

City of Billings Zoning Commission
 Tuesday, June 3, 2025 at 4:30pm

Commission		01/07/2025	02/04/2025	03/04/2025	04/01/2025	05/06/2025	06/03/2025	07/01/2025	08/05/2025	09/02/2025	10/07/2025	11/04/2025	12/02/2025
Daniel J Brooks	Chairman	1	1	1	1	1	A						
Greg McCall	Vice Chairman	1	1	A	1	A	1						
David Goss	Commissioner	1	1	1	1	1	1						
Beau Mulvaney	Commissioner	1	1	1	A	1	A						
Andy Megorden	Commissioner	1	1	A	1	1	1						

Please note: "A" stands for excused absence, "1" stands for present, "V" stands for Zoom participation, "C" stands for Canceled

Total Number of 2025 Applications	01/07/2025	02/04/2025	03/04/2025	04/01/2025	05/06/2025	06/03/2025	07/01/2025	08/05/2025	09/02/2025	10/07/2025	11/04/2025	12/02/2025	TOTAL
Zone Change	1	1	2	1	1	1							7
Special Review	-	1			1	1							3

Call the Meeting to Order: Vice Chairman McCall called the meeting to order at 4:30 PM

Attending Staff: Anna Vickers, Planning Division Manager; Karen Husman, Planner; Brenda Berns, Planning Clerk

Participants: John Johnson, Mike Wahlberg, Duane & Tiffany Youngren

Public Comment

Vice Chairman McCall called for public comments. There were no comments from the public.

Approval of Minutes: May 6, 2025

Commissioner Goss made a Motion, seconded by Commissioner Megorden to approve the meeting minutes of May 6, 2025. The motion passed unanimously.

Disclosure of Ex-Parte 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		

Site visits: Commissioner Goss conducted site visits for ZC 1066 and SR 1000.

- a. **City Zone Change 1066 - 828 (aka 844) Grand Ave – NX2 to CMU1** – A zone change request from Mixed Residential 2 (NX2) to Corridor Mixed Use 1 (CMU1) on Lot 5A of Pierce Subdivision Amnd, a 12,616 square foot parcel of land. A pre-application neighborhood meeting was held on April 22, 2025 at the subject property.
Tax ID: A12809A

Karen Husman presented an overview of the existing zoning of NX2 and the proposed CMU1.

Existing Zone – NX2	Proposed Zone – CMU1
<ul style="list-style-type: none"> • <u>Two to eight unit</u> residential structures • Building and siting standards required • Home occupations allowed • These uses would not be considered suitable for this parcel on the corner of an arterial street. 	<ul style="list-style-type: none"> • The CMU1 district is intended to accommodate commercial and other uses along transportation corridors to promote development that is comfortably accessible via all modes of transportation, including motor vehicles, bicycles, and walking. • Uses in the CMU1 district are more flexible than the mixed residential district, including more commercial uses. The property does not align with the specific intent of NX2 zone specification, which is designed for 2-8 unit residential and no commercial.

Planning staff recommends approval of the zone change review criteria.

- Meets the Growth Policy (2016) and Infill Development Policy (2011).
 - Essential Investments
 - Strong Neighborhoods
 - Home Base
- CMU1 zoning supports the infill development, efficient use of existing infrastructure and neighborhood compatibility.
- An appropriate zone for arterial corridor adjacent to other commercial uses.

Questions/Discussion

Commissioners discussed future parking requirements should the carport be removed. Staff indicated that some level of parking may still be necessary, depending on coordination with Engineering and the site’s potential layout. When asked about the intended use of the property, the applicant was uncertain but mentioned possibilities such as office space. While multi-family use is allowed, it may not be well-suited to the location along Grand Avenue, though nearby apartments do benefit from access to Grand’s services.

Vice Chairman McCall closed the public comment.

Board Discussion

Commissioners expressed support for the proposal, indicating that the use and the CMU1 zoning designation are appropriate and well-suited for the location.

Motion

Commissioner Goss made a motion, seconded by Commissioner Megorden to forward a recommendation of approval to City Council for Zone Change 1066, with Staff recommended Review Criteria. The motion passed unanimously.

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

Recommendation of approval will be forwarded to City Council at their June 23, 2025 meeting.

- b. Special Review 1000 – 840 Shiloh Crossing Blvd – Bar and Casino** – A special review request to allow a new bar and casino in a 2,925 square foot addition to an existing 5,730 square foot building (former Rio Sabinas) on Lot 5C, Block 1 of Shiloh Crossing Sub, Amended, a 1.7973-acre parcel of land, in a Corridor Mixed Use 2 (CMU2) zone.
Tax ID: A34027B

Karen Husman provided an overview of the subject property, formerly known as Rio Sabinas Restaurant. Utilizing it as a bar, restaurant, casino with outdoor seating. A special review is required in the zone district, proof of compatibility of the special review use, and that it meets the nine review criteria for Special Review approval. The property is surrounded by the CMU2 zone. There is adequate parking space for the proposed use.

Staff is recommending approval based on the proposed findings and recommended conditions of approval.

- Consistency with Growth Policy and Infill
 - Infill Development
 - Strong Neighborhoods
 - Prosperity
- Well-planned site layout with existing parking and landscaping.

- The subject site has appropriate access and existing infrastructure in place.
- Compatible with surrounding development, and any impacts to areas have been mitigated through site design.

Conditions to be established to protect public health & safety

1. The approval is for an all-beverage license and gambling into the existing building, and the addition, located at 840 Shiloh Crossing Blvd. on Lot 5C, Block 1 of Shiloh Crossing Sub, Amended, a 1.7973-acre parcel of land. 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 cutoff shields, so light is directed to the ground.
4. Lighting of signs shall comply with the Zoning Code in place at the time of sign permit application.
5. The applicant will comply with all other city codes that may apply
6. All other limitations on expansion shall apply in accordance with the Zoning Code restrictions of the BMCC

Applicant:

John Johnson, the project owner and operator of Old Chicago since 2015, appeared to speak on behalf of the zone change. He shared his enthusiasm for launching **J’s Pub & Grill**, a pub and restaurant concept. He noted that the project involves a significant remodel of the previous establishment and requested the Commission’s support.

Vice Chairman McCall closed the public comment.

Questions/Discussion

Commissioners inquired about land ownership and maintenance responsibilities. The applicant clarified that while they own their building lot, the roads and common areas are maintained through an association, with shared costs covered by a common area fee. They are responsible for their own lot, including parking. It was also noted that surrounding businesses are supportive of the proposed development.

Motion

Commissioner Megorden made a motion, seconded by Commissioner Goss to forward a recommendation of approval to City Council for Special Review 1000, with Staff recommended Review Criteria. The motion passed unanimously.

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

Recommendation of approval will be forwarded to City Council at their June 23, 2025 meeting.

Other Business: Staff advised there will not be a meeting in July.

Adjournment: The meeting adjourned at 5:51 PM

Brenda J Berns, Planning Clerk