



3648 AJ Way | Zone Change (Phase 2)

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Introduction

Overview

This is a proposal to change the zoning of four parcels from County Agricultural to P3 Public Civic Campus zoning. The City of Billings adopted a rezoning petition submitted on behalf of the Montana Department of Military Affairs (“DMA”) for two adjacent parcels on 26 June 2023 (Ord. 23-5840), from county Agriculture to City P3. (The City also approved an annexation petition for this same property.) By 2023, DMA purchased 4 additional parcels that are the subject of this rezoning petition. The property in its entirety is owned by DMA and will be used collectively as the Montana National Guard’s new Billings Readiness and Innovation Center (“BRIC”), should federal funding become available.

The reasons for the proposed zone change are that the eastern portion of the entire property owned by DMA is existing CX (Heavy Commercial) zoning adjacent to Highway 3 or annexed into the City and zoned as P3, and the parcels proposed for rezoning in this application are also proposed to be annexed into the City of Billings. Agricultural zoning is not allowed within city limits, so this zone change is an accompanying piece of that process. Annexation of these parcels into the City will provide for uniform use of the BRIC in its entirety and will provide these parcels with City utilities, in uniformity with the adjacent rezoned parcels. In turn, the BRIC will provide public safety and resources to the community.

Growth Policy

The zoning objectives of 3648 AJ Way were designed in line with the 2016 City of Billings Growth Policy and City of Billings City Code. These documents and others are referenced throughout the application. The Growth Policy contains Limits of Annexation maps, in which these parcels are slated to be annexed by 2026, or within the Long Range Urban Planning Area, as ‘Zone 1’. The Growth Policy states, “Shallow bedrock and unstable slopes can pose difficulties for construction.” The principal reasons for annexation are to 1) connect to City utilities to limit such impacts to construction and 2) ameliorate impacts of independent water, wastewater and stormwater systems may have on neighbors and geology.

Existing or Planned Developments in the Area

This proposed rezone fits with existing or planned developments in the area. The eastern portion of the entire property owned by DMA is existing CX (Heavy Commercial) zoning adjacent to Highway 3 or annexed into the City and zoned as P3. Together, the entire property if zoned P3 and CX is intended to become the new BRIC

over the years. Much of the adjacent county acreage is active agriculture. The parcel immediately east of the DMA property is an isolated county parcel adjacent to the Billings-Logan International Airport and houses the private Billings Flying Service and the DMA-leased Billings Hangar. A large barn was recently built on private agricultural land to the east of the subject parcels. Three rural residences exist immediately to the south of the subject parcels, and several residences exist south of State Highway 3. The airport and related uses predate most of the residences south of the highway.

Neighborhood Plans

No neighborhood plans exist for this area.

Decision Criteria

27-1628 D

- 1 Whether the new zoning is designed in accordance with the growth policy**
Yes. These parcels are consistent with the primary objectives listed in the Growth Policy: In 'Essential Investments, Locations for Investments', infill and contiguous County properties is the primary objective. Also, the City annexed the eastern portion of the BRIC in 2023. An integrated water system for the BRIC property as a whole would promote 'Integrated Water Systems' in 'Essential Investments'. The first objective of 'Public Services' is 'Public Safety'. The first objective of 'Business' is 'Public Services'. 'Integrated Water Systems' is the first objective of 'Infrastructure'. For 'Regulation', objectives 2-6 will be achieved on these parcels.
- 2 Whether the new zoning is designed to secure from fire and other dangers**
Yes. P3 zoning will be served by the City's emergency services, including police and fire. Future site development will conform to the City's public safety, building and land use requirements in compliance with the City Code, as well as all applicable building codes, to help secure safety from fire and other dangers.
- 3 Whether the new zoning will promote public health, public safety and general welfare**
Yes. The City conducts extensive planning for municipal transportation, water, sewer, parks and other facilities and services provided by it. The adopted plans allow the City to consider existing conditions and identify enhancements needed to provide additional service needed by new development. The development of public infrastructure improvements to serve the BRIC will be required to conform to the City's adopted standards, which require properties to construct public infrastructure and/or pay impact fees and assessments to support transportation, water, sewer, school, park and other public requirements.
- 4 Whether the new zoning will facilitate the adequate provision of transportation, water, sewage, schools, parks and other public requirements**

