

City of Billings Zoning Commission Meeting Minutes March 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.

Chairman Wagner called the meeting to order at 4:30 p.m. The City Council has designated **Monday, March 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		0	0	0	0	0	0	0	0	0	1	1	1
		1	2	3	4	5	6	7	8	9	0	1	2
		/	/	/	/	/	/	/	/	/	/	/	/
		0	0	0	0	0	0	0	0	0	0	0	0
		3	5	5	2	7	4	2	6	3	1	5	3
		/	/	/	/	/	/	/	/	/	/	/	/
		2	2	2	2	2	2	2	2	2	2	2	2
		0	0	0	0	0	0	0	0	0	0	0	0
		1	1	1	1	1	1	1	1	1	1	1	1
		9	9	9	9	9	9	9	9	9	9	9	9
Dan Wagner	Chairman	-	E	1	-								
Dennis Ulvestad	Commissioner	-	1	1	-								
Mike Boyett	Vice Chairman	-	E	1	-								
Michael Larson	Commissioner	-	1	1	-								
James Mariska	Commissioner	-	1	1	-								
Wyeth Friday	Director, Planning & Community Services	-	-	-	-								
Monica Plecker	Division Planning Manager	-	-	-	-								
Nicole Cromwell	Planner Zoning Coordinator	-	1	1	-								
Tammy Deines	Planning Clerk	-	1	-	-								
Dave Green	Planner II	-	-	-	-								
Karen Husman	Planner I	-	1	1	-								
Robbin Bartley	Administrative Support	-	-	1	-								

Total Number of 2019 Applications	0	0	0	0	0	0	0	0	0	1	1	1	T O T A L
	1	2	3	4	5	6	7	8	9	0	1	2	
	/	/	/	/	/	/	/	/	/	/	/	/	
	0	0	0	0	0	0	0	0	0	0	0	0	
	3	5	5	2	7	4	2	6	3	1	5	3	
	/	/	/	/	/	/	/	/	/	/	/	/	
	2	2	2	2	2	2	2	2	2	2	2	2	
	0	0	0	0	0	0	0	0	0	0	0	0	
	1	1	1	1	1	1	1	1	1	1	1	1	
9	9	9	9	9	9	9	9	9	9	9	9		
Zone Change	0	-	-	-									
Special Review	0	1	1	-									2

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: Jason McGimpsey, Shane Walle, David Trost, Bill Morgan

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: February 5, 2019.

Chairman Wagner called for approval of the February 5, 2019 meeting minutes.

Motion

Commissioner Larson made a motion and Commissioner Boyett seconded the motion to approve the February 5, 2019 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 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:

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 March 25, 2019.

Item #1

Nicole Cromwell read aloud the legal notice for this application:

City Special Review 974 - 3940 Rimrock Road – A special review request to allow expansion and reconfiguration of an existing senior living facility by more than 10% of gross floor area, per **Section 27-613.c BMCC**. The construction will be renovating and reconfiguring an existing wing from 15,072 square feet of gross floor area, to 30,700 square feet of gross floor area, and from 37 existing dwelling units to 56 dwelling units in Wing 2, on Tract A4 of C/S 369, 5th Amendment, a 9.078 acre parcel of land. Tax ID: D04710

Planner Karen Husman presenting:

RECOMMENDATION

The Planning Division recommends conditional approval, with the following conditions:

1. The special review is limited to Tract A4 of C/S 369, 5th Amendment, a 9.078 acre parcel of land.
2. The special review approval is to allow the expansion and reconfiguration of an existing senior living facility by more than 10% of gross floor area, per Section 27-613.c BMCC. The construction will be renovating and reconfiguring an existing wing from 15,072 square feet of gross floor area, to 30,700 square feet of gross floor area, and from 37 existing dwelling units to 56 dwelling units in Wing 2, generally located at 3940 Rimrock Road. No other use is intended or implied.
3. The site will be developed in conformance with all applicable zoning and site development regulations, and substantial conformance to the submitted site plan.
4. No construction shall take place before 7 am or after 8 pm.
5. The development will preserve and maintain the landscaping as shown on the submitted site plan, and will make significant effort to preserve existing mature trees.
6. The proposed development shall comply with all other limitations of Section 27-613 of the Zoning Regulations concerning special review uses and Section 27-1400 (Shiloh Corridor Overlay District), 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.

****NOTE** Approval of this Special Review does not constitute approval of a building permit, sign permit or fence permit. Compliance with all applicable local codes will be reviewed at the building permit or zoning compliance permit level. This application is for a Special Review as noted above and no other request is being considered with this application. The use and development of the property must be in accordance with the submitted site plan.**

Discussion

Chairman Wagner called for questions and discussion from the Board. There were none.

Public Hearing

Chairman Wagner opened the public hearing and asked for anyone wishing to speak in favor or against **City Special Review #974**.

David Trost, 4351 Ridgewood Lane South, Billings, MT

Mr. Trost is proud to present Chapel Court Apartments. This new structure will replace an original independent living area that was built 55 years ago. This is being built with Federal funds. The project is restricted to senior citizens with independent living capabilities. Residents that are

currently being displaced will return to the new structure. We hope to have it complete to double the living space of the displaced residents. RNTF is supporting this project.

Commissioner Ulvestad asked what is the building to the east. The building to the east is Mission Ridge. He then asked if the residents at Mission Ridge will be living in Chapel Court. If they apply and qualify, residents are eligible

Vice Chair Boyett asked for the estimated completion date-Late fall of 2020.

Chairman Wagner asked why April 1st was chosen for a demolition date. Due to weather constraints.

Commissioner Mariska asked if there will be fewer units? We are only renovating 1 wing, there will be 57 new units.

Opposed - NONE

Discussion

Motion

Commissioner Larson made a motion and Commissioner Boyett 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 #974.

Discussion

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 5-0 vote. The City Council has designated **Monday, March 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. There will not be a meeting in April.

Nominations for Chairman 2019 –

Commissioner Boyett nominated Commissioner Wagner for Chairman.

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

Nominations for Vice Chairman 2019 –

Chairman Wagner nominated Commissioner Larson.

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

Adjournment: The meeting adjourned at 5:47 p.m.

ATTEST: APPROVED by a motion May 7, 2019.

