

**COMMITTEE OF THE WHOLE**

**MAY 1, 2023**

**6:00 PM**

1. Presentation by Snowy Mountain Development Corporation

**NOTICE FOR, AND AGENDA FOR, A REGULAR MEETING OF THE CITY COMMISSION, CITY OF LEWISTOWN, MAY 1, 2023 AT 7:00 P.M. AT THE CENTRAL MONTANA COMMUNITY CENTER LOCATED AT 307 W WATSON**

**To participate virtually the options are as follows:**

**To join by zoom:** <https://zoom.us/j/8486275925?pwd=dTVGbndDK253ZUJLMjRuZXU5QVpMdz09>

**Meeting ID: 848 627 5925 Passcode: 59457**

**To participate by phone: dial (253) 215-8782 Meeting ID: 848 627 5925 Passcode: 59457**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**APPROVAL OF MINUTES – April 17, 2023**

**COURTESIES**

**PROCLAMATIONS**

**BOARD AND COMMISSION REPORTS**

**CITY MANAGER REPORT**

**PUBLIC COMMENT – non agenda items**

**CONSENT AGENDA**

Acknowledgment of the claims that have been paid from April 15, 2023 to April 30, 2023 for a total of \$32,887.65

**\*REGULAR AGENDA – Resolutions, Ordinances & Other Action Items:**

1. Public hearing on a request for a zoning amendment submitted by Hope Sukut requesting to amend the zoning of property located at 1114 W Main.
2. Discussion and action on approving a zoning amendment submitted by Hope Sukut requesting to amend the zoning of property located at 1114 W Main (**Action: approve, disapprove or amend zoning amendment request by Hope Sukut**) City Manager Holly Phelps
3. Discussion and action on awarding the bid for the sale of the 2004 GMC Yukon XL (**Action: approve, disapprove or amend awarding bid for the sale of the 2004 GMC Yukon XL**) City Manager Holly Phelps
4. Discussion and action on confirming the City Manager's appointment to the Library Board of Trustees to complete the remaining one-year term of (**Action: approve, disapprove or amend confirming the City Manager's appointment to the Library Board of Trustees**) City Manager Holly Phelps
5. Discussion and action on reappointing Jennifer Thompson to the Board of Adjustment for a 3-year term (**Action: approve, disapprove or amend reappointing Jennifer Thompson to the Board of Adjustment**) City Manager Holly Phelps

**CITIZENS' REQUESTS**

**COMMISSIONER'S MINUTE**

**ADJOURNMENT**

\* All citizens are invited to make comment on any agenda item prior to action being taken by the Commission

**City County Planning Board Meeting  
PUBLIC HEARING – April 27, 2023 at 5:30 pm  
At the COMMUNITY CENTER – 307 W. WATSON STREET**

**An Application for a Zoning Amendment**

**1. APPLICANT**

Hope Sukut  
1114 W. Main St  
Lewistown, MT 59457

**2. PROPERTY AFFECTED**

The property on which the amendment is requested is the property located at 1114 W. Main Street and is more particularly described as Lot 8 & 9 of Blk 11 of the Sunnyside Addition to the City of Lewistown.

The application from Ms. Sukut requesting a Zoning Amendment from the current Residential Single-Family (R-1) Zoning to a Neighborhood Commercial (NC) District, to allow for the establishment of a medical clinic/office at this location.

**3. REQUESTED ACTION**

The applicant is requesting an amendment to the official zoning map for the above property. The property is currently in a Residential Single-Family (R-1) Zoning District. The applicant has requested to change the zoning of this lot to Neighborhood Commercial (NC).

**4. REVIEW BASED ON THE 12-POINT TEST CONSISTENT WITH PURPOSES OF ZONING:**

a. **Comprehensive Plan:**

The Comprehensive plan designates the subject property as Low-Density Residential. The intended use for the subject property upon rezoning is consistent with this.

The Lewistown Comprehensive Plan (1971) goals include "develop residential areas with density patterns that are related to existing and proposed public facilities and services".  
Lewistown Growth Policy (2006) goals include the encouragement of infill development to avoid urban sprawl; protect residential areas from the encroachment of incompatible or unrelated uses; and to design "walkable" neighborhoods that combine commercial and residential amenities and features.

b. **Contribute towards reducing congestion in the streets:**

The ultimate use for the rezoned property is to allow for a commercial use could adversely impact the parking of the residential area. To address this potential issue, the property will need to provide off-street parking as required in city code.

