



Consolidated Land Use Board

June 11, 2025 — 5:30 PM

City – County Complex, Community Room

<https://us02web.zoom.us/j/81501558505?pwd=Gpdz2jeQqpwtI9WAamWPBVsyLO2C0X.1>

Meeting ID: 815 0155 8505

Passcode: 377450

Phone: 1-669-900-9128

A regular meeting of the Consolidated Land Use Board is scheduled for June 11, 2025 at 5:30 PM in Community Room of the City/County Complex at 414 E. Callender St. The meeting will be facilitated by Board Chair Jessie Wilcox.

1. Roll Call

2. Approval of May 14, 2025 Minutes

3. General Public Comment

4. Planning Items - None

5. Zoning Items

A. SHEEP MOUNTAIN PLANNED UNIT DEVELOPMENT- Zoning Map Amendment to create a Planned Unit Development (PUD) district a parcel owned by Brookstone Livingston, LLC, legally described as MINOR SUB 677BROOKSTONE MAJOR SUBDIVISION 610, S14S07, T02 S, R09 R10 E, Lot 3Bts 8-10, ACRES 20.01, in Park County, Montana, addressed as 101, 103 and 105 Brookstone Street, and to rezone the parcel from R3 High Density Residential to PUD. Action Requested.

6. Board Comments

7. Adjournment

Consolidated Land Use Board Meeting Minutes

Date: May 14, 2025

Time: 5:30 PM

Location: Community Room, City/County Complex, 414 E. Callender St, Livingston, MT

Facilitated by: Chair Jessie Wilcox

Staff: Director Jennifer Severson

1. Roll Call

Present: Frank O'Connor, John Kalmon, Forrest Huisman (online), Jessie Wilcox, Quentin Schwarz (non-voting)

2. Approval of Minutes

Voting members of the board approved the November 13, 2024, February 24, 2025 and April 8, 2025 meeting minutes were unanimously approved.

3. General Public Comment

No public comment was received in person or online.

4. Planning Items

There were no planning items scheduled for this meeting.

5. Zoning Items – Zoning of 38 Loves Lane as Mixed Use

Director Severson introduced a zoning map amendment to zone recently annexed property at 38 Loves Lane as Mixed Use (MU). Current uses on the parcel are residential and small-scale suburban agriculture. It is anticipated the property will accommodate a new office building into which existing employees at the Livingston USDA office will be relocated. The office building is subject to Site Plan Review prior to building permit.

Zoning the property as MU aligns with the city's strategies to encourage development near transit routes, promote local businesses, and conserve building values. Staff also noted the importance of a new USDA building to keep local jobs.

If the MU zoning, or any commercial zoning, is approved for the property, staff will recommend the Gateway Overlay District overlay be assigned to the property and will bring that map amendment forward at the next board meeting after commercial zoning is approved.

The board discussed concerns about anticipated increase in traffic on Loves Lane and surrounding road network and the need for a traffic impact study. The board also discussed

responsibility of the property owner to pay to connect to city services at time of building permit for the new office building.

Motion by Kalmon to recommend the City Commission approve Mixed Use zoning on the property at 38 Loves Lane; O'Connor seconded motion.

Public Comment

Chair Wilcox opened the floor for public comment at 20:40 mins. No public comments were made. Public comment was closed.

Wilcox requested a vote on the motion before the board (25:10 mins). Motion to recommend the City Commission approve Mixed Use zoning on the property at 30 Loves Lane passed unanimously (4-0).

6. Board Comments

None

7. Adjournment

The meeting adjourned at 6:05 pm



LivingstonMontana.org | PublicComment@LivingstonMontana.org | 406.823.6000

DATE: June 11, 2025
TO: Chair Wilcox and Consolidated Land Use Board Members
FROM: Jennifer Severson,
RE: Staff Report for Sheep Mountain Planned Unit Development

Introduction and History

In November 2023, the City adopted its first Planned Unit Development (PUD) Ordinance. A PUD is a zoning district intended to encourage more efficient use of land and public services than is generally attainable under standard zoning application. Conventional area and density requirements are replaced by application of the PUD district to lands upon which an approved plan becomes the basis for control of land development. By allowing for context-sensitive design that conforms to topography and minimizes site impacts, PUD zoning encourages clustered development, diverse housing types, mixed land uses, and natural resource preservation.

Summary

The applicant is proposing a single-phase Planned Unit Development (PUD) on property addressed as 101, 103 and 105 Brookstone Street, located at the intersection of Brookstone Street and Miles Lane. The subject property is just over 1 acre in size and is currently zoned R3-High Density Residential (See Attachment A, Application Packet and Figure 1 below). The site is bounded on the north by Brookstone Street, on the east by Miles Lane, on the west by the Brookstone Ditch, and on the south by residential and suburban agricultural uses on lands outside City limits. The proposed PUD site is currently vacant, with flat terrain and little vegetation. A 20-foot-wide ditch easement extends along the southern portion of the site. The PUD has been designed to maximize the development footprint on the property while also protecting views of Livingston Peak and Sleeping Giant to the south. The development will include 2 three-story buildings, each having a maximum building height of 45 feet.

The PUD will include a mix of 32 one-bedroom, 12 two-bedroom and 4 three-bedroom rental apartment units, for a total of 48 rental units, with 24 units in each building; of these, 12 one-bedroom units and 4 two-bedroom units will be ADA accessible. Additionally, there will be 500 square-feet of flexible amenity space for use by the residents of the PUD. The developer is seeking Low-Income Housing Tax Credits (LIHTC) to fund the project and, if awarded, all rental units will be



affordable for anyone making at or below 60% of the Area Median Income for Park County (See Attachment B). In May 2025, the developer presented their proposal for the Sheep Mountain PUD to the Montana Board of Housing and were invited to formally apply for LIHTC funds, moving them forward in the highly competitive grant process. And, although not mentioned in the application packet, at the May 21, 2025 Public Work Session, the developer stated their intent to include solar energy facilities to help defray energy costs and further support PUD residents.

