

# CITY/COUNTY PLANNING BOARD

*“Serving Billings, Broadview and Yellowstone County”*

**Board Attendance Roster:** Please note: “E” stands for excused absence, “A” stands for un-excused absence, “1” stands for present. **BYLAWS, YELLOWSTONE COUNTY BOARD OF PLANNING, (Amended. May 25, 2004) Section 4. Absences and Removal A.** Each member shall inform the Planning Director at least one day before the meeting of his/her inability to attend a Board or Committee meeting. Such an absence shall be considered an excused absence. If any Board member accrues three (3) or more consecutive unexcused absences from regular meetings, notice of which has been given at his/her usual place of work or residence, or by announcement at a meeting attended by him/her, the President may call such absences to the attention of the Board which may then recommend to the appointing authority that such member be asked to resign and that another person be appointed to serve out the unexpired term. Schedule: (\*\* denotes a Wednesday meeting)

	Position	01/10/2017	01/24/2017	02/14/2017	02/28/2017	03/14/2017	03/28/2017	04/11/2017	04/25/2017	05/09/2017	05/23/2017	06/13/2017	6/27/2017	07/11/2017	7/25/2017	08/08/17	08/22/17	09/12/17	09/26/17	10/10/17	10/24/17	11/14/17	11/28/17	12/12/17
<b>Dave Goodridge</b>	Mayor/Billings Ward I	1		1	1	E	1	1	E	E	-	E	1	-	-	E	1	E	1					
<b>Vacant</b>	Mayor/Billings Ward II	-	-	-	-	-	-	-	-	-	-	-	-	-	-		-	-	-					
<b>LaVerne Bass</b>	Mayor/Billings Ward III	1	1	1	1	-	1	1	1	E	-	1	1	-	-	1	1	1	A					
<b>Darell Tunncliff</b>	Mayor/Billings Ward IV	1	1	1	1	1	1	1	1	1	-	1	1	-	-	1	1	1	1					
<b>Patrick Klugman</b>	Mayor/Billings Ward V	1	1	1	1	1	1	1	1	1	-	1	E	-	-	E	1	1	1					
<b>Troy Boucher</b>	YC District 1	-	1	E	E	E	E	1	1	1	-	1	1	-	-	E	1	E	1					
<b>Dennis Cook</b>	YC District 2	-	1	1	1	1	1	1	1	1	-	1	1	-	-	1	1	1	1					
<b>Vacant</b>	YC District 3	-	-	-	-	-	-	-	-	-	-	-	-	-	-		-	-	-					
<b>Vacant</b>	YC District 4	-	-	-	-	-	-	-	-	-	-	-	-	-	-		-	-	-					
<b>Woody Woods</b>	YC District 5	-	-	-	-	-	-	1	1	1	-	1	1	-	-	1	1	E	1					
<b>Vacant</b>	YC District 6	-	-	-	-	-	-	-	-	-	-	-	-	-	-		-	-	-					
<b>Francisco Saldivar</b>	YC District 7	1	1	1	1	1	1	1	1	E	-	1	1	-	-	E	E	1	1					
<b>Clint Peck</b>	Y County Cons. District	1	E	E	E	1	1	1	1	E	-	1	1	-	-	E	1	E	E					
<b>Scott Reiter</b>	<b>Ex-Officio SD2</b>		E	E	E	E	1	E	1	A	-	1	E	-	-	1	E	E	1					

# CITY/COUNTY PLANNING BOARD

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SEPTEMBER 26, 2017

*Approved by a motion on October 11, 2017*

## 1. Call the Meeting to Order

President Tunncliff called the meeting to order at 6:00 p.m. on Tuesday, September 26, 2017, in the Miller Building 1<sup>st</sup> Floor conference room, 2825 3<sup>rd</sup> Avenue North, Billings, Montana.

### **Introduction of Planning Board Members and Planning Department Staff**

President Tunncliff called for introductions of the members of the Planning Board and staff.

**Attending Planning staff members:** Dave Green, Planner II; Tammy Deines, Planning Clerk

**Others in Attendance:** Landy Leep; Mac Fogelsong, Sanderson Stewart; Gary Owen, Sanderson Stewart; Gary Oakland

### **Approval of the September 26, 2017 Agenda**

#### **Motion**

**Board member Klugman made a motion and Board member Cook seconded the motion to approve the September 26, 2017 agenda. The motion carried with a unanimous voice vote.**

## 3. Approval of Minutes: September 12, 2017

#### **Motion**

**Board member Klugman made a motion and Board member Saldivar seconded the motion to approve the September 12, 2017 meeting minutes as submitted. The motion carried with a unanimous voice vote.**

4. **Public Comment:** President Tunncliff asked if there was anyone wishing to speak during the public comment portion of the meeting. He stated any member of the public may be heard on any subject that is not on the agenda; the Planning Board will not take any action on these items at this time, but could choose to add an item to the next meeting agenda for discussion. There were no public comments.

