

City of Livingston Zoning Commission Meeting Minutes
Tuesday September 14, 2021

- 1) Call to Order: (5:53PM)
- 2) Roll Call: (5:53PM)
- a) Zoning Commission members in attendance: Mathieu Menard, Jim Baerg, Wendy Weaver, Michal DeChellis
- b) Quorum present
- 3) Consent Items (5:53PM)
 - a) Approve meeting minutes from June, July and August
 - i) June 8th minutes
 - (1) Approved
 - ii) July 13th minutes
 - (1) 3i – Change June to august
 - iii) August 8th minutes
 - (1) 11 – Change HC to NC
 - (2) 5 – Agenda items – change to RII
 - (3) Add 3:12
 - iv) WW moves to approve minutes
 - (1) MD seconds
- 4) Public Comment (5:56PM)
 - i) Leslie Feigel - 116 Miller Drive
 - (1) Talked to county commissioners – said we wanted to sit in ETJ zoning meetings
 - (a) Under 7:6 3:10 – ability to create buffer zone – there is one exemption
 - (i) County residents don't know what is happening with zoning
 - (ii) County doesn't want us to spread into the county
 - (iii) Worried that we are circumventing city/county – want to make sure that the people have a voice
 - (iv) Referenced a letter – which letter?
 - (b) Christina Nelson – 88 Falls Creek Road
 - (i) Worried about making the city bigger and not solving city issues – roads, water lines, street lights aren't great
- 5) Agenda Items: (6:03 PM)
 - i) No old business

- ii) Recommendation on Montana 40 Acre, LLC Zoning Map Amendment.
 - (1) Zone map amendment – staff recommends another review as overlay
 - (a) This is for a Love’s travel
 - (b) JB procedural question – city has not annexed this yet
 - (c) MM we are allowed to consider this simultaneously, earliest that zoning could adopt would be in December
 - (2) Jeremy Olson – Casten Engineering
 - (3) Frank Eily with Love’s
 - (a) JB are there any designs worked out
 - (b) Jeremy wants this annexed and then zoned and then would like to create a design at that point
 - (i) Love’s travel plaza – general design like ones you would see elsewhere in the world
 - (ii) Right side parcel
 - (4) Board Comments/questions
 - (a) JB – want city sewer and water – would mean laying new lines out there- what is the financial arrangement?
 - (b) Jeremy – This is TBD, have met with city staff – no agreement on how this would work – could be that Love’s would pay for infrastructure cost upfront and the City could pay them back
 - (c) JB – Night Sky ordinance
 - (i) MM this is subject to the ordinance
 - (ii) WW are the night sky ordinances up to par?
 - (iii) MM this is outside purview of the zoning
 - (iv) JB – could make accommodations on the lights – use LED directional lighting, lighting has to stay on their property
 - (v) JB – landscaping buffer?
 - 1. MM landscaping buffer would be required in the zoning
 - (vi) JB – Signage
 - (vii) JB – bike paths
 - 1. MM - Probably would require some kind of easement for that – part of site plan
 - (viii) MD – thinking about building design requirements – what is the size of the building – are the gas pumps considered part of size?

- a. MM – we should use the building design guidelines that are currently in the zoning – site plan application determines what zoning would happen at that point
2. JB – Impervious surfaces and water management
 - a. MM storm water has to be onsite, use re-use of water to water plants on-site
3. WW – might not be a zoning concern, but we are concerned that we have beautiful entrances to our town – want to develop the overlays that are typically amazing, hopefully design review board will enforce this to look beautiful. Think that this will open up expansion.
4. MM - -specifications for the design review overlay has some requirements for local architecture – really designed for more developed areas of time
5. Frank/Love’s – our facilities are state of the art, we can accommodate any landscaping requirements, put up a buffer along the ramp, we are often in the gateway, we are proud of our developments
6. WW – feel better that there is a process, recommend that Love’s not just meet the minimum requirements, be engaged with the community
7. Frank/Love’s – we can bring landscaping and examples
8. JB – to what extent is this a negotiation with the city
9. MM – site plan review allows the city staff to condition the approval of any development – based on transportation, infrastructure
10. JB – can we require the building to the front?
11. MM – parking is required to the rear and the side currently
12. Frank – 16-20 million dollar project mostly to local sub-contractors, 60 FT jobs – we don’t choose these sites lightly and we are excited about this one
13. WW – why ask to be annexed?
14. Frank - for waste water and sewer

(ix) Public Comment (6:39pm)

1. Christina Nelson – 88 Falls Creek Road
 - a. Worried about the traffic about getting into town – could there be a stop light or some traffic control, this gets backed up already with trucks and trailers
 - b. Frank – we have to do a traffic study and if a traffic light is warranted then we put one i
 - c. MM – have to go through a state traffic impact study – Love’s has to make sure that they meet the conditions

- d. JB – the wind closes the freeway down and all freeway traffic is diverted through town, there is a ton of traffic- could this area be an additional traffic parking area until the freeway opens?
 - i. MM – can't force traffic on to their property, their place is a truck stop so it could help with that condition
 - e. Frank – wouldn't be bringing more trucks though
 - f. WW – what is the city doing to mitigate traffic issues?
 - g. MM – we should talk to public works to learn more about that
2. ZC comments
- a. JB does HC look like?
 - b. WW – what are our options?
 - c. JB – do we need a freeway commercial category?
 - d. MM - this is shown as mixed use on the growth map
 - i. We can disagree with the city
 - e. Motion
 - i. Recommends to the city commission that upon annexation that the city adopts HC zoning for the property and that the design overlay be applied to that property
 - ii. WW seconds
 - iii. ZC approves
- iii) Recommendation on Building Design Standards Zoning Text Amendment (6:56pm)
- (1) MM – do we want to start this?
 - (a) Do we want to start talking about where to adopt these?
 - (2) MM goes through some of our design guidelines and the staff report
- iv) Public comment (7:16PM)
- (1) No public comment
- v) Move to recommend that the city adopt the Building Design Standards Zoning Text Amendment
- (1) ZC votes to approve to send the recommendation to the city
- b) Staff comment on Leslie's
- i) MM – creating ETJ – we can zone property outside of city limits – city/county planning board
- 6) Future agenda items (7:29pm)
- i) Map amendments
 - ii) Recommendation on Densities and Mixed-Use Zoning Text Amendment.
 - iii) Recommendation on Manufacturing and Use Table Zoning Text Amendment.
- 7) Adjournment (7:30PM)

The next regular meeting will occur on October 12, 2021 , at 5:30pm,