



NOTICE TO THE PUBLIC

Citizens are invited to:

- Review the Agenda Packet on the City's website at: <https://ci.billings.mt.us/117/Agendas-Minutes>
- View the meeting live online at Facebook

Public comment will be taken only during the Public Comment periods as indicated on the agenda and during the Public Hearings, if any are scheduled, under the Regular agenda. Comments may be sent to Board via email before 12:00 PM on the meeting date. All emails received prior to this time will be entered into the record for the public hearing. Comments may be submitted by:

- Mail: City/County Planning Division, PO Box 1178, Billings MT 59103
 - Email: bernsb@billingsmt.gov
- NOTICE: All meetings and official activities of the MPO are held in buildings and locations that comply with accessibility standards according to the Americans with Disabilities Act (ADA). A TTY number for the hearing impaired, 406-657-3079, is available upon request. Special arrangements for participation in the public hearings by individuals with hearing, speech, or vision impairment may be made upon request at least three days prior to the hearing. Please direct questions to Brenda Berns, Planning Clerk @ bernsb@billingsmt.gov or 406-247-8610

Call the meeting to order.

Introduction of City Zoning Commission Members and Planning Department Staff.

Public Comment

Approval of the meeting minutes:

The minutes of the Board meeting of January 7, 2025

Disclosure of any Conflict of Interest-Members of the Commission and Staff

Disclosure of an Outside (Ex Parte Communication)-Members of the Commission and Staff
a. The Exparte Communication Binder is available at the Sign-In and Agenda Station.

Regular Business:

- A. Opening of public hearings.
- B. Reading of rules for the procedure by which the public hearings will be conducted.
- C. Reading of notices of the public hearings on the following items:

Public Hearings:

- a. **City Zone Change 1061 - 441 Riverside Rd - Public 1 to Public 2** - A zone change request from Public 1 (P1) to Public 2 (P2) on 5.145 acres of a 14.988 acre parcel of land known as Wilson Park, legal described as the NE 1/4 of the SE 1/4 of Section 10, Township 1 South, Range 26 East. The intent of the zone change is to make the 5.145 acre parcel available for lease or sale to the Yellowstone Valley Animal Shelter to construct a new animal shelter for the region. A pre-application neighborhood meeting was held on December 18, 2024, at Riverside Middle School. A concurrent annexation has been submitted. Tax ID: D01735

Other Business/Announcements

Adjournment

The City Council has designated February 24, 2025, at 5:30 p.m. as the date and time to receive the Zoning Commission recommendation for the zone changes and hold a public hearing. If approved on first reading, a **second reading will occur on March 10, 2025 at 5:30 pm.**

Before taking any action on an application for a **Zone Change**, the City Council shall first consider the findings and recommendations of the City Zoning Commission. In no case shall the City Council approve a zone change other than the one advertised. The City Council shall take one of the following actions on the zone change requests: 1) approve the application; 2) deny the application; 3) allow withdrawal of the application; or 4) delay the application for a period not to exceed thirty (30) days.

As provided in Montana Code Annotated, Section 76-2-305(2), in the event of a protest petition against such **zone change** map amendment signed by the owners of twenty-five (25) percent or more of: (1) the area of the lots included in any proposed change; or (2) those lots or units, as defined in MCA 70-23-102, **one hundred fifty (150) feet from a lot included in a proposed change**, such proposed amendment shall not become effective except by the favorable vote of two-thirds (2/3) of the present and voting members of the city council. For purposes of this protest provision interest in the common elements of the condominium, as expressed in the declaration, included in the calculation of the protest. If the property, as defined in 70-23-102, spans more than one lot, the percentage of the unit owner's undivided interest in the common elements must be multiplied by the total number of lots upon which the property is located. The percentage of the unit owner's undivided interest must be certified as correct by the unit owner seeking to protest a change or by the presiding officer of the association of unit owners. The protest petition must be received in the Planning Division office **by 5:00 p.m. on the Friday preceding the first reading of the ordinance by the City Council.**

Testimony regarding the above-mentioned item may also be submitted in writing to the Planning Division, P.O. Box 1178, Billings, MT 59103.

Public hearings are accessible to individuals with physical disabilities. Special arrangements for participation in the public hearings by individuals with hearing, speech, or vision impairment may be made upon request at least three days prior to the hearing. Please notify Brenda Berns, Planning Clerk at bernsb@billingsmt.gov or 406-247-8610

Date: 02/04/2025
Title:
Presented by:
Department: Planning & Community Services
Presentation:

Information

RECOMMENDATION

Approval of Minutes:

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

ALTERNATIVES

City Council may:

- Approve; or,
- Not Approve

FISCAL EFFECTS

Attachments

Minutes of January 7, 2025



**City of Billings Zoning Commission
Meeting Minutes of January 7, 2025**

The City of Billings Zoning Commission met on Tuesday, January 7, 2025, at 4:30 p.m.
316 N 26th St., 3rd Floor, Room 3101 Stillwater Building.

The following Commissioners and staff were in attendance.

Commission		01/07/2025	02/04/2025	03/04/2025	04/01/2025	05/06/2025	06/03/2025	07/01/2025	08/05/2025	09/02/2025	10/07/2025	11/04/2025	12/02/2025
Daniel J Brooks	Chairman	1											
Greg McCall	Vice Chair	1											
David Goss	Commissioner	1											
Beau Mulvaney	Commissioner	1											
Andy Megorden	Commissioner	1											

Total Number of 2025 Applications	01/07/2025	02/04/2025	03/04/2025	04/01/2025	05/06/2025	06/03/2025	07/01/2025	08/05/2025	09/02/2025	10/07/2025	11/04/2025	12/02/2025	TOTAL
Zone Change	1												
Special Review	-												

Attending Staff: Nicole Cromwell, Zoning Coordinator; Anna Vickers, Planning Division Manager; Brenda Berns, Planning Clerk

Participants: Joey Staszczuk, Sanbell; Gary Owen, Sanbell; John Halverson, Sanbell; Landy Leep

Chairman Brooks called the meeting to order at 4:32 PM

Public Comment

Chairman Brooks called for public comments. There were no comments.

Approval of Minutes: December 3, 2024

Commissioner Goss made a Motion, seconded by Commissioner Mulvaney to approve the meeting minutes as submitted. The motion was carried by a unanimous vote.

Disclosure of Exparte Communication

COMMISSIONER	DISCLOSED	NONE	ABSTAINED	ABSENT
Daniel J Brooks		X		
Greg McCall		X		
David Goss		X		
Beau Mulvaney		X		
Andy Megorden		X		

Nicole Cromwell, Zoning Coordinator, notified the Commissioners about the Agent’s letter of clarification that was sent to the members. She stated that the letter will be placed in the Ex Parte Communication binder and made accessible for review by both the Commissioners and attendees.

Disclosure of Conflict of Interest

COMMISSIONER	DISCLOSED	NONE	ABSTAINED	ABSENT
Daniel J Brooks		X		
Greg McCall		X		
David Goss		X		
Beau Mulvaney		X		
Andy Megorden		X		

Chairman Brooks affirmed Commissioner Mulvaney was provided materials on returning item City Zone Change 1056.

Regular Business:

- a. Return Item – City Zone Change 1056 – High Sierra Sub** – from N3 to N1, NX1, NX3, CMUI & P1 – a zone change request from Suburban Neighborhood Residential (N3) to Residential First Neighborhood Residential (N1), Mixed Residential 1 (NX1) Mixed Residential 3 (NX3), Corridor Mixed-Use 1 (CMU1) and Public 1 (P1), on a 53.26-acre tract of and legally described as Tract 1 of C/S 3894 A pre-application neighborhood meeting was held on June 12, 2024 at the Lake Hills Golf Course Clubhouse at 1930 Clubhouse Way. Tax ID: D05244

The Zoning Commission conducted its public hearing on December 3, 2024. The commission failed to reach consensus on the recommendation.

Ms. Cromwell gave an overview of the current zoning and requested zone change.

Existing Zone – N3	Proposed Zoning Plan
<ul style="list-style-type: none"> • Single family area – modelled on retired R96 zone • Current state law allows 1 or 2-family dwellings including ADUs • Building height = 3 stories or 34 feet • Building lot coverage = 40% • Minimum setbacks • Primary and accessory uses allowed 	<ul style="list-style-type: none"> • 1 or 2-family dwellings (N1) • 1 to 4 unit dwellings (NX1) • 5 or more unit buildings (NX3) • Mixed Uses and/or residential use (CMU1) • Lot coverage 60% (N1, NX1/3) 65% (CMU1) • Building height – both # of stories and absolute height <ul style="list-style-type: none"> • N1 = 2.5 stories & 34 ft • NX1 = 2.5 stories & 27 ft • NX3 = 3-4 stories • CMU1 = 4 stories – step-backs required w/in 50 ft of N zones

Planning staff recommends approval of the zone change:

- Meets the growth policy (2016) Preferred Growth Scenario for NW Heights.
- Adjacent uses and zoning are compatible with proposed zoning.
- Proposed zoning is predictable with some flexibility.
- Expands housing choices in area where there are few existing choices.

Zoning Commission failed to reach consensus on a recommendation on Dec 3, 2024

- Commission should ask any clarifying questions necessary
- Commission will propose and vote on a motion of recommendation
- Commission will base its motion on articulated findings of the 10 review criteria
- The Commission must make a recommendation to the City Council
- The City Council will consider, in addition to other testimony and facts, the Commission’s recommendation and make a final decision

Board Discussion

Commissioner Goss inquired about the traffic analysis, specifically whether residential or CMU1 areas were considered. Mr. Staszczuk, Traffic Engineer at Sanbell, responded that all traffic volumes from areas with similar density were included in the study.

Commissioner Goss pointed out that commercial traffic typically follows a higher threshold than residential traffic and asked if this factor was accounted for in the traffic impact study. Mr. Staszczuk confirmed that the study estimates 1,089 daily trips for the proposed development, factoring in the 34% of vehicles already on the road.

Commissioner McCall then asked the Applicant’s agent if any new relevant information has emerged since the December 3, 2024 hearing that could be presented to the commissioners.

John Halverson from Sanbell addressed the commissioners, drawing attention to item #6 regarding the growth policy for the area. He explained that the development of the subject property sets a precedent for advancing the growth policy but emphasized that development in the area won’t remain isolated for long, as surrounding development will be happening soon.

Commissioner Megorden expressed support for development at the edge of the city limits, acknowledging its importance in expanding the city. However, he noted it’s somewhat challenging to fully support the multifamily aspect of the development.

Commissioner Goss inquired whether the ground floor of CMU1 zoning is required to be commercial, noting that the intent is for commercial use on the ground floor. Ms. Cromwell responded that it is not mandated, but any property zoned CMU1 must allow for multi-unit development.

Mr. Halverson addressed concerns about whether the development will be a single-story or four-story building, clarifying that their traffic calculations were based on a four-story design.

Mr. Staszczuk referred to his November 2024 traffic letter, which examined daily traffic and speed data. He explained that data on intersection trips were also collected. The City Engineer has requested that Sanbell provide further guidance on future developments and how to address intersections. The City may require a full Traffic Impact Study (TIS) for each phase or filing, showing changes from the original submission.

