



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

Tuesday, July 5, 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 June 7, 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:

City Zoning Change #877 – 3210 Henesta Drive – PD Zone Change - Siam Thai– A zone change from Planned Development (PD) with underlying zoning of Neighborhood Commercial (NC) to PD-NC with an allowance for the on-premise consumption of beer and wine without gaming and with provision of catering services on a parcel of land described as Lot 3, Block 40, Harvest Subdivision, 4th Filing, a 37,739 square foot parcel of land, Tax ID C09848; Steel Properties, owner and Siam Thai Restaurant and Andrew Billstein, Billstein Law Firm, agents.

Item #2:City Special Review #890 – 1403 – 1423 Grand and 1404/1406 Avenue B – A special review request to allow a drive through service in a Community Commercial (CC) zone across the alley from a residential zone and to allow the use of property zoned Residential 6,000 (R-60) to be used for public parking on a parcels of land described at Lots 1-12, 47 and 48, Block 2, Evergreen Subdivision, a 49,000 square foot parcel of land, Tax IDs: A06648, A06649, A06650, A06666, A06667. Stockman Bank, owner and Sanderson Stewart, agent.

The City Council has designated **Monday, July 25, 2011**, at 6:30 p.m. in the City Council Chambers as the time and place to hear testimony for or against these applications. 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 (July 22, 2011) 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.

The Zoning Commission and City Council will hear all persons wishing to speak relative to the proposed zone change and special review. Testimony regarding the above mentioned items may also be submitted in writing to the Planning Division, 510 North Broadway, Parmly Library 4th Floor, Billings, MT 59101 or to the Mayor and City Council, P.O. Box 1178, Billings, MT 59103.

VIII. Other Business

IX. Announcements

X. Adjournment