

City of Billings Zoning Commission Meeting Minutes- May 6, 2014

The City of Billings Zoning Commission met on Tuesday, May 6, 2014 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 Tuesday, May 27, 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		01/02/2014	02/04/2014	03/04/2014	04/01/2014	05/06/2014	06/03/2014	07/01/2014	08/05/2014	09/02/2014	10/07/2014	11/07/2014	12/02/2014
Leonard Dailey, Jr.	Chairman	1	1	1	1	1							
Barbara Hawkins	Commissioner	1	1	1	1	1							
Dan Wagner	Vice Chairman	1	E	1	1	1							
Dennis Ulvestad	Commissioner	1	1	1	1	1							
Mike Boyett	Commissioner	1	E	1	1	1							
Candi Millar	Director, Planning & Community Services	-	-	-	1	-							
Nicole Cromwell	Planner II, Zoning Coordinator	1	1	1	1	1							
Tammy Deines	Planning Clerk	1	1	1	1	-							
Wyeth Friday	Planning Division Manager	-	-	-	-	-	-	-	-	-	-	-	-
Juliet Spalding	Planner II	-	-	-	-	-	-	-	-	-	-	-	-
Lora Mattox	Planner II	-	-	-	-	-	-	-	-	-	-	-	-
Karen Husman	Planning Assistant	-	-	-	-	1	-			-	-	-	-

Total Number of 2014 Applications	01/02/2014	02/04/2014	03/04/2014	04/01/2014	05/06/2014	06/03/2014	07/01/2014	08/05/2014	09/02/2014	10/07/2014	11/07/2014	12/02/2014	TOTAL
Zone Change	1	-	-	1	1								3
Special Review	1	1	-	-	-								2

Chairman Dailey introduced the Planning Department Staff and Commission: Nicole Cromwell, Zoning Coordinator; and Karen Husman, Planning Assistant

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: April 1, 2014

Chairman Dailey called for approval of the April 1, 2014 meeting minutes.

Motion

Dan Wagner made a motion and Mike Boyett seconded to approve the April 1, 2014 meeting minutes as submitted.

The motion 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.

Nicole Cromwell said there was one email inquiry regarding the Zone Change. She said she had answered their general questions regarding the application. There were no other communications submitted.

Public Hearings:

Chairman Dailey reviewed the rules and the procedures by which the City Zoning Commission public hearings are conducted and asked Ms. Cromwell to open the next agenda item.

Ms. Cromwell read aloud the legal notice and gave an overview of the application and staff's recommendation.

Item #1: Zone Change #920 – 5506 Grand Avenue – A zone change request from Agriculture Open-Space (A-1) to Residential 6,000 (R-60) on E2W2NWNW & W2E2NWNW of Section 4, Township 1 South, Range 25 East a 19.57 acre parcel of land. The applicant has submitted a concurrent request to annex and subdivide the property. A pre-application neighborhood meeting was held on March 13, 2014. Tax ID: D00359

REQUEST

This is a zone change request from Agriculture Open-Space (A-1) to Residential 6,000 (R-60) on a 19.57-acre parcel described as E2W2NWNW & W2E2NWNW of Section 4, Township 1 South, Range 25 East. The property has 1dwelling and several agricultural buildings. The property is owned by Regal Land Development and the agent is Scott Worthington, P.E. A pre-application neighborhood meeting was held on March 13, 2014.

RECOMMENDATION

The Planning Division is recommending approval.

Discussion

Chairman Dailey called for questions and discussion from the members of the Commission.

Nicole Cromwell reviewed the application and background for the surrounding properties and the existing developments noting future development standards for them.

Commissioner Boyett asked if the house shown on one of the photos would be part of the development or if it would be removed. Nicole Cromwell confirmed the house would be removed.

There was a brief discussion regarding traffic mitigation and traffic control, as well as reduction of speed in the affected area. Nicole Cromwell said the previous annexation policy required annexing half the right of way but had been updated to require annexation of the entire right of way adjacent to a property being annexed into the city.

Chairman Daily asked what the A-1 (Agricultural Open Space) zoning district would allow as opposed to the requested R-6000. Nicole Cromwell said the A-1 district allows 1 dwelling unit for each 10 acres and agricultural uses. He asked what type of uses the zoning on adjacent property would allow. Ms. Cromwell said the adjacent properties currently have single family dwellings on them and they are larger lots allowed to have livestock because they are outside the City limits.