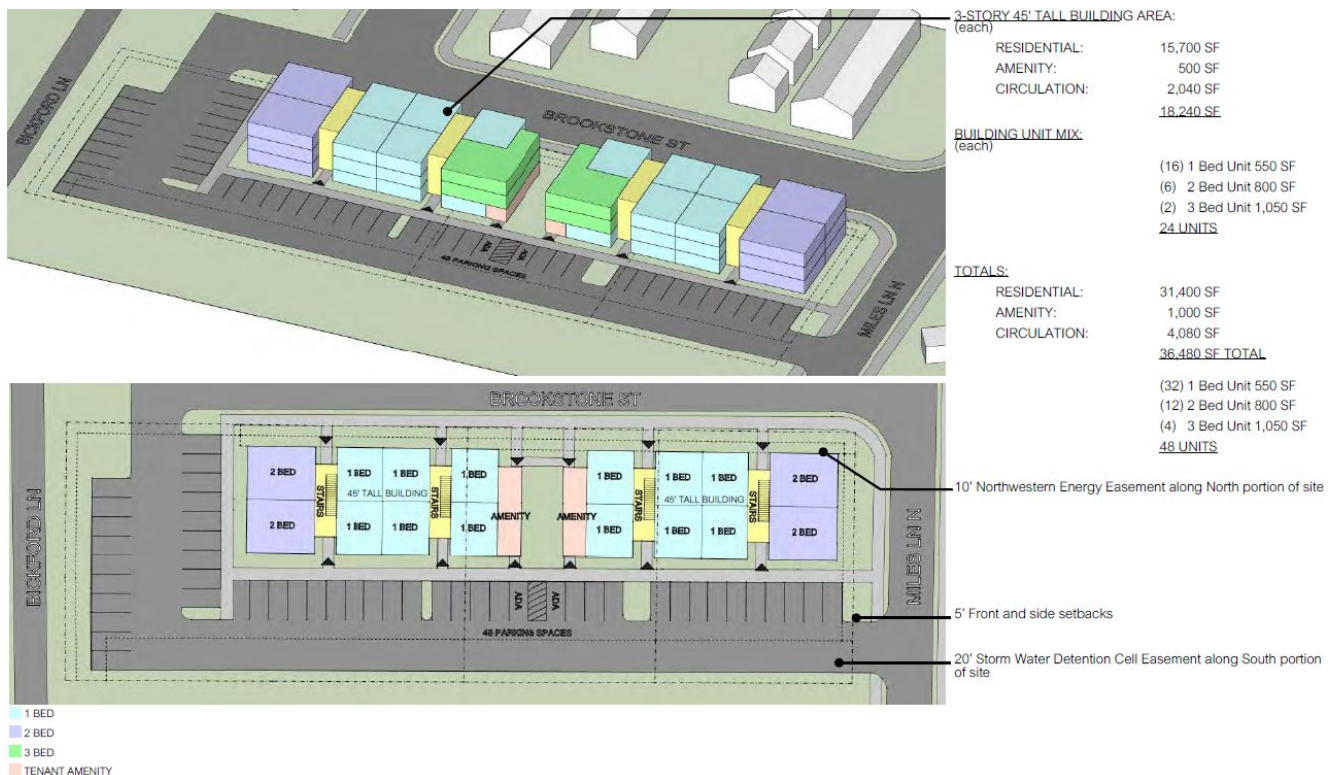


Figure 1. Sheep Mountain Planned Unit Development

Analysis

Referral Comments (see Attachment C)

Livingston Public Works- Comments were provided about the termination point of the Brookstone Ditch within the property; plans submitted for building permit must address the following: quantity of ditch water that must legally pass through and/or be retained on the property; water impacts on the PUD property and downstream land owners; a written agreement between the owner of the PUD property and the Brookstone Ditch company must be submitted that confirms the volume of ditch water and how it will be handled on site; details about the capacity and function of the infiltration swale and confirmation of ongoing operation and maintenance responsibilities for the swale. Stormwater discharge must be treated in conformance with City of Livingston and MT DEQ standards, ongoing operation and maintenance responsibilities for the proposed underground



stormwater facility must be determined and infiltration rates must be verified with percolation tests; groundwater may need continued monitoring. Additional requirements for the design and function of stormwater facilities were stated. No concerns about traffic, sewer or street impacts were noted.

Livingston Fire and Rescue- the need for an additional hydrant and its location were stated as well as requirements for sprinkling, fire alarm and other fire protection and safety measures.

Montana State Historic Preservation Office (SHPO)- comments confirmed previous cultural resources inquiries were completed for the area but no recorded sites are within the proposed project area; this agency does not anticipate cultural or historic resources will be affected by the proposed PUD (See application packet Tab G for letter from SHPO).

Montana Fish, Wildlife and Parks (FWP)- comments confirmed that the area around the PUD site is used by deer and a variety of nongame species, including racoons. Occasional transitory use by mountain lions and black bears is possible. This agency offered suggestions to minimize the potential for human-wildlife conflicts related to the PUD (see application packet Tab I for letter from FWP).

No Concerns- City Building Department

No Responses Received – City Police Department, Park County Planning Department


Public Comment – M. Johansen expressed support for the PUD in this location as developing this long-vacant site will improve neighborhood appearance and vitality, and also commended the provision of 48 new affordable housing units in Livingston to address community needs.

Findings of Fact

As stated in Section 30.47, A PUD shall further a majority of the following objectives:

1. ***Protect natural and cultural resources.*** The project site is vacant and relatively flat with little vegetation. Earthwork is necessary to install underground stormwater facilities to facilitate ditch water flow through the property without restricting surface development on the site. Although the PUD has been designed to maximize use of the site, minimal grading is anticipated for the building and parking areas. The application states that any new fencing installed on the project boundary will be wildlife-friendly to allow for continued safe passage of wildlife. Other than the ditch lateral along the west side of the parcel, no watercourses or wetlands have been identified on the site.

