

## City of Billings Zoning Commission Meeting Minutes June 1, 2021

**The City of Billings Zoning Commission met on Tuesday, June 1, 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, June 28th, 2021, at 5:30 p.m. as the date and time to receive the Zoning Commission recommendation on Zone Change 992 only and conduct a public hearing for the first reading of the ordinance for this zone change request. If approved on first reading, a second reading public hearing will occur on Monday, July 12, 2021 at 5:30 pm.

The City Council has designated Monday, July 12, 2021, at 5:30 p.m. as the date and time to receive the Zoning Commission recommendation on Zone Change 993 only and conduct a public hearing for the first reading of the ordinance for this zone change request. If approved on first reading, a second reading public hearing will occur on Monday, July 26, 2021 at 5:30 pm.

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	1	E	1	1	1						
Daniel J. Brooks	Commissioner	1	1	1	1	1	E						
Jack King	Commissioner	1	1	1	1	1	1						
Greg McCall	Vice Chairman	E	1	E	E	E	E						
Trina White	Commissioner	1	1	1	A	1	1						
Wyeth Friday	Director, Planning & Community Services	-	-	-	-	-	1						
Monica Plecker	Division Planning Manager	-	-	-	-	-	-						
Nicole Cromwell	Planner Zoning Coordinator	1	1	1	1	1	1						
Tammy Deines	Planning Clerk	-	-	-	-	-	-						

Dave Green	Planner II	-	-	-	-	-	-	-						
Karen Husman	Planner I	1	1	1	-	-	1							
Robbin Bartley	Administrative Support	1	1	1	1	1	1							

<b>Total Number of 2021 Applications</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>T O T A L</b>
	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>0</b>	<b>1</b>	<b>2</b>		
	/	/	/	/	/	/	/	/	/	/	/	/	/	
	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
	<b>5</b>	<b>2</b>	<b>2</b>	<b>6</b>	<b>4</b>	<b>1</b>	<b>6</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>2</b>	<b>7</b>		
	/	/	/	/	/	/	/	/	/	/	/	/	/	
	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	
	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>		
<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>		
<b>Zone Change</b>	-	2	1	1*	1	2								7
<b>Special Review</b>	2	-	-	-	-									2

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

- Zone change application withdrawn.

**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:**

**Delay of May 4, 2021 minutes approval.**

**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**

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

*Staff stated, for the record, a few emails were received in opposition of ZC 993. The emails will not be read, but are a part of the permanent record.*

**Public Hearings:**

**City Zone Change 992 – 117/119 Glenhaven Drive** - A zone change from N3 – Suburban Neighborhood to N2 – Mid-century Neighborhood on Lot 2, Block 29 of Lake Hills Subdivision, 5<sup>th</sup> Filing, an 18,466 square foot parcel of land. The purpose of the zone change is to allow an existing two-family dwelling to be conforming to the zone district. Tax ID: A22352.

In making its recommendation to the city council for an amendment to the official map or text of this chapter, the **City Zoning Commission shall consider**, among other things, the following:

- (1) Whether the new zoning is designed in accordance with the growth policy;
- (2) Whether the new zoning is designed to secure from fire and other dangers;
- (3) Whether the new zoning will promote public health, public safety and general welfare;
- (4) Whether the new zoning will facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements;
- (5) Whether the new zoning will provide adequate light and air;
- (6) Whether the new zoning will affect motorized and non-motorized transportation;
- (7) Whether the new zoning will promote compatible urban growth;
- (8) Whether the new zoning considers the character of the district and the peculiar suitability of the property for particular uses;
- (9) Whether the new zoning will conserve the value of buildings; and

(10) Whether the new zoning will encourage the most appropriate use of land throughout the City of Billings.

**Recommendation:**

Planning staff recommends approval of the zone change on the findings of the 10 review criteria.

- Meets the criteria in the Growth Policy and Billings Heights Neighborhood Plan
- Increasing the allowed density on this parcel will be minimal – allowing an existing duplex
- Adjacent uses and zoning compatible with proposed change
- Allows a mixture of housing types

**Questions for staff:** NONE

**Applicant:** Jim Schnelbach, 119 Glenhaven Drive

He purchased the duplex 2 years ago and was assured the duplex would be “grandfathered in” but He needs a letter stating it is Legal, non-conforming for the bank.

**FAVOR:** NONE

**OPPOSED:** NONE

**Motion**

**Commissioner White made a motion and Commissioner King seconded the motion to approve City Zone Change 992.**

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

**The Motion carried to approve City Zone Change 992 with a 3-0 vote.**

**City Zone Change 993 – South Billings Boulevard Urban Renewal District – 3508 S Frontage Rd; Jackson Street; and 6014 S Billings Blvd** – A zone change from A- Agriculture to CX – Heavy Commercial on Section 15, Township 1 South , Range 26 East, the South Fraction of Lots 2 & 3 (LESS HWY & C/S 2394) generally located at 3508 S Frontage Road, a 35.94 acre parcel of land, Driscoll Family, LP, owner; A zone change from RR1 – Rural Residential 1 to NX1 – Mixed Residential 1 (south of 735 Jackson St) and N2 – Mid-Century Neighborhood (east and north of 735 Jackson St) on C/S 2367M, Parcel B2 a 3.522 acre parcel of land, Jason Adkins, owner; A zone change from A- Agriculture to P2 – Public 2 on Section 17, Township 1S, Range 26 East,

N2N2N2SE (Less .0774 acres -Highway) a 19.923 acre parcel of land – City of Billings, owner. These three parcels will be annexed to the city limits. Tax Ids: D01863 (3508 S Frontage Road), D01711B (Jackson Street) and D01893 (6014 S Billings Blvd)

**Recomendation:**

Planning staff recommends approval of the zone change based on the findings of the 10 review criteria.

- Meets the Growth Policy, Urban Renewal Plan and Master Plan for SBBURD
- New zoning will allow owners to develop property in the City to City standards and extend infrastructure
- Adjacent uses and zoning compatible with proposed zones and uses

**Questions for staff:**

Commissioner White asked if the small rectangular section of the Jackson property was included in the Zone Change. Staff replied this section is not currently included. There are some probate challenges holding up the sale of this property.

Commissioner White then asked if City services exist along the Frontage Rd. Staff (Wyeth Friday) stated the sewer trunk line is existing but very deep. There is existing water line on parts of the Frontage Rd.

Commissioner White asked if some areas are considered flood plain. Staff indicated the sections on the river are in the flood plain.

**Applicant: City of Billings, Jim Tevlon, Consultant to SBURD**

There are significant opportunities to develop these properties, the Zone Change applications are just a step in the daisy chain

**FAVOR:** NONE

**OPPOSED:** NONE

**Motion**

**Commissioner White made a motion and Commissioner King seconded the motion to approve City Zone Change 993.**

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

Greg McCall				X
Trina White	X			

**The Motion carried to approve City Zone Change 993 with a 3-0 vote.**

**Other Business: Next meeting July 6, 2021 using an unknown meeting platform.**

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

**ATTEST: Approved** by a motion July 6, 2021.