

# City of Billings Zoning Commission Meeting Minutes May 2, 2017

**The City of Billings Zoning Commission met on Tuesday, May 2, 2017 in the Miller Building 1<sup>st</sup> Floor Conference Room, 2825 3<sup>rd</sup> Avenue North, Billings, Montana.**

Chairman Wagner called the meeting to order at 4:30 p.m. The City Council has designated **Monday May 22, 2017** at 6:30 p.m. in the City Council Chambers as the time and place to hear testimony for or against the zoning applications.

<b>Commission and Staff</b>		<b>01/03/2017</b>	<b>02/07/2017</b>	<b>03/07/2017</b>	<b>04/04/2017</b>	<b>05/02/2017</b>	<b>06/06/2017</b>	<b>07/05/2017</b>	<b>08/01/2017</b>	<b>09/05/2017</b>	<b>10/03/2017</b>	<b>11/07/2017</b>	<b>12/05/2017</b>
Dan Wagner	Chairman	1	-	-	1	1							
Dennis Ulvestad	Commissioner	1	-	-	1	A							
Mike Boyett	Vice Chairman	1	-	-	1	1							
Michael Larson	Commissioner	1	-	-	1	1							
James Mariska	Commissioner	1	-	-	1	1							
Wyeth Friday	Director, Planning & Community Services	-	-	-	1	-							
Vacant	Division Planning Manager	-	-	-	-	-							
Nicole Cromwell	Planner Zoning Coordinator	1	-	-	E	1							
Tammy Deines	Planning Clerk	-	-	-	-	-							
Dave Green	Planner II	-	-	-	1	-							
Karen Husman	Planner I	-	-	-	-	-							
Robbin Bartley	Administrative Support	1	-	-	1	1							

Total Number of 2017 Applications	01/03/2017	02/07/2017	03/07/2017	04/04/2017	05/02/2017	06/06/2017	07/05/2017	08/01/2017	09/05/2017	10/03/2017	11/07/2017	12/05/2017	TOTAL
Zone Change	2			2	1								5
Special Review	1			3									4

Chairman Wagner introduced the Planning Division Staff and Commission: Attending Staff were Nicole Cromwell, Zoning Coordinator; and Robbin Bartley, Administrative Support.

**In Attendance:**

Robert Neiber, LaVonne Anderson

**Public Comment**

Chairman Wagner called for public comments. There were no public comments. Chairman Wagner closed the public comment portion of the meeting.

**Approval of Minutes: April 4, 2017**

Chairman Wagner called for approval of the April 4, 2017 meeting minutes.

**Motion**

Commissioner Larson made a motion and Commissioner Boyett seconded the motion to approve the April 4, 2017 meeting minutes.

COMMISSIONER	Yes	No	ABSTAINED	ABSENT
Dan Wagner	x			
Mike Boyett	x			
Dennis Ulvestad				x
Mike Larson	x			
James Mariska	x			

**The motion for approval then carried with a unanimous voice vote 4-0.**

**Disclosure of any Conflict of Interest, Ex Parte Communications and Site Visits**

A new form has been implemented for any disclosures. If any Board member circled yes to a Conflict of Interest or Ex Parte Communication, it will be explained here.

**Public Hearings:**

Chairman Wagner reviewed the rules and the procedures by which the City Zoning Commission public hearings are conducted and advised the audience that this would be heard by the City Council on May 22, 2017. He then asked Nicole Cromwell to review the first agenda item.

Nicole Cromwell presented:

**City Zone Change 956 – 517 Lincoln Lane** – A zone change request from Residential Multi-family-Restricted (RMF-R) to Community Commercial (CC) on a fraction of 175 feet X 490 feet in the S1/2NWSENE1/4 of Section 27, Township 1 North, Range 26 East, a 1.98 acre parcel of land. A pre-application neighborhood meeting was held on March 30, 2017 at the subject property. Tax ID: D05535.

**RECOMMENDATION**

Planning staff recommends conditional approval an adoption of the findings of the 10 criteria for **Zone Change 956**.

**Questions for Staff:**

Commissioner Larson asked if the developer will be required to get approval from a board other than building permits etc. Staff replied regarding allowed use or variances. Is this a city island? It may have public water thru Bench water district but no sewer. Commissioner Boyett asked what can be built with Community Commercial zoning. Staff indicated auto sales, auto service, restaurants, RV sales or a multi-family development. Because it is not on an arterial, some things are not practical.

Chairman Wagner asked for the applicant of **Zone Change 956**.

**Robert Neihart, Performance Engineering, Agent**

Personal storage buildings is the intent. Commissioner Mariska asked if the elevation is going to be raised to mitigate the water issues. It is not surveyed yet, no topography information has been gathered. Chairman Wagner asked how quickly this storage facility will be in use. Possibly 1 year and probably in stages.

**Opposed**

**LaVonne Anderson, 1093 Lincoln Lane**

Ms. Anderson was born on Lincoln Lane. She is against this Zone Change because the fenced area will inhibit views of wildlife. She doesn't want to look out her window into a storage unit complex. She is concerned with property values being lowered. Commissioner Mariska asked to point out where she lives and what area she irrigates.

**Chairman Wagner asked for a motion.**

Commissioner Boyett made a motion and Commissioner Larson seconded the motion to approve **Zone Change 956**.

**DISCUSSION**

Commissioner Boyett asked what can be built there now with the current zoning. 24 single family homes or 1 building with 40 units. Commissioner Larson feels this is an appropriate zoning for this area, at least the least impact to the roads and area.

<b>Commissioner</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAINED</b>	<b>ABSENT</b>
Dan Wagner	x			
Mike Boyett	x			
Dennis Ulvestad				x
Mike Larson	x			
James Mariska	x			

**The motion is approved with a verbal vote of 4-0.**

**Other Business:**

**There are no Agenda items for June 2017.**

**Adjournment:** The meeting adjourned at **4:58 p.m.**

**DRAFT: Approved by a motion: July 5, 2017**

**ATTEST:**

**Robbin Bartley, Administrative Assistant I**