A letter from the MT SHPO included with the application materials expressed no concerns that cultural or historic resources will be affected by the proposed PUD. A letter from MT FWP included in the application also did not express significant concerns about the PUD; the



letter cited recommendations and preventive measures to reduce potential wildlife-human conflicts and this agency recommended these considerations be addressed in developer covenants for the PUD.

The PUD site is surrounded by development that includes fourplex condominiums, single family and mobile homes, suburban agriculture, and a private school. To minimize impacts to views of the Beartooth and Absaroka mountains south of the PUD, the developer has limited the maximum building height to 45 feet, which is five feet less than what is allowed 'by right' in the R3 district. Additionally, architectural drawings show a neutral exterior paint color that will not detract from the views, and with rooflines that mimic the mountain peaks to the south. A rendering of the PUD a showing view from north of the PUD site toward the southern mountains is included in Tab D in the Application Packet.

2. ***Encourage open space and recreational areas beyond the minimum subdivision requirements.*** The site is just over 1 acre in size and the PUD has been designed to maximize use of the property, limiting open space potential. There will be 500 square-feet of flexible community space for use by the PUD residents and the new Wellness Center (1/2 mile away) and Myer's River View Trail (0.9 miles away) provide opportunities for sports and recreation nearby.
3. ***Promote a more effective use of land than the base zoning district would allow, resulting in clustered development and a more condensed network of utilities and streets.*** The inclusion of 10 additional housing units will result in a more efficient use of the site than what is allowed 'by right' in the R3 zoning district (48 units in the PUD vs. 38 allowed in R3).
4. ***Encourage mixed uses in new developments as a means to improve convenience and access to daily necessities by area residents.*** Although the PUD does not include mixed uses available to the public, the application states that the 500 square feet of flexible amenity space may include a shared laundry facility, bike, and gear storage. Having laundry and storage facilities will provide conveniences for PUD residents that they would otherwise have to travel elsewhere to use.
5. ***Reduce vehicular trip generation through mixed use development and enhanced multi-modal connectivity.*** Although new sidewalks will be installed where Brookstone Street and Miles Lane border the PUD, staff does not anticipate the development will enhance multi-modal connectivity or reduce vehicular trip generation. The closest transit stop is ½ mile away at Katie Bonnell Park (the site of the future Wellness Center) and there is no connected pedestrian network or bike facility to provide a direct connection to that bus stop.
6. ***Encourage affordable/ workforce housing development.*** The PUD will include 48 rental units that will be affordable to those with incomes at or below 60% of the Park County AMI. The



units will be a mix of one, two and three bedrooms and will be a significant boost to address the critical need for affordable housing in Livingston.

7. **Support the adopted City of Livingston Growth Policy.** The proposed PUD supports the following Growth Policy recommendations: *Goal 3.1:* Prioritize infill over expansion by taking advantage of existing and planned infrastructure, such as transportation, energy, water, and sewer facilities. *Objective 3.1.1:* Encourage higher densities and a wider range of land uses that are compatible with adopted plans and where existing or planned shortrange community facilities and infrastructure can support them. *Strategy 3.1.1.8:* Reduce urban sprawl through compact development consistent with the Future Land Use Map of this Growth Policy. *Goal 5.1:* Provide housing options to meet the needs of all residents. *Strategy 5.1.1.2:* Consider implementing the recommendations of the housing action plan; *HAP Recommendation #9:* General Zoning Reform & Flexible Development Standards- removing barriers to building a variety of housing choices, which allows for homes of all shapes and sizes for people of all incomes. *Objective 5.1.4:* Promote a mix of housing within neighborhoods that supports a variety of household income levels, household age groups, and housing types. *Strategy 5.1.4.2:* Promote inclusion of ADA-accessible units in new housing developments through the adoption of “Universal Design Standards” that remove barriers for mobility.

Additional Considerations

Commercial Uses

No commercial uses are proposed for the PUD.

Developer Incentives and Public Benefits

The minimum lot size in the R3 district is 1,150 square feet. The subject property is 44,327 square feet, therefore, 38.5 dwelling units are allowed ‘by right’. To enable the applicant’s goal to provide affordable housing, the applicant requests an increase in density allowed to 48 dwelling units total, or 10 more than what is allowed under current zoning. In return for this increased density, the developer will provide affordable housing that meets affordability requirements identified in Resolution 5115 (see Attachment B). All 48 units will be offered at or below 60% AMI thresholds and will be deed-restricted as low-income affordable.

As allowed under Livingston Municipal Code Sec 30.47.D.1.c.iii, Affordable Housing units at or below 60% AMI will qualify for the Waived Impact Fees as well as count toward the total number of Affordable Housing Units needed to obtain a density bonus. Therefore, impact fees will be waived for all 48 rental units because all will deed-restricted for rental at or below 60% AMI.

Zoning Considerations

As discussed above, the proposed PUD supports applicable density and use goals, objectives and/or strategies identified in the City’s adopted Growth Policy.



Staff does not anticipate that the requested additional 10 units of density will have significant adverse impacts on the general public or the surrounding neighborhood. The applicant is providing one vehicular parking space for each rental unit and 6 bicycle parking spaces to encourage an alternate mode of travel.

However, parking design shown on the Site Plan (Sheet C3.0) does not comply with the standards identified in Sec 30.51 of the LMC. No variance from parking requirements has been requested; therefore, the design must be revised to comply with standards identified in the LMC. Minimum stall length must be 18.5 feet. Additionally, at least one of the required bike parking spaces must be large enough to accommodate a bike with a trailer (see Sec 30.51.R.1a). The applicant included 10 compact parking spaces in the design. Although no allowance exists for compact parking in the LMC, a 16-foot stall length is consistent with compact parking design, in general. Staff supports the use of compact spaces on the west side of the lot, as shown, provided the length of the curb along the north end of the compact parking area is extended to 18 feet to ensure the adjacent 24-foot-wide travel lane remains passable.