Chairman Brooks shared a discussion with Ms. Mehling, Director of Public Works, who indicated that the Public Works development fees can currently fund one intersection light per year. He asked where this development stands in the queue for potentially receiving a traffic light and how this might affect planning for the next five years and beyond.

Mr. Staszczuk acknowledged that it is difficult to determine the City's exact priority list. He explained that funding for intersection lights would be allocated based on the traffic generated by each development. Each intersection will be evaluated individually to determine if improvements, such as lights, are necessary.

Motion

Commissioner McCall moved to approve Zone Change 1056 with conditions as recommended by staff, seconded by Commissioner Megorden.

Board Discussion

Commissioner Mulvaney requested clarification from the board regarding the drawbacks related to the subject development and its proximity to public services.

Chairman Brooks expressed concerns about the development, particularly regarding the application of Statute 5, which addresses the most appropriate use of land. He voiced concern about the density and diversity of the project, questioning whether it represents the best use of land at the city's boundaries. Chairman Brooks also raised a concern about public safety, noting that EMS and fire trucks would be unable to turn around on the road if needed.

Ms. Cromwell responded, explaining that any land development adjacent to vacant land must ensure that fire trucks can turn around safely.

Chairman Brooks called for a vote on the approval of Zone Change 1056, based on the 10 Review Criteria. The vote was 4 against and 1 in favor. Opposed were Commissioners Goss, Brooks, Megorden, and Mulvaney. In Favor was Commissioner McCall.

The motion to recommend Denial of City Zone Change 1056 passed with a 4-1 vote.

COMMISSIONER	Yes	No	ABSTAINED	ABSENT
Daniel J Brooks		X		
Greg McCall	X			
David Goss		X		
Beau Mulvaney		X		
Andy Megorden		X		

Zone Change 1056 will be reviewed by City Council on January 27, 2025.

Other Business:

Ms. Cromwell informed the board that the Yellowstone Valley Animal Shelter’s zone change request will be presented to the board in February 2025.

Ms. Cromwell noted that City Council will review the final set of text amendments during their work session on January 21, 2025, these amendments will be on the agenda for this board in March 2025.

Adjournment: The meeting adjourned at 5:07 PM

ATTEST: To be Approved by a motion at the next regularly scheduled meeting.

--Brenda J Berns, Planning Clerk

Zoning Commission

Date: 02/04/2025
Title: Zone Change 1061 - 441 Riverside Rd, Wilson Park, YVAS - Public 1 to Public 2 on 5.145 acres
Presented by: Nicole Cromwell
Department: Planning & Community Services
Presentation: Yes

Information

RECOMMENDATION

The Planning staff is recommending approval of Zone Change 1061 and adoption of the findings of the 10 review criteria.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

This is a zone change from Public 1 - Parks and Open Space to Public 2 - Public, civic and institutional for a 5.145-acre portion of a 14.98 acre parcel of land known as Wilson Park. The subject property is owned by the city and the proposed zone change is to facilitate the lease or sale of this portion to the Yellowstone Valley Animal Shelter (YVAS) to build a new regional animal shelter that will benefit the public. There is a concurrent annexation request to bring the entire 14.98-acre park into the city limits. The city is also preparing a subdivision of the property to create the 5.145-acre parcel and dedicate the adjacent Riverside Rd right of way.

Before the code update in 2021, the city only had one zoning district for parks, schools, churches, airports, landfills or public and institutional uses. This zone - Public - was expanded into three separate public zone districts to make the potential uses predictable for surrounding property owners. For example, now most churches and schools are in the Public 2 (P2) zoning district and campuses such as MSUB, and the hospital area are in Public 3 (P3 - Campus - Education, Medical, or Civic). Public zoned land can either be publicly owned or privately owned. Public 1 (P1) zoning is specifically for parks and open space areas. P1 zoning can have buildings and structures that are focused on the primary use of the park or open space area. For example, the Yellowstone Club golf course is zoned Public 1 and has a clubhouse and facilities for golfers and members of the club. The proposed P2 zoning for about one-third of the 15-acre site is in the northwest corner of the property. The remaining area will stay in the P1 zone district. The property is known as Wilson Park and was willed to the city in 1973. It was previously leased to the nearby Field of Dreams Garden Center and Nursery (3250 Hannon Road) for a tree farm where nursery stock could be grown-on for sale to customers. The 15-acre tree farm did become neglected over the years and eventually, City Parks and Recreation reclaimed the site from the garden center owners and removed all the trees and debris. In the mid-2010s, the City Public Works department did use this area as a place to store snow plowed off city streets. There is no park master plan for this site, although there are bikeways and trails planned around the site for the future.

The YVAS intends to partner with the city to build a new animal shelter on the subject parcel that will expand the capacity of the shelter, provide new and modern facilities, and assist the soon-to-be complete Rocky Vista College of Veterinary Medicine to provide an area for students to receive hands-on training outside a classroom. There will be expanded and secure outdoor space for the benefit of the shelter animals and potential adoptees of pets. Animal shelters are allowed uses within the proposed Public 2 zone district. The public zone district is required to match adjacent zone districts that are adjacent to, or within 150 feet of the exterior boundary of the parcel. The building will be setback from the street with an adjacent parking lot for customers. P1 and P2 uses are intended to be compatible. For example, many schools (P2) are adjacent to public parks (P1). P2 uses can have some impacts on adjacent residential or commercial uses. The landscaping code section does require buffer yards between P2 parcels in separate ownership and between P2 and P3 parcels. The landscaping code does not require a buffer yard between P1 and P2 zoned parcels. The property to the north is zoned Heavy Industrial (I2) and is the location of the waste piles for the sugar beet refinery. The buffer yard for this boundary is the B3 designation that includes sight-obscuring landscaping and fencing. The properties across Riverside Rd to the west are outside the city limits and zoned General Commercial (C3). Most are developed for small or medium-sized businesses. To the south of Hannon Rd (south boundary of the entire parcel), is a small neighborhood of single family homes in the county. This neighborhood east of Riverside Road is zoned Large Lot Suburban Neighborhood (N4) and has city water provided through county water lines. Many residences and businesses on Riverside Rd also have access to city water through county water lines.

Traffic volume on Riverside Road is low at about 1,500 vehicle trips per day. King Ave East at the south end of Riverside Road has about 2,600 vehicle trips per day. State Avenue at the north end of Riverside Road handles about 7,500 vehicle trips per day. The County Road and Bridge shops are at the south end of Riverside Rd at the intersection of King Ave East. Riverside Road is a collector street. King Ave East and State Avenue are minor arterial streets. The posted speed limit on all three streets is 35 mph. The county provides annual maintenance of Riverside Rd and may chip seal the right of way from

time to time. Connected local streets in the county are generally gravel roads, except for Stone St., Phillip St. and Millard St. just north of the county shops.

The current YVAS shelter on Monad Rd takes in over 5,000 animals per year, most of those through the three contracts they maintain with the City of Billings, Yellowstone County and the City of Laurel. Due to space constraints, stray cats outside the city limits are only taken in on a case by case basis. Many services are offered by the shelter, including training, education, spay and neuter clinics and a "Working Cats Program" that focuses on adopting cats to owners who can provide an outdoor lifestyle with shelter (barn, garage, outbuilding) for these at-risk felines. The 2023 Annual Report to the Community from YVAS is attached to this report. The current shelter hours open to the public are Monday, Tuesday, Thursday, and Friday from Noon to 7 pm, closed on Wednesday and half days on Saturday and Sunday from Noon to 5 pm. These hours may or may not change when the new facility is occupied. The YVAS hopes to begin construction in 2026 and be open in 2027.

APPLICATION DATA

OWNER: City of Billings

AGENT: Yellowstone Valley Animal Shelter and Performance Engineering

LEGAL DESCRIPTION: Unplatted parcel in Sec 10 NE1/4SE1/4, T1South, R26East

ADDRESS: 441 Riverside Rd

CURRENT ZONING: Public 1 (P1- Parks and Open Space)

PROPOSED ZONING: Public 2 for 5.145 acres in Northwest corner (P2-Public, civic and institutions)

EXISTING LAND USE: Vacant land - known as Wilson Park

PROPOSED LAND USE: Same with Animal Shelter in the northwest corner

SIZE OF PARCEL(S): 14.988 acres total with 5.145 acres zoned P2 and remainder zoned P1

SURROUNDING LAND USE & ZONING:

NORTH: Heavy Industrial (I2) - Western Sugar Beet Refinery

SOUTH: Public 1 (P1) and Large Lot Suburban Neighborhood (N4) - Wilson Park and single family dwellings in Eggebrecht Subdivision (County)

EAST: Public 1 (P1) Wilson Park and Light Industrial (I1) - shops and warehouses

WEST: General Commercial (C3 - County) - Shops, warehouses and single family dwellings

The Planning staff has reviewed the application and drafted findings for the 10 review criteria for the zone change. The staff is recommending approval based on the draft findings. The request for a Public 2 zone is supported by the goals of the 2016 Growth Policy to expand and create partnerships that support necessary community services, that allow existing businesses to expand and grow. Actions that support community investments will attract and retain a strong, skilled, and diverse workforce. The future partnership with the new College of Veterinary Medicine is an example of a beneficial partnership that will support and grow new businesses in Billings and Yellowstone County. The proposed zoning on the subject parcel is compatible with the adjacent zoning and land uses. The industrial land use to the north is active only for a few months each year and the commercial uses on the west side of Riverside Road will not be affected by the new development other than temporary construction traffic when the new facility is built. The remaining area of Wilson Park will stay as city-owned open space and will provide a good separation and buffer for residential uses to the south. Riverside Road is currently a county right of way and the proposed annexation will include the portion of Riverside Road along the west side of Wilson Park.

STAKEHOLDERS

The applicant's agent conducted a pre-application neighborhood meeting on December 18, 2024, at the Riverside Middle School on Washington Street to the northwest of the subject property. Ten surrounding owners signed in to the meeting. Attendees from Minnie Place, the neighborhood south of Hannon Road, expressed concern about water pressure in their homes if a new and bigger user connects to the main water line on Riverside Rd. Attendees stated their water comes through a county water line that has not been maintained and suspect the water pressure is kept low to prevent pipe breaks. Neighbors were also concerned about traffic increases and whether the city would require improvements to Riverside Rd and who would pay for those improvements.