- c. **Secure safety from fire, panic and other dangers:**  
No adverse impacts have been identified.
- d. **Promote health and general welfare:**  
This zoning amendment should have no change on this condition.
- e. **Provide adequate light and air:**  
No impacts contemplated.
- f. **Prevent overcrowding of land:**  
This is not determined to be a factor.
- g. **Avoid undue concentration of population:**  
This is not determined to be a factor.
- h. **Facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements:**  
No changes are anticipated. The net number of connections would be the same.
- i. **Consider the character of the district:**  
This is not determined to be a factor. This property is already adjacent to a commercial district.
- j. **Consider the peculiar suitability of the property for particular uses:**  
This is not determined to be a factor. The typography may be an issue for use of the property, but this issue would be present whether the use is commercial or residential in nature.
- k. **Conserve the value of buildings:**  
Lewistown City Code 11-3-2 states: intended uses in the NC a Neighborhood Commercial district is to provide convenience type commercial facilities within or adjacent to a residential neighborhood.
- l. **Encourage the most appropriate use of land throughout the city:**  
One of the purposes of zoning is to regulate the use of buildings, structures, and land for residences, trade, industry and other purposes. Each zoning district has listed permitted uses and

conditional uses in the zoning ordinance. Care must be exercised when considering a request for a zoning change that could adversely impact a neighborhood if an incompatible use of land or buildings were to occur. Incompatible uses may not always be immediately evident.



Figure 1: Aerial View

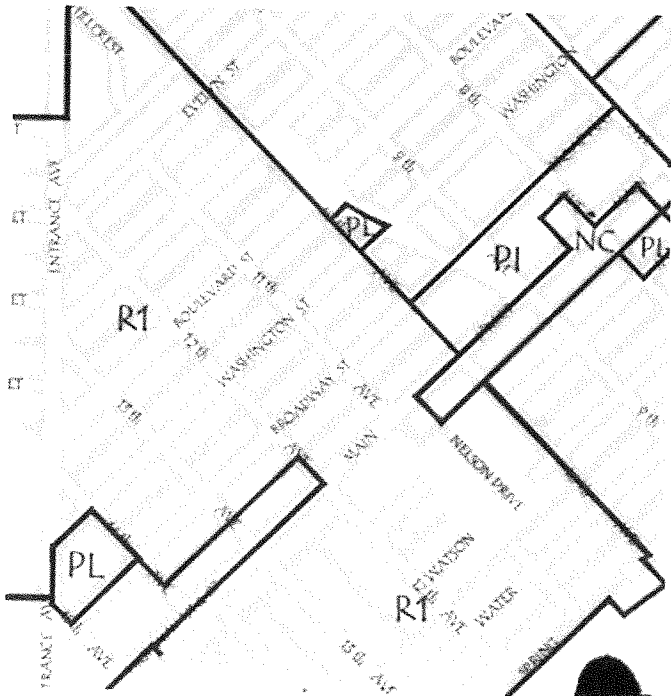


Figure 2: Existing Zoning Map of the Area



Figure 3: View looking North

**SUMMARY:**

Hope Sukut, the owner of the property located at 1114 W. Main Street, is requesting to amend the Official Zoning Map of the city. The proposal is to change the above-described parcel to Neighborhood Commercial (NC) from its current designation of Residential Single-Family (R-1). The application has been made to allow for the establishment of a medical clinic at this location.

The zoning commission is charged with reviewing the request and making a recommendation to the City Commission. The City Commission will also hold a public hearing on the proposal May 1<sup>st</sup> and is expected to make a final decision after that public hearing. The City Commission will, of course, take into account the recommendation of the Zoning Commission.

The zoning commission unanimously approve Ms. Sukut's request for amend the zoning of this property to Neighborhood Commercial.

KATIE SPIKA  
LORAIN DAY  
Ward 1 Commissioners

RON HRUBES  
DIANA HEWITT  
Ward 2 Commissioners

DAVE SCOTTEN  
GAYLE DONEY  
Ward 3 Commissioners

KELLYANNE TERRY  
At-Large Commissioner

HOLLY PHELPS  
City Manager

NIKKI BRUMMOND  
Finance Director/City Clerk



305 W. Watson, Lewistown, Montana 59457  
(406) 535-1760 Fax (406) 535-3323

JIM DANIELS  
Park and Recreation  
Director

THERESA DIEKHANS  
City Attorney

JUSTIN JENNESS  
Police Chief

JAMES JENSEN  
Fire Chief

MATT HAYES  
Interim Public Works  
Director

ALISSA WOLENETZ  
Library Director

Vacant  
Planning Director

The City of Lewistown advertisement is as follows:

Sealed bids titled "**2004 Yukon XL**" will be received by the City of Lewistown at, 305 W. Watson, Lewistown, Montana, 59457 until 3:00 p.m., MST, April 28, 2023, and immediately thereafter publicly opened and read aloud in the Office Clerk. Minimum Bid of \$3,000 and preference will be given to other emergency responding agencies.

Bid specifications may be obtained at the Lewistown Fire Department located at 305 West Watson Street, Lewistown, Montana, 59457 or upon request by calling (406) 535-1780. The City of Lewistown reserves the right to reject any and all bids.

***Publish: April 8 and April 12, 2023 in the Lewistown News Argus***