Staff also noted the lack of landscaping or buffering shown on the site plan. It is not unusual to delay landscape design until building permit application; however, due to the limited amount of undeveloped area shown on the Site Plan, staff finds it important to remind the developer that the final site design submitted for building permit must comply with LMC Sec 30.51.T&U for parking area landscaping and Sec 30.59.E & E.1 for screening requirements.

Planning Considerations

The applicant has not requested any deviations from the adopted the City of Livingston Public Works Design Standards and Specifications for the PUD.

The PUD will establish effective internal connections with pedestrian pathways and connect to the surrounding transportation network through two new vehicular access points at the intersection of Elm and Brookstone Streets and at Miles Lane. Bike parking will be located near the front pedestrian entrance to the development and will be accessible from the new sidewalk along Brookstone Street. However, the nearest Windrider bus stop is located over ½ mile away on E. Gallatin Street at Katie Bonnell Park (the site of the future Wellness Center). The addition of a fixed route transit stop at the PUD would provide both PUD residents and the surrounding neighborhood a convenient option for alternate transportation. Staff recommends the developer work with the City and transportation providers such as Windrider and Angel Line Senior to establish a new fixed route stop at the PUD. Furthermore, staff recommends the developer be required to install a new bus shelter at that bus stop. The addition of a transit stop and shelter at the PUD site will support Growth Policy Strategy 4.1.3.3 to “reduce climate disruption through compact growth and increased transportation choices that reduce the need for driving. “

Due to its compact design, disturbance to the to the existing terrain will be minimized and staff does not anticipate adverse impacts to the natural environment, critical wildlife and habitat, agriculture,



public health and safety, or local services. There is no agriculture use, significant natural amenities or critical wildlife habitat on the property and the site is within an area that is already served by City utilities, Fire and Police. The developer is working with the Brookstone Ditch Company to agree on a solution to accommodate ditch overflow during high flow while preserving the water rights of the ditch users. The Public Works Referral Letter (Attachment C) identifies several concerns about stormwater management that must be addressed before permitting; however, no concerns about traffic, sewer or street impacts were noted in the Public Works referral.

Fiscal Impact

The developer will be responsible for the cost of installing the infrastructure necessary to support the PUD, but no impact fees will be assessed because of the provision of affordable housing at or below 60% of the Park County AMI. Additionally, through the LIHTC program, the PUD is exempt from local property tax assessments for a specified period of time, provided the low-income affordability of each unit is deed restricted for a minimum of 30 years (see Attachment D, Sheep Mountain Affordable Housing Action Plan).

Strategic Alignment

As described above, the proposed PUD aligns with several strategies of the Growth Policy as well as the Park County Housing Action Plan.

Staff Recommendation

Based on the reasons discussed above, Staff finds the proposal complies with the requirements of City and State statutes and supports the City's adopted Growth Policy. Therefore, Staff recommends the Consolidated Land Use Board recommend that the City Commission approve the Sheep Mountain Planned Unit Development with the conditions listed below:

1. The application for building permit must demonstrate the concerns expressed in the Public Works Referral Letter dated June 4, 2025 have been addressed.
2. Prior to issuance of a building permit, a letter of agreement between the PUD property owner and the Brookstone Ditch Company must be provided that ensures adequate accommodation and conveyance of ditch water through the PUD property without infringing on water rights of downstream ditch users.
3. The application for building permit must demonstrate compliance with requirements identified in the Referral Letter from the Livingston Fire Chief dated May 7, 2025.
4. Design of the parking area must be revised to comply with LMC Sec 30.51. If compact parking is provided on the west side of the lot, the length of the curb along the north side of the compact spaces must be extended to 18 feet to ensure the adjacent 24-foot-wide travel lane remains passable for emergency vehicles.



5. Plans submitted for building permit must demonstrate compliance with LMC Sec 30.51.T&U for parking area landscaping and Sec 30.59.E & E.1 for screening requirements.
6. The applicant must work with the City and local transportation providers to establish a new fixed route stop at the PUD and must install a new bus shelter at the location of the new bus stop.
7. Fencing installed around the PUD property must be wildlife-friendly to ensure safe passage of wildlife.
8. Annual certification must be submitted to the City that confirms PUD rental rates remain affordable, at or below 60% AMI, as was required to have City impact fees waived at time of PUD approval. The AMI in place at the time of annual certification will be used.
9. The applicant is subject to the terms, conditions and commitments of record in the application for the Sheep Mountain PUD and as approved by the City Commission.

Attachments

- Attachment A: [Sheep Mountain PUD Application](#) & [Supplemental Sheets](#)
- Attachment B: LIHTC funds, Housing Affordability Factors and AMI Details
- Attachment C: Referral Agency and Public Comments
- Attachment D: Sheep Mountain Residences Affordable Housing Action Plan

What is LIHTC?

The Low Income Housing Tax Credit (LIHTC) program was created under the Reagan Administration via the Tax Reform Act of 1986.

A program of the U.S. Treasury, it is our nation's largest resource for subsidizing the acquisition, construction, and rehabilitation of affordable rental housing for low- and moderate-income households.

It does this by reducing federal income taxes for 10 years in exchange for making an investment in an affordable housing development, which is required to stay affordable for at least 30 years.

What is 60% AMI?

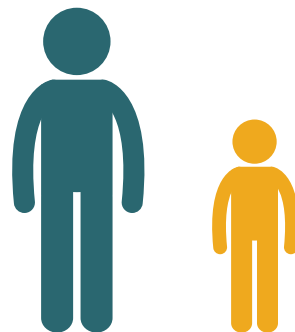


\$42,300
ANNUAL

\$20.34
HOURLY

\$1,058

MAX AFFORDABLE
MONTHLY HOUSING
PAYMENT



\$48,300
ANNUAL

\$23.22
HOURLY

\$1,208

MAX AFFORDABLE
MONTHLY HOUSING
PAYMENT



\$54,360
ANNUAL

\$26.13
HOURLY

\$1,359

MAX AFFORDABLE
MONTHLY HOUSING
PAYMENT

30% RENT

1.77

AVERAGE HOUSEHOLD SIZE

\$47,714

MEDIAN 2023 RENTER HOUSEHOLD
INCOME, ADJUSTED FOR INFLATION

\$1,192

MAX AFFORDABLE
MONTHLY HOUSING PAYMENT



\$1,590

ESTIMATED MEDIAN RENT

This is \$397 more per month than the maximum a median renter household could afford.

