



**City of Billings Zoning Commission
Meeting Minutes of August 6, 2024**

The City of Billings Zoning Commission met on Tuesday, August 6, 2024 at 4:30 p.m., 2825 3rd Ave North, 1st floor conference room of the Miller Building. The public may attend in person or watch the meeting live on Facebook (see below). Comments may be sent to **Board via email before 1:00 PM on Tuesday, August 6, 2024**. All e-mails received prior to this time will become part of the record for the public hearing. Live coverage can be viewed on the City of Billings Facebook page.

The City Council has designated **August 26, 2024 at 5:30 p.m.** as the date and time to receive the Zoning Commission recommendation for the zone changes and hold a public hearing. If approved on first reading, a **second reading will occur on September 9, 2024 at 5:30 pm.**

Commission and Staff		01/02/2024	02/06/2024	03/05/2024	04/02/2024	05/07/2024	06/04/2024	07/02/2024	08/06/2024	09/03/2024	10/01/2024	11/05/2024	12/03/2024
Daniel J Brooks	Chairman	C	A	1	1	1	C	1	1				
Greg McCall	Vice Chair	C	1	1	A	1	C	A	1				
David Goss	Commissioner	C	1	1	1	1	C	1	1				
Beau Mulvaney	Commissioner	C	1	1	1	A	C	1	1				
Andy Megorden	Commissioner	C	1	1	1	1	C	1	1				
Nicole Cromwell	Zoning Coordinator	C	1	1	1	1	C	1	1				
Karen Husman	Planner 1	C	-	-	-	-	C	-	-				
Wyeth Friday	Director, PCSD	C	-	-	-	-	C	-	-				
Brenda Berns	Planning Clerk	C	1	1	1	1	C	1	1				

Total Number of 2023 Applications	01/02/2024	02/06/2024	03/05/2024	04/02/2024	05/07/2024	06/04/2024	07/02/2024	08/06/2024	09/03/2024	10/01/2024	11/05/2024	12/03/2024	TOTAL
Zone Change	-	1	4	2	1	-	1	1					10
Special Review	-	-	-	-	-	-	-						

Commissioner Brooks introduced the Planning Division Staff and Commissioners: Attending Staff were Nicole Cromwell, Zoning Coordinator; Brenda Berns, Planning Clerk

Attending:

Shel Hanser 529 S. Billings Blvd; J.Papez Billings

Chair Brooks called the meeting to order at 4:30 PM

Public Comment

Chair Brooks called for public comments, there were none.

Approval of Minutes: July 2, 2024

Commissioner Megorden made a Motion, seconded by Commissioner Mulvaney to approve the meeting minutes as submitted. The motion was carried by a unanimous vote.

Disclosure of Exparte Communication

COMMISSIONER	DISCLOSED	NONE	ABSTAINED	ABSENT
Daniel J Brooks		X		
Greg McCall		X		
David Goss		X		
Beau Mulvaney		X		
Andy Megorden		X		

Disclosure of Conflict of Interest

COMMISSIONER	DISCLOSED	NONE	ABSTAINED	ABSENT
Daniel J Brooks		X		
Greg McCall		X		
David Goss		X		
Beau Mulvaney		X		
Andy Megorden		X		

Commissioner Goss visited the site of Zone Change 1051.

Commissioners McCall, Goss, and Brooks visited the site of Zone Change 1053.

Public Hearings:

- a. **City Zone Change 1051** –122 N 12th St – EBURD – 13 Main St. – A zone change request for property within the East Billings Urban Renewal District. The property is located at 122 N 12th St, north of 1st Ave N and the previous location of the Billings Bronze foundry. The foundry experienced a catastrophic fire in February 2018 and the property has been vacant since that time. The current owner and potential developer is intending to build some live and work units on the property that will eventually front both N 12th St and 2nd Ave N with buildings. The property is legally described as Lots 6-12, Block 77, Billings Original Town.