The agent stated that since the right of way for Riverside is too far away from any city-level improvements, it is not likely the city will require improvements at the time of development. The agent stated there would be a waiver of any right to protest road improvements in the future. The agent stated the annexation and zone change will continue the expansion of city level services in the area and could lead to future road and service improvements. The agent stated the purpose of the zone change is not to allow any improvements except for the YVAS. The city does not intend to sell this 5.1-acre parcel to any other developer. The agent addressed concerns about the impact on groundwater from well pumping or runoff, and

sanitary sewer waste. The agent stated the new facility will tie into both sanitary sewer lines and city water. The agent stated all storm water runoff would be captured and stay on the property. The city's storm water regulations require capture and treatment of the runoff. The agent responded to concerns about the potential spread of animal diseases such as Parvo and Brucellosis. The agent stated one of the reasons for this new facility is to have a quarantine area for animals that are sick to limit transmission to other animals does not happen. The new facility will do a better job of disease control than the current shelter. The agent responded to concerns from neighbors that may have "barn cats" that would be mistaken for stray animals and taken to the shelter. This would require the owners to pay fees to get the animals returned. The agent responded that the YVAS is diligent about the intake of animals that are suspected strays and will try to assure neighbor's animals are not taken in by mistake. The agent answered questions about potential odors from the facility and crematory. The agent stated the location would be to the far north of the property and all code requirements for filtering crematory exhaust would be followed. The agent responded to concerns about animal noise (dogs barking) spreading throughout the neighborhood. The agent stated YVAS is working with a sound engineer and designer to ensure that animal or facility noises do not disturb the surrounding property.

Planning staff posted the zoning request sign on the property and mailed the 1/4-mile notification list of the pending zone change. In addition, the application details were published on the Planning "current zoning applications" webpage and a legal ad was published in the newspaper of record. Planning staff has received no written comments on the application as of the date of this report.

ALTERNATIVES

The Zoning Commission may take one of the following actions:

- Recommend approval and adoption of the findings of the ten review criteria for Zone Change 1061; or,
- Recommend denial and adopt different findings of the ten review criteria for Zone Change 1061; or,
- Delay action on the zone change request to a date certain not more than 60 days in the future; or,
- Allow the applicant to withdraw the zone change request.

In case of a tie vote on the zone change, the application may be delayed for 30 days until the next Zoning Commission meeting. The Zoning Commission must forward a recommendation with findings to the City Council. The applicant has not requested a delay or a withdrawal of the application at this time.

FISCAL EFFECTS

Approval or denial of the proposed zone change will not have an effect on the Planning Division budget.

SUMMARY

Prior to any recommendation to the City Council, the Zoning Commission shall consider the following:

1. Is the new zoning designed in accordance with the Growth Policy and neighborhood plans?

The proposed zone change is consistent with the following guidelines of the 2016 Growth Policy:

- *Essential Investments*

Public health and safety and emergency service response are critical to the well-being of Billings' residents, businesses, and visitors.

Providing a healthy and adequately sized shelter for stray animals, and the opportunity for adoption of domestic pets is essential to the well-being of Billings residents. The current facility is space constrained and cannot provide many animal services to the community. YVAS has a partnership agreement with Billings, Yellowstone County, and the City of Laurel. The City Council has offered a portion of this land - either for purchase or long-term lease - to allow YVAS to build a modern facility that will better serve the public safety needs of the city and county. The current location on Monad Rd is adjacent to similar land uses, including a public cemetery, Sysco Food Service warehouse, the MET bus facility, and neighborhoods to the north and east.

Infill development and development near existing city infrastructure may be the most cost-effective.

This location is adjacent to the existing city limits and has access to existing city water and sewer lines. The constraints of locating an animal shelter facility that is close enough to infrastructure, centrally located on a collector or arterial street but separated from sensitive land uses such as residential neighborhoods, health care facilities and similar uses is a challenge. The proposed development will follow the landscaping and screening requirements and is separated from the neighborhood to the south by more than 240 feet. The YVAS and Performance Engineering have engaged an acoustical specialist to review the site plan and facility to ensure sounds do not carry over into neighborhood dwellings.

Infrastructure and service investments that stabilize or improve property values, secure future utility costs, consider maintenance costs, and improve our environmental quality far into the future (i.e. energy efficient) are desirable. Investment in extending the city infrastructure to this parcel will improve the city's ability to serve this area of the Southwest Corridor. The area has been completing and installing city services within the city limits using the Tax Increment Fund available for the area. This has helped existing neighborhoods to become healthier and safer. Incremental extension of city services is the most cost-effective. Annexation of the city land will ensure public use of the property is done according to city regulations.

- *Community fabric*

Cost-effective landscaping of public rights-of-way and entryways makes Billings more visually appealing to residents and visitors.

New development on the northwest corner of the property will help improve the street frontage landscaping and make this area south of the Western Sugar Beet Refinery retention ponds more visually appealing. The City engaged in a major clean out of the property when it was re-claimed from the Field of Dreams Greenhouse and Nursery. The area was used as a tree farm by this business but the maintenance and cleanliness of the tree farm had been neglected for a number of years. Using a combination of city parks personnel and volunteers, the tree farm was cleaned out. The City Parks and Recreation Department is fiscally constrained. The City only provides minimal maintenance for this park outside the city limits. It was gifted to the City in 1973 and named Wilson Park. The park has been declared surplus land more than once by the City Council. Developing part of this park for an animal shelter, annexing the land to the city limits will allow the parks department to better use resources to maintain the remainder of the property.

- *Prosperity*

Predictable, reasonable city taxes and assessments are important to Billings taxpayers.

A diversity of available jobs can ensure a strong Billings economy.

Successful businesses that provide local jobs benefit the community.

Community investments that attract and retain a strong, skilled and diverse workforce also attracts businesses.

Retaining and supporting existing businesses helps sustain a healthy economy.

Continued workforce training benefits the community and helps attract and retain businesses.

The proposed new animal shelter will support all of these goals for community prosperity. The current shelter is limited in size and capacity to handle all the animals that need shelter care. The city will soon have the first-in-Montana veterinary college for training doctors of veterinary medicine and all the other veterinary careers including veterinary technicians and technologists. While YVAS is a not-for-profit organization, the ancillary benefits of their programs include attracting new and advanced animal care businesses, schools and investment in retail pet care programs. All of their work is vital to improving the prosperity of Billings and the surrounding county.

2. Is the new zoning designed to secure from fire and other dangers?

The new zoning requires setbacks, open and landscaped areas, and building separations. The Public 2 zoning considers the surrounding zoning for siting of buildings and building characteristics. The new zoning, as do all zoning districts, provides adequate building separations to provide security from fire and other dangers. Additionally, the annexation of the property provides for municipal water service and sewer service for the site. Any new construction on the site will follow applicable building codes, engineering standards for storm water control, connection to city services and parking lot construction. All zoning requirements will be followed.

3. Whether the new zoning will promote public health, public safety and general welfare?

Public health and public safety are promoted by the proposed zoning. New construction on the site will follow engineering code, building code, and zoning code requirements to ensure and promote public health, public safety and general welfare. Public health and public safety will be promoted by the proposed zone change. Additional shelter space will provide more public safety from stray animals, provide more opportunities for spay and neuter clinics, and help train residents in better care for domestic pets of all types.

4. Will the new zoning facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements?

Transportation: The existing zoning and new development will increase traffic on the adjacent street network when the development is completed (2027). City Engineering will review any new development proposed to determine required traffic management. The county right of way will be annexed but city-level improvements are not close to this location. A waiver of the right to protest a future SID will likely be required. The proposed development will have two access points to Riverside Road. Interior site security will feature gates and fencing to allow authorized personnel access 24 hours a day while limiting public access to daytime hours. The final site configuration will be reviewed by City engineering, planning, building as well as public safety departments.

Water and Sewer: The City will provide water and sewer for the property. The utilities will be provided in accordance with

the associated annexation agreement that is mutually agreed upon between the City of Billings and YVAS. This agreement is a strict condition of approval for annexations. Water will be extended to the property from the existing main in Riverside Road and sewer will be extended from the main in Kratz Lane on the north property boundary.

Schools and Parks: Schools and parks should not be negatively affected by the proposed zoning. The proposed development does not include residential uses. Therefore, additional students due to this zone change would not be anticipated. It should be acknowledged that with new jobs in the community, the school district may realize some increase in the student population. However, the zone change does not have a direct correlation to this potential increase.

Fire and Police: The subject property is served by city and county public safety services. The property is currently served by the Billings Fire Department through the BUFSA and, upon annexation, will continue to be served. The nearest fire station is Fire Station NO. 4 at the intersection of Terry Ave and 6th St West. The station is approximately 2.3 road-miles away. The Police and Fire Departments expressed no concerns about this zone change.

5. Will the new zoning provide adequate light and air?

Similar to criteria 2 and 3, the proposed zone, like all zones, requires setbacks to allow for adequate separation between structures and adequate light and air. This parcel is presently vacant, therefore any new structure(s) will be required to meet the zoning standards required by Section 27-500 (Public zones), engineering standards and building code requirements.

6. Will the new zoning effect motorized and non-motorized transportation?

The new zoning itself will not impact motorized and non-motorized transportation. Once developed, there will be increased volume to the transportation network, both motorized and non-motorized. The Billings Area Bikeways and Trail Master Plan calls for a future multi-use trail along Riverside Road. This will not be developed with this project but will be part of a future project when the road is improved to city-level standards. The site is planned to have interconnected walking paths and trails.

7. Will the new zoning promote compatible urban growth?

The proposed zoning is compatible with the adjacent zoning and existing uses in the vicinity. The proposed new shelter facility will be more than 240 feet north of the county neighborhood on Minnie Place. This neighborhood was developed in the early 1960s with county water lines. Homes were built on the property starting in the 1960s and up through the 1980s. The neighborhoods to the south are also county residential areas with city water provided through county-maintained water lines. There is no access to city sewer in these neighborhoods.

8. Does the new zoning consider the character of the district and the peculiar suitability of the property for particular uses?

The proposed zoning does consider the character of the district and the suitability of the property for the proposed use. The proposed zoning will allow a proposed animal shelter. The city does not intend to sell or lease the Public 2 zoned property to other entities. The proposed zoning and development is compatible with the adjacent zoning and existing development and uses in the vicinity.

9. Will the new zoning conserve the value of buildings?

The property is currently vacant, therefore the new zoning will not have an impact on the value of buildings on the parcel. Any new structures will need to be in compliance with zoning, engineering and building codes. New development tends to increase surrounding property values.

