect on the existing water levels and water quality the neighboring community.



Barry Kinsfather



Bonita Kinsfather

1712 So 64th St W

Billings, MT 59106

Darren and Julie Miller (David age 8, Daniel age 6) 2007 S. 72nd St West, Billings MT 59106

Mary Jane Miller 2344 S. 72nd St. West, Billings MT 59106

Contiguous landowners to the west of proposed Stone Creek Subdivision

To the County Commissioners, City/County Planners and Whom else it may concern:

Allow me to introduce myself. My family and I are contiguous landowners to Regal Land Developers on the west side of 64th street west. A tract we own and pay taxes on. We purchased Tract 1A – COS 3282 from Mary Jane Miller, a distant relative, when her late husband and son succumbed to health issues. It was their wishes for their land to remain in ag as they were prominent respected members of the ag community. We live on and operate a farm and feedlot on the 80 acres west of the proposed Stone Creek Subdivision where we are raising the 5th generation of farmers.

My concerns for the proposed Stone Creek Subdivision are such because my family also owns property on the north side of Canyon Creek where development is prominent and booming. Leapfrog development makes for hazardous conditions for farmers and homeowners due to new residents not being accustomed to lifestyle and operations of the existing agriculture community.

Traffic has already become an overlooked hazard on these county roads. Even with the roads being maintained, years of repaving has led to very abrupt asphalt edges that make it difficult to move over for oncoming traffic with equipment because the roads are narrow and, in most cases, have lateral irrigation ditches on both sides. 64th street has already become a major commuting street with high-speed limits. Just in the last year there has been 6 major accidents at the corner of 64th and Neibauer, luckily there has yet to be a fatality!

I am also a prominent utilizer of the drain ditch of the proposed Stone Creek Subdivision. Storm water runoff raises concerns of water flow maintenance, foreign material and traffic in maintaining this ditch. Furthermore, the high concentration of lifestyle in a prominent ag area raises concerns that are not always conveyed to future residents. Such as slow-moving vehicles, the ability of using fire as a natural way of removing vegetation and the occasional windstorms that make debris from ag and construction to be shared with everybody!

This land has been home for many different species including deer, coyotes, sand hill cranes, blue herons, pheasants and many other of Gods little creatures. Canadian geese use this area for migration, and some are largely raised and stay in this area year-round. Many people use this area for hunting due to its wide open spaces. This area is also classified as open range for livestock.

I would like to say I feel every landowner should have the right to do with their land as they wish. But such a person should also be respectful of others and their way of life. If it were not for ag in the Yellowstone Valley the supply of clean groundwater that we all rely on would diminish just as it has in other areas. Therefore, I have concerns for my family with such a high density of homes that Regal Land Development is proposing. It will be years until city services such as water and sewer will be available to meet the needs and allow for respect of the land and nature that an overpopulated subdivision like Stone Creek will demand.

In closing I would like to say, it is because of what we do as farmers, ranchers and cattle feeders why people want to live in this fresh clean environment! It is and always will be the agricultural community's

burden to adapt and overcome to the growing demands of the residents of the United States. THIS is why our concerns need to be taken into consideration.

Thank you for your time.

Darren Miller

We are also adjacent landowners of ag land to the proposed subdivision. I am in complete agreement with Merton Musser's letter so I will not repeat his argument. My biggest concern is the water supply and disposal system for this proposed subdivision. With 126 lots platted and there being 2 phases planned it is a serious issue not to mention the traffic. The west end seems to have a lot of issues with traffic (ie) accidents and fatalities. I believe the issues of traffic, utilities, schools and good stewardship of our wildlife need first consideration before plunging ahead. Thank you for your consideration

Frank and Connie Pelican 5917 Danford Rd

Jerry & Connie Johnson
3245 S. 64th St W

5/25/2021

Billings, MT 59106

Re: Stone Creek Subdivision

While we see the need for more and affordable housing this development is not compatible for our area.

There are serious issues to consider like our streets. They're not safe! We're already challenged with 60 MPH speed limits, and only 2 lanes with no shoulders for walking or bike riding. Often, collisions in our local intersections result in serious property damage and injuries, as well as fatalities.

We believe another large neighborhood would stress the Elder Grove School system causing the real estate taxes to increase again.

Our strongest opposition is loss of water. We have lived at 3245 S. 64th St W. since 1974. We have had good water and plenty of it. Lately, water wells all around us are going dry. Until our water situation stabilizes and we can be guaranteed an adequate supply we do not need another development with a large number of homes to ruin our quality of life.

