



CITY ZONING COMMISSION AGENDA

**LOCATION CHANGE: Small Conference Room,
510 North Broadway, 4th Floor Parmly Billings Library
Billings, Montana**

Tuesday, January 3, 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 December 6, 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 Exparté 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 #880 – 1146 Parkhill Drive – A zone change request from Residential 9,600 (R-96) to Residential 7,000 (R-70) on Lot 16, Block 6, Suncrest Acres Subdivision, a 10,600 square foot parcel of land. The existing parcel has a side-by-side duplex constructed prior to the current zoning and is a nonconforming use in the R-96 zoning district. Tax ID: A16123, Patrick Naglich, owner.

Item #2: City Zone Change #881 – 640 St Johns Avenue – Scotts Lawn Service - A zone change request from Residential 6,000 (R-60) to Community Commercial (CC) on Lot 1, Block 4 and all of Block 1, Central Avenue Addition, 2nd Filing, a 27,101 square foot parcel of land. The existing parcel has a commercial building constructed prior to the current zoning, is a nonconforming use in the R-60 zoning district and the current use is restricted by a previous special review approval (SR #837). Tax ID: A04402, AG Holdings, owner and Allen Greene, agent.

3. Special Review #896 – 525 24th Street West – One 800 Casino – A special review request to locate a beer and wine license with gaming in a Community Commercial (CC) zone on Lots 1-10, Block 13 and Tract A1, B and B1 less west 10 feet for street, Gorham Park Subdivision, a 4.73 acre parcel of land. The suite will be about 3,490 square feet within an existing 58,285 square-foot multi-tenant building. Tax ID:A07997, M & K, Inc., owner and Jill Lindell, agent.

The City Council has designated **Monday, January 23, 2012**, at 6:30 p.m. in the City Council Chambers as the time and place to hear testimony for or against this application. 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 (January 20, 2012) 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. Testimony regarding the above mentioned items may also be submitted in writing to the Planning Division, 510 North Broadway, Parnly Library 4th Floor, Billings, MT 59101 or to the Mayor and City Council, P.O. Box 1178, Billings, MT 59103.

Additional information on any of these items is available in the Planning and Community Services Office. Public hearings are accessible to individuals with physical disabilities. Special arrangements for participation in the public hearings by individuals with hearing, speech, or vision impairment may be made upon request at least three days prior to the hearing. Please notify Tammy Deines, Planning Clerk, at 247-8610 or e-mail at deinest@ci.billings.mt.us

VIII. Other Business

IX. Announcements

X. Adjournment