

City of Billings Zoning Commission Meeting Minutes February 5, 2019

The City of Billings Zoning Commission met on Tuesday, February 5, 2019 in the Miller Building 1st Floor Conference Room, 2825 3rd Avenue North, Billings, Montana.

Pro Tem Chairman Larson called the meeting to order at 4:30 p.m. The City Council has designated Monday, February 25, 2019 at 5:30 p.m. in the City Council Chambers as the time and place to hear testimony for or against the zoning applications.

Commission and Staff		01/03/2019	02/05/2019	03/05/2019	04/02/2019	05/07/2019	06/04/2019	07/02/2019	08/06/2019	09/03/2019	10/01/2019	11/05/2019	12/03/2019
Dan Wagner	Chairman	-	E										
Dennis Ulvestad	Commissioner	-	1										
Mike Boyett	Vice Chairman	-	E										
Michael Larson	Commissioner	-	1										
James Mariska	Commissioner	-	1										
Wyeth Friday	Director, Planning & Community Services	-	-										
Monica Plecker	Division Planning Manager	-	-										
Nicole Cromwell	Planner Zoning Coordinator	-	1										
Tammy Deines	Planning Clerk	-	1										
Dave Green	Planner II	-	-										
Karen Husman	Planner I	-	1										
Robbin Bartley	Administrative Support	-	-										

Total Number of 2019 Applications	01/03/2019	02/05/2019	03/05/2019	04/02/2019	05/07/2019	06/04/2019	07/02/2019	08/06/2019	09/03/2019	10/01/2019	11/05/2019	12/03/2019	TOTAL
Zone Change	0	-											
Special Review	0	1											

Pro Tem Chairman Larson introduced the Planning Division Staff and Commission: Attending Staff were Nicole Cromwell, Zoning Coordinator, Karen Husman, Planner I, and Tammy Deines, Planning Clerk

In Attendance: Brett Donaldson, LDS Church; Bill Morgan, Sanderson Stewart

Public Comment

Pro Tem Chairman Larson called for public comments. There were no public comments
Pro Tem Chairman Larson closed the public comment portion of the meeting.

Approval of Minutes: December 4, 2018. (The January 8, 2019 meeting was canceled).

Pro Tem Chairman Larson called for approval of the December 4, 2018 meeting minutes.

Motion

Commissioner Mariska made a motion and Commissioner Ulvestad seconded the motion to approve the December 4, 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 3-0.

Pro Tem Chairman Larson called for disclosures of conflict of interest. There was 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		

Nicole Cromwell advised the board and attendees of the 3-ring binder containing Public Comments received prior to the staff report.

Public Hearings:

Pro Tem Chairman Larson 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 February 25, 2019.

Item #1

Nicole Cromwell read aloud the legal notice for this application:

City Special Review 973 – 3548 Rachele Circle – Expansion of an Existing Parking for the LDS Church – A special review request to allow the expansion of an existing church parking lot, on Lot 1C, Block 6 of Parkland West Subdivision, 1st Filing, a 3.15 acre parcel of land. The expanded parking area will be about 27,000 square feet in area and includes new landscaping and fencing. Tax ID: A29915

Planner Karen Husman presenting:

REQUEST

Special Review #973- 3548 Rachele Circle - This is a special review request to allow the expansion of an existing church parking lot on Lot 1C, Block 6, of Parkland West Subdivision, 1st Filing, a 3.15 acre parcel of land. The expanded parking area will be about 27,000 square feet in area and includes new landscaping and fencing. Tax ID: A29915. Presented by: Karen Husman, Planner I.

RECOMMENDATION

The Planning Division is recommending conditional approval.

PROPOSED CONDITIONS:

1. The special review is limited to Lot 1C, Block 6 of Parkland West Subdivision, 1st Filing.
2. The special review approval is to allow the expansion of an existing parking lot generally located at 3548 Rachele Circle. No other use is intended or implied.
3. The site will be developed in conformance with all applicable zoning and site development regulations.
4. No construction shall take place before 7 am or after 8 pm.
5. The applicant will install and maintain the landscaping as shown on the submitted site plan.
6. The proposed development shall comply with all other limitations of Section 27-613 of the Zoning Regulations concerning special review uses, and all other City of Billings, regulations and ordinances that apply.
7. 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.

Discussion

Pro Tem Chairman Larson called for questions and discussion from the Board. There was none.

