

City of Billings Zoning Commission

Meeting Minutes October 3, 2017

The City of Billings Zoning Commission met on Wednesday, October 3, 2017 in the Miller Building 1st Floor Conference Room, 2825 3rd Avenue North, Billings, Montana.

Chairman Wagner called the meeting to order at 4:30 p.m. The City Council has designated Monday October 23, 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.

Commission and Staff		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
Dan Wagner	Chairman	1	-	-	1	1	-	1	1	-	1		
Dennis Ulvestad	Commissioner	1	-	-	1	A	-	1	1	-	1		
Mike Boyett	Vice Chairman	1	-	-	1	1	-	1	1	-	1		
Michael Larson	Commissioner	1	-	-	1	1	-	E	1	-	1		
James Mariska	Commissioner	1	-	-	1	1	-	1	1	-	1		
Wyeth Friday	Director, Planning & Community Services	-	-	-	1	-	-	-	-	-	-		
Monica Plecker	Division Planning Manager	-	-	-	-	-	-	-	1	-	1		
Nicole Cromwell	Planner Zoning Coordinator	1	-	-	E	1	-	1	1	-	-		
Tammy Deines	Planning Clerk	-	-	-	-	-	-	-	-	-	-		
Dave Green	Planner II	-	-	-	1	-	-	1	-	-	-		
Karen Husman	Planner I	-	-	-	-	-	-	-	-	-	1		
Robbin Bartley	Administrative Support	1	-	-	1	1	-	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		1	3					9
Special Review	1			3			1			1			6

Chairman Wagner introduced the Planning Division Staff and Commission: Attending Staff were Monica Plecker, Planning Division Manager, Karen Husman, Planner I; and Robbin Bartley, Administrative Support.

In Attendance: Kevin Howell

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: August 1, 2017

Chairman Wagner called for approval of the August 1, 2017 meeting minutes.

Motion

Commissioner Larson made a motion and Commissioner Boyett seconded the motion to approve the August 1, 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 5-0.

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 October 23, 2017. He then asked Karen Husman to review the first agenda item.

Karen Husman presented:

City Special Review 957 – 1235 West Wicks Lane – A special review request as provided in Section 27-620(d)1.a. to install a roof-top concealed wireless facility 9 feet above the existing roof parapet in a Residential 9,600 (R-96) zoning district on Lot 1A, Block 4, High Sierra Subdivision, 2nd Filing, a 14.356 acre parcel of land. The proposed concealed wireless antennae installation will be on the north edge of the existing church roof with an equipment enclosure located on the ground to the north of the existing storage shed behind the church building. Tax ID: A30251

RECOMMENDATION

The Planning Division recommends conditional approval based on the 3 criteria for special review:

1. The special review is limited to installation a roof-top concealed wireless facility 9 feet above the existing roof parapet in a Residential 9,600 (R-96) zoning district on Lot 1A, Block 4, High Sierra Subdivision, 2nd Filing, a 14.356-acre parcel of land. No other use is intended or implied.
2. Any back-up generator on site will use "whisper quiet" technology so adjacent land uses are not disturbed.
3. These conditions of special review approval shall run with the land described in this authorization and shall apply to all current and subsequent owners, operators, managers, lease holders, heirs and assigns.
4. The proposed development shall comply with all other limitations of Section 27-613 of the Unified Zoning Regulations concerning special review uses, and all other City of Billings regulations and ordinances that apply.

Questions for Staff:

NONE

CHAIRMAN WAGNER asked for the applicant of City Special Review 957.

Kevin Howell, agent for Verizon Wireless

Verizon has issues meeting the bandwidth needs of the area. The new sites being proposed serve approximately a 1 mile radius. These towers are becoming necessary infrastructure. High school and college areas are large consumers of bandwidth. This area sits on a high point geographically. The enclosure is fiberglass and painted to match. The height is 9 feet above the building height. 2-3000 people can be served with each tower. A 25 year lease will be entered into between Verizon and the Harvest Church.

OPPOSED

Annette Draper, 1702 High Sierra Blvd, Billings, MT

She is concerned with the privilege given regarding zoning to allow this commercial Verizon antenna. Why is this needed? How much is Harvest church being paid?

Staff replies to the Special Review request.

Rebuttal

The Verizon engineers have an obligation to anticipate the needs of the area. When the speeds are slower and dropped calls are occurring, more antennas are necessary. This tower will cost about \$250,000.00. It is located on the edge of town. Kevin Howell/Verizon approached Harvest Church with interest in the location. A market rate will be negotiated between Verizon and Harvest Church for the lease agreement.

Board member James Mariska talked about an area where no data was available. It is no longer a matter of convenience. It is now necessary infrastructure going forward as well as safety for citizens trying to get emergency help.

On a national basis, 50 percent of homes do not have a land line.

Board member Ulvestad agrees with how it affects everyone when the coverage is overloaded.

Chairman Wagner asked for a motion.

COMMISSIONER Boyett made a motion and COMMISSIONER Larson seconded the motion to approve **City Special Review 957**.

DISCUSSION

Commissioner	YES	NO	ABSTAINED	ABSENT
Dan Wagner	x			
Mike Boyett	x			
Dennis Ulvestad	x			
Mike Larson	x			
James Mariska	x			

The motion is approved with a verbal vote of 5-0.

Other Business: Invitation to Ethics Training.

Adjournment: The meeting adjourned at **5:00 p.m.**

DRAFT: To be approved by a motion: **November 7, 2017, request to change to November 8, 2017.**

ATTEST:

Robbin Bartley, Administrative Support I