

## City of Billings Zoning Commission Meeting Minutes January 5, 2021

The City of Billings Zoning Commission met on Tuesday, January 5, 2021 at 4:30 p.m in a Virtual Zoom meeting,

Chairman Larson called the meeting to order at 4:30 p.m. The City Council has designated **Monday, January 25, 2021** 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
		5	2	2	6	4	1	6	3	4	5	2	7
		/	/	/	/	/	/	/	/	/	/	/	/
		2	2	2	2	2	2	2	2	2	2	2	2
		0	0	0	0	0	0	0	0	0	0	0	0
		2	2	2	2	2	2	2	2	2	2	2	2
		1	1	1	1	1	1	1	1	1	1	1	1
Mike Larson	Chairman	1											
Daniel J. Brooks	Commissioner	1											
Jack King	Commissioner	1											
Greg McCall	Vice Chairman	E											
Trina White	Commissioner	1											
Wyeth Friday	Director, Planning & Community Services	-											
Monica Plecker	Division Planning Manager	-											
Nicole Cromwell	Planner Zoning Coordinator	1											
Tammy Deines	Planning Clerk	-											
Dave Green	Planner II	-											
Karen Husman	Planner I	1											
Robbin Bartley	Administrative Support	1											

Total Number of 2021 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	
	5	2	2	6	4	1	6	3	4	5	2	7	
	/	/	/	/	/	/	/	/	/	/	/	/	
	2	2	2	2	2	2	2	2	2	2	2	2	
	0	0	0	0	0	0	0	0	0	0	0	0	
	2	2	2	2	2	2	2	2	2	2	2	2	
	1	1	1	1	1	1	1	1	1	1	1	1	
Zone Change	-												
Special Review	2											2	

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

**In Attendance :**

**Public Comment**

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

**Approval of Minutes:**

**Chairman Larson** called for approval of the October 6, 2020 meeting minutes.

**Motion**

Commissioner Brooks made a motion and Commissioner White seconded the motion to approve the October 6, 2020 meeting minutes.

COMMISSIONER	Yes	No	ABSTAINED	ABSENT
Mike Larson	X			
Daniel J. Brooks	X			
Jack King	X			
Greg McCall				X
Trina White	X			

**The motion for approval then carried with a unanimous voice vote 4-0.**

**Disclosure of Conflict of Interest**

<b>COMMISSIONER</b>	<b>Yes</b>	<b>No</b>	<b>ABSTAINED</b>	<b>ABSENT</b>
Mike Larson		X		
Daniel J. Brooks		X		
Jack King		X		
Greg McCall				X
Trina White		X		

**Disclosure of Outside Communication**

<b>COMMISSIONER</b>	<b>Yes</b>	<b>No</b>	<b>ABSTAINED</b>	<b>ABSENT</b>
Mike Larson		X		
Daniel J. Brooks		X		
Jack King		X		
Greg McCall				X
Trina White		X		

**Public Hearings:**

Nicole Cromwell reviewed the rules and the procedures by which the City Zoning Commission public hearings are conducted and advised the audience this would be heard by the City Council on January 25, 2021.

Applicant or agent for Special Review 988 had not yet joined the meeting, therefore, Chairman Larson revised the hearing order. Special Review 989 was heard first.

**Item #2**

Nicole Cromwell read aloud the legal notice for this application:

**City Special Review – 989 – 3189 King Ave. W. – For An all Beverage License with Gaming and allow outdoor seating** – A special review request to allow an all beverage liquor license with gaming, and to allow outdoor seating for a 2,500 square foot tenant space within a 7,913 multi-

tenant building, in a Community Commercial (CC) zone, on Block 17A, Lot 2, Lampman Sub., a 39,907 square foot parcel of land. Tax ID: C07979

**Recommendation**

The Planning Division recommends conditional approval, per Section 27-1503, based on the criteria for Special Review, with the following conditions:

1. For an all beverage license with gaming into 2,500 square foot unit in the existing building, addition of an outdoor patio, at 3189 King Avenue West, Block 17, Lot 2, Lampman Subdivision,. No other use is intended or implied.
2. No outdoor music or outdoor public announcement systems will be allowed with this application.
3. Lighting on the building or parking lot shall have full cut-off shields
4. Lighting of signs shall be as allowed within the City Sign Code in place at the time of sign permit application.
5. Comply with all other city codes that may apply to expansion and use of the building and outdoor seating.
6. All other limitations shall apply.

**Questions for staff:**

**Public Hearing** Chairman Larson opened the public hearing at 4:40PM and asked for anyone wishing to speak in favor or against **City Special Review 989**.

**Applicant: Josh Benson, Agent**

It is a small patio area, not busy and without music. He invisions it as being a summertime pizza and beverage area for Pie Guys, as their table space is limited.

**Favor:** None

**Opposed:** None

**Rebuttal:** None

Public Hearing CLOSED at 4:53PM

**Discussion**

Chairman Larson called for questions and discussion from the Board.

**Motion**

**Commissioner White made a motion and Commissioner Brooks seconded the motion to approve City Special Review 989 with Staff recommendations.**

COMMISSIONER	Yes	No	ABSTAINED	ABSENT
Mike Larson	X			
Daniel J. Brooks	X			
Jack King	X			
Greg McCall				X
Trina White	X			

**The Motion carried to approve City Special Review 989 with a 4-0 vote.**

**Item #1**

Nicole Cromwell read aloud the legal notice for this application:

**City Special Review 988 – 2499 Gabel Road - Relocation of an all Beverage License with Gaming** – A special review request to allow an existing all beverage liquor license to relocate to 2499 Gabel Road, a 3,128 square foot building, on Block 4, Lot 3, Cenex Park Sub., an 68,520 square foot parcel of land. Tax ID: A26159

**Recommendation**

The Planning Division recommends conditional approval, per Section 27-1503, based on the criteria for Special Review, with the following conditions:

1. Approval is for an existing all beverage liquor license to relocate to 2499 Gabel Road No other use is intended or implied.
2. No outdoor seating, music or announcement systems
3. New exterior & parking lot lighting shall have full cut-off shields.
4. The applicant will comply with all other codes that may apply.
5. These conditions shall run with the land described.

**Questions for staff:**

Chairman Larson opened the Public hearing at 4:59PM

**Applicant: Scott Hurd, Attorney, 3936 Ave B, Suite C, Billings, MT 59102**

Available for questions.

**Favor:** None

**Opposed:** None

**Rebuttal:** None

Public Hearing CLOSED at 5:00PM

**Discussion**

Chairman Larson called for questions and discussion from the Board.

**Motion**

**Commissioner Brooks made a motion and Commissioner King seconded the motion to approve City Special Review 988 with staff recommendations.**

<b>COMMISSIONER</b>	<b>Yes</b>	<b>No</b>	<b>ABSTAINED</b>	<b>ABSENT</b>
Mike Larson	X			
Daniel J. Brooks	X			
Jack King	X			
Greg McCall				X
Trina White	X			

**The Motion to approve of City Special Review 988 carried with a 4-0 vote.**

**Other Business:** 2 Zone Changes will be heard February 2, 2021. Staff is predicting a long meeting. New IPADS for each Commissioner will be distributed this month to facilitate meeting attendance and staff review packets, eliminating the paper mailing. We are waiting a State directive to resume public meetings going forward.

**Adjournment:** The meeting adjourned at 5:04PM.

**ATTEST:** To be Approved by a motion at the next scheduled meeting.