This amount is affordable for a household earning \$63,600 annually.

U.S. Census Bureau. (2024). 2017-2023 American Community Survey 5-year estimates. Tables DP04, B25119, S2501.

Rental data collected March 19 & 20, 2025 from 41 published listings.



Retail Trade is Livingston's 2nd largest and fastest-growing industry.

It employs more than 600 people and grew by 177 jobs from 2010-22.

Data on the Retail Trade sector published in the 2024 Livingston Downtown Housing Study

**Park County's Retail Trade workers
earn an average of \$39,510 annually**

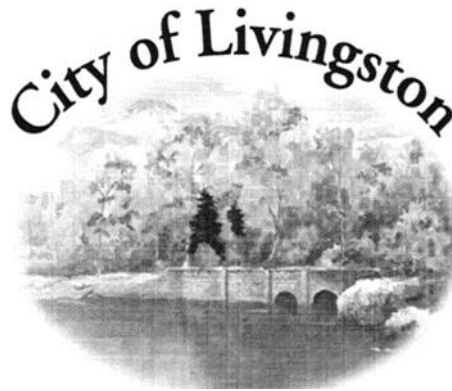
well below 60% AMI for a single-person
household (\$42,300)

Data from the Bureau of Labor Statistics, Quarterly Census of Employment and Wages. Data has been adjusted for inflation.

City Manager
Grant Gager

220 E Park Street
(406) 823-6000 phone

citymanager@livingstonmontana.org
www.livingstonmontana.org



Incorporated 1889

Chairperson
Melissa Nootz

Vice Chair
Karrie Kahle

Commissioners
Mel Friedman
Quentin Schwarz
Torrey Lyons

Item A.

Date: 11/7/2023
To: Chair Nootz and City Commissioners
From: Grant Gager, City Manager

Staff Report for Resolution 5115 Identifying Affordable Housing Incentives

Recommendation and Summary

Staff recommends the Commission approve Resolution 5115 by adopting the following motion:

"I move to approve Resolution 5115 and authorize the Chair to sign."

The reasons for the recommendation are as follows:

- The City has created certain incentives related to the production of affordable housing units through its planned unit development ordinance.
- The City Commission has expressed a desire to establish levels of affordability necessary to obtain such incentives.

Introduction and History

The City of Livingston's Planned Unit Development ordinance creates certain incentives related to the creation of affordable housing. In order to ensure that the development of affordable housing is aligned with the Commission's goals, identification of affordability levels necessary to obtain certain incentives is recommended by City staff.

Analysis

Affordability of housing is most often associated with the Area Median Income of a geographic region. Recognizing that housing costs above 30% of gross income are burdensome to families, the United States Department of Housing and Urban Development establishes guidelines for affordability within each community. For Park County Montana, the Area Median Income and housing affordability levels are as follows:

Affordability by % of AMI for 2-Person Households in Park County		
AMI	Annual Income	Affordable Monthly Rent (30% of monthly income)
60%	\$42,000	\$1,050
80%	\$56,000	\$1,400
100%	\$70,000	\$1,750
120%	\$84,000	\$2,100

Staff review of current available housing units indicates that there are currently limited units available for rent or sale at or below the level that is affordable to those making 100% of the Area Median Income (\$1,750 per month).

As such, that City staff is recommending that the Commission adopt the proposed Resolution identifying units affordable to those making less than 100% of AMI as eligible for incentives available from the City. Recognizing that community members have different needs and abilities related to housing, City staff is not recommending differential affordability levels for ownership or rental units.

Fiscal Impact

There is no fiscal impact to the City arising from this declaration of affordability levels.

Strategic Alignment

The provision of affordable housing is recognized in Growth Policy goal 5.1 which is to provide housing options to meet the needs of all residents.

Attachments

- Attachment A: Resolution 5115
- Attachment B: 2021 Park County Housing Needs Assessment

RESOLUTION NO. 5115**A RESOLUTION OF THE CITY OF LIVINGSTON, MONTANA, IDENTIFYING AFFORDABLE HOUSING INCENTIVES.**

WHEREAS, the City of Livingston has established incentives to support the creation of affordable housing; and

WHEREAS, the City Commission wishes to identify which projects will be eligible for such incentives; and

NOW, THEREFORE, BE IT RESOLVED, by the City Commission of the City of Livingston, Montana, that projects that provide housing that is deemed affordable to residents earning one-hundred percent (100%) of the Area Median Income as then-currently determined by the United States Department of Housing and Urban Development.

Dated this 7th day of November, 2023.

MELISSA NOOTZ, Chair

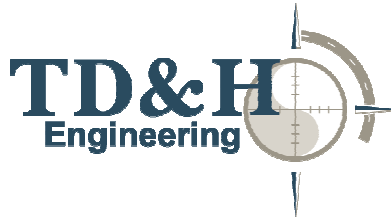
ATTEST:

APPROVED TO AS FORM:

EMILY HUTCHINSON,
City Clerk

JON HESSE,
City Attorney

234 East Babcock Street
Suite 3
Bozeman, MT 59715



406.586.0277
tdhengineering.com

MEMORANDUM

Date:	6/4/2025	B23-114-023	
To:	Shannon Holmes, Public Works Director City of Livingston		
From:	Keith Waring, PE		
Subject:	Sheep Mountain Residence Preliminay PUD Engineering Comments		

Shannon,

I have reviewed the Sheep Mountain Residence Preliminary PUD submittal. As discussed we are only reviewing for general acceptance of the concept of the project. This review is not intended to be all inclusive or an acceptance of everything shown on the concept drawings. A full review will be conducted upon receiving final design drawings from the developer's engineer. The issues raised below should be considered and addressed prior to moving forward to that phase of the development.