Yes. The City conducts extensive planning for municipal transportation, water, sewer, parks and other public facilities and services provided by it. The adopted plans allow the City to consider existing conditions and identify enhancements needed to provide additional service needed by new development. The development of public infrastructure improvements to serve the BRIC property as a whole will be required to conform to the City's adopted standards, which require properties to construct public infrastructure and/or pay impact fees and assessments to support transportation, water, sewer, school, parks and other public requirements.

5 Whether the new zoning will provide adequate light and air

Yes. The City Code includes provisions requiring adequate light and air, including park and recreation requirements, maximum building height, on-site open space requirements, lot coverage and setback requirements. Future development of the BRIC on these and the adjacent parcels already rezoned to P3 will be subject to these provisions and of the state Building Code, which contains standards for ingress and egress, ventilation and related topics that further support the provision of adequate light and air.

6 Whether the new zoning will affect motorized and nonmotorized transportation

Neutral. With the change in zoning, no direct change in transportation will occur. Please note that improvements at AJ Way and Highway 3 will be needed because of existing and planned growth. The zone change for these parcels does not directly impact the area's transportation. A traffic Impact Study for the future proposed BRIC development is required, has been completed, and will be updated if required during the building permitting process.

7 Whether the new zoning will promote compatible urban growth

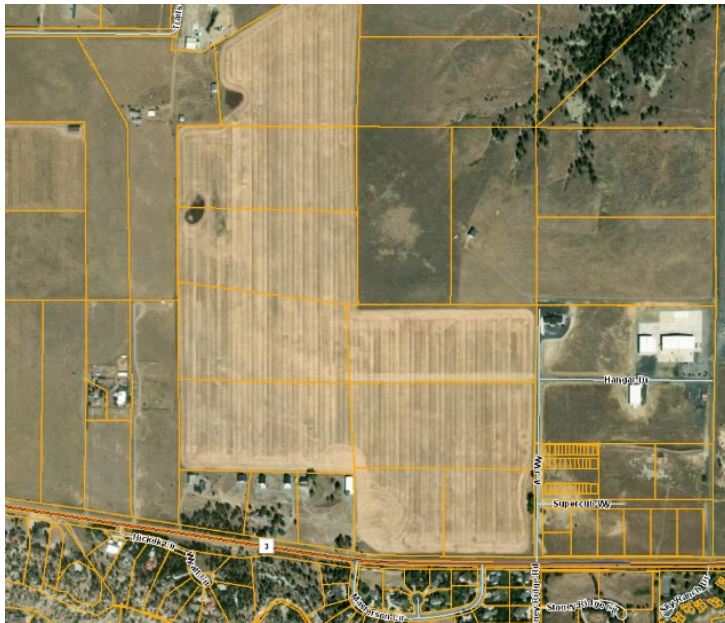
Yes. The P3 zoning classification promotes more growth than agricultural county zoning. P3 zoning is also compatible with future plans from the 2016 Growth Policy. Specifically, the Public Preferred Scenario of the Growth Planning Scenarios contains these parcels, listed as Heavy Commercial High Density/Industrial Light. Although P3 is not listed as a future zone in the Growth Policy, P3 uses are similar and lesser-included or lighter uses (see North Public Preferred Scenario in the Growth Policy).

8 Whether the new zoning considers the character of the district and the peculiar suitability of the property for particular uses

Yes. The proposed P3 can support many types of urban development that serves the immediate area and broader region. P3 zoning will fit well with adjacent P3 (located in the other portion of the BRIC), P2, I1 and CX zoning.

9 Whether the new zoning will conserve the value of buildings

No buildings exist on the site. Any future building of structures on the site will meet City Code setback and height requirements. This will alleviate potential impacts to the value of adjacent buildings on bordering parcels, which currently are sparse on the north, east and west boundaries (see figure below). Any future development will be subject to P3 zoning standards, which will help conserve adjacent building values.



