

City of Billings Zoning Commission  
 Tuesday, October 7, 2025 at 4:30pm

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	1	1	1	1	A	-	1	1	1		
Greg McCall	Vice Chairman	1	1	A	1	A	1	-	1	1	1		
David Goss	Commissioner	1	1	1	1	1	1	-	1	1	1		
Beau Mulvaney	Commissioner	1	1	1	A	1	A	-	1	1	1		
Andy Megorden	Commissioner	1	1	A	1	1	1	-	1	1	1		

Please note: "A" stands for excused absence, "1" stands for present, "V" stands for Zoom participation, "C" stands for Canceled

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	1	2	1	1	1	-	1	2	2			12
Special Review	-	1			1	1	-	-	-	1			4

**Call the Meeting to Order:** Chairman Brooks called the meeting to order at 4:30 PM

**Attending Staff:** Karen Husman, Zoning Coordinator; Makayla Paul, Planner; Brenda Berns, Planning Clerk

**Public Comment**

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

**Approval of Minutes: September 2, 2025**

Motion by Commissioner Goss, seconded by Commissioner Megorden to approve the meeting minutes of September 2, 2025. The motion passed unanimously.

**Disclosure of Ex-Parte Communication**

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

Commissioner Goss stated for the record he has a relative that lives in the vicinity of ZC 1070.

**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		

Commissioner McCall stated a conflict of interest and recused himself from participation in the discussion and vote on Zone Changes 1071 and 1072.

**Site visits:** Commissioner McCall visited the sites of ZC 1071 and ZC 1072

Chairman Brooks read the meeting rules and procedures and opened the Public Hearing.

- a. City Zone Change 1071 - City Zone Change 1071 – 4524 Central Ave.** – From NX1, NX2 & N2 to N3 - A zone change request from Mixed Residential 1 & 2 (NX1 & NX2) and Mid-Century Neighborhood (N2) to Suburban Neighborhood Residential (N3) on the south 1.775 acres of Lot 2 & all of lot 3, CLEARWATER ESTATES SUB a 9.676-acre parcel of land. A pre-application neighborhood meeting was held on July 30, 2025 at 6pm, at Grace Montessori School. Tax ID: A38278 & A38279.

Karen Husman, Zoning Coordinator, provided an overview of the requested zone change and the existing zoning. She explained that the proposal modifies the original zoning by reducing the allowable lot coverage from 60% to 40%, which correspondingly lowers the overall density.

<u>NX1, NX2, N2 to N3</u>	
<b>Zone – NX1</b>	<b>– Proposed N3</b>
<ul style="list-style-type: none"><li>• 1 to 4-unit residential structures</li><li>• Lot width minimums: 20' (1–2 units), 50' (3–4 units)</li><li>• Build-to zone of 10-20 ft., lot cov 60%</li></ul>	<ul style="list-style-type: none"><li>• Allows single detached dwellings</li><li>• Lot width at street =&gt;65 feet per structure</li><li>• Minimum setbacks 20' (no max), max lot cov. max 40%</li></ul>
<b>– NX2</b>	
<ul style="list-style-type: none"><li>• 2 to 8-unit residential structures</li><li>• Lot width minimums: 20' (1–2 units), 50' (3–4 units)</li><li>• Build-to zone of 10-20 ft</li></ul>	
<b>– N2</b>	
<ul style="list-style-type: none"><li>• Allows single detached dwellings &amp; two attached dwellings (duplex)</li><li>• Lot width at street =&gt;50 ft per structure</li><li>• Build-to zone of 10-32 ft, lot cov 60%</li></ul>	

### **Recommendation**

Staff recommended approval of Zone Change 1071, noting that it is consistent with the Growth Policy, compatible with adjacent uses and zoning, and aligns with the West Billings Neighborhood Plan by establishing an appropriate development pattern and promoting mixed-use and infill development.

### **Questions**

The board inquired about the anticipated change in units associated with the proposal. Staff noted that the applicant could provide additional details, as a site layout reflecting the lower-density option was not included with the zone change application.

