

# **Livingston Zoning Commission Agenda**

**Date: April 12, 2022**

A meeting of the Livingston Zoning Commission has been scheduled for Tuesday, April 12, 2022, at 5:30 p.m. The Meeting will be held via Zoom.

<https://us02web.zoom.us/j/81517375502?pwd=YWdZVjRlZUgrVFhTMmFCZG0xNTVWUT09>

Telephone: (669) 900 9128

Meeting ID: 815 1737 5502

Passcode: 392718

**5:30: Approval of Minutes:**

**5:35: Public Comment:**

The public is invited to make comments on any items related to Zoning in Livingston. If you wish to comment on scheduled Agenda items before the Commission, please wait until that item comes up on the agenda. Otherwise, please state your name and address and make your comments to the Commission.

**5:40: Old Business:**

**5:40: New Business:**

- Un-table recommendation on Livingston School District Zoning Map Amendment from March 8, 2022 regular meeting.
- Review and discuss public comments received

**7:45: Plans and topics for next month's meeting May 10, 2022.**

**7:50: Staff Comments**

**7:55: Zoning Commission member Comments:**

**8:00: Adjournment:**

## Faith Kinnick

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**From:** Michael Kardoes  
**Sent:** Thursday, March 10, 2022 11:57 AM ✓  
**To:** Faith Kinnick  
**Subject:** FW: Comment on Zone Amendment Request

More for the record

Michael Kardoes  
City Manager  
Livingston, MT 59047  
P: 823-6000  
[citymanager@livingstonmontana.org](mailto:citymanager@livingstonmontana.org)



**From:** Benjamin, Pamela [mailto:pamela.benjamin1@montana.edu]  
**Sent:** Monday, March 7, 2022 3:04 PM  
**To:** City Commission <citycommission@livingstonmontana.org>; Michael Kardoes <mkardoes@livingstonmontana.org>; Mathieu Menard <mmenard@livingstonmontana.org>  
**Subject:** Comment on Zone Amendment Request

Dear Commissioners,

The purpose of this email is to ask you to reject the proposed R3 zoning designation for the school district's property on Scenic Drive.

I do understand the need for affordable housing in Livingston and do not wish to be a NIMBY person. I also would be happy to see the Livingston School District add to their coffers. Nevertheless, there are problems with this proposal about which I'm sure you are aware:

- The surrounding land is R2 and an insertion of high density housing could damage the property value of all of those who live nearby. No small thing when your home represents your biggest financial investment.
- There is no way the current road infrastructure could handle this great influx of people. No alternative ways to cross the tracks means a traffic nightmare for all residents on this growing side of town.
- The Scenic Drive property was granted to the school district with the understanding that it would be used for institutional construction not housing.

All of the above should give you pause in considering the school district's request. However, my main concern is the incredible traffic mess this will create. The commission should not even consider this proposal – or even a R2 zoning - without first determining a plan for traffic.

Thank you for considering.

Sincerely,  
Pamela Benjamin

**PUBLIC NOTICE OF A MEETING OF  
THE CITY ZONING COMMISSION**

The City Zoning Commission will convene in a public virtual meeting via Zoom, Tuesday, April 12, 2022, beginning at 5:30 pm. All are welcome to participate and comment when appropriate.

<https://us02web.zoom.us/j/81517375502?pwd=YWdZVjRIZUgrVFhTMmFCZG0xNTVWUT09>

Telephone: (669) 900 9128

Meeting ID: 815 1737 5502

Passcode: 392718

View the full agenda on the City Zoning Commission webpage at

<https://www.livingstonmontana.org/bc-czc>.

For more information, contact City Offices at (406) 222-2005.

Please publish Friday, April 8, 2022.

Faith Kinnick  
City of Livingston  
April 7, 2022

Pamela Benjamin (she/her)  
[T](#)reasure State [A](#)cademic [I](#)nformation & [L](#)ibrary [S](#)ervices  
Montana State University Library  
P.O. Box 173320  
Bozeman, MT 59717-3320  
406.994.4432  
[pamela.benjamin1@montana.edu](mailto:pamela.benjamin1@montana.edu)  
<http://trailsmt.org>



If you want to go fast, go alone; if you want to go far, go together.  
*Exact origin unknown*

## Faith Kinnick

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**From:** Michael Kardoes  
**Sent:** Thursday, March 10, 2022 12:32 PM  
**To:** Faith Kinnick  
**Subject:** FW: School District Request for Rezone of School Property

I just keep finding them.