10. Will the new zoning encourage the most appropriate use of land throughout the City of Billings?

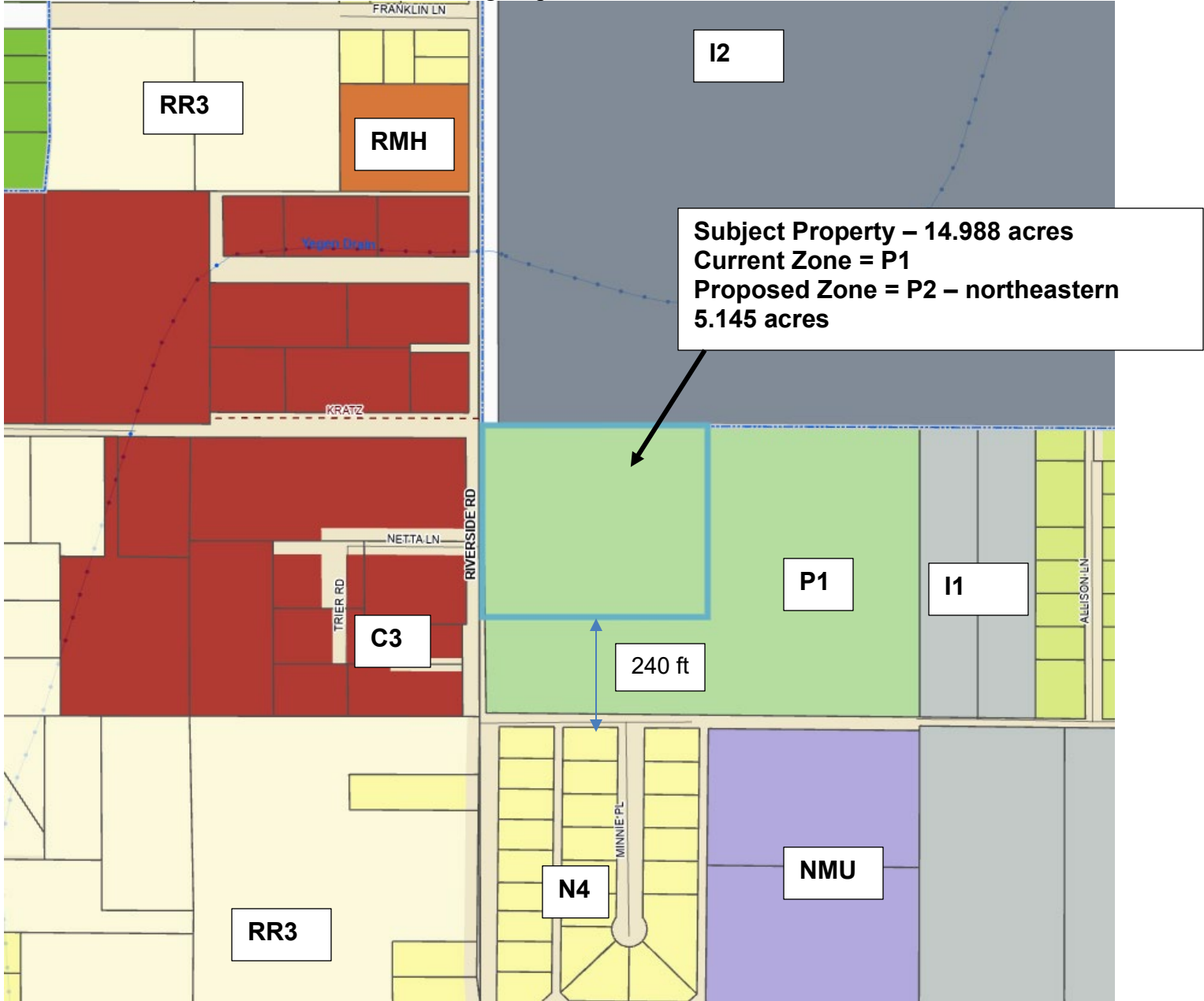
The prospective owner/lessor YVAS has chosen the Public 2 zone as the most appropriate zone and intends to develop the property in accordance with the requirements of the zoning. The use of the animal shelter on the property will be appropriate given its location on a collector street, separated from neighborhoods, and other sensitive land uses will encourage the most appropriate use throughout the City of Billings.

Attachments

Zoning Map and Site Photos ZC 1061
Zoning History Chart ZC 1061
Zoning Procedures
YVAS Community Report
Pre application info ZC 1061
Application and Letter ZC 1061

City Zone Change 1061 – 441 Riverside Rd – P1 to P2 – northwestern 5.145 acres of a 14.988-acre parcel

Zoning Map and Site Photos





Subject Property May 2023 aerial



Subject Property – 441 Riverside Rd



View south east from Riverside Rd



View southwest across Riverside Rd



West across Riverside Rd



View northwest across Riverside Rd



View northeast across subject property



Current location of YVAS at 1735 Monad Rd
Facility built in 2003
Location of Animal Control Division (City) and
YVAS (agreement with City – 2009)

APPLICABLE ZONING HISTORY
City Zone Change 1061 – Willson Park – P1 to P2

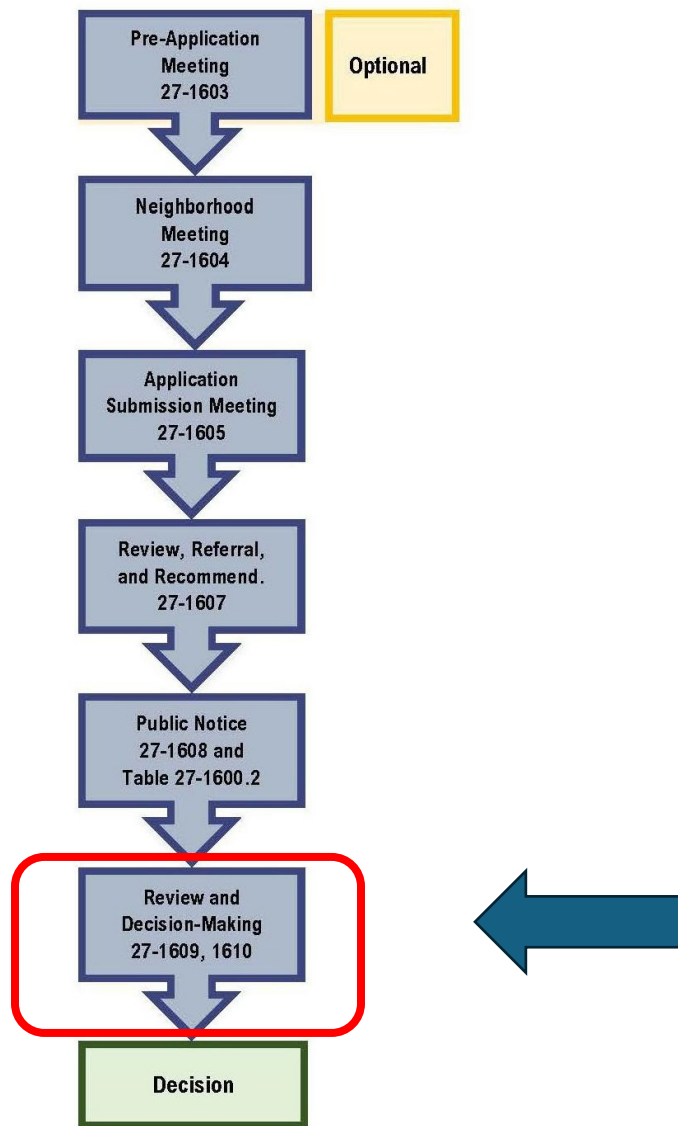
SUBJECT PROPERTY	Zone Change	DATE	FOR	APPROVED (Y/N)	ADDITIONAL DATA
None – name Wilson Park			Public		Original zoning in County
Surrounding Property	Zone Change	DATE	FOR	APPROVED (Y/N)	ADDITIONAL DATA
3250 Hannon Rd Former Field of Dreams Nursery & Garden Center	County ZC 714	1/24/2023	NMU to I1	Withdrawn	County ZC recommended denial
Riverside Middle School	Map correction	1/20/2022	RMH to P2	Administrative	SD No. 2 acquired parcel
Bethel Baptist Church 4119 Clevenger	ReCode Map Update	1/25/2021	R-60 to P2	Map Update	Most Churches and Schools updated to P2 as part of ReCode
Orchard Elementary School 120 Jackson	ReCode Map Update	1/25/2021	R-70 and Public to P2	Map Update	Consolidated zoning to P2
The Church of God Prophecy 4150 Stone St	ReCode Map Update	1/25/2021	R-70 to P2	Map Update	Church update to P2
Christ the King Evangelical Lutheran 766 Calhoun & 759 Newman Ln	ReCode Map Update	1/25/2021	EGC to P2	Map Update	Church property update to P2
3250 Hannon Rd	County ZC 336	4/26/83	R-150 to CI	No	
3716 S Frontage Rd	County ZC 296	9/17/80	A1 to CC	No	
3716 S Frontage Rd	City ZC 419	1/23/84	A1 to RMH	Yes	
3716 S Frontage Rd	County ZC 604	6/20/07	RMH to CI	Yes	
4600 S Frontage Rd	City ZC 740	12/13/04	A1 to EGC	Yes	
4410 S Frontage Rd	City ZC 689	4/22/02	Planned Dev-CC	Yes	

Sec. 27-1628. Zone change.

E. Review and decision-making.

1. City zoning commission recommendation.

- (a) The city zoning commission shall make a recommendation to the city council to:
 - (1) Deny the application;
 - (2) Approve the application.
- (b) Prior to closure of the public hearing, the zoning commission may also grant a request, without prejudice to the applicant, to allow:
 - (1) Withdrawal of the application; or
 - (2) A delay of the public hearing not to exceed sixty (60) days.
 - (3) Only one delay request by the applicant will be granted by the zoning commission.
- (c) The zoning commission on its own motion, may continue the public hearing to a date certain, in response to a finding for any of the decision criteria in subsection 27-1628.D., that requires additional information from the applicant. Only one continuance, not to exceed sixty (60) days, on its own motion can be considered by the zoning commission.
- (d) Recommendations from the zoning commission shall be based on findings of fact and shall be transmitted to the applicant or applicant's agent, and the city council within fifteen (15) calendar days of the conclusion date of the public hearing before the zoning commission.
- (e) The recommendation of the zoning commission shall be published in a newspaper of general circulation.
- (f) A report of the commission's recommendation, findings and conclusions shall be submitted to the city council.





Yellowstone Valley
ANIMAL SHELTER

2023 REPORT TO THE COMMUNITY

Building a community where every animal is cared for

REPORT TO THE COMMUNITY: 2023



YOUR SUPPORT + OUR PROGRAMS = LIVES SAVED

Yellowstone Valley Animal Shelter (YVAS) continues to advance animal welfare and shape the way organizations care for animals and engage their communities. Because of our supporters, we are that much closer to meeting our vision of building a community where every animal is cared for.

Adoptions & Surrenders

YVAS helps thousands of dogs, cats, and other companion animals in need find loving homes each year. In 2023, we placed more than 95 percent of the animals entrusted to our care. Together we helped 2,445 animals find new homes and served thousands of Yellowstone County families through free and affordable programs for people and pets.

The success of YVAS' shelter program is reflected in three key measures: the total number of animals admitted for rehoming, the percentage of animals with live placements (save-rate), and the average length of stay in the shelter. YVAS continues to achieve strong results across all three metrics.

