

City of Billings Zoning Commission Meeting February 1, 2011

The City of Billings Zoning Commission met on Tuesday, February 1, 2011 in the City Hall Council Chambers at 210 N. 27th Street, 2nd Floor.

Vice Chairman Ed Workman called the meeting to order at 4:37 p.m. These items will be heard by City Council on February 28, 2010.

Commission and Staff		01/04/2011	02/01/2011	03/01/2011	04/05/2011	05/03/2011	06/07/2011	07/05/2011	08/02/2011	09/05/2011	10/04/2011	11/01/2011	12/06/2011
Leonard Dailey, Jr.	Chairman	1	E										
Matt Krivonen	Commissioner	1	1										
Barbara Hawkins	Commissioner	1	1										
Dan Wagner	Commissioner	1	E										
Edward Workman	Commissioner	1	1										
Candi Beaudry	Director, Planning & Community Services	-	-										
Nicole Cromwell	Planner II, Zoning Coordinator	1	1										
Tammy Deines	Planning Clerk	-	-										
Wyeth Friday	Planning Division Manager	1	1										
Juliet Spalding	Planner II	-	-										
Lora Mattox	Planner II	-	-										

Total Number of 2009 Applications	01/04/2011	02/01/2011	03/01/2011	04/05/2011	05/03/2011	06/07/2011	07/05/2011	08/02/2011	09/05/2011	10/04/2011	11/01/2011	12/06/2011	TOTAL
Zone Change	2	1											2
Special Review	0	0											0

Vice-Chairperson Workman introduced the Planning Department Staff and Commission: Nicole Cromwell, Planner II/Zoning Coordinator; and Tammy Deines, Planning Clerk.

Public Comments:

Vice-Chairperson Workman called for public comment at 4:39 p.m. There was none. Vice-Chairperson Workman closed the public comment portion of the meeting.

Approval of Minutes January 4, 2011

Motion

On a motion by Commissioner Hawkins, seconded by Commissioner Krivonen and approved with a 3-0 voice vote, the minutes of January 4, 2011 are approved as submitted.

Disclosure of Conflict of Interest

There was no disclosure of any conflict of interest by the members of the Commission.

Disclosure of Outside Communication

There was one no disclosures of ex parte communication.

Public Hearings:

At 4:41 p.m. Vice-Chairperson Workman reviewed the rules and the procedures by which the City Zoning Commission public hearings are conducted. Nicole Cromwell read aloud the legal description for the proposed zone change.

Item #1: City Zone Change #872 – 1910 and 1918 Shiloh Road – County BUFSA - A zone change request from Residential 7,000 (R-70) to Residential professional (RP) on two properties described as Lot 1A and Lot 1B of Rush Acreage Tracts Subdivision a 54,153 square foot parcel of land, Tax IDs C02242 and A30733; Yellowstone County, owner and Daniel L Schwartz, Chief Deputy County Attorney, agent.

REQUEST

This is a zone change request from Residential 7,000 (R-70) to Residential Professional (RP) on two parcels of land described as Lot 1A and Lot 1B of Rush Acreage Tracts Subdivision located at 1910 and 1918 Shiloh Road. The total area of both parcels is 54,153 square feet. One of the parcels, 1918 Shiloh Road, has an existing single family dwelling that is rented. The property is owned by the Billings Urban Fire Service Area (BUFSA) an agency of Yellowstone County. The owner is represented by Dan Schwarz, Chief Deputy County Attorney. The owner conducted a pre-application neighborhood meeting on December 6, 2010, at the Shiloh United Methodist Church at 1810 Shiloh Road.

RECOMMENDATION

The Planning Division is recommending approval.

Nicole Cromwell gave a short presentation of the staff report. She stated that this request is consistent with the existing land uses and the surrounding zoning. She noted that the County as the owner of this property intends to offer it for sale.

Discussion:

At 4:47 p.m., Vice-Chairperson Workman asked the members of the Commission for questions and discussion. There were none.

Applicant

Vice-Chairperson Workman called for presentation by the applicant.

Dan Schwarz, Chief Deputy County Attorney, (no address given)

Dan Schwarz is representing the Billings Urban Fire Service Area, (BUFSA), an agency of Yellowstone County. Mr. Schwarz stated that he has no additions to the staff report. He said that the zoning would fit perfectly in the area and will provide a nice buffer area to the zoning to the south which is more intensive. Mr. Schwarz said that the County does have a fiduciary duty to the County when offering property for public auction. The County purchased this property with the intent of building a fire station for the west side for the Billings Urban Fire Service Area. Since then, the City of Billings has recently built a station on the west end. Mr. Schwarz pointed out that this is surplus property and they are seeking to maximize the value of the property with this zone change. He stated that they plan to sell it in the spring following an appraisal.

Discussion

Vice-Chairperson Workman called for discussion and questions by the members of the Board. He asked for clarification on the term "public auction" and it was given by Dan Schwarz. He stated that a reserve bid (minimum bid) is mandatory by the code.

Public Hearing

Vice-Chairperson Workman opened the public hearing and called for proponents of City Zone Change #872 – 1910 and 1918 Shiloh Road – County BUFSA.

Commissioner Bill Kennedy, Board of County Commissioners, (no address given)

Commissioner Kennedy asked the members of the Commission to give this zone change request “a due pass”.

Vice-Chairperson Workman called for opponents of City Zone Change #872 – 1910 and 1918 Shiloh Road – County BUFSA. There was none. Vice-Chairperson Workman closed the public hearing and asked for a motion.

Motion

Commissioner Hawkins made a motion and it was seconded by Commissioner Krivonen to forward a recommendation of approval to City Council of City Zone Change #872 as presented by staff.

Discussion

Vice-Chairperson Workman called for discussion on the motion. Barbara Hawkins stated that this request fits with this area. Matt Krivonen concurred. Ed Workman stated that he feels that this is “Garage Logic 101”; and that the proposal should accommodate this land use.

Motion carries unanimously, 3-0.

Other Business/Announcements:

- The next City Zoning Commission meeting will be held on March 1, 2011.

Adjournment:

The meeting was adjourned at 4:55 p.m.

ATTEST:

Ed Workman, Vice-Chairperson

Wyeth Friday, Planning Division Manager