### **5-6. Disclosure of Outside (Ex Parte) Communication– Board Members and Planning Staff.**

The Ex Parte Communication Binder is available at the Sign-In and Agenda station.

There were no Conflicts of Interest and no Ex Parte Communications reported by the Board.

## 7. OLD BUSINESS:

**7a. Public Hearing. Motion/Recommendation to BOCC. Westfield Warehouses, West King Commercial Park. County Major. West King Commercial Park LLC, Owner. EEC, agent. Dave Green, Planner II, presenting.**

In the absence of Ms. Plecker, Dave Green opened this agenda item with presentation of the staff report.

## CITY/COUNTY PLANNING BOARD

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### **INTRODUCTION**

On August 1, 2017, the Planning Division received a preliminary plat application for Northfield Warehouses, a major subdivision contemplating condominiums. The development is described as Lots 20, 21, 22 & 23, Block 1, West King Commercial Park Subdivision. The property is not within the County zoning jurisdiction and condominium development was not originally contemplated with the subdivision, therefore, in accordance with Chapter 8 of the County Subdivision Regulations, this condominium development must be reviewed as a Major Subdivision. The proposed plat creates 24 commercial storage units consisting of 6 units per lot. The subject property is generally located north of King Avenue West and West of South 64th Street West. Access will be provided by Western Way and Black Hawk Drive. An existing 30,000-gallon dry hydrant is located within ½ road mile from the proposed development. The Yellowstone County Board of Planning will conduct a public hearing at this meeting and make a recommendation on the preliminary plat to the Board of County Commissioners. The Board of County Commissioners will act on the proposal on October 17, 2017.

### **RECOMMENDATION**

Staff recommends, the Planning Board recommend, the Yellowstone County Board of County Commissioners conditionally approve the preliminary plat of Northfield Warehouses, being Lots, 20, 21, 22 & 23, Block 1, West King Commercial Park Subdivision, and adopt the Findings of Fact as presented in the staff report.

Planning staff recommends the following conditions of approval:

1. To minimize the effects on the natural environment, prior to final plat approval the applicant will obtain approval from the MDEQ for the proposed wells, septic systems and storm water management.
2. To ensure the placement of easements for private utility providers, prior to final plat approval the applicant will coordinate with private utility companies to provide needed easements within the proposed subdivision.
3. Minor changes may be made in the SIA and final documents, as requested by the Planning and/or Public Works Departments to clarify the documents and bring them into the standard acceptable format.
4. The final plat shall comply with all requirements of the County Subdivision Regulations, rules, regulations, policies, and resolutions of the Yellowstone County, and the laws and Administrative Rules of the State of Montana.

### **Discussion**

Patrick Klugman noted this is the 2nd Filing of this Subdivision and asked if there will be further development of storage units. Dave Green responded it is possible to see another development of this type in this area.

## CITY/COUNTY PLANNING BOARD

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### **Public Hearing**

President Tunncliff opened the public hearing and asked if there is anyone wishing to speak in favor of the Westfield Warehouse/West King Commercial Park Subdivision. There was none. President Tunncliff closed the public hearing and called for a motion.

### **Motion**

**Board member Cook made a motion and it was seconded by Board member Boucher to recommend that the Yellowstone County Board of County Commissioners conditionally approve the preliminary plat of Northfield Warehouses, being Lots, 20, 21, 22 & 23, Block 1, West King Commercial Park Subdivision, and adopt the Findings of Fact as presented in the staff report. The motion carried with a unanimous voice vote.**

### **7b. Public Hearing. Motion/Recommendation to City Council. Copper Ridge Subdivision, 7<sup>th</sup> Filing. County Major. Dave Green, Planner II, presenting.**

Planner Dave Green opened this agenda item with presentation of the staff report. He noted the applicant has requested a 30-day extension/delay in order to submit a revised application that includes additional lots to this filing to make it more economically viable. Staff will return with the revised application on Wednesday, October 11, 2017 and follow with a public hearing on October 24, 2017.

### **INTRODUCTION**

On August 1, 2017, Sanderson Stewart, agent for Gary Oakland and Marvin Hessler, owners, applied for preliminary major plat approval for Copper Ridge Subdivision, 7th Filing. The proposed subdivision creates 58 new lots for single-family residential development. The subject property is generally located on the north side of Rimrock Road, east of 70th Street West, and west of the existing Copper Ridge Subdivision. Four large parcels of this filing are west of 70th Street West. The property is zoned Residential-7000 (R-70) and Residential-5000 (R-50). The Yellowstone County Board of Planning will conduct a public hearing at this meeting and make a recommendation to the City Council for action on the preliminary plat.