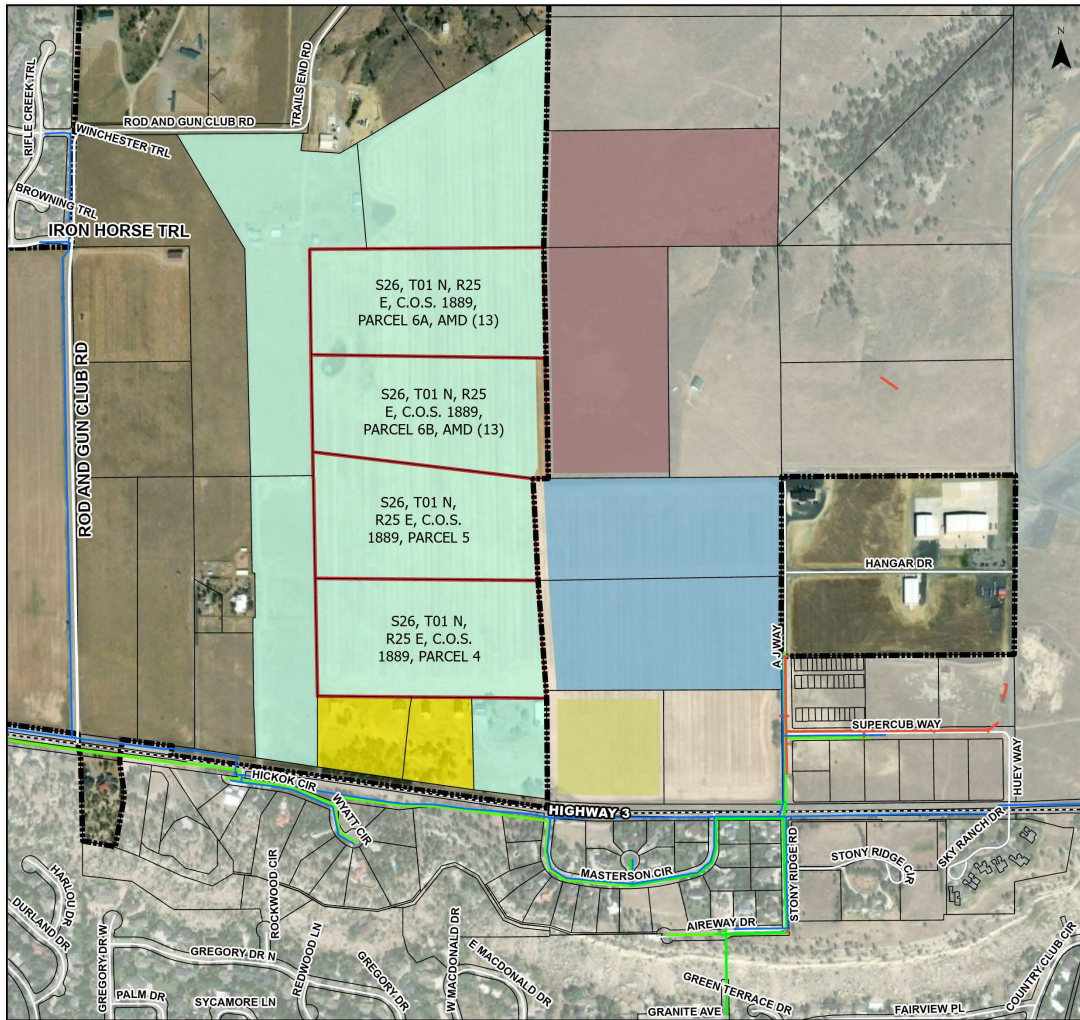
Surrounding structures

10 Whether the new zoning will encourage the most appropriate use of land throughout the City

Yes. P3 zoning is compatible with adjacent P3, P2, CX and I1 zoning. P3 zoning fits the projected uses of the Growth Policy as stated in the Overview.

