

City of Billings Zoning Commission Meeting Minutes-December 1, 2015

The City of Billings Zoning Commission met on Tuesday, December 1, 2015 in the Miller Building 1st Floor Conference Room, 2825 3rd Avenue North, Billings, Montana
Chairman Leonard Dailey called the meeting to order at 4:30 p.m. The City Council has designated **Monday January 11, 2016** at 6:30 p.m. in the City Council Chambers as the time and place to hear testimony for or against the zoning applications.

Commission and Staff		01/06/2015	02/03/2015	03/03/2015	04/07/2015	05/05/2015	06/02/2015	07/07/2015	08/04/2015	09/01/2015	10/06/2015	11/03/2015	12/01/2015
Leonard Dailey, Jr.	Chairman	1	1	1		1	1		1	1	1	1	1
Barbara Hawkins	Commissioner	1	1	1		1	1		1	1	1	1	1
Dan Wagner	Vice Chairman	1	1	1		E	1		1	1	1	1	1
Dennis Ulvestad	Commissioner	1	E	1		1	1		1	1	1	1	1
Mike Boyett	Commissioner	1	1	1		1	E		1	1	1	1	1
Candi Millar	Director, Planning & Community Services	-	-	-		--	-	-	-	--	-	-	-
Nicole Cromwell	Planner II, Zoning Coordinator	1	1	1		1	1		1	1	-	1	1
Tammy Deines	Planning Clerk	1	1	1		-	1			1	1	-	1
Wyeth Friday	Planning Division Manager	-	-	-		-	-	-	1	--	1	-	-
Dave Green	Planner II	-	-	-		-	-	-	-	-	1	1	-
Karen Husman	Planner I	-	-	-		-	-	1	-	-			
Robbin Bartley	Administrative Asst.					1			1	-		1	1

Total Number of 2015 Applications	01/06/2015	02/03/2015	03/03/2015	04/07/2015	05/05/2015	06/02/2015	07/07/2015	08/04/2015	09/01/2015	10/06/2015	11/03/2015	12/01/2015	TOTAL
Zone Change	2	2	2	0	0	0		2	0	0	4	1	13
Special Review	1	1	3	0	3	2		1	1	2	1	0	15

Chairman Dailey introduced the Planning Division Staff and Commission: Attending Staff were Nicole Cromwell, Zoning Coordinator; Robbin Bartley, Administrative Assistant; Tammy Deines, Planning Clerk.

In Attendance:

Bill Stene, applicant

Public Comment

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

Approval of Minutes: November 3, 2015

Chairman Dailey called for approval of the November 3, 2015 meeting minutes.

Motion

Commissioner Dan Wagner made a motion and Commissioner Hawkins seconded the motion to approve the November 3, 2015 meeting minutes as submitted. Chairman Dailey stated that the meeting minutes of November 3, 2015 recorded a unanimous vote and should be amended to note that Commissioner Hawkins had recused herself and therefore the correct vote was 4-0-1. Mike Boyett recused himself from City Zone Change #942, due to conflict of interest and therefor the vote on record should also be amended to reflect 4-0-1.

The motion for approval then carried with a unanimous voice vote.

Disclosure of Conflict of Interest

Chairman Dailey called for disclosures of conflict of interest. There were none.

Disclosure of Outside Communication

Chairman Dailey called for disclosure of ex parte communication. There were none.

Public Hearings:

Chairman Dailey reviewed the rules and the procedures by which the City Zoning Commission public hearings are conducted, and asked Nicole Cromwell to review the first agenda item. Commissioner Boyett requested a written copy of Chairman Dailey’s rules and procedures of conduct. Nicole Cromwell stated they would be in the next agenda packet.

Item #1. Motion/Recommendation to City Council City Zone Change #944 – 323 S 32nd St West - A zone change request from Residential 6,000 (R-60) to Public (P) on a 1.02 acre parcel of land within Lot 2, Block 1 of Westward Ho Subdivision. The applicant conducted a pre-application neighborhood meeting on October 6, 2015 at the West Side Baptist Church at 323 S 32nd Street West. Tax ID: A29192.

RECOMMENDATION

Planning staff is recommending approval and adoption of the findings of the 10 criteria for Zone Change #944.

Discussion

Chairman Dailey called for questions and discussion from the members of the Commission. Commission Wagner asked for clarification regarding what property was in lot 2a and 2b. Nicole Cromwell explained in detail. Commissioner Ulvestad asked for clarification on the zoning. Commissioner Boyett asked about future allowances having to come before this board. Chairman Dailey asked how about residential and public zoning in this case. Chairman Dailey inquired regarding preferences. Commissioner Ulvestad inquired about another church property, Commissioner Boyett inquired regarding future potential uses, what zoning goes forward if the church should move? Commissioner Ulvestad asked if neighborhood commercial zoning could apply here in the future. Chairman Dailey asked about the financing for the property owner when it is zoned public. Nicole Cromwell gave an answer or explanation as appropriate. Public zoning is a preference at this location as this church has been at this location for several years. Public zoning will provide predictability for the church and the neighborhood.

Applicant/Agent

Chairman Dailey asked for presentation by the applicant.

Bill Stene, agent, 2355 Cline Rd Billings, Montana 59105

Bill Stene represents property owner Westside Baptist Church. Mr. Stene explained the usage of this property and reasons for the new zoning. Originally the R-6000 zoning came up to the west line. This property went up for sale last year and was purchased by Dan Marsich. The buyer only needed enough land to build 18 units, and the church desires to “clean up” the zoning to make it consistent. Bill Stene said this made more sense for the church. All of Lot 2A will be zoned public.

Public Hearing:

Chairman Dailey opened the public hearing and called for proponents or opponents of Zone Change #944.

Chairman Dailey asked if anyone else wanted to speak in opposition of Zone Change #944. There was none. Chairman Dailey called for rebuttal. There was none.

Chairman Dailey closed the public hearing at 4:50 p.m. and called for a motion.

Motion

Commissioner Ulvestad made a motion and Commissioner Boyett seconded the motion to forward a recommendation to City Council for approval and adoption of the findings of the 10 criteria for Zone Change #944.

Discussion

Chairman Dailey called for discussion on the motion. Commissioner Hawkins said this is a sensible request.

The motion carried with a unanimous voice vote, 5-0.

Other Business:

The Commission members had several questions about Lampman Park for Nicole Cromwell. The Parks Board is reconsidering the sale of the property for development, that they want to develop a neighborhood park there. This could be considered in 2017 at the City Council level for reconsideration. No special review would be required. No other business, with the exception being thank you for Commissioner Barbara Hawkins, and Chairman Leonard Dailey's long term service on the commission. The commission discussed new appointments. Application deadline is next Monday.

It is unknown if the January meeting will occur due to receipt of applications or having a quorum of commissioners. Commissioner Boyett stated that he will not be attending the January 5, 2016 meeting.

The next meeting is scheduled for Tuesday, January 5, 2016.

Adjournment: The meeting adjourned at 4:54 p.m.

Approved by a motion: January 5, 2016

ATTEST:

Vice Chairman, Dan Wagner

Robbin Bartley, Administrative Support I