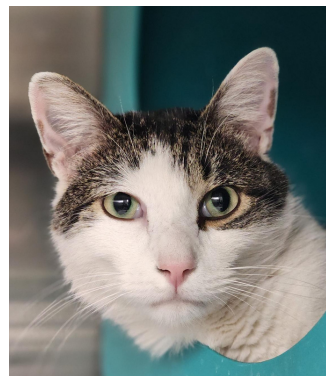
WE'RE PROUD TO
REPORT A

95%

SAVE-RATE FOR
THE ANIMALS IN
OUR CARE



4,937 ANIMALS
ARRIVED AT YVAS



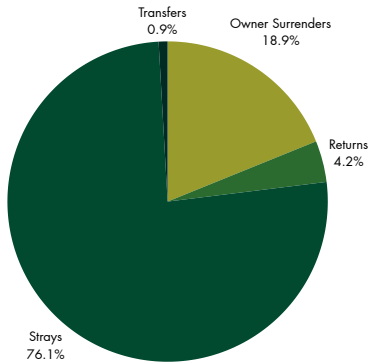
6 DAYS IS THE AVERAGE
AMOUNT OF TIME
THAT A CAT WILL STAY
AT YVAS



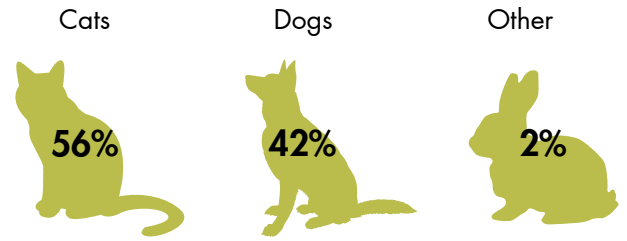
4 DAYS IS THE AVERAGE
AMOUNT OF TIME
THAT A DOG WILL STAY
AT YVAS

COMPANION ANIMAL INTAKE

Companion animals by intake:



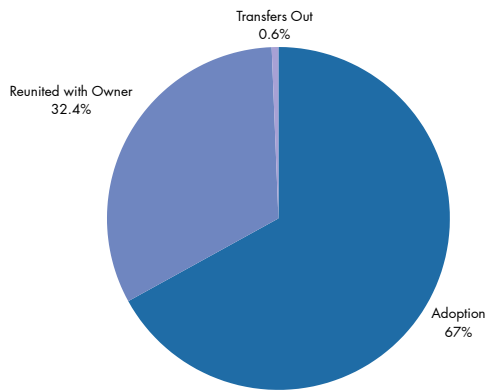
Companion animal intake by species:



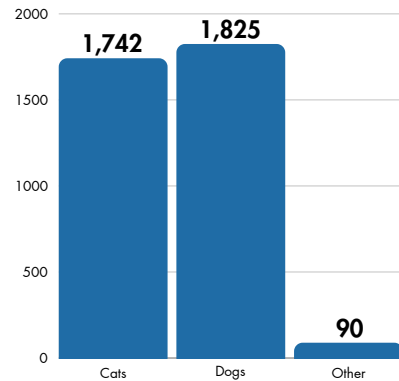
*** Other animals, also called "Pocket Pets", include small companion animals such as rabbits, guinea pigs, birds, reptiles, etc. ***

COMPANION ANIMAL PLACEMENT

Companion animal placement by type:

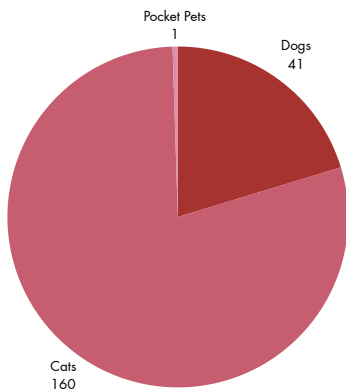


Companion animal placement by species:



COMPANION ANIMAL EUTHANASIA

Euthanasia by species:



*** YVAS is committed to taking in every animal in need. Unfortunately, some animals come to us with severe or untreatable illnesses or behavior issues that prevent us from placing them in the community. If we cannot help an animal become healthy or if it is not suitable for placement, humane euthanasia is the most compassionate alternative. At all costs, YVAS avoids euthanizing healthy animals. There is also no time limit for animals in our care. ***

Community Engagement

YVAS works with individuals and organizations to create a more humane world for animals. Our community outreach programs aim to increase the overall health and well-being of animals by empowering animal lovers and pet owners alike.



29

Teams completed 6-week obedience courses, taught by our Humane Education Coordinator.



124

Children attended Feline Fan Clubs. These events allow children to develop their reading skills & boost self-esteem while providing valuable socialization to animals.



38

Various outreach & educational events held throughout the Billings & Yellowstone County community.

Shelter Diversion

We believe that the best place for a pet is with the families that love them. This is why we've greatly expanded our shelter diversion programs. These programs are designed to keep pets in their own homes or provide other alternatives to prevent them from entering shelters.

72 SENIOR OWNERS & PETS HELPED BY THE PALS PROGRAM



263 ANIMALS LISTED VIA OUR HOME TO HOME PROGRAM

2,794 FREE ID TAGS GIVEN OUT



Public Veterinary Services

Yellowstone Valley Animal Shelter believes that all pet parents should have access to basic medical care for their furry family members. Sometimes that cost of care is more than many can afford, causing owners to make sacrifices so their pets can have necessary medical treatments. YVAS is proud to offer a variety of low-cost veterinary services for publicly-owned pets to better meet the needs of pets within our community.

LOW-COST SERVICES:



934

PUBLIC VACCINES
ADMINISTERED



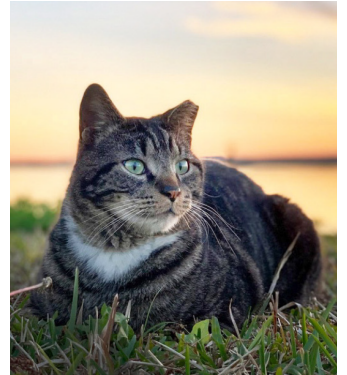
137

MICROCHIPS GIVEN
AT CLINICS



517

SPAYED & NEUTERED
AT LOW-COST CLINICS



45

CATS FIXED & VACCINATED
VIA TRAP-NEUTER-RETURN
PROGRAM



COMPASSIONATE CARE:

In an effort to extend compassionate care beyond adoption services, our shelter proudly introduced a Pet Loss Bereavement Specialist in 2023. We recognize that pet owners often experience anticipatory grief & profound sorrow when faced with the decision to say goodbye to a pet; this specialized service aims to provide support during those challenging moments. Additionally, YVAS recognizes the importance of destigmatizing tough decisions like euthanasia, aiming to create an environment where pet owners feel supported rather than burdened by societal judgments. By embracing open and empathetic dialogue, YVAS provides critical medical services and fosters a community that values both the well-being of its pets & the emotional welfare of their devoted human companions.

Shelter Veterinary Services

YVAS provides comprehensive medical care for all of our animals, from the moment they enter our facility to the day they find their forever home. Our dedicated veterinary team works tirelessly to ensure that each animal receives the care and attention they need to recover from illness, injury, or neglect. From routine vaccinations to complex surgeries, we are committed to providing the highest quality of care for every animal in our shelter. Even after an animal is adopted, we continue to provide post-adoption medical support to ensure a smooth transition into their new home.

INTAKE:

All animals entering our facility will receive a full intake: meaning they get a basic exam, checked for a microchip, dewormed, & vaccinated.

In 2023, **7,733** vaccines were administered by YVAS.



MEDICAL:

All animals are spayed or neutered prior to being adopted. In fact, last year **2,287** animals were spayed & neutered at YVAS. Animals also receive additional medical services when needed such as dentals, bloodwork, x-rays, repairing broken limbs, etc.



HOUSING:

Each day, our trained staff monitor animals' health & behavior to make sure everyone stays happy & healthy. Animals also receive daily enrichment opportunities. We hope our animals' time with us is short, but as pleasant & stress-free as possible before finding their fur-ever homes!



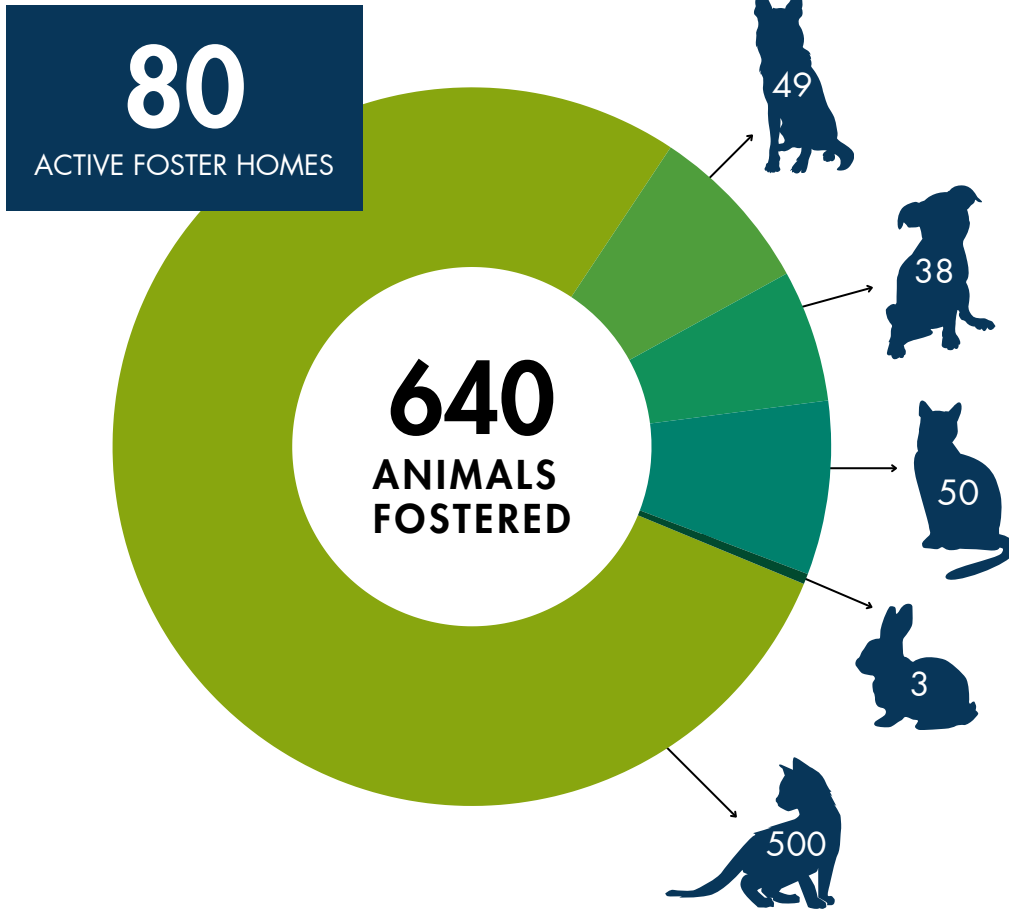
POST-ADOPTION:

In some special cases, YVAS will provide post-adoption medical care for our animals and their new families. This allows us to place animals with challenging medical needs, & avoid putting financial strains on adopters that might force them to surrender a loved pet.