1. Irrigation Ditch

- a. The development impacts an existing irrigation ditch that the developer has indicated terminates on the property. The final submittal will need to address the quantity of water that the ditch company has legal right to either pass through the property or retained on the property. The developer will need to provide the written agreement between the property owner and the ditch company that states what these quantites are and how they are agreed to be handled and what impacts they will have to the property/proposed development and any downstream impacts to other landowners or the City.
- b. Who is resposible for maintaining the proposed swale needs to be identified in the agreement with the ditch company. What is the proposed O&M of the swale and how is water going to be diverted without flooding anyone if the infiltration swale fails?

2. Storm Water

- a. The existing subdivision storm pond goes through a grassy swale for treatment of contaminants in the storm water. The new storm water plan will be discharging water straight from asphalt surfaces to the ground water. The

developer will need to address how storm water will be treated in conformance with City of Livingston and DEQ standards.

- b. The existing subdivision has a easement and treatment facilities that are on this property that it is the responsibility of the subdivision to maintain. The proposed plan changes the system from an easily maintained storm water pond to an underground discharge system. In the event that the underground system becomes clogged, who is the developer proposing is responsible for maintaining the storm water facility? How is the developer proposing to put in place enforcement procedures to make sure operation and maintenance of the facilities is maintained? If the existing HOA is still going to be responsible for maintenance of the storm water system, then an agreement between the HOA and the developer needs to be provided. If the property is going to be responsible then the funding, O&M of the facility will need to be laid out for approval.
 - c. Ground water monitoring may be required based on the design depth of the facilities as the NRCS information says that groundwater can be as high as 6 feet in the area.
 - d. Infiltration rates will need to be verified with percolation tests.
 - e. 100 year overflow will need to be contained to easement/directed into roadside ditch shown
 - f. Any changes to offsite storm water will need to be addressed and shown to be in compliance with City and DEQ design requirements. Culvert for Miles Street extension may need a manhole...
3. **Parking spaces-** I didn't check to verify that in conformance with the Code
4. **Traffic** -No traffic report comments.
5. Water comments:
 - a. The fire chief is requesting a fire hydrant in the south parking lot. A fire hydrant extension/easement between the two buildings seems the easiest way to provide this.
 - b. All existing water services that are not going to be used will need to be abandoned at the main.
 - c. FDC's will need to be provided for fire services per fire chief.
 - d. All water final design plans will be reviewed upon submittal for final approval.
6. **Sewer-** no comments based on preliminary report. All sewer final design plans will be reviewed upon submittal for final approval.
7. **Street-**Will need to discuss asphalt patching on Miles Street during design phase. Handi-cap ramps on Miles Street will need to be discussed during design phase. All approach and street final design plans will be reviewed upon submittal for final approval.

From: [Adam Ballew](#)
To: [Jennifer Severson](#); [Shannon Holmes](#); [Jim Woodhull](#); [Josh Chabalowski](#); [Wayne Hard](#); [Planning](#)
Subject: RE: Referral Request for Sheep Mountain Planned Unit Development (PUD) - 101/ 103/ 105 Brookstone St
Date: Thursday, May 22, 2025 2:40:23 PM
Attachments: [image002.png](#)
[image003.png](#)

Jen,

Comment/question on compact parking – Can the curb be pushed 2' to the West to make them 18'?

Thanks,
Adam



Adam Ballew | Project Manager

Livingston Public Works Department
330 Bennett Street
Livingston, MT 59047
406.222.5667
LivingstonMontana.org

From: Jennifer Severson <jseverson@livingstonmontana.org>
Sent: Tuesday, May 6, 2025 2:45 PM
To: Shannon Holmes <sholmes@livingstonmontana.org>; Jim Woodhull <jwoodhull@livingstonmontana.org>; Josh Chabalowski <firechief@livingstonmontana.org>; Wayne Hard <whard@livingstonmontana.org>; Planning <Planning@parkcounty.org>
Cc: Adam Ballew <aballew@livingstonmontana.org>
Subject: RE: Referral Request for Sheep Mountain Planned Unit Development (PUD) - 101/ 103/ 105 Brookstone St

Good Afternoon,

Can you please send me any comments or concerns about this proposed PUD at your earliest convenience? I've attached four slightly updated sheets sent by the applicant since I emailed you the original application pkt (also attached). If you have no concerns or comments, I would appreciate if you could please just shoot me an email stating this so I can include with my staff report.

Thanks much!

Jennifer Severson – Planning Director

City of Livingston
(406) 222-4903

From: Jennifer Severson
Sent: Friday, April 25, 2025 4:57 PM

From: [Josh Chabalowski](#)
To: [Jennifer Severson](#); [Shannon Holmes](#); [Jim Woodhull](#); [Wayne Hard](#); [Planning](#)
Cc: [Adam Ballew](#)
Subject: RE: Referral Request for Sheep Mountain Planned Unit Development (PUD) - 101/ 103/ 105 Brookstone St
Date: Wednesday, May 7, 2025 11:03:13 AM
Attachments: [SHEEPMOUNTAINBROOKSTONE 5.7.2025.pdf](#)
[image003.png](#)

See my attached drawing notes on top of the previous "lighting" slide. I highlighted the need for an additional hydrant location.

As long as the building is fully sprinkled, has sufficient fire alarm/KNOX box entry/fire protection/smoke & heat detection/ emergency exit lighting, and the aforementioned hydrant addition, I am good.