### **Applicant’s Agent**

Craig Dalton, Performance Engineering – Mr. Dalton addressed questions regarding zoning and density. He stated that under the proposed platting, the area would consist of approximately 41 lots over 9-acres. Compared to the original zoning, which would primarily allow NX1 development, the proposal results in an approximate 10% change in density. He noted that the intent is not to construct row houses, though a small number of duplexes may be included, with the majority of units consisting of smaller single-family homes.

### **Discussion**

The board expressed a desire to ensure that the property is used appropriately and noted concerns about potential reductions in housing density given the ongoing need for additional units. The applicant’s agent made observations on broader housing trends, including the prevalence of multifamily projects, market absorption of new units, and a shift toward smaller lots and homes to provide more affordable options.

**Public Comment**

No members of the public offered comments.

**Motion**

Motion made by Commissioner Megorden, seconded by Commissioner Mulvaney to recommend approval of Zone Change 1071 with the Staff recommended determinations of the Review Criteria. Motion passes unanimously with the four voting members.

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

**Discussion**

The board expressed sentiment regarding lack of density, however noting it meets the criteria.

Zone Change 1071 will be heard at City Council on October 27, 2025

- b. City Zone Change 1072 – 4524 Central Ave – CMU1, NMU, NX1, NX2 & P1 to CMU1, NX1, NX2 & P2 - A zone change request from Corridor Mixed Use 1 (CMU1), Neighborhood Mixed Use (NMU), Mixed Residential 1 & 2 (NX1 & NX2) and Open Space Parks Recreation (P-1) to , Corridor Mixed Use 1 (CMU1), Mixed Residential 1 & 2 (NX1 & NX2) & Public-Civic, Institutional (P-2) on approximately 3 acres of Lot 1, all of lot 4 and approximately 14 acres of lot 5, of CLEARWATER ESTATES SUB, an 24.668 acre parcel of land. A pre-application neighborhood meeting was held on August 26, 2025, at 6pm at Grace Montessori School. Tax ID: A38280, A38281, & A38277**

Karen Husman, Zoning Coordinator, provided an overview of the requested zone change and the existing zoning. She noted that the request involves Lots 1, 4, and 5, of Clearwater Subdivision which are currently under subdivision review creating a new subdivision to be known as the 44 West Subdivision. The proposed change eliminates the NMU designation and adjusts the zoning boundaries to reflect the intended development areas for each zoning district.

<u>CMU1, NMU, NX1 &amp; 2, P1, to</u> <u>CMU1, NX 1 &amp; 2, &amp; P2</u>	
<p><b>NX1</b></p> <ul style="list-style-type: none"> <li>• 1 to 4-unit residential structures</li> <li>• Lot width minimums: 20' (1–2 units), 50' (3–4 units)</li> <li>• Build-to zone of 10-20 ft., lot cov 60%</li> </ul>	<p><b>NMU</b></p> <ul style="list-style-type: none"> <li>• The NMU district is intended to accommodate a mix of uses, along neighborhood corridors, ground story uses focused on daily needs primarily for adjacent neighborhood residents</li> </ul>
<p><b>NX2</b></p> <ul style="list-style-type: none"> <li>• 2 to 8-unit residential structures</li> <li>• Lot width minimums: 20' (1–2 units), 50' (3–4 units)</li> <li>• Build-to zone of 10-20 ft</li> </ul>	<p><b>CMU1</b></p> <ul style="list-style-type: none"> <li>• The CMU1 district is intended to accommodate commercial and other uses along transportation corridors.</li> <li>• Uses in the CMU1 district are more flexible than the mixed residential district, including more commercial uses.</li> </ul>

**Recommendation**

Staff recommended approval of Zone Change 1072, noting that it is consistent with the Growth Policy, supports essential investments, and promotes strong neighborhoods. The proposed zoning is compatible with adjacent uses, and the project aligns with the intent of the West Billings Neighborhood Plan by establishing development patterns and encouraging higher-density, mixed-use, and infill development.

