

## City of Billings Zoning Commission Meeting Minutes July 5, 2016

The City of Billings Zoning Commission met on Tuesday, July 5, 2016 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 July 25, 2016** at 6:30 p.m. in the City Council Chambers as the time and place to hear testimony for or against the zoning applications.

Commission and Staff		01/05/2016	02/02/2016	03/01/2016	04/05/2016	05/03/2016	06/07/2016	07/05/2016	08/02/2016	09/06/2016	10/04/2016	11/03/2016	12/06/2016
Dan Wagner	Chairman	1	1	-	1	1	1	1					
Dennis Ulvestad	Commissioner	1	1	-	1	1	1	1					
Mike Boyett	Vice Chairman	E	1	-	1	1	E	E					
Michael Larson	Commissioner	1	1	-	1	1	1	1					
James Mariska	Commissioner	1	1	-	1	1	1	1					
Candi Millar	Director, Planning & Community Services	-	-	-	-	-	-	-					
Wyeth Friday	Division Planning Manager	-	-	-	-	-	-	-					
Nicole Cromwell	Planner Zoning Coordinator	1	1	-	1	1	1	1					
Tammy Deines	Planning Clerk	-	-	-	-	-	-	-					
Dave Green	Planner II	1	-	-	-	-	-	-					
Karen Husman	Planner I	1	1	-	-	-	-	-					
Robbin Bartley	Administrative Support	1	1	-	1	1	1	1					

Total Number of 2016 Applications	01/05/2016	02/02/2016	03/01/2016	04/05/2016	05/03/2016	06/07/2016	07/05/2016	08/02/2016	09/06/2016	10/04/2016	11/03/2016	12/06/2016	TOTAL
Zone Change	1	0	-	1	0	0	1						3
Special Review	2	1	-	4	1	1	1						10

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

**In Attendance:**

Ralph Hanser, Scott Hanser, Bill Morgan, Jim Johnson, Cathy Coe, Patty (last name unknown)

**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: June 7, 2016**

Chairman Wagner called for approval of the June 7, 2016 meeting minutes.

**Motion**

Commissioner Michael Larson made a motion and Commissioner Dennis Ulvestad seconded the motion to approve the June 7, 2016 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.

Chairman Wagner called for disclosures of conflict of interest. There were none.

**Disclosure of Conflict of Interest**

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

Planning staff indicated an anonymous letter has been received regarding the 2 applications and is located in the ex parte binder.

**Disclosure of Outside Communication**

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

Chairman Wagner called for disclosure of ex parte communications. There were none.

**Public Hearings:**

Chairman Wagner reviewed the rules and the procedures by which the City Zoning Commission public hearings are conducted and advised the audience this would be heard by the City Council on July 25, 2016. He then asked Nicole Cromwell to review the first agenda item.

Nicole Cromwell presented:

**City Zone Change 947 – 505 & 521 S Billings Blvd** – A zone change from Residential 6,000 (R-60) to Controlled Industrial (CI) on the South 2 acres of the North 4 acres of Lot 5 in the SW1/4 of Section 9, Township 1 South, Range 26 East, a 2 acre parcel of land generally located at 505 and 521 S Billings Blvd. A pre-application neighborhood meeting was held on May 24, 2016 at 430 S Billings Blvd. Tax ID: D01753.

**RECOMMENDATION**

Planning staff recommends approval and adoption of the findings of the 3 criteria for **City Zone Change 947**.

**Discussion**

Commissioner Ulvestad asked about accesses. Chairman Wagner asked about the width of Newman Lane Commissioner Mariska asked if there was a previous right of way? Staff replied there are no right of ways on record. Commissioner Ulvestad asked if it is one way? Newman Lane is one-way traffic north of Ruth Lane.

Chairman Wagner asked for the applicant of **City Zone Change 947**.

**Ralph Hanser, 1565 Westridge Circle**

Mr. Hanser thanked the Commission and Planning Staff. He purchased the land and the homes may stay for a while. Hanser’s has been in business for 51 years. He stated he has 6 sons, 3 in business with Hanser’s. Mr. Hanser stated they have several places of business throughout Montana and a 5 million dollar yearly payroll with full benefits. Hanser’s employs 90-110 persons all the time. Revenue comes from outside Montana and in several counties in Montana and the dollars are recycled into our community.

Commissioner Ulvestad asked if he expects to go over the 50 percent generated by outside sources? Mr. Hanser stated he expects to happen and it is just the way the business is set up.

**Bill Morgan, Sanderson Stewart**

Mr. Morgan testified Hanser's operates under a Storm Water Pollution Plan (SWPP) to insure the storm water is safe. All fluids are drained and contained in basins. The Southwest Corridor Task Force gives their support regarding this request. There is room for necessary landscaping for aesthetic value.

Commissioner Larson asked about the elevations being changed. Are there any challenges? Mr. Morgan explained there may be some challenges but the city manhole installation will accommodate the elevations.

**Scott Hanser**

Mr. Hanser stated he operates the salvage business line for Hanser's. He stated the operation is very clean and conforms to the requirements of the Storm Water Pollution Plan (SWPP) to insure the storm water is safe. He stated all vehicles on the pick-a-part lot are drained of fluids and all storm water is contained in basins. He stated there are about 400 models of cars and trucks on the market now so keeping one vehicle for each model takes up a lot a space. He expects the expansion will not happen right away but it will operate in the same way as the existing yard.

**Opposed**

None

**Discussion**

None

Chairman Wagner asked for a motion.

Commissioner Larson made a motion and Commissioner Mariska seconded the motion to recommend approval and adoption of the findings of the 10 criteria for **City Zone Change #947**.

<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 carried with a unanimous verbal vote of 4-0.**

Nicole Cromwell presented:

**City Special Review 944 – 505 & 521 S Billings Blvd** – A special review request to locate a motor vehicle wrecking yard on the South 2 acres of the North 4 acres of Lot 5 in the SW1/4 of Section 9, Township 1 South, Range 26 East, a 2 acre parcel of land generally located at 505 and 521 S Billings Blvd. See Zone Change 947.

**RECOMMENDATION**

Planning staff recommends approval and adoption of the findings of the 3 criteria for **City Special Review 944**.

**Discussion**

Chairman Wagner asked for the applicant of **City Special Review 944**. Staff and the applicant had no further testimony of the special review use, as this was covered during the zone change presentation.

**Discussion**

Chairman Wagner asked for a motion.

Commissioner Larson made a motion and Commissioner Ulvestad seconded the motion to recommend conditional approval and adoption of the findings of the 3 criteria for **City Special Review 944**.

<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 carried with a unanimous verbal vote of 4-0.**

**Other Business:**

**Next meeting will be August 2, 2016.**

**Adjournment:** The meeting adjourned at **5:02 p.m.**

**DRAFT:** To be approved by a motion: **August 2, 2016.**

**ATTEST:**

**Robbin Bartley, Administrative Assistant I**