Michael Kardoes  
City Manager  
Livingston, MT 59047  
P: 823-6000  
citymanager@livingstonmontana.org

-----Original Message-----

**From:** Bob Jurvakainen [mailto:bojurvo@yahoo.com]  
**Sent:** Wednesday, March 2, 2022 10:37 AM  
**To:** Michael Kardoes <mkardoes@livingstonmontana.org>  
**Subject:** School District Request for Rezone of School Property

It has come to my attention that the school district is requesting an RIII designation for their property on the Northside across the RR tracks. I am definitely against this with the argument that until the RR crossing over/under pass problem has some resolution new building permitting should be on hold. I do realize the need. But I see by the zoning maps there is a large piece bordering the river and I 90 that is RIII. Perhaps some energy could be put into this tract.

With this many new houses in the near future there will be some serious considerations about our children in schools. It is my opinion that the School District should hold onto this land for future use.

Sincerely,

Bob Jurvakainen

Sent from my iPad

## Faith Kinnick

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**From:** Michael Kardoes  
**Sent:** Thursday, March 10, 2022 12:25 PM  
**To:** Faith Kinnick  
**Subject:** FW: New RIII Zoning on the North Side

Did you have this one?

Michael Kardoes  
City Manager  
Livingston, MT 59047  
P: 823-6000  
[citymanager@livingstonmontana.org](mailto:citymanager@livingstonmontana.org)



**From:** Nancy Jurvakainen [mailto:nancykarenj@yahoo.com]  
**Sent:** Friday, March 4, 2022 7:54 AM  
**To:** Michael Kardoes <mkardoes@livingstonmontana.org>  
**Subject:** New RIII Zoning on the North Side

I recently received a registered letter concerning a request from the School District to ask to rezone a 20-acre property on the Northside to RIII that is owned by them.

The corner of Scenic View and Bitterroot Trail (five acres) was twice denied a zoning change to RIII in the past five years by the city commission. The same reasons against an RIII zoning change still stand today for the current request except the area population has increased.

The RR crossing build is again on hold. Our elected city officials put much good energy into getting a plan together (over/under) and funding to achieve this goal. Sadly, for various reasons, this did not happen. We have the same number of crossings with stresses on them with more traffic to the Northside than ever before. I cringe to think of what a possible up to 747 additional units that could/would be built could do to our already overtaxed crossings to the Northside. If a maximum build was allowed this could possible be an added up to 2,000 people and each unit up to 2 cars. As I said early on in this correspondence there are the same reasons now as in the past five years to not allow additional RIII on the Northside.

I certainly understand the need for more affordable housing but I truly believe that what is built and sold is what the markets will bear. For example the units behind Albertson's started at \$260k two years ago and asking prices are now on up toward #350k range which even at this price are hardly affordable for those who work in the service industries. And I am unsure how new apartments and condos can be guaranteed for those who teach and work with our children. RIII should not be zoned without a plan in place of what the area could/would look like and the ramifications for the traffic flow, neighborhoods and the population of our town thoroughly analyzed. To me the reasons put forth for the rezone to RIII were vague.

I do not know how the School District acquired this property but it is apparent that its designation was intended to be for a school or for school use at some point as our community grows. It is my belief that this property should be used or held for present or future school related needs. One idea would be to move the baseball fields to this piece and as the schools' needs for space grow, classrooms and more could be added closer to where our schools presently exist.

I do know that a zoning designation needs to happen. What I object to is the property perhaps being sold when in the future land may again need to be purchased for school needs at exorbitant costs to the tax payers.

Although change is inevitable I believe the zoning and development of this piece should be thoughtfully evaluated to provide the maximum benefit for students and the whole community. I do believe an RIII zoning change would be detrimental as our current situations prevail.