Annexation Map

Annexation Map



Legend

- Water Main
- Stormwater Main
- Sewer Main
- Sewer Pressurized Main
- Parcel Boundary
- Existing City Limits
- Parcels to be Annexed
- A - Agriculture (10+ acres)*
- CX - Heavy Commercial
- P2 - Public- Civic, Institutional
- P3 - Public- Campuses - Medical, Civic, Educational
- RR3 - Rural Residential (3 to 9.9 acres)*

Date: 3/11/2024

Scale: 1:9,000



Neighborhood Meeting Minutes

DMA Rezoning Neighborhood Meeting*

*Two meetings were held, as the Rimrock Neighborhood Task Force requested an earlier meeting for Task Force members. The first meeting (for Task Force members) began at 1530, and the second meeting began at 1715.

Handouts available for the public: Draft zoning application packet (narrative, pre-application statement of owner, City zone change application form), submitted annexation petition, annexation maps.

First Meeting

Start 17 July 2024 at 1530

Introductions and opening statement by Montana Department of Military Affairs (DMA) – Mimi Wolok and LTC John Gehring.

Open discussion and public comment:

1. Teresa Holus – Question regarding what the different colors of the map mean.
LTC Gehring – Provided clarification to map legend.
2. Barb Ramalow – Question to clarify which parcels DMA is seeking rezoning for at this time.
Howard Evans – same question as Barb Ramalow.
LTC Gehring – Responded with clarification using large map as reference.
3. Howard Evans – What is the conceptual content of the future campus going to contain?
LTC Gehring, Joel Miller – The existing campus master plan is extremely conceptual and no construction funds have been acquired for anything other than the Limited Army Aviation Support Facility (LAASF) that is currently under construction on the parcels that were rezoned last year. The current leadership's intent is for a Readiness Center (RC) and a Vehicle Maintenance Shop (VMS) in the future, but again, no funding is available at this time. Also explained that these facilities are the current leadership's priorities and that priorities may change with changes in leadership over time.
4. Barb Ramalow – question regarding how parcels were acquired.
LTC Gehring, COL Robert Oleson – Described the DMA Land Account and State Legislative appropriations and how those mechanisms allowed for the acquisition of all the parcels.
5. Teresa Holus – When does DMA envision a community center and pool on the campus?
LTC Gehring – Those ideas are merely conceptual at this time; there is no timeframe, and no design or construction funding is available.
6. Howard Evans – Why DMA is seeking rezoning at this time?
LTC Gehring – DMA and the Montana National Guard (MTNG) are trying to get the real estate positioned for future development if and when construction funding becomes available. Having the rezoning completed at this time helps DMA position itself to request funding within the planning horizon.
7. Barb Ramalow – What other MTNG entities are envisioned to be at the campus?
LTC Gehring – It is too early to know and completely pre-decisional to project.

8. Howard Evans – How will lots be taken care of/maintained until construction occurs?
LTC Gehring – DMA has environmental and maintenance staff that will coordinate taking care of the property to include mowing and weed control.
9. Barb Ramalow – Commented on issues with Russian Thistle.
10. Howard Evans – Commented on issues with tumbleweed.
11. Kevin Moser – Is DMA funded for any other construction activities at this time?
LTC Gehring, COL Oleson – Not at this time; only funded for the LAASF that is currently under construction.
12. Alicia Lay – Will Masterson Street have to be dug up to facilitate utility tie ins for current project?
LTC Gehring – No; the tie-ins will happen at AJ Way.
13. Teresa Holus – How will drainage would be handled for the current project?
LTC Gehring – Described the stormwater drainage plans for the current LAASF project.
14. Barb Ramalow – Will there be parking available for the Blue Angels air show? Commented that it would be nice to have a driveway to accommodate parking for it.
LTC Gehring – DMA will investigate further.