Josh Chabalowski
Fire Chief
Livingston Fire Rescue
414 East Callender St
Livingston, MT 59047
P: (406) 222-2061
C: (813) 751-6911
Firechief@livingstonmontana.org



From: Jennifer Severson <jseverson@livingstonmontana.org>
Sent: Tuesday, May 6, 2025 2:45 PM
To: Shannon Holmes <sholmes@livingstonmontana.org>; Jim Woodhull <jwoodhull@livingstonmontana.org>; Josh Chabalowski <firechief@livingstonmontana.org>; Wayne Hard <whard@livingstonmontana.org>; Planning <Planning@parkcounty.org>
Cc: Adam Ballew <aballew@livingstonmontana.org>
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Subject: Referral Request for Sheep Mountain Planned Unit Development (PUD) - 101/ 103/ 105 Brookstone St

Good Afternoon,

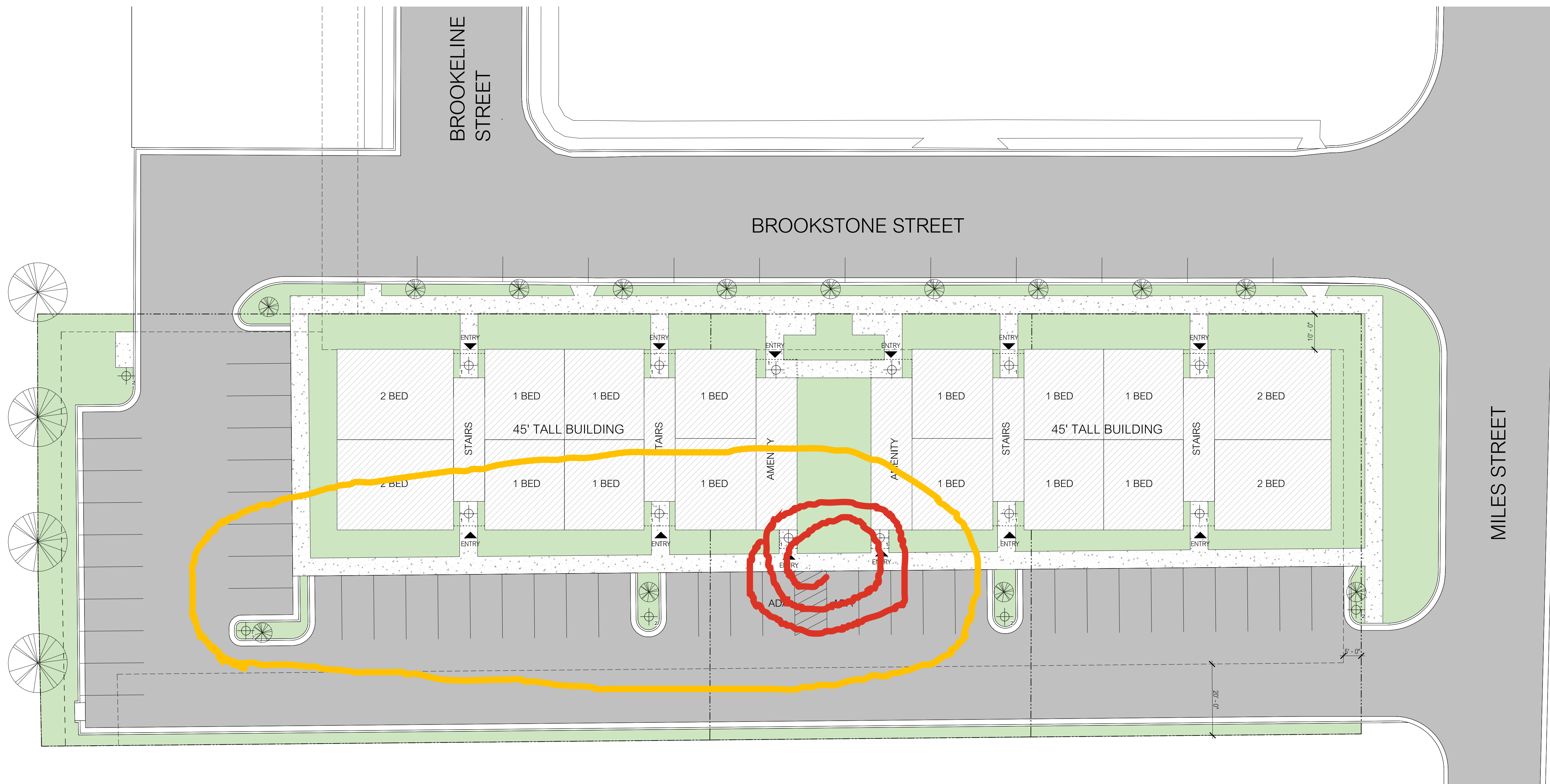
Please see attached an application for the Sheep Mountain PUD. Can you please review the information and let me know if you have questions, concerns, or would like the applicant to provide additional details?

If possible, **please provide your response by Monday May 5th**. If you don't have any questions/ concerns/ comments, I'd appreciate if you could please respond by email to me and let me know that.

Have a great weekend all!
Jennifer



Jennifer Severson, AICP – Planning Director

City of Livingston
220 E. Park St.
Livingston, MT 59047
(406) 222-4903
jseverson@livingstonmontana.org



1//A10 SITE PLAN
1/16" = 1'-0"

LIGHTING LEGEND

- | | |
|---|---|
|  | EXTERIOR SURFACE MOUNT LED DOWNLIGHT |
|  | EXTERIOR LED BOLLARD PARKING LOT LIGHTING |

ALL SITE LIGHTING TO COMPLY WITH LIVINGSTON MUNICIPAL CODE CHAPTER 18

ΔSPEKT.
ARCHITECTURE & DESIGN

1103 North Pinecrest Dr.

Bozeman, MT 59715

aspektarch.com

406.317.5333

PRELIMINARY
NOT FOR
CONSTRUCTION

REVISIONS

PROJECT

LAH
SHEEP MOUNTAIN
RESIDENCE

101, 103, 105 BROOKESTONE ST,
LIVINGSTON, MT 59047

SHEET _____

SITE LIGHTING PLAN
04.15.2025

A10

© 2025 ASPEKT ARCHITECTURE LLC

From: [Jim Woodhull](#)
To: [Jennifer Severson](#)
Subject: RE: Referral Request for Sheep Mountain Planned Unit Development (PUD) - 101/ 103/ 105 Brookstone St
Date: Tuesday, May 6, 2025 3:03:09 PM
Attachments: [image002.png](#)

No concerns for the Building Dept.