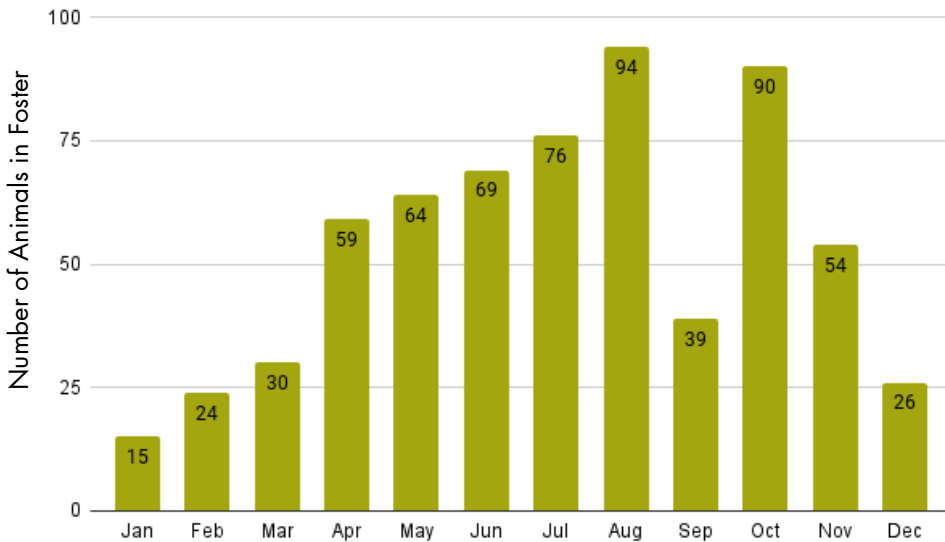


Foster Program

The YVAS foster program is a network of families who are dedicated to providing temporary care to shelter animals in their own homes. The animals that are sent out to foster are all compromised in some way and are not yet considered “adoptable” whether they are underage or underweight, nursing, semi-feral and need individualized socialization, or recovering from an illness or medical procedure. Foster families provide care and attention to these animals until they are ready to come back to the shelter and find their forever homes.



Animals Sent to Foster by Month



Financials

STATEMENT OF ACTIVITIES:

SUPPORT & REVENUES

Adoption fees & program revenue	\$391,265.69
Donations	\$262,782.18
Corporate sponsors	\$7,500.00
Legacies & bequests	\$35,597.95
Grants	\$79,163.40
Government contracts	\$345,587.96
Investments	\$4,782.88
Retail sales	\$43,742.46
Restricted capital campaign donations	\$272,487.48
Released restricted funds	\$193,013.17
Misc./other income	\$1,338.42
Endowment donations	\$10,000.00
TOTAL SUPPORT & REVENUES	\$1,647,261.59

EXPENSES

Program services:	
Sheltering	\$564,851.26
Public medical	\$66,896.48
Outreach & education	\$22,403.87
Foster & volunteer	\$78,624.39
Retail sales	\$25,455.55
Supporting services:	
General & admin.	\$434,852.77
Fundraising	\$15,308.08
Capital Campaign	\$138,213.17
TOTAL EXPENSES	\$1,346,605.57



Partners



Montana



Community Support

The support of donors, friends, and advocates makes our work possible.

VOLUNTEERS:



126

ACTIVE VOLUNTEERS



2,351

VOLUNTEERS HOURS



\$74,754

WORTH OF VOL. HOURS

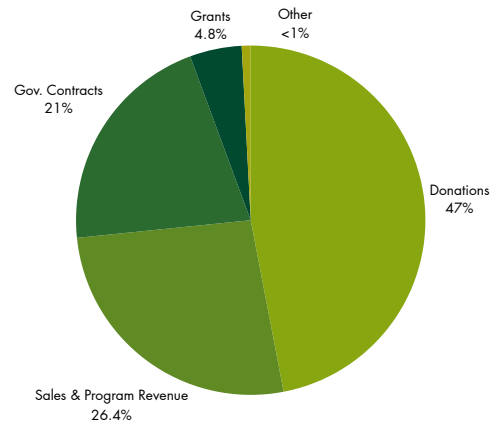


2,456

ADOPTION FOLDERS
MADE BY VOLUNTEERS

DONORS:

As a 501(c)(3) nonprofit organization, YVAS relies heavily on the support we receive from our community. While we maintain municipal contracts with the City of Billings, Yellowstone County Sheriff's Office, & the Laurel Police Department, you'll see that our revenue primarily comes from generous donations. These contributions enable us to provide essential care, medical attention, and shelter for animals in need. Your support is instrumental in our vision to build a community where every animal is cared for.



OUR REACH:



32,000+ followers on social media



100,000+ website views in 2023



1,800+ email subscribers



6,200+ mailing households



Visit us @ WWW.YVAS.ORG



AREA SERVED:

Yellowstone Valley Animal Shelter serves the animals & people within the city limits of Billings. YVAS also maintains a contract with Yellowstone County Sheriff's Office & the Laurel Police Department to house & reunite lost dogs. YVAS hopes to one day provide an open-door policy to County cats. We will accept cats from outside Billings city limits on a case-by-case basis, depending on adoptability and availability of space.

LEADERSHIP:

Triniti Halverson, Executive Director
Tiffany Smith, Development Director
Gabi Fry, Director of Operations
Karis Hunt, Office Manager
Katie Pauli, Foster Coordinator
Rebekah Wong, Volunteer Coordinator
Derek Wulf, Human Education Coordinator
Dr. Lisa Brinlee, Veterinarian
Jennifer Bradley, Lead Veterinary Technician
Katie Laddusaw, Animal Care Manager - Feline
Summer Simpson, Animal Care Manager - Canine



SUPPORT STAFF:

Assist. Animal Care Managers (2)
Per Diem Veterinarians (4)
Veterinary Technicians (5)
Public Services Coordinator & Pet Loss Specialist (1)
Spay & Neuter Clinic Manager (1)
Full-Time Kennel Attendants (5)
Part-Time Kennel Attendants (4)



BOARD OF DIRECTORS:

Katie Huso, President
Steve Durrett, Treasurer
Stacey Frost, Secretary
Justin Hutchinson
Shelley Pierce
Mike Pigg
Clarene Westburg



1735 Monad Road • P.O. Box 20920 • Billings, MT 59104 • 406-294-7387 • www.yvas.org

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:** P1: Parks and Open Space _____
2. **Written description of the Zone Change Plan** including existing and proposed new zoning:
Change of 5.145 acres of existing P1 to P2 _____
3. **Legal Description of Property:**
An unplatted parcel located in the NW1/4 of the SE1/4 of Section 10, T01S, R26E, P.M.M. _____
Yellowstone County, Montana _____
4. **Neighborhood Task Force Area:** Yes /// No. If Yes, Name of Task Force
No _____
5. **Roster of persons who attended the pre-application neighborhood meeting:** please attach to online application.
6. **A brief synopsis of the meeting results including any written minutes or audio recording.** please attach to this form
7. **The undersigned affirm the following:**
 - 1) The pre-application neighborhood meeting was held on the 18th, day of December 2024.
 - 2) The zone change application is based on materials presented at the meeting.

Owner (s):

City of Billings _____ Telephone: (406) 657-8371 _____

Address:

P.O. Box 1178, Billings, MT 59103 _____ Email: piggm@billingsmt.gov _____

Agent (s):

Performance Engineering, LLC, Craig Dalton _____ Telephone: (406) 384-0080 _____

Address:

3412 Colton Blvd., Ste 202, Billings, MT 59102 _____ Email: craig@performance-ec.com _____

Complete this form and upload to your on-line Zone Change application

Wilson Park Zone Change

Zone Change Neighborhood Meeting Notes

The meeting was conducted from 6-6:50 PM on December 18, 2024 in the Library of Riverside Middle School. The meeting was hosted by Craig Dalton of Performance Engineering (agent), and Austin Anderson (architect).

There were ten (10) public participants for the meeting.

Following introductions, the meeting began with Craig Dalton giving an overview of the property. Craig described how the zone change process works and gave out the expected timelines for application submittal and public hearings (anticipated in February). He said that anyone who received a neighborhood meeting notice would also receive a public hearing notice from the City confirming the meeting dates.

Craig then went through the reasons for the proposed zoning (P2). The main reason being to allow the construction of the Yellowstone Valley Animal Shelter.

Following the applicant team's overview, the floor was opened for participants to ask questions.

Concerns and questions from the neighbors and subsequent responses are shown below:

- The neighbors located off Minnie Place raised concerns of potential issues with their water pressure with a new demand on the system as they are already having pressure issues.

Response: The volume demand from the proposed facility will be higher than your typical household, but the instantaneous demand will be relatively low and should have little impact on the pressures within the 12-inch water main running along Riverside Road.

Additional Information – The water main that services Minnie Place is a County owned water main. Statements from one of the attending residents indicates the water main is in poor condition and the pressure is purposefully throttled to mitigate breaks.

- The neighbors are concerned about a traffic increase and wanted to know if there would be any road improvements as part of the project.

Response: The zone change and annexation result in the properties being responsible for contributing funds to the City to assist in any improvements to their frontages. This area, being on the edge of the city limits, is not currently connected

to existing improved roadways and therefore will not be required to install improvements along the frontages at this time. This being said, the property would be required to financially participate in any future improvement projects commissioned by the City via a Special Improvements District (SID).

- How is this zone change going to better the community.

Response: The zone change, and subsequent annexation of the property will put this area of town on the City's radar as it comes to future improvements and maintenance. This will allow/require the City to start planning for any improvements required in the area.

- Can something other than the animal shelter be built in this area if the zone change passes?

Response: The whole premise of this project and zone change is for the City of Billings to transfer this land specifically to the Yellowstone Valley Animal Shelter.

- Some neighbors are concerned about the impact to groundwater from the facilities water demand and sanitary sewer waste.

Response: The project will tie into the City's existing infrastructure. The facility will utilize the existing 12-inch water main running within Riverside Road and the existing sanitary sewer main running along the northern boundary of the project. The project will not be drawing from the groundwater nor be discharging any sanitary sewer waste into it.

- The neighbors voiced concerns about the possibility of disease transmission, specifically mentioning Parvo and Brucellosis.

Response: A big driver for this project is the fact the existing animal shelter does not have the capacity to adequately handle animals with diseases. The new facility is being built with that in mind. The design team is consulting with experts in the field to ensure the facility has the correct equipment and space to manage diseases. The building will have quarantine rooms and procedures to ensure diseases do not spread throughout the community.

- One neighbor raised concerns that barn cats from nearby properties could be mistaken for strays and taken to the shelter, requiring them to pay fees to get them out.

The animal shelter is aware of this possibility and is diligent in doing what they can to verify the animal is in fact a stray and not one of the neighbor's animals prior to taking them into the facility.

- Some of the neighbors expressed concerns about potential odors from the proposed crematory.

The crematory is proposed to be located as far north on the site as possible, away from the residential neighbors. The facility will also follow all codes and requirements as pertained to the exhaust of the crematory.

- Several neighbors voiced their concern about potential dog noises carrying beyond the property boundaries.

The design team is working with an acoustical consultant to specifically combat this concern. The plan is to utilize walls and landscaping to reduce the noise heard outside of the project area. Additionally, the animals will only be outside at dedicated times and will not be left for long durations. The outdoor space will be utilized as an area for exercise and not boarding.

The applicant team finished the meeting by reiterating to everyone the expected timeline for the public meetings as well as letting them know they will receive a letter from the City informing them of these meetings. The meeting concluded at 6:50.