COL Oleson – Sewer and water capacities for the campus were worked through the City of Billings.
15. Alicia Lay – Where has the MTNG has been flying? Commented that helicopters are conducting training right over Highway 3.
COL Oleson – Explained that he is the point of contact for flight concerns and complaints and will investigate.
16. Kevin Moser and Barb Ramalow – Agreed with the comment and question from Alicia Lay.
COL Oleson – Reiterated that he would investigate and provided his direct contact information.
17. Kevin Moser – How soon would there be enough people using the campus to trigger traffic impacts and measures?
LTC Gehring, Joel Miller, COL Oleson – DMA conducted a traffic impact study taking into account a full build out of the campus. The Montana Department of Transportation (MDT) has the study. MDT is the sole determiner of any traffic measures and controls; DMA and the MTNG do not have a say. COL Oleson has met with the director and deputy director of MDT to inform them of concerns and what development will be happening.
18. Howard Evans – Will there be any intermediate traffic measures during construction?
LTC Gehring – Temporary traffic measures will be put in place by the construction contractor on an as-needed basis during construction of the LAASF.
19. Howard Evans – Commented on traffic jams early in the morning. Asked how many workers were currently on site for the construction of the LAASF.
LTC Gehring – Currently, 10 workers are on site for the construction of the LAASF.
20. Barb Ramalow – Commented on the overall state of roads in the City of Billings.

Meeting closed at 1609.

Second Meeting

Start 17 July 2024 at 1715

Introductions and opening statement by Montana Department of Military Affairs (DMA) – Mimi Wolok and LTC John Gehring.

Open discussion and public comment:

1. Mike Tuss – is DMA pursuing both rezoning and annexation?

Mimi Wolok – Yes; DMA is pursuing both.

2. Dallas Ricktick – question as to where the 78 acres for rezoning are located.

LTC Gehring – Using the map, LTC Gehring clarified which parcels and where they are situated.

3. Helmsworth Rio – what are the blue colored parcels on the map for?

LTC Gehring – Answered describing that is where the Limited Army Aviation Support Facility is being constructed.

4. Joe Holden – Why would we (public) want to have something developed that would make more noise? Why not build houses or leave as agricultural land?

Mimi Wolok, Joel Miller, LTC Gehring – Rezoning actions do not create noise. DMA, as a state agency supporting the Montana National Guard (MTNG) does not build houses or conduct agricultural work. This meeting is regarding rezoning of 4 parcels only.

5. Toby Palmer – What are the red sections on the map?

LTC Gehring – Red sections on the map are parcels that DMA does not own.

6. Mike Tuss – Commented that he will recommend to the City of Billings that a condition of rezoning be that DMA must follow all approved City development rules and building codes.

LTC Gehring – Understood.

7. Mike Tuss – Commented that the agreement between the FAA, Billings Flying Service, and the MTNG for flight patterns did not include public input. He wanted to see the agreement, but the Airport Authority and the MTNG would not provide it to him. He filed a Freedom of Information Act request and received it.

8. Toby Palmer – Is there any intention of developing a road from the DMA parcels to Rod & Gun Club Road?

LTC Gehring – Not that we are aware of at this time.

9. Richard Van – Does DMA own any lots bordering Highway 3?

LTC Gehring – Answered using the map and demonstrated the 2 parcels DMA owns that border Highway 3.

10. Joe Holden – Commented that to endear the neighbors more, work to reduce the speed limit to 35 – 45 MPH on Zimmerman.

COL Oleson – Safety is his biggest concern as well as his job responsibility. He has met with the director and deputy director of the Montana Department of Transportation (MDT). MDT is the sole determiner of what traffic control measures happen and when.

11. Marion Agent – There should be a turn lane in the middle of Zimmerman. Please mention to MDT.

12. Mike Tuss – It would be nice to keep the ground as a wheat field. P3 zoning is a developed campus setting. This type of zoning is positive and is the best choice. Concerned with landscaping and that DMA will not seek an

exception to the landscaping ordinance. Part of the airport influence zone. He envisions greenery and trees.

LTC Gehring – Landscaping efforts will be extensive. Beautification efforts do have height restriction in the airport influence zone. Intent is to make the property look nice and inviting.

13. Marion Agent – Even though no solid plans at this time for future development, will there be more aircraft in the future?