Please vote NO for RIII zoning for this property. I believe it would be a huge mistake for our whole community for the reasons stated above.

Thank you for your time.

Nancy Jurvakainen  
1109 Prairie Drive  
Livingston, Montana  
360-431-9939

## Faith Kinnick

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**From:** Lee Stroncek <stroncek2@aol.com>  
**Sent:** Tuesday, March 8, 2022 10:31 AM ✓  
**To:** Michael Kardoes  
**Subject:** School land zoning

Mr, Kardoes,

I have a correction for my recent email: I meant to say a new railroad crossing is needed WEST of the current crossings, not east. Sorry for my mistake!

Lee Stroncek



## Faith Kinnick

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**From:** Lee Stroncek <stroncek2@aol.com>  
**Sent:** Tuesday, March 8, 2022 10:17 AM ✓  
**To:** Michael Kardoes; Mathieu Menard; City Commission  
**Subject:** Fw: 2nd email attempt re School land zoning

----- Forwarded Message -----

**From:** Lee Stroncek <stroncek2@aol.com>  
**To:** mkardoes@livingstonmontana.org <mkardoes@livingstonmontana.org>; mmenard@livingstonmontana.org <mmenard@livingstonmontana.org>; citycommission@livingstonmontana.org <citycommission@livingstonmontana.org>  
**Sent:** Tuesday, March 8, 2022, 10:09:14 AM MST  
**Subject:** School land zoning

Dear Mr. Kardoes,

My name is Mr. Lee Stroncek, residing at 1208 Parkview Trail, Livingston. I see no need to change the current zoning designation on the twenty acres of OPEN land adjacent to Scenic Drive (Trail). There is enough new housing available in the new "Northtown" mess already. By the way, we've really enjoyed the noise, dust, invasive weeds, truck traffic, windblown construction debris (that I have personally collected much of from the roadside) that has resulted from that "development" in the past several years. The crux of the situation is this: until an additional railroad crossing is placed to the east, no new major "development" should be approved on this north side of the city. Maybe we should put the brakes on our rush to be a bedroom community for Bozeman. The extra tax revenues from new housing will never pay for all the new services and infrastructure needed from such new development. You're always playing "catch-up". Are there developers pushing for this zoning and who are they?

Sincerely,  
Lee Stroncek

## Faith Kinnick

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**From:** Lee Stroncek <stroncek2@aol.com>  
**Sent:** Tuesday, March 8, 2022 10:09 AM ✓  
**To:** Michael Kardoes; Mathieu Menard; City Commission  
**Subject:** School land zoning

Dear Mr. Kardoes,

My name is Mr. Lee Stroncek, residing at 1208 Parkview Trail, Livingston. I see no need to change the current zoning designation on the twenty acres of OPEN land adjacent to Scenic Drive (Trail). There is enough new housing available in the new "Northtown" mess already. By the way, we've really enjoyed the noise, dust, invasive weeds, truck traffic, windblown construction debris (that I have personally collected much of from the roadside) that has resulted from that "development" in the past several years. The crux of the situation is this: until an additional railroad crossing is placed to the east, no new major "development" should be approved on this north side of the city. Maybe we should put the brakes on our rush to be a bedroom community for Bozeman. The extra tax revenues from new housing will never pay for all the new services and infrastructure needed from such new development. You're always playing "catch-up". Are there developers pushing for this zoning cn

Sincerely,

## Faith Kinnick

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**From:** Faith Kinnick  
**Sent:** Monday, March 7, 2022 10:07 AM  
**To:** 'Jim Baerg'; Jim Woodhull  
**Cc:** Michael Kardoes  
**Subject:** RE: Zoning meeting Tuesday

Good morning,

Mike intends to start the meeting and be available to speak on your agenda items. Mathieu briefed him prior to his departure.

Faith

**From:** Jim Baerg [mailto:jlbaerg@gmail.com]  
**Sent:** Monday, March 7, 2022 10:02 AM  
**To:** Faith Kinnick <fkinnick@livingstonmontana.org>; Jim Woodhull <jwoodhull@livingstonmontana.org>  
**Subject:** Zoning meeting Tuesday

Hi Faith, Jim,

With Mathieu gone, I'm wondering about City of Livingston support for our meeting tomorrow afternoon. Typically, Mathieu would make a semi-formal presentation explaining the Staff Report for each proposed Zone Map Amendment and then be available to answer technical questions regarding process and the Zoning Code. In addition, he would host the Zoom meeting.