Josh Dirks

From: Craig Dalton
Sent: Thursday, December 19, 2024 12:27 PM
To: Sanders, Kay
Cc: Josh Dirks
Subject: RE: Wilson Park rezoning

Kay,

Upon annexation of the parcel Hannon Road will become owned by the City. The lot fronting Hannon will still be owned by the City and at this time there isn't any plans to construct the roadway.

Craig Dalton, P.E.
Project Manager/Principal
Office: 406-384-0080

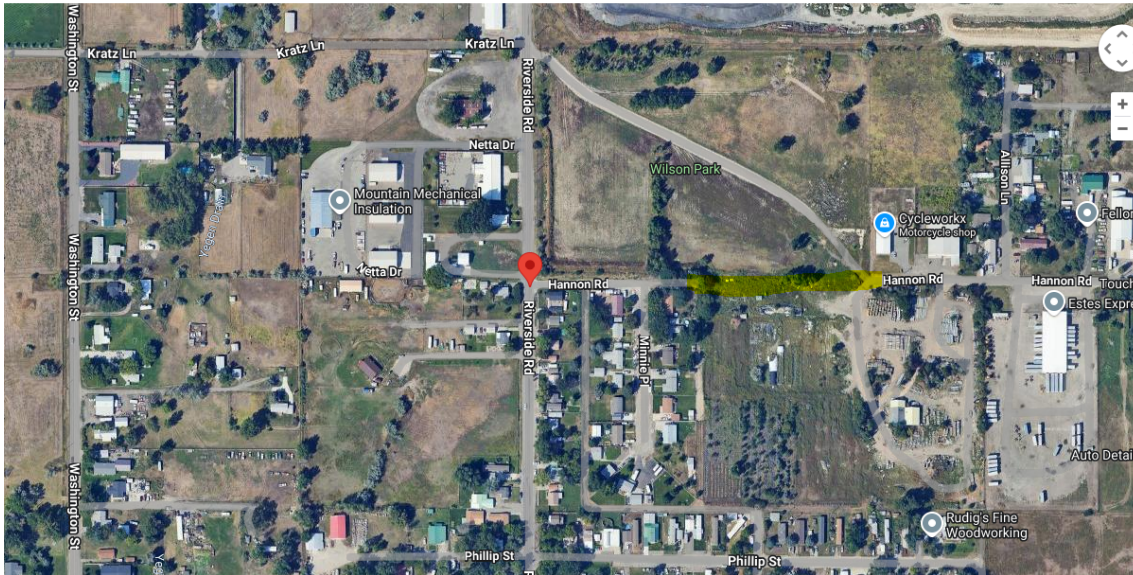


3412 Colton Blvd, Suite 202
Billings, MT 59102

From: Sanders, Kay <Kay.Sanders@estes-express.com>
Sent: Thursday, December 19, 2024 11:44 AM
To: Craig Dalton <craig@performance-ec.com>
Cc: Josh Dirks <josh@performance-ec.com>
Subject: RE: Wilson Park rezoning

Thanks Craig,

Is there any chance Hannon Road will be extended to meet its other half as part of this project?



Kay Sanders

Sr. Manager- Real Estate
Real Estate Department
Estes Express Lines
Office (804) 353-1900 ext. 2721
www.estes-express.com

From: Craig Dalton <craig@performance-ec.com>
Sent: Thursday, December 19, 2024 1:38 PM
To: Sanders, Kay <Kay.Sanders@estes-express.com>
Cc: Josh Dirks <josh@performance-ec.com>
Subject: [EXTERNAL] - RE: Wilson Park rezoning

This Message Is From an External Sender

This message came from outside your organization.

Report Suspicious

Good Morning Kay,

Thanks for reaching out. Attached is a preliminary site plan for the proposed project. The purpose of our request for the annexation and zone change is to modify the existing P1 zoning to P2 to allow for the construction of the new Yellowstone Valley Animal Shelter. The project will be located in the very NW corner of Wilson Park and is proposed to take access off Riverside Road. I don't foresee any conflicts with your current facility.

Please let me know if you have any further questions.

Thanks,

Craig Dalton, P.E.
Project Manager/Principal

Office: 406-384-0080



3412 Colton Blvd, Suite 202
Billings, MT 59102

From: Sanders, Kay <Kay.Sanders@estes-express.com>
Sent: Thursday, December 19, 2024 11:18 AM
To: Craig Dalton <craig@performance-ec.com>
Subject: FW: Wilson Park rezoning

We'll try this one again!

Kay Sanders

Sr. Manager- Real Estate
Real Estate Department
Estes Express Lines
Office (804) 353-1900 ext. 2721
www.estes-express.com [us-west-2.protection.sophos.com]

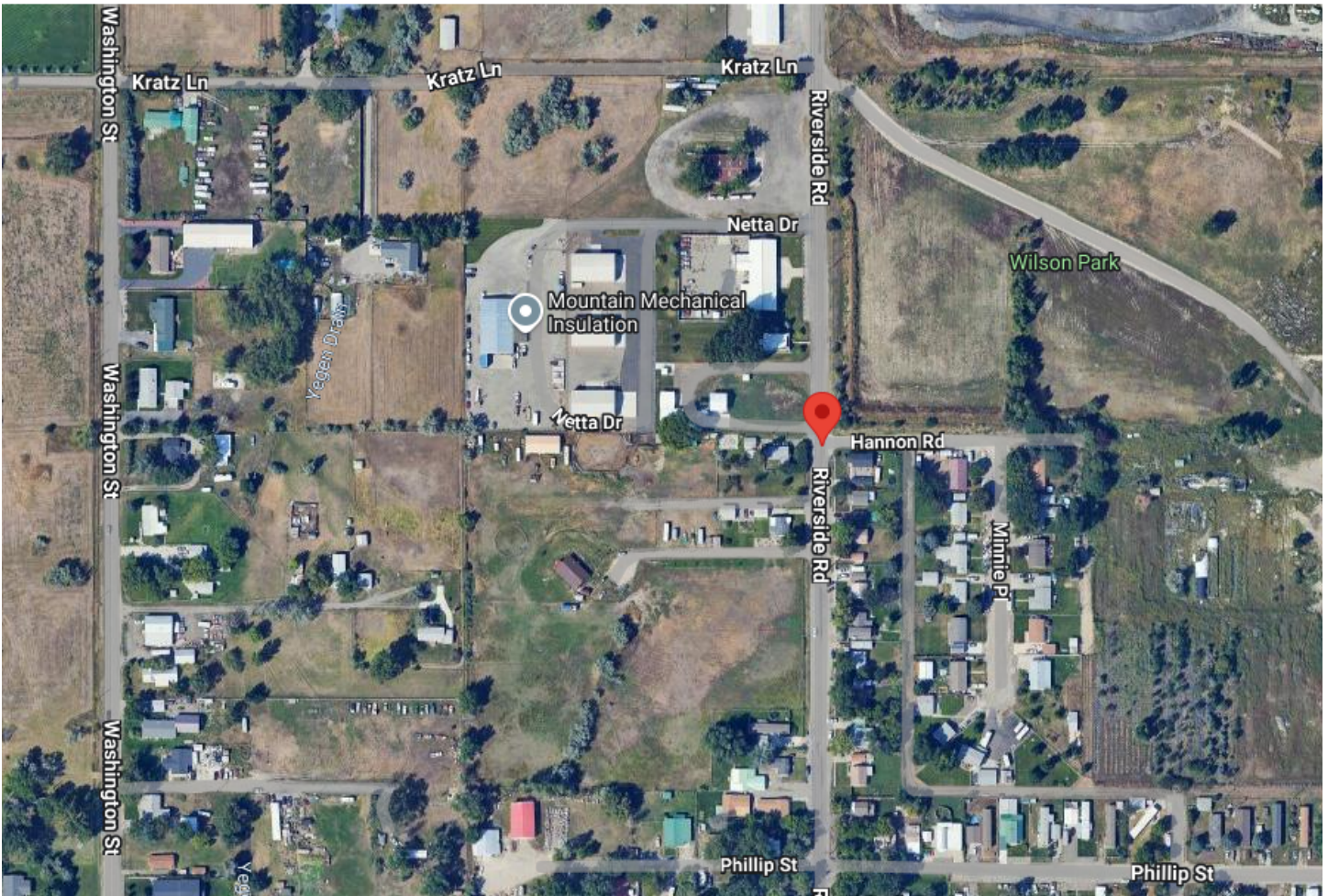
From: Sanders, Kay
Sent: Thursday, December 19, 2024 12:58 PM
To: 'Craig@performance-ec.com' <Craig@performance-ec.com>
Subject: Wilson Park rezoning

Craig

Estes Express Lines is an abutting neighbor to the Wilson Park project. We received your notice a day late, after the meeting on the 18th. Please attached. Can you please provide a site plan of the intended project? Are you aware of any issue that may impact our truck terminal? My contact information is below. Thank you in advance.

Hannon Rd & Riverside Rd

You can enter notes here.



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CITY ZONE CHANGE APPLICATION FORM

City Zone Change **Billings Zone Change #** _____ **Project #** _____

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 P1: Parks and Open Space

Proposed Zoning: P2: Public, civic, and institutional

PARCEL TAX ID# D01735 CITY ELECTION WARD 1

Legal Description of Property: NE1/4 of the SE1/4 of Section 10, T01S, R26E, P.M.M. Yellowstone County, Montana

Address or General Location (If unknown, contact City Engineering):Northeast of the intersection of Hannon Rd and Riverside Rd (441 Riverside Rd, Billings, MT 59101)

Size of Parcel (Area square feet or acres): 14.988 Acres total (5.145 Acres zone change)

Present Land Use: P1 Vacant/Park

Proposed Land-Use: P2 Civic-Institutional

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

Owner(s) City of Billings
(Record Owner)

P.O. Box 1178, Billings, MT 59103
(Address)

(406) 657-8371 piggm@billingsmt.gov
(Phone Number) (email)

Agent(s) Performance Engineering, LLC, Craig Dalton
(Record Owner)

