



CITY ZONING COMMISSION
AGENDA
210 N. 27th Street, 2nd Floor City Council Chambers
Billings, Montana

Tuesday, March 1, 2011, 4:30 P.M.

NOTICE TO THE PUBLIC

Public Comment:

There will be a Public Comment Section as noted on the agenda. This is the time members of the public may comment on any item not appearing on the agenda. Under State law, matters presented under this section cannot be discussed or acted upon by the Zoning Commission during this time. For items appearing on the agenda, the public will be invited to make comments at the appropriate time. It is very important to speak clearly, and state your name and address for the record. Please limit your comments to three (3) minutes or less.

- I. **Call the meeting to order.**
- II. **Introduction of City Zoning Commission Members and Planning Department Staff.**
- III. **Public Comment**
- IV. **Approval of Minutes:**
The minutes of the Board meeting of February 1, 2011
- V. **Disclosure of any Conflict of Interest-Members of the Commission and Staff**
- VI. **Disclosure of an Outside (Ex Parte Communication)-Members of the Commission and Staff**
 - a. **The Exparte Communication Binder is available at the Sign-In and Agenda Station.**
- VII. **Regular Business:**
 - A. Opening of public hearings.
 - B. Reading of rules for the procedure by which the public hearings will be conducted.
 - C. Reading of notices of the public hearings on the following items:

Public Hearings:

Item #1: City Zone Change #873 – 1648 Poly Drive – Rocky Mountain Planned Development Amendment – A zone change from Planned Development (PD) with underlying zoning of Neighborhood Commercial (NC) with restrictions to PD with underlying NC without the restrictions on Lot 4, Block 2 Rocky Village Subdivision, a 25,600 square foot parcel of land, Tax ID A21124; Rocky Mountain College, owner and Thomas E. Smith, Moulton Bellingham, agent.

Item #2: City Special Review #888 – 1214 Main Street – Former Diamond Jubilee Casino –

A special review request to allow the location of an all beverage license with gaming in a Highway Commercial (HC) zone on Lot 1, Cipech Subdivision and Tracts C, D & U of C/S 59 a 17,808 square foot parcel of land generally located at 1214 Main Street. Tax ID: D05301, Joseph Womack, Trustee for the owner and Bob Pulley, Elite Realty, agent.

The City Council has designated **Monday, March 28, 2011**, at 6:30 p.m. in the City Council Chambers as the time and place to hear testimony for or against the above-mentioned items. As provided in Montana Code Annotated, Section 76-2-305(2) (1999), in the event of a protest petition against such **zone change** signed by the owners of twenty-five (25) percent or more of: (1) the area of the lots included in any proposed change; or (2) those lots one hundred fifty (150) feet from a lot included in a proposed change, such proposed amendment shall not become effective except by the favorable vote of two-thirds ($\frac{2}{3}$) of the present and voting members of the City Council. The protest petition must be received in the Planning Department office by 5:00 p.m. on the Friday preceding the first reading of the amendment by the City Council. Before taking any action on an application for a **special review use**, the City Council shall first consider the findings and recommendations of the City Zoning Commission. In no case shall the City Council approve a special review use other than the one advertised. The City Council shall take one of the following actions on these Special Review requests: 1) approve the application; 2) conditionally approve the application; 3) deny the application; 4) allow withdrawal of the application; or 5) delay the application for a period not to exceed thirty (30) days.

VIII. Other Business

IX. Announcements

X. Adjournment