Given that we have a very full agenda, and a couple of the agenda items will probably have input from the public, we will need to expedite the process and make sure the correct protocol is followed.

Jim, you seem like the obvious person to help us. Have you been tasked with that duty?

Thanks, Jim Baerg

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*Jim Baerg*

Montana Energy+Design  
223 S. 5th St.  
Livingston, MT 59047  
406-220-1498  
[jlbaerg@gmail.com](mailto:jlbaerg@gmail.com)  
[www.mte-d.com](http://www.mte-d.com)

## Faith Kinnick

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**From:** Michael Kardoes  
**Sent:** Tuesday, March 8, 2022 4:43 PM  
**To:** Faith Kinnick  
**Subject:** FW: zoning of school district property

Please add to public comment.

Michael Kardoes  
City Manager  
Livingston, MT 59047  
P: 823-6000  
[citymanager@livingstonmontana.org](mailto:citymanager@livingstonmontana.org)



**From:** Seifert, John [mailto:john.seifert@montana.edu]  
**Sent:** Tuesday, March 8, 2022 4:34 PM  
**To:** Mathieu Menard <[mmenard@livingstonmontana.org](mailto:mmenard@livingstonmontana.org)>; Michael Kardoes <[mcardoes@livingstonmontana.org](mailto:mcardoes@livingstonmontana.org)>; Planning <[planning@livingstonmontana.org](mailto:planning@livingstonmontana.org)>; Michael Kardoes <[mcardoes@livingstonmontana.org](mailto:mcardoes@livingstonmontana.org)>  
**Subject:** zoning of school district property

Dear Mr. Kardoes and Mr. Menard,

I'm writing to you with concerns about the possible zoning of the school district property as R3. As a resident of Ridgeview Trail subdivision and president of the HOA, I would like to see several issues addressed before designating this property as R3, as suggested by the school district.

I know there are no current plans for the development, but a letter sent out by the school district superintendent to faculty and staff gives some clues as to the 'future plan' of that area. It is also not the issue of resident to worry about whether faculty and staff can afford to buy a house, that's on the school district to pay worthwhile salaries. Any time there is a housing development in Livingston, the topic of traffic flow comes up, rightfully so due to poor planning and/or poor foresight of the past. I'm sure it did for our subdivision, Northern Lights, North Town, Discovery Vista, etc. Each time, the city has kicked the can down the road. Those issues are: 1. Only one railroad crossing for the whole northwest part of the city, 2. Heavy traffic flow through residential areas which leads to backups as well as safety issues (I seriously doubt property owners or the city will pay for sidewalks to be poured throughout the north side), and 3. There are no 'major' arteries to move traffic from the northwest to 5th Street except for Front Street.

Designating this property as R3 only exacerbates these problems. You know as well as I do that adding upwards of hundreds of units will create nothing but massive traffic and safety problems for the whole north side, not only in our area, but on Summit, 7th Street, 11-13th Streets, Montana Street, Gallatin Street, etc. I'm sure you see the problem here.

Lastly, why not designate this land as R1? Is R2 out of the question? Smaller homes can be built so 'teachers and staff' can afford them. I truly feel that an R3 designation is unwarranted.

I hope that the Planning Board can look at the long term when the recommendation is made to the City Commissioners.

Sincerely,  
John Seifert

Sent from [Mail](#) for Windows

Brooks Scott  
1104 Sweetgrass Ln  
Livingston, MT 59047

City of Livingston  
Zoning Commission  
220 E Park St  
Livingston, MT 59047



February 25, 2022

Dear Commissioners:

Thank you for supplying notice and the opportunity to comment on the proposed zoning change to the lot owned by the School District on Scenic Trail (Lot 1 of Subdivision 183, in Section 14, Township Two South, Range Nine East).