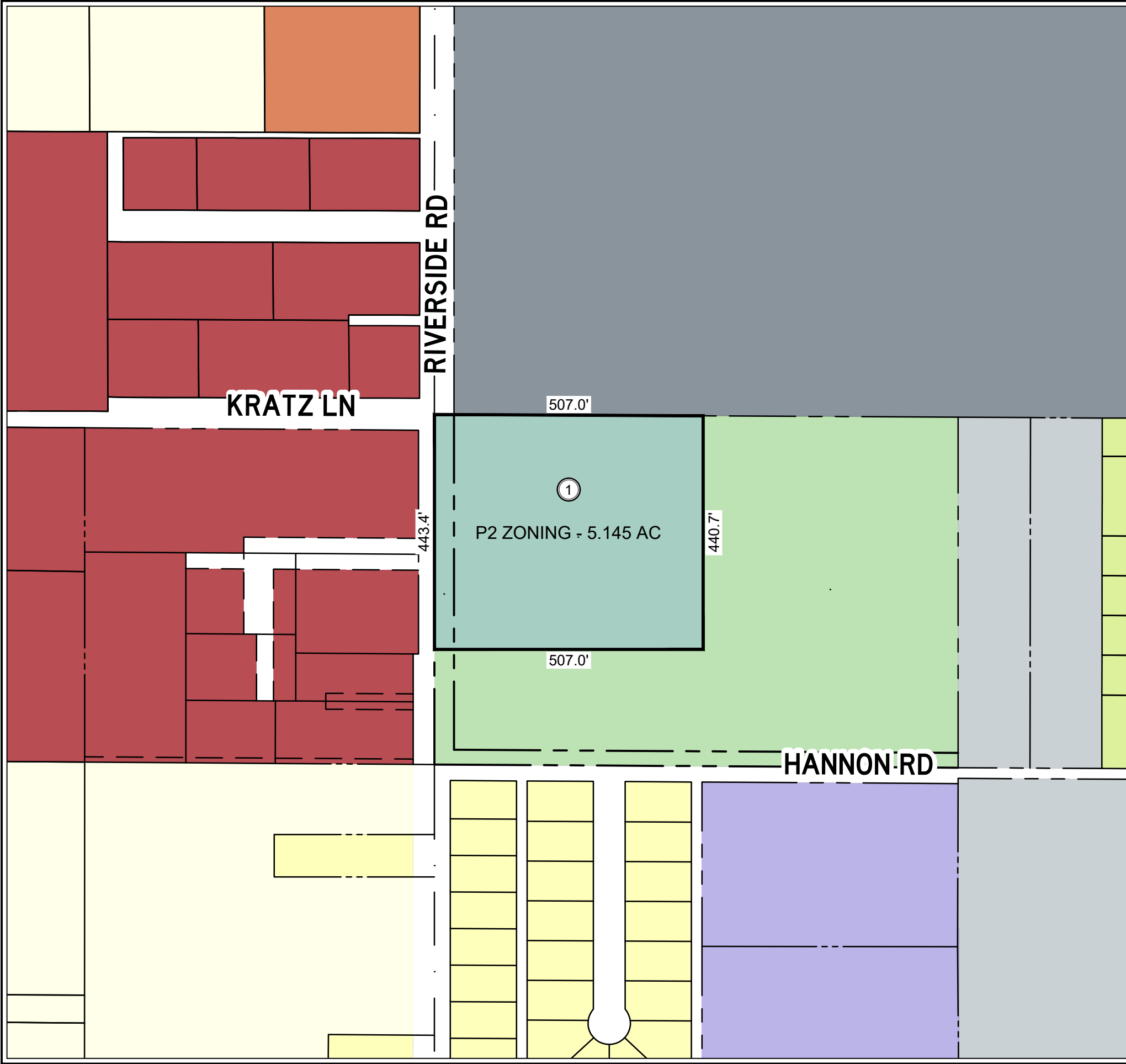
3412 Colton Blvd., Ste 202, Billings, MT 59102
(Address)

(406) 384-0080 craig@performance-ec.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.

DocuSigned by:

Signature: _____ Date: 12/20/2024
33A3E4F6D5384F6...
(Record Owner – Digital Signature Allowed)



LEGAL DESCRIPTION

① NE1/4 OF THE SE1/4 OF SECTION 10, TOWNSHIP 01 SOUTH, RANGE 26 EAST, P.M.M., YELLOWSTONE COUNTY, MONTANA 5.145 ACRES PROPOSED FOR THIS ZONE CHANGE

ZONING LEGEND

- C3: GENERAL COMMERCIAL
- I1: LIGHT INDUSTRIAL
- I2: HEAVY INDUSTRIAL
- N2: MID-CENTURY NEIGHBORHOOD
- N4: LARGE LOT SUBURBAN NEIGHBORHOOD
- NMU: NEIGHBORHOOD MIXED-USE
- P1: OPEN SPACE, PARKS, RECREATION
- P2: PUBLIC-CIVIC-INSTITUTIONAL
- RMH: RESIDENTIAL MANUFACTURED HOME
- RR1: RURAL RESIDENTIAL (1 TO 2.99 ACRES)

PROPOSED ZONE CHANGE BOUNDARY

SITE AND STRUCTURE REGULATIONS

CITY OF BILLINGS ZONING CODE, ARTICLE 27-500, ARTICLE 27-504.B.1(c)

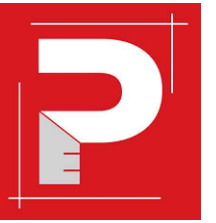
WHERE THE PRIMARY FRONTAGE OF A LOT ZONED P2 OR P3 IS ADJACENT TO DIFFERENT ZONE DISTRICTS ON ANY SIDE OF THE FRONTAGE (AS MEASURED ON THE SAME SIDE OF ANY PUBLIC STREET), DEVELOPMENT ON THE PRIMARY FRONTAGE OF THE P2 OR P3 LOT SHALL COMPLY WITH THE STANDARDS FOR THE LARGER SCALE ADJACENT DISTRICT.

THE P2 ZONING IS ADJACENT TO I2 ZONING TO THE NORTH AND P1 ZONING TO THE SOUTH. THE I2 ZONING IS THE LARGER SALE DISTRICT, THEREFORE, THE P2 ZONED AREA SHALL BE DEVELOPED ACCORDING TO THE I2 SITE AND STRUCTURE REGULATIONS.

CITY OF BILLINGS ZONING CODE, ARTICLE 27-600, SECTION 27-603.B

TABLE 27-600.2. SITE AND STRUCTURE REGULATIONS

MINIMUM LOT AREA (SQUARE FEET)	N/A
REQUIRED SETBACKS (FEET, MINIMUM)	
FRONT	20
SIDE	0
SIDE ADJACENT TO STREET	10
REAR	0
HEIGHT (FEET, MAX)	N/A
LOT COVERAGE (% , MAX)	75



YELLOWSTONE VALLEY ANIMAL SHELTER

BILLINGS, MT., 59102

JMD DESIGNED BY	QUALITY ASSURANCE	
JMD DRAWN BY	CPD CHECKED BY	
12/2024 DATE	12/2024 DATE	
REV BY	DATE	CHKD BY

SHEET TITLE
PROPOSED ZONE CHANGE

PROJECT NUMBER
2024-087

SHEET NUMBER
1 OF 1

DRAWING NUMBER

A

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S10, T01 S, R26 E, N2W3/4 OF NWSE4 15 AC (D01735- Wilson Park) Zone Change Questions

1. Explain how the proposed project is consistent with the adopted Growth Policy, Neighborhood Plans, and other applicable city development policies.

Essential Investments – The proposed project is located in a pocket of county lots which are completely surrounded by the City of Billings. There is an existing water main located within Riverside Road and an existing sanitary sewer main that runs along the northern boundary of the project; therefore, this project does not require the immediate construction of City infrastructure. When the City deems necessary and at minimal cost to the City, the sanitary sewer infrastructure could be extended south along Riverside Road to service additional lots, increasing the tax base, and reducing the county properties located within the City limits.

This zone change will allow the construction of a new building for the Yellowstone Valley Animal Shelter. The shelter provides many services to the community, which include education, spay and neuter clinics, and animal training. These services are essential in keeping our community safe and clean by keeping animals off the streets and educating the community on training and taking care of their pets.

Community Fabric - The Billings Area Bikeway and Trails Master Plan calls for a bike lane to be constructed within Riverside Road, and there is an unadopted plan to provide a multi-use trail along the roadway. The proposed project is planning on constructing paths and trails within the property and the existing Wilson Park. The construction of the paths will provide safe and affordable interconnected sidewalks and trails along with providing better access to the park and increase recreation opportunities for the community.

Prosperity –The current Yellowstone Valley Animal Shelter building is outdated, and the growth of Billings has exceeded the capabilities for the shelter at its current size. The new shelter will be larger to accommodate the City's growth. The building will have a large community room that will be used for training and educational purposes. Additionally, the shelter will be partnering with the new College of Veterinary Medicine and provide education opportunities for the students. These opportunities can help attract more students and increase the workforce.

2. Explain how the proposed project meets the 10 zone change criteria.

a. Is the new zoning designed in accordance with the growth policy?

The new zoning adheres to the City of Billings growth policy through the ability to provide additional educational and training opportunities for the community; its promotion of infill development within the city limits; and its cost-effective construction due to the proximity to existing City infrastructure with an inherent low cost of service to the City of Billings.

b. Is the new zoning designed to secure from fire and other dangers?

There are fire hydrants located an adequate distance from the site on Riverside Road. Upon development, the site will be required to meet all fire and public safety code requirements. The site is also located outside of any floodplain.

c. Will the new zoning promote public health, public safety, and general welfare?

The proposed zone change will allow for the construction of a small-scale civic and community service structure. The project is proposing to build a new Yellowstone Valley Animal Shelter. The new shelter will promote public health, public safety, and general welfare by providing training, housing, and services to local animals. This will reduce the number of stray animals in the City as well as provide assistance to pet owners and reducing the number of abandoned animals in the community. The project will also increase the lighting and visibility of the area which will help reduce crime.

d. Will the new zoning facilitate the adequate provision of transportation, water, sewage, schools, parks and other public requirements?

The change in zone will not require any additional water or sewer improvements in order to service the site as it is provided by existing infrastructure that borders the site. The proposed development will create paths and trails through the site along with the neighboring park. The zone change will not negatively impact schools.

e. Will the new zoning provide adequate light and air?

The proposed zone change will have minimal impact on light and air in the surrounding area. The required open area will allow for adequate lighting and air for the property and surrounding area. Any improvements to the land must adhere to the zoning requirements for lighting laid out by the City's Zoning Code.

- f. Will the new zoning affect motorized and nonmotorized transportation?

As the zone change allows for the construction of a small-scale civic and community service structure, motorized transportation in the area may be impacted. With that said, the additional traffic associated with these types of buildings is anticipated to have less than 500 vehicle trips per day.

- g. Will the new zoning promote compatible urban growth?

The project is situated in a developed area and is considered an infill project. The P2 zoning will allow for the development of the project site, which in turn will provide services for the City.

- h. Does the new zoning consider the character of the district and the peculiar suitability of the property for particular uses?

The area of the proposed development is surrounded by industrial lots to the north and east, a residential county subdivision to the south, and a commercial county subdivision to the west. The project will be located away from the residential zoned neighbors and next to the general commercial and industrial zoned lots.

- i. Will the new zoning conserve the value of buildings?

The new zoning will conserve the value of buildings in the area by constructing a new state-of-the-art facility. The proposed facility has the potential to promote the future development of trails and paths in the adjacent Wilson Park.

- j. Will the new zoning encourage the most appropriate use of land throughout the City of Billings?

The zoning will encourage appropriate use of land by developing an existing park located in an area directly south of the sugar beet factory. The proposed zoning will allow for the construction of the new Yellowstone Valley Animal Shelter in an area with little residential neighbors and adjacent to a park.

3. Does the new zoning fit with the existing or planned developments within the area?

The new zoning will fit with the existing developments as the property is surrounded by commercial and industrial lots. The proposed zoning allows for the construction of small-scale civic and community service structures and uses within either a neighborhood or commercial setting. The development will construct paths and trails within the existing parkland to provide opportunities for the neighbors to utilize the park.