Public Hearing

Pro Tem Chairman Larson opened the public hearing and asked for anyone wishing to speak in favor or against City Special Review #973.

Bill Morgan, Sanderson Stewart, 1300 N Transtech Way, Billings, Montana 59102

Mr. Morgan is representing the LDS church. He introduced Bret Donaldson, Project Manager, for LDS sites within the City of Billings. Mr. Morgan stated no expansion of the church building is planned but they wish to expand the parking area due to the increased attendance at this facility. He pointed out the proposed landscaping buffer and black chain link fencing on the site map. He noted the easement provided for access to the adjacent parcel.

Discussion

Pro Tem Chairman Larson called for question and discussion from the Commission members. Commissioner Ulvestad asked for clarification of the church parcel property lines and if the church owns adjacent properties. Bill Morgan pointed out the property boundaries on the site map and stated the property to the east is platted as R-9600 for residential housing. There is a proposed public alleyway platted with an easement to Rachele Circle. Mr. Morgan clarified the access points for Commissioner Mariska and noted the existing entrance on Rachele Circle. He said the church owns Lot 1C to the east, which is planned for an athletic field. Mr. Morgan explained if there were plans to expand by more than ten percent, the applicant would have to return to the Zoning Commission for review. Mr. Morgan said the church plans to sell Lot 1A to a developer for residential development who will be responsible for the Rachele Circle improvements. Commissioner Mariska noted the easement for the multi-use bike-pedestrian path and asked if there will be barriers to stop vehicle traffic. Mr. Morgan said bollards might be used to prohibit vehicle traffic. As for the lighting, Mr. Morgan said the proposal is to match the existing low lighting standards and locate them along the eastern boundary of the property lot, facing inward. He commented on the existing pavilion said the landscaping which will be maintained as a part of this development. The easement is dedicated for a bike-pedestrian path and will be constructed at the time of development of Lot 1A. Construction and maintenance will be the responsibility of the new property owner.

Bret Donaldson, 1711 6th Street West, Billings, Montana, (Applicant)

Mr. Donaldson thanked staff for the favorable recommendation of this application and for the Zoning Commission's consideration of this request. Commissioner Mariska noted the applicable zoning history listed in the staff report. Mr. Donaldson explained the reasoning for this request is due to the increase in attendance and its designation as a stake center. The facility will be used for occasional events and meetings, which increases the need for additional parking. Commissioner Mariska asked if additional parking would be needed at the church facilities located on Belvedere, Rimrock Road, and 6th Street West. Mr. Donaldson explained the existing use of the buildings and there is no need for expansion at this time. Commissioner Mariska commented the Zoning Commission has considered several requests for expansion of parking lots; and in some cases, the approvals have created islands. He feels that growth is "eating up" residential properties that may not have planned for parking. Mr. Donaldson stated they try to be a good neighbor and Commissioner Mariska concurred with his statement, as this has been his experience with a neighboring church.

At 4:51 p.m., Pro Tem Larson asked if there is anyone else wishing to speak in favor or against City Special Review #973. There was none. Pro Tem Larson called for a motion.

Motion

Commissioner Ulvestad made a motion and Commissioner Mariska seconded the motion to forward a recommendation to City Council to conditionally approve with the conditions recommended by staff and adopt the findings of the three criterion for City Special Review #973

Discussion

Commissioner Mariska voiced concern with the potential for addition of more and more asphalt in neighborhoods that in some cases is not used. He stressed the need to have a balance without creating islands with parking lots. Zoning Coordinator Cromwell spoke regarding the reincorporation of parking requirements into the zoning code through Project ReCode. She explained the lot area calculation is based on an old formula that considers square footage but not the property use. Commissioner Mariska asked Mr. Donaldson what the alternative would be for this facility if this request were is denied. Mr. Donaldson responded he is unsure but in that case there may be more parking on the streets. He said the building could accommodate the attendees but there are not enough available parking spaces.

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

The motion carried with a 3-0 vote. The City Council has designated **Monday, February 25, 2019** at **5:30** p.m. in the City Council Chambers as the time and place to hear testimony for or against the zoning applications.

Other Business

A. The next City Zoning Commission meeting will be held on Tuesday, March 5, 2019 and the Commission will hear one application.

Adjournment: The meeting adjourned at 5:40 p.m.

ATTEST: DRAFT to be approved by a motion March 5, 2019
Tamara L. Deines, Planning Clerk