We bought a home in the Northtown Livingston development last year and are directly across the street from the lot that is under question. We moved to Livingston because we love the town and all its amenities, and we really did not want to live in the hustle and bustle of Bozeman where we were renting.

It is readily apparent that both Livingston and Bozeman are suffering from an acute lack of available and affordable housing, and that there are no easy answers to solving the issue. Livingston has seemed to be addressing this as smartly as possible, recognizing the need to preserve the town's charm while understanding that development will happen and is necessary for growth.

And while I love that I can walk out my door and be able to walk my dog across the street and through the meadow to the trail that connects to the soccer fields and down to Fleshman Creek, I understand that it's a prime location for development.

Virtually all of the existing development up in our part of town is single family. So I am not sure it makes sense to introduce the higher density that R-III allows. The Fjell project is already doing a "concentrated" approach to land use by putting 20 single family units onto a small plot directly to the east of this. One of the things that attracted us to Northtown was the availability of open space, with the development mostly recognizing the natural contours of the landscape and building appropriately. To me, adding a high-density project across Scenic Trail is incongruous with the existing Northtown plan.

My other concern is that we have yet to see what the plan is to deal with traffic as Northtown and the rest of the north side develops. Scenic Trail, Ninth St and Summit Ave are all experiencing a large increase in traffic flow, and I have not seen any plans to alleviate this. Adding a high-density development is only going to exacerbate the issue.

I'll be clear and say that I am opposed to the re-zoning for the above reasons. That said, should the zoning plan move forward, I would ask that the commission work to hold the developer of the property to high quality and design standards, with quality landscaping and an overall respect for the surrounding area and an understanding that any future development should enhance property values in the area, not detract from them.

Thank you,

A handwritten signature in black ink, appearing to be "Brooks Scott".

Brooks Scott

Livingston Finance  
Livingston Finance  
MAR 24 2022  
Livingston Finance

Robert and Cathy Brunn  
1110 Prairie Drive  
Livingston, Montana

To Whom It May Concern:

We would like to express our concerns about the request for R3 zoning for the school property located in the north neighborhood by the soccer field. We are against this rezone for several reasons. We purchased our home knowing the neighborhood is R2 and with the knowledge that this property is owned by the school assuming it would be for future school use. We never thought it could be sold and maybe approved for R3 with the option of up to 747 housing units.

The RR crossing is also a concern to us. It is our belief that this should be settled before any more new construction be allowed.

Sincerely,

Robert and Cathy Brunn

*Robert Brunn*  
*Cathy Brunn*

March 7, 2022



City of Livingston  
Zoning Commission

RE: Livingston School District Proposed Zone Map Amendment

To the Livingston Zoning Commission:

As a recent purchaser of a parcel of land in the NorthTown HOA area on Prairie Drive, my wife and I are very concerned about the captioned re-zone request by the Livingston School District. We disagree with Lynne Scalla's reasoning in her letter to Matthieu Menard dated February 15, 2022 for a number of reasons.

First, we are concerned about the negative impacts to the residential areas surrounding the property because of a large increase in the density of the structures. By adding more and more people to a limited area, the services the City can provide are impacted negatively by adding stress to an already growing fiscal demand on the City to provide services to the area. This stress can only add to the cost of living in the area and possibly result in the lowering of property values. I am aware that a large multi-family development zoned R3 is already in progress in the area.

Second, although Ms. Scalla mentioned the concerns over traffic movement, she didn't mention the additional impacts that an increase in traffic congestion and daily trips through the surrounding neighborhood north of the railroad tracks will have on the residents of this neighborhood. I think it is clear that an increase in traffic in this area will lead to more accidents, more injuries, and more property damages, not to mention, a decrease in the quality of life. It will lead to residents moving from the area and a decrease in property values. I don't believe these negative impacts are what the City would want to happen.

And third, as the area grows in population, a need will arise for an expansion of the school system and a need for facilities and increase the need for more park space to buffer that increased density. An increase in the green space in a growing area is a great amenity for the area, and probably required in the development of a Growth Management Plan.

In summary, we ask that you reject this application and keep the property zoned R2.

Respectfully submitted,

Kevin and Rebecca Van Fleet

1208 Prairie Dr  
Livingston, MT