Nicole gave a summary of the current zoning regulations and the proposed amendments. The proposed zone change EBURD-13 allows for retail & service businesses, residential throughout a building and walkable street frontages. The subject parcel is located within the East Billings Urban Renewal District.

The Planning staff recommends approving the zone change, noting that it aligns with Growth and Infill policies and the EBURD Master Plan. It is deemed compatible with nearby properties, with enhancements to streets, lighting, and public safety.

The City Council shall consider the Zoning Commission recommended findings of the 10 review criteria.

Planning staff recommends approval of the zone change.

- Meets the Growth Policy, Infill Policy, and the EBURD Master Plan
- Adjacent uses and zoning compatible with proposed zoning.
- Located in an area with street improvements installed – storm drains, sidewalks, and street lighting.
- Vacant parcels tend to de-value adjacent property.
- Development will increase public safety and tax value for TIF district.

Questions

Commissioner Goss inquired about the setback requirements for the commercial outdoor frontage. Nicole clarified that the design is intended for businesses with small buildings but with large display areas, like car dealerships.

Agent

Zack Shopp, representing the applicant, explained that the rezoning is essential for their plans to proceed. They aim to develop a total of 7 lots in Phase 2, with commercial spaces on the lower level and residential units above. The lower section will feature coffee shops or similar businesses.

Chairman Brooks then invited any further comments or questions before closing the discussion for Zone Change 1051.

Motion:

Commissioner McCall made a Motion, Seconded by Commissioner Megorden to recommend Zone Change 1051 with the 10 Review Criteria to City Council to be heard on August 26, 2024 at 5:30pm.

Commissioners McCall and Brooks remarked on the project's diversity and emphasized the importance of developing these types of communities.

COMMISSIONER	Yes	No	ABSTAINED	ABSENT
Daniel J Brooks	X			
Greg McCall	X			
David Goss	X			
Beau Mulvaney	X			
Andy Megorden	X			

The Motion passed to Approve City Zone Change 1051 with a unanimous vote.

- b. Zone Change 1053 – 529 S Billings Blvd – N2 (Mid-Century neighborhood) to CX (Heavy Commercial)** – A zone change request from N2 to CX on Certificate of Survey 666, Parcel 1, a 22, 651 sf parcel of land generally located at 529 S Billings Blvd. A pre-application neighborhood meeting was held on June 17, 2024 at 420 S Billings Blvd (Hanser Automotive) TAX ID: D01574

Nicole provided an overview of the subject parcel as well as adjacent properties. The property had approximately a half-acre of salvage debris that has since been cleaned up. The owner’s plan is to store abandoned vehicles that are towed off the city and county streets for up to 60 days. Additionally, their plan is to provide neighborhood residential housing in the future.

Planning staff recommends approval of the zone change.

- Meets the Growth Policy, Infill Policy, and the SBBURA Master Plan.
- Adjacent uses and zoning may be compatible with proposed zoning – buffering and screening will be required for nonresidential use.
- Adjacent to existing Hanser development – access will be through existing wrecking yard.
- Vacant parcels tend to de-value adjacent property.
- Development will increase public safety and tax value for TIF district.

Applicant's Agent: JW Papez, Billings MT – Mr. Papez stated the requested zone change would allow for more flexibility and would complement the Hanser's current business. The applicant intends to fence the entire property and include a buffer.

Questions

Chairman Brooks asked if the intent of the fencing was to cutoff the East, South, and West sides, creating the entrance through the wrecking yard.

Shel Hanser 529 S. Billings Blvd, Billings – Mr. Hanser affirmed they were installing consistent fencing for all sides except the point of entrance.

Public Hearing

Chairman Brooks asked if there was anyone wanting to speak in favor or against on Zone Change 1053, there were none, and the public hearing was closed.

Motion:

Commissioner Goss made a Motion, Seconded by Commissioner Megorden to approve Zone Change 1053 to City Council to be heard on August 26, 2024 at 5:30pm.

The motion was passed with a unanimous vote.

Other Business: There was none.

Adjournment: The meeting adjourned at 5:06 PM

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

--Brenda J Berns, Planning Clerk