From: Jennifer Severson
Sent: Tuesday, May 6, 2025 2:45 PM
To: Shannon Holmes <sholmes@livingstonmontana.org>; Jim Woodhull <jwoodhull@livingstonmontana.org>; Josh Chabalowski <firechief@livingstonmontana.org>; Wayne Hard <whard@livingstonmontana.org>; Planning <Planning@parkcounty.org>
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Jennifer

Jennifer Severson, AICP – Planning Director

City of Livingston

220 E. Park St.

Livingston, MT 59047

(406) 222-4903

jseverson@livingstonmontana.org



REV. MELISSA JOHANSEN

405 Brookline Street, Unit B | 630.981.7910 | johansenmelissa@gmail.com

June 4, 2025

Livingston Consolidated Land Use Board
220 E. Park Street
Livingston, MT 59047

Dear Members of the Livingston Consolidated Land Use Board:

I am writing in support of the proposed Sheep Mountain Residences development. I have lived in Livingston and on Brookline Street for the past nearly four years. I was really excited to hear about this proposed project for a number of reasons. I drive past these currently vacant lots at least a couple of times a day and I am looking forward these lots being developed rather than the current eyesore the vacant lots are right now. The proposed design of the buildings will go well with the existing Brookstone development on Brookline and Miles Streets. I'm looking forward to have a new vibrant community of people living just at the end of my street.

Although this letter reflects only my personal thoughts and I do not speak for my places of employment, through my work in Livingston, I have learned a lot about community needs. Through hearing from a variety of non-profit organizations in Livingston and Park County and through reading reports on community needs, it is clear that more housing is urgently needed. I am glad this project will provide a place for 48 households to live. I am especially pleased that this project will offer affordable housing through the LIHTC program. Over the years I have lived and worked in Livingston, I have become aware of quite a few individuals and families who have struggled to make ends meet with the extreme cost of most housing in Livingston. This will offer a much needed alternative for some households. When I attended the information session on May 21, I was very impressed with the developer's concern and focus on creating places of residence that would offer dignity for those living there. As a member of this community, I want all people who live in Livingston to be able to live in dignified housing where they are able to thrive.

Through working in a retail/service industry job in Livingston that serves both residents and tourists, I have learned how hard it is for my coworkers to get and keep housing they can afford. I am really glad that this housing will serve some of the people in working in Livingston in retail/service industry jobs so that the needs of the residents and tourists will be able to be met by these vital workers. Knowing that it is sometimes difficult for my employers to find workers, I hope this project will help keep up with the increased demand for housing units for workforce housing. It's also reassuring to know my current and potential future coworkers will have this great housing option.

Thank you for your consideration of this vital development for the future of Livingston and the people living and working here!

Sincerely,

Rev. Melissa Johansen

Boundary

ΔSPEKT.

ARCHITECTURE & DESIGN

Sheep Mountain Residences

Affordable Housing Action Plan

APRIL 2025



PROJECT SUMMARY

The Sheep Mountain Residences PUD proposes new multi-family housing on three parcels located along Brookestone St. in the North-East area of Livingston, and includes 48 units of affordable housing. Two buildings will occupy three aggregated lots. Each building will be a 3-story apartment building which provides a total of 48 units, 100% of which are affordable housing units.

All 48 units will be offered at or below 60% AMI thresholds. All units will meet the city's requirements for Affordable Housing as identified as a Public Benefit in Livingston Municipal Code Sec. 30.47.D.1.b.i . All units offered will be contractually obligated, by way of a written plan, to assure ongoing affordability to the affordable housing agency for a period of not less than 50 years.

AFFORDABLE HOUSING SUMMARY

Both buildings will provide a total of 48 units for rent, 100% of which will be affordable dwellings meeting the criteria of Livingston Municipal Code Sec. 30.47.D.1.b.i. Building 1 will provide 17 units with rental rates at 50% of AMI thresholds and 7 units at 60% of AMI thresholds. Building 2 provides 24 affordable dwelling units for rent at 60% of AMI thresholds.

All units in the Project will be rent restricted for a period of 50 years and will comply with the affordability levels established by the U.S Department of Housing and Urban Development (HUD) and administered by the Montana Board of Housing. The federal and state programs will monitor and ensure the project is complying with resident income and allowable rents. HRDC is a co-general partner in the Project and will serve as the property manager and will be responsible for compliance.

<u>TYPE OF HOUSING (OWNERSHIP)- PERCENTAGE OF AMI</u>	<u>UNIT QTY.</u>	<u>% OF HOMES</u>	<u>DURATION</u>
Multi-Household Dwellings (Rental) - 50% of AMI (PHASE 1)	17	35.42%	50 YEARS
Multi-Household Dwellings (Rental) - 60% of AMI (PHASE 1)	31	64.59%	50 YEARS
TOTAL	48	100%	

Specifically, this application seeks to utilize the following incentives:

- Residential Density Bonus - 25% (30.47.D.1.a.i.)
- Waived impact fees (30.47.D.1.a.iii.)

AFFORDABLE UNIT MATRIX

UNITS AT 50% AMI	% OF HOMES	UNIT QTY.	UNIT SIZE (SF)	RENT (MONTHLY)
One Bedroom	22.92%	11	528	\$ 901
Two Bedroom	8.33%	4	768	\$ 1,081
Three Bedroom	4.17%	2	1,104	\$ 1,249
Total	35.42%	17		
UNITS AT 60% AMI				
1 Bedroom	43.75%	21	528	\$ 1,081
2 Bedroom	16.66%	8	768	\$ 1,297
3 Bedroom	4.17%	2	1,104	\$ 1,499
Total	64.59%	31		
<hr/>				
TOTAL	100%	48		

Note: Rents shown are gross rents. utilities paid directly by the tenant are deducted from rent pursuant to HUD and MBOH requirements.