LTC Gehring – No plans include bringing in any additional aircraft at this time.

14. Mike Tuss – He has seen the conceptual master planning. That (conceptual) was the way it was presented. What are some realistic timelines for future development?

LTC Gehring, Joel Miller, COL Oleson – Broadly discussed the difficulty and timeframes of acquiring federal funding for military construction and how projects take upwards of 10 years or more from plan to execution. Current leadership's intent is to develop a Readiness Center (RC) and Vehicle Maintenance Shop (VMS) once funding is acquired on the campus. The current conceptual plan is an approximately 50-year look at the property. COL Oleson detailed how the LAASF project concept started in 2005 and the MTNG is just breaking ground now. DMA and MTNG leadership are looking to create a soldier focus in Billings. Important for search and rescue and benefits to the soldiers of the MTNG.

15. Marion Agent – Will development of the other parcels increase aircraft noise?

COL Oleson – future development should actually help mitigate aircraft noise. He does not anticipate any additional flights with future development. Will not be adding any more soldiers to LAASF than what currently uses the rented facility.

16. Joe Holden – Asked for clarification that the current rezoning request does not include use for aviation.

LTC Gehring – That is correct.

17. Mike Tuss – Commented that the Blaine's had a public meeting on flight paths previously for approaches and departures. Stated the MTNG has created new flight paths.

18. Marion Agent – Will DMA be sending out letters or additional notice regarding the upcoming zoning and annexation meetings?

Mimi Wolok – DMA was required to secure a certified mailing list through the Clerk & Records office for this meeting. The City of Billings will supply notices regarding the upcoming zoning and annexation meetings, not DMA.

19. Heidi Brosavitch – This will be a great project. Is DMA looking to acquire any more land for the campus?

LTC Gehring -- There are no plans to acquire any more land for this campus at this time.

Meeting closed at 1759.



STATE OF MONTANA

OFFICE OF THE ADJUTANT GENERAL

ARMED FORCES RESERVE CENTER
1956 MT MAJO STREET - PO BOX 4789
FORT HARRISON, MONTANA 59636-4789
406.324.3010



THE HONORABLE GREG GIANFORTE
GOVERNOR

MAJOR GENERAL J. PETER HRONEK
ADJUTANT GENERAL

City Zone Change Neighborhood Meeting

To Whom It May Concern:

The Montana Department of Military Affairs would like to invite you to a Neighborhood Meeting for the Zone Change of parcels D045910, D045920, D045930, and D04593A, all located at 3648 AJ Way, Billings, MT. These parcels are in the process of annexation into the City of Billings with an accompanying zone change from County Agricultural Zoning to City of Billings Public 3 Civic Zoning (P3). This zone change is being requested because Agricultural Zoning is not allowed within the City of Billings, the Public Zoning accommodates the future needs of the site and community, and the parcels owned by the same landowner were previously annexed and rezoned to Public 3 Civic Zoning in 2023.

WHEN: 5:15pm, July 17, 2024

**WHERE: Billings Limited Aviation Support Facility
2121 Hangar Drive
Billings, MT**

Directions: From Montana Highway 3, turn north onto AJ Way. Turn right onto Hangar Dr. Pass by Billings Flying Service and go to the end of Hangar Dr. Turn left into the parking lot. The Billings Limited Aviation Facility is the large white building directly north of the parking area.

Address of property subject
of rezoning application:

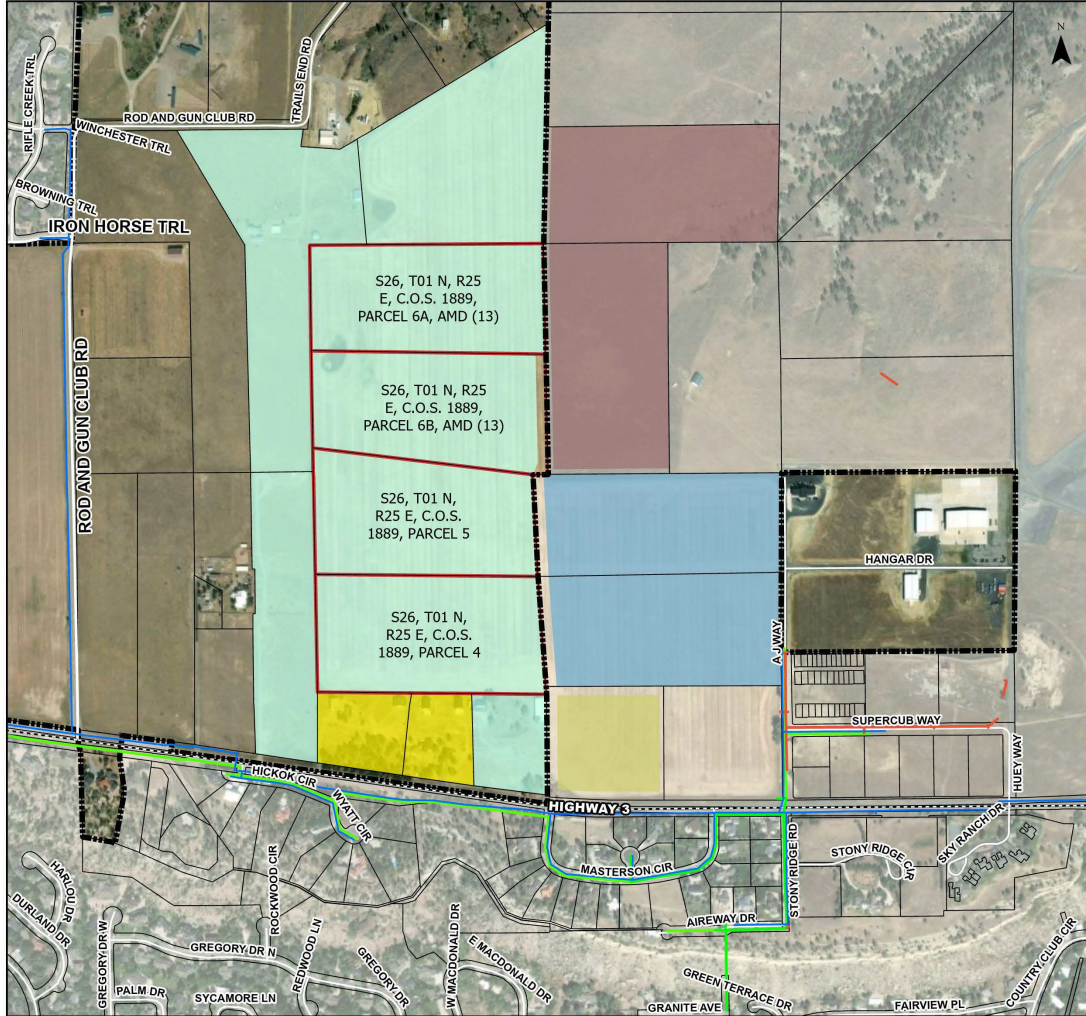
3648 AJ Way, Billings, MT

Legal Descriptions:

- 1) Tract 4, COS 1889, Sec. 26, Township 1 North, Range 25 East;
- 2) Tract 5, COS 1889, Sec. 26, Township 1 North, Range 25 East;
- 3) Tract 6A, COS 1889AM, Sec. 26, Township 1 North, Range 25 East; and
- 4) Tract 6B, COS 1889AM, Sec. 26, Township 1 North, Range 25 East.

Owner contact: The Department of Military Affairs, PO Box 4789, Fort Harrison, MT 59636
Contact: Mimi Wolok, Realty Officer, (406) 324-3112, miriam.s.wolok.nfg@army.mil

Annexation Map



- Legend**
- Water Main
 - Stormwater Main
 - Sewer Main
 - Sewer Pressurized Main
 - Parcel Boundary
 - Existing City Limits
 - Parcels to be Annexed
 - A - Agriculture (10+ acres)*
 - CX - Heavy Commercial
 - P2 - Public- Civic, Institutional
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Date: 3/11/2024

Scale: 1:9,000