It appears when Ag land sells the buyers are either developers or gravel operations. We believe the lesser of the two exposures is a subdivision. With that said, by decreasing the number of homesites would create a better neighborhood that would be typical of our surrounding developments like Greensleeves Estates, Hesper Meadows + the Pines to name a few. Our area is still rural West Billings + we need to respect the space of others.

Respectfully Submitted,

Jerry Johnson

Connie Johnson

To whom it may concern

I am opposed to the continued development of subdivisions without consideration of existing landowners. I live on 64th Street West between Danford and Laurel Airport Road. One of my major concerns is the continued pressure on the aquifer. I have monitored my personal well weekly since 2001 here are the measurements for last week of May since then

2001 10'1"
2002 11'1"
2003 11'0"
2004 9'4"
2005 12'0"
2006 12'11"
2007 13'2"
2008 14'2"
2009 13'6"
2010 13'9"
2011 13'0"
2012 13'4"
2013 13'11"
2014 12'11"
2015 14'0"
2016 17'3"
2017 18'5"
2018 17'10"
2019 18'6"
2020 19'0"
2021 20'0"

Without irrigation the aquifer is dropping level. As this ground is moved from irrigated farming to subdivisions the aquifer does not get replenished. So far this year both my neighbor and myself have had to replace our old wells with new.

Timothy J Veches

May 10, 2021

Miller Farms
6001 Neibauer Rd
Billings, MT 59106
(406) 698-6987 Steve Miller
ssmillertime1@gmail.com

RE: Stone Creek Subdivision Project #PZX-20-002040

I am writing this on behalf of my family and my father, Melvin Miller, who currently owns the property east of the adjacent proposed subdivision.

Our family has owned and farmed this property since the 1920's. While we understand development of farmland, while sad, is inevitable. This particular proposal we feel will have a detrimental effect on our farming and the homestead that sits on it. Many other subdivisions that have been built in our area have at least $\frac{3}{4}$ acre to an acre per lot. There is no city water or sewer in this area. With 126 houses going in on 80 acres, we can see this being a problem with our groundwater, which is already being depleted because of the gravel pit on 56th St. West. We have noticed a drop in our groundwater over the last 10 years. Knife river also owns the lot across the road from our farm. Along with the development of a congested subdivision, we anticipate our current groundwater situation getting worse. Our house uses a well and has always had plentiful, good water to draw from. We cannot see on the proposed plan how a septic system will be dealt with.

Many hunters hunt on our farm due to the large amount of geese and ducks that land in our area. We also have had some hunters hunt for deer on our place. Bald Eagles roost in our trees which is always a sight to see. We fear having a large subdivision next to us will also deplete the wildlife in our area.

We have irrigation ditches that run through the proposed subdivision. Maintenance of that ditch is essential to our farming operation. We farm many acres on the west end and have had to deal with homeowners along these ditches for many years with other subdivisions in our area. Many of the homeowners are pleasant to deal with, but there are always a handful that create issues and cause problems because they feel they own the property where the ditch is, or the water that is in it. It puts a large burden on the farmer when having to come through and burn the ditch or dig out a ditch and have to explain to the homeowner why you are there. We are concerned also about the trash

and garbage that gets in our fields from these subdivisions. During the construction phase, we have dealt with having to pick up tyvek, insulation, plastic, asphalt shingles when we are planting and harvesting so it doesn't get sucked into our combine or get wrapped around and damage our farming equipment.

My grandfather attended Elder Grove school when it was a one room country schoolhouse. Over the past 30 years, the school has expanded many times to accommodate population growth in our area. If each of these 126 houses has just one child, Elder Grove will most definitely be over crowded again. As farmers, we pay a lot in property taxes for our school. We cannot easily pass another bond until our newly built middle school bond is paid.

The traffic in our area will also be greatly affected. Each house could have easily 2-3 vehicles. That equates to 400 vehicles per day coming in and out of that subdivision. We move large equipment from farm to farm and our road was not built for the impending traffic this large subdivision would cause. You cannot walk or bike safely on our roads currently. This will make our roads even less safe to have that amount of traffic increase. The nearest fire station that serves our area is on 54th and Grand, and I see that this could also be a burden to an already sparsely supported fire department.

We are **adamantly opposed** to the current plans of this subdivision. We feel there are too many homes on the acreage they are proposing. As we stated earlier, many subdivisions in our area have larger acreage per lot.