Chairman Daily asked if approving this zone change would have any effect on the adjacent lots in the Trails West Subdivision that were zoned residential-9600 for the “transition area” on that side

of the subdivision. Nicole answered that it would be difficult to change or replat the parcel already created in that subdivision because of the way they were created. She said it makes more sense to have the larger lots that are directly adjacent to the arterial streets because the required setback for the arterial streets is 80feet from center lines. Nicole explained it would probably be hard to replat those lots to 6000 square feet and still meet the arterial setback and have a buildable lot.

Chairman Daily asked about the development density of the lots in the new subdivision. Ms. Cromwell reviewed the lot layout and number of lots proposed with the subdivision. She said they were proposing 74 lots, the 10 large lots were proposed for multiple units. She explained the larger lots could be allowed 3 or more units if the lots were large enough, but would require a Special Review approval for anything more than 2 units in one building. She said in this zoning district, lots that are 7000 square feet or more would allow more than one unit.

Public Hearing

Chairman Dailey opened the public hearing and called for proponents of City Zone Change #920.

Dan Wells, 3241 Cedar Woods Lane, Billings, Montana

Mr. Wells, the applicant said that he would like to give an overview of the proposal. He said the property was purchased about a year ago and they had been in the planning stages since it was purchased. He said although the existing house is being dismantled now and removed, they had attempted to include it in the new subdivision development and were going to try to salvage it however, it wasn't up to the energy codes and current building code to enable them to effectively save the building. He said they had a group of home plans that will fit nicely on those sites. Mr. wells also explained they would be required to do a traffic study as well as future impact study in addition to the required road improvements based on those studies.

Vice Chair Wagner inquired about traffic mitigation. Mr. Wells reviewed the proposal presented to the City Engineering division and the modifications they had made to it and the improvements they would be required to complete with the development.

Mr. Wells said they had considered a planned development for the project, but decided residential-6000 zoning district would be a better fit for the land. He said they are working on the covenants and restrictions that include maintenance and specific requirements allowing twin homes on larger specified lots. The target completion of the project is about three years. He said they are working with the City Parks Dept. to include the trail system. He said they will also have a home owners association that will maintain the trails and the storm water retention and runoff areas. Mr. Wells said the balance of the parks contribution would be a cash donation to the parks department to be used for the Cottonwood Park development.

Commissioner Boyett asked if the development would be accommodating the first time home buyers with affordable home pricing. Mr. Wells said the prices would start at \$250,000 for affordable housing. Chairman Daily asked for clarification of the minutes of the neighborhood meeting where it indicated a starting price of \$265,000 to \$350,000. Mr. Wells said based on that meeting they had adjusted the starting price to accommodate concerns for more affordable housing.

Scott Worthington, 4118 Wood Creek Drive, P.E, Billings, Montana

Mr. Worthington is the agent for Regal Land Development. He stated he has worked closely with the applicant and the city to make sure the development is consistent with the area. He said they had addressed all of the concerns and requirements with City Engineering Division. Commissioner Ulvestad asked if they are providing a park impact and traffic accessibility study. Mr. Worthington said Sanderson Stewart had completed the TAS and it was modeled on the impacts of single family homes. He said the study concluded this development would have only minor impacts on traffic. He said the study concluded that turn lanes were not warranted at the intersections at 54th Street West and 48th Street West.

There was discussion on the impacts of water flow from the adjacent property. Mr. Worthington said there should not be any impact on the irrigation ditch and would not impact the development or the surrounding properties, however they have proposed putting in a pipe to prevent any possible degradation of the ditch or have any negative impact on the subdivision.

Chairman Daily asked if it had been burdensome working with the city to accomplish their goals. Mr. Worthington said it had not been difficult to work with the City staff.

Proponents.

Steven Wells, 4216 Rosewood Lane, said he and his wife had grown up in Billings and are hoping to build in this new neighborhood. He expressed his excitement for the development. He said he worked for Wells Built Homes currently as the project manager for this development.

Opponents.

There were none.

Chairman Dailey called for questions and discussion.

Chairman Dailey asked if there was anyone else wishing to speak in favor or against City Zone Change #920. There were none. Chairman Dailey closed the public hearing.

Motion

Barbara Hawkins made a motion and Mike Boyett seconded to forward a recommendation to City Council of approval of City Zone Change #920.

Discussion

Chairman Dailey called for discussion on the motion.

There was discussion regarding the impact of the development on the city and roads, with regard to traffic.

The motion to approve City Zone Change #920 carried with a unanimous voice vote, 5-0.

Other Business:

The next City Zoning Commission meeting Tuesday, June 3, 2014 will be cancelled there are no applications.

Adjournment: The meeting adjourned at 5:35 p.m.

ATTEST: APPROVED BY A MOTION ON JULY 1, 2014

Leonard Dailey, Chairman

Karen Husman, Planning Assistant