### **RECOMMENDATION**

Staff recommends that the Planning Board recommend granting the 30-day extension requested by the applicant to allow a revised application for this parcel to include additional lots and make it more economically viable.

### **Discussion**

President Tunncliff called for discussion and questions from the members of the Board. Per Board member Saldivar's request, Planner Green clarified and stated the staff recommendation is to approve granting the request for a 30-day extension of the review period.

## CITY/COUNTY PLANNING BOARD

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### **Public Hearing**

President Tunncliff opened the public hearing and asked if there is anyone wishing to speak in favor or against Copper Ridge Subdivision, 7th Filing.

### **Gary Oakland, 127 N 27th Street, Billings, Montana**

Mr. Oakland is the property owner and developer. . Mr. Oakland pointed out the Master Plan for this project. He said they are requesting a 30-day delay as with the current proposal, bringing in the infrastructure and allocating the cost over a smaller number of lots is not economically viable. He also stated there is a demand for additional housing and they wish to have enough inventory. He feels the revised proposal for 85 buildable lots will be a more efficient way of presenting this application. He pointed out the Master Plan detention areas that will be grassed and landscaped. There is a 4.5-acre park in the center of the plan and a walking trail system that will work throughout the parcel. The lots are a minimum of 7,000 square feet. He noted that 70th Street will be widened due to a contractual agreement with Staley farms.

In response to question by Board member Woods, Mr. Oakland stated the revised plat will include an additional 32 lots plus the retention area, which will create a remainder. Board member Saldivar asked for clarification on the economic effects on the development due to the infrastructure costs. Mr. Oakland explained that it is primarily due to the cost of bringing the water and sewer mains in the off-site infrastructure on Rimrock Road. He stated the development is difficult to amortize with the initially proposed 53 lots but the proposed layout will make everything less expensive on a per lot basis.

Board member Saldivar asked when the 4-acre park will be built. Mr. Oakland stated they will donate a fully functional landscaped park to the City, similar to the adjacent filing's "Town Square". He projected a 3-year construction time frame for the park. Board member Goodrich asked if there is any thought that 70th Street West should be widened in the future. Dave Green commented that at this time, 70th Street West has not been identified in the Transportation plan but is under consideration to be included for the next update. President Tunncliff asked if there are mitigation requirements to mitigate safety issues when property adjoins an active railroad. Mr. Oakland stated they installed a 6-foot solid fence across the subdivision along the grade that goes up to the tracks to address safety issues. President Tunncliff asked how this development mitigates the pedestrian safety issues on Rimrock Road? Mr. Oakland pointed out the open space facing Rimrock Road and said they have opened the project and faced it to the street, and there is no through traffic. President Tunncliff asked what the traffic pattern is for Ben Steele Middle School Students traveling from this subdivision. Mr. Oakland deferred this question to the engineer.

## CITY/COUNTY PLANNING BOARD

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### **Mac Fogelsong, Sanderson Stewart, 1300 N Transtech Way, Billings, Montana**

Mr. Fogelsong said the route to the school will be from 62nd Street West to Grand Avenue and he noted a pedestrian path that goes from Molt Road westward. He commented on future upgrades MDT is considering for the 62<sup>nd</sup> Street West intersection.

President Tunncliff opened the Public Hearing and asked if there is anyone present wishing to speak in favor or against Copper Ridge Subdivision. There was none. President Tunncliff closed the public hearing at 6:33 p.m. and called for a motion.

### **Motion**

**Board member Goodrich made a motion and it was seconded by Board member Cook to recommend granting the 30-day extension requested by the applicant to allow a revised application for this parcel to include additional lots and make it more economically viable. The revised application will be presented at the Wednesday, October 11, 2017 Planning Board meeting. The motion carried with a unanimous voice vote.**

## **9. OTHER BUSINESS/ANNOUNCEMENTS**

- **"Project Re-Code", Zoning Code Update Steering Committee Meeting- 3:30 pm-5:00 pm, September 27, 2017, Granite Tower, 1<sup>st</sup> Floor Conference Room, 222 N 32nd Street-**
- **Re-scheduled Special Joint meeting with Parks Board Wednesday, October 18, 2017. Draft Comprehensive Parks Plan. 11:00 a.m. at the City Parks Department conference room.** This will be advertised as a special meeting.
- **Special Meeting. Ethics Training for Boards and Commissions. Wednesday, October 18, 2017, 4:00-6:00 pm Billings Community Center** This is a training session for members of City and County Board and Commission members. City Council members and the YC Commissioners will be invited to attend. The Local Government Center will be presenting along with City and County Legal staff.

**ADJOURNMENT:** 6:45 p.m.

Approved by a motion on October 11, 2017