**Applicant**

Greg McCall, with McCall Homes and Development, explained that the primary purpose of the zone change is to align the property with the new zoning code. He noted that the Planned Neighborhood Development (PND) was established in April 2024, and as the area is incorporated into the City, it is necessary to establish the appropriate zoning designation. Mr. McCall stated that the annexation process now includes criteria requiring a mix of housing types rather than a single zoning district, with the intent of promoting diversity in newly annexed areas. He further explained that it is often challenging to determine the most suitable zoning until development plans are underway. The proposed changes to the existing PND primarily involve adjustments to road placement, right-of-way access, and utility connections, along with minor revisions to housing types and mixed-use areas. He added that the lots are designed for higher density to support greater diversity within the development, with the primary entrance located on 44 West.

**Neighborhood Rendering**



**Questions**

The board inquired how the proposed development compares to other projects by the applicant. It was noted that it is similar in character but smaller in scale, with an anticipated 400–600 homes. The development is intended to maintain a variety of housing types consistent with the applicant’s portfolio.

The board also asked whether a traffic impact study would be conducted. It was confirmed that a TIS is required and that funds have been set aside for future road improvements along Central Avenue and at intersections identified as needing enhancements.

**Public Comment**

No member of the public offered comments.

**Motion**

Motion made by Commissioner Megorden, seconded by Commissioner Mulvaney to recommend approval of Zone Change 1072 with the Staff recommended determinations of the Review Criteria. Motion passes unanimously with the four voting members.

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

- a. **City Special Review 1002** – 5545 Holiday Ave – Bar and Casino – A special review request to allow an all-beverage liquor license with gaming on Block 1, Lot 1 in Holiday Business Park Sub, a 35, 152 square foot parcel of land, in a Corridor Mixed Use 2 (CMU2) zone. The purpose of the request is to establish an all-beverage liquor license with gaming for a new bar with casino on the land.

Karen Husman, Zoning Coordinator gave an overview of the special review and the subject property zoning. Ms. Husman stated the Special Review is a request to allow a liquor license at 5545 Holiday Avenue.

**Special Review – Decision Criteria and Standards of Review**

- Special Review Uses are “special exceptions” in the zone district – not allowed uses.
- Proof of compatibility of the Special Review Use rests with the applicant.
- Nine Review Criteria

## **Recommendation**

Staff is recommending approval, based on the proposed findings and recommended conditions of approval (BMCC 27-1623.D)

- Consistent with the Growth Policy and Infill Development Policy
  - Essential Investments
  - Prosperity
- Vacant lot infill development within Holiday Business Park
- Compatible with surrounding commercial development
- Adequate site size and layout to meet the standards for landscaping, buffers, circulation, and parking
- Public health and safety protected through site design, lighting, and conditions of approval.

## **Questions**

The board inquired about the cemetery south of the site and whether it is considered a religious facility; staff confirmed that it is not. Questions were raised regarding lighting for signage, with staff noting that it must comply with current sign regulations. The board discussed the importance of adequate lighting for the casino and outdoor spaces, with staff noting requirements related to parking and safety.

Board members also asked about special conditions, including the use of outdoor speakers. Staff stated that while City Council had previously determined restrictions were unnecessary where no residential neighborhood exists nearby, a condition can be added in this case to limit sound to the property line.

## **Public Comment**

No member of the public offered comments.

Chairman Brooks closed the Public Hearing.

## **Motion**

Motion made by Commissioner Goss, seconded by Commissioner McCall to recommend approval of Special Review 1002 with the Staff findings of the review criteria and with the three additional conditions for lighting and outdoor speaker restriction and limiting the Bar and Casino to the floor space designated on the submitted site plan. Motion passes unanimously.

## **Board Discussion**

The board expressed concern regarding the proximity of a second casino to an existing one but noted appreciation for the proposed building layout and the inclusion of other businesses within the development.

**Future Business**

- a. Karen Husman advised the Commission of two upcoming zoning changes scheduled for November.
  
- b. Karen Husman reported that the proposed text amendments have been postponed to 2026.

**Adjournment:** The meeting adjourned at 5:10 PM

*Brenda J Berns, Planning Clerk*