

City of Billings Zoning Commission Meeting Minutes July 10, 2018

The City of Billings Zoning Commission met on Tuesday, July 10, 2018 in the Miller Building 1st Floor Conference Room, 2825 3rd Avenue North, Billings, Montana.

Chairman Wagner called the meeting to order at 4:00 p.m. The City Council has designated **Monday August 13, 2018** 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		01/03/2018	02/06/2018	03/06/2018	04/03/2018	05/01/2018	06/05/2018	07/10/2018	08/07/2018	09/04/2018	10/02/2018	11/06/2018	12/04/2018
Dan Wagner	Chairman	1	1	1	1	1	1	1					
Dennis Ulvestad	Commissioner	1	1	E	1	1	1	A					
Mike Boyett	Vice Chairman	1	1	1	1	1	E	1					
Michael Larson	Commissioner	1	1	1	E	1	1	1					
James Mariska	Commissioner	1	1	1	1	E	1	1					
Wyeth Friday	Director, Planning & Community Services	-	-	-	-	-	-	-					
Monica Plecker	Division Planning Manager	-	-	-	1	1	-	-					
Nicole Cromwell	Planner Zoning Coordinator	1	1	1	1	1	1	1					
Tammy Deines	Planning Clerk	-	-	1	1	-	-	-					
Dave Green	Planner II	-	-	-	-	-	-	-					
Karen Husman	Planner I	-	1	1	1	-	1	1					
Robbin Bartley	Administrative Support	1	1	-	-	1	1	1					

Total Number of 2018 Applications	01/03/2018	02/06/2018	03/06/2018	04/03/2018	05/01/2018	06/05/2018	07/10/2018	08/07/2018	09/04/2018	10/02/2018	11/06/2018	12/04/2018	TOTAL
Zone Change	2		1	2	0-R	2	2						9
Special Review	1	1	1	1	0	3	0						7

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

In Attendance:

Public Comment

Chairman Wagner called for public comments.

Chairman Wagner closed the public comment portion of the meeting.

Approval of Minutes May 1, 2018

Chairman Wagner called for approval of the June 5, 2018 meeting minutes.

Motion

Commissioner Larson made a motion and Commissioner Boyett seconded the motion to approve the June 5, 2018 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		

Disclosure of Outside Communication

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

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 June 25, 2018. He then asked Nicole Cromwell to review the first agenda item.

Nicole Cromwell presented:

City Zone Change 969 – 2226 Virginia Lane – R-96 to R-60-R – A zone change request from Residential 9,600 (R-96) to Residential 6,000 Restricted (R-60-R) on the un-platted 125 foot by 300 foot Northeast Corner in the SESE NE4 of Section 31, Township 1 North, Range 26 East, a 37,500 square foot parcel of land generally located on the south west corner of the intersection of O’Malley Drive and Virginia Lane. Tax ID: D05736

RECOMMENDATION – Applicant is requesting the application be withdrawn

Questions for Staff:

Chair Wagner - Why was the application withdrawn? Staff explained a valid protest had been achieved against the Zone Change on June 27, 2018. Also 12 or so letters of protest against the Zone Change have been received. Chair Wagner asked if the applicant would come back, staff indicated it is not likely.

In favor

NONE

Opposed

NONE

REBUTTAL

Public Hearing - NONE

Discussion

Chairman Wagner asked for a motion.

Commissioner Larson made a motion and Commissioner Boyett seconded the motion to approve **Withdrawal of City Zone Change 969.**

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

The motion to withdraw carried with a unanimous verbal vote to approve, 4-0.

Karen Husman presented:

City Zone Change 968 – 1041, 1043, 1043 ½ , 1045, 1045 ½ , 1047 N 24th Street and 2316, 2316 ½ and 2320 11th Ave N – R-70 to RMF-R – A zone change request from Residential 7,000 (R-70) to Residential Multi-family-Restricted (RMF-R) on the North 100 feet of Lot 2, Block 8, Sunnyside Subdivision 2nd Filing, a 14,000 square foot parcel of land generally located on the south east corner of the intersection of N 24th Street and 11th Avenue North. Tax IDs: A16401 & A16402

RECOMMENDATION

Planning staff is recommending approval based on the findings of the 10 review criteria as required by BMCC 27-1502 for Zone Change 968.

Questions for Staff:

Commissioner Boyett asked if the 4 plex structure burnt down it could it be rebuilt only as a duplex? Staff replied affirmatively.

Ken Peterson, agent

We held the neighborhood meeting May 10, 2018, no one attended. The applicant has great difficulty getting building permits for improvements with the current zoning.

In favor

NONE

Opposed

NONE

REBUTTAL

NONE

Public Hearing was closed at 4:13 pm.

Discussion

Chairman Wagner asked for a motion.

Commissioner Boyett made a motion and Commissioner Larson seconded the motion to approve **City Zone Change 968.**

The motion carried with a unanimous verbal vote to approve, 4-0.

Other Business:

The next meeting will be August 7, 2018.

Adjournment: The meeting adjourned at **4:15 p.m.**

DRAFT: To be approved by a motion **August 7, 2018.**

ATTEST: Robbin Bartley, Administrative Support