Concerned Farmers and Landowners,

Melvin Miller

Steve and Stephanie Miller

Merton Musser, 6125 Landing Pointe, Billings MT 59106
Wade & Lindsey Affleck, 6209 Landing Pointe, Billings, Mt 59106
Contiguous landowner to the North of proposed Stone Creek
Subdivision

I will begin by saying growth is acknowledged as inevitable; planned growth is desired. Achieving planned growth requires acknowledgement and avoiding some very fundamental principles. Many of these are outlined in the West Billings and Yellowstone County Master Plan.

Leapfrog development occurs when developers skip over land to obtain cheaper land further away from cities, thus, leaving huge areas empty between the city and the new development.

Urban sprawl diminishes the local character of the community. Advocates of smart growth contend that economic growth can serve the community if it maintains the vitality and distinctiveness of the community and the quality of life for the community's residents. It's inconceivable to think **Regal Land Development** has taken a city subdivision plan and planted it right smack in the middle of agricultural land, 5 miles from city limits. This demonstrates total disregard for community continuity, compatibility and respect of area landowners. Ag land surrounds **Stone Creek Subdivision** on all four sides and imposes unfair degradation of country living for the contiguous landowners.

Highways must be safe and efficient and developed in a way that defines a desirable community character for West Billings. Yellowstone County has failed to stay level or equal with the increase traffic between Shiloh Road and 72nd Street W. **Stone Creek Subdivision** will exacerbate existing road-congestion problems. The present congestion surrounding Elder Grove School during morning drop off and afternoon pickup is candidate for the worse traffic flow in all of Yellowstone County. **Stone Creek Subdivision**, only 1/2 mile South of Elder Grove, will add another 250-350 vehicles daily commuting to and from work or school.

The governing bodies of Yellowstone County must take non-vehicular transportation right-of-way needs into account when reviewing all subdivision requests. Focal points, such as parks, schools, and other uses located within walking distance of neighborhoods with pathways and bikeways. Walking is either unpleasant or impossible, due to narrow

country roads with no shoulders and 60 mph speed zones. With schools 1/2 mile away, **Stone Creek Subdivision** does not address a solution to this problem. Significant public safety issues should be addressed regarding traffic before this subdivision or any other, for that matter, would be considered.

Ground water quality is a serious issue and I find it incomprehensible **Stone Creek Subdivision** wouldn't affect the ground water. Yellowstone County statistics report 2.3 people per household x 126 lots = 289 people. EPA reports the typical household uses 300 gallons per day which equates to 37,800 gallons per day for **Stone Creek Subdivision** plus outdoor watering for vegetation. In addition, vast areas of impermeable surfaces in built-up areas often replace water-absorbing vegetation and permeable soils. Residential, roads, and parking spaces for automobiles greatly impede the absorption of water into the soil. Chemicals present on pavement at the time of rain are often carried with runoff as water pollution, reducing water quality.

There are two types of domestic sewage: blackwater (wastewater from toilets) and graywater (wastewater from all sources except toilets). Blackwater and graywater have different characteristics, but both contain pollutants and disease-causing agents that require treatment. Average household will discharge 40 gallons per person per day x 2.3 pph = 92 gallons x 126 households = 11,592 gallons x 365 days = 4,231,080 gallons of wastewater annually. This is cause for serious concern regarding adequate treatment and disposal system to protect an individual's health and the environment.

One of the most obvious environmental effects of widespread building construction is the destruction of wildlife habitat. To make way for human dwellings and their associated infrastructure, natural land is plowed under, graded, and paved. With Canyon Creeks' close proximity to **Stone Creek Subdivision**, there are white tail deer, pheasants, bald eagles, sandhill cranes and masses of water fowl that fly in and out during their annual migration. The **Stone Creek Subdivision** will diminish the deer, pheasants, bald eagles and destroy the water fowl habitat during migration.

Lastly, my property bordering on the North is registered with the Federal Aviation Administration (FAA) as a private airport with a grass airstrip used lightly by small private aircraft. A mid to high density subdivision adjacent

the airstrip generally would be considered as incompatible because of noise and, in some cases, for reasons of safety, depending on the location of the property.

As a contiguous land owner I feel an effort should be made to preserve or perhaps conserve agricultural land and create developments that are compatible with their surrounding. Considering the fundamental problems outlined above, we **ADAMANTLY OPPOSE** the **Stone Creek Subdivision** as proposed.

Unless the Planning Board, along with the County Commissioners, can guarantee the aforementioned fundamental principles will not negatively affect all contiguous and area landowners I encourage you to decline the **Stone Creek Subdivision** as proposed.

A more suitable plan would be for minimum acreage lot sizes of one acre or greater and a buffer along the North boundary.

Concerned Landowners,

Merton and Susan Musser
Wade and Lindsey Affleck