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**BOARD OF COUNTY COMMISSIONERS**  
**YELLOWSTONE COUNTY, MONTANA**  
**Tuesday, November 25, 2014**

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SUBJECT: Zone Change #653 – 630 and 660 Johnson Lane  
THROUGH: Candi Millar, AICP, Planning Director  
FROM: Nicole Cromwell, AICP, Zoning Coordinator

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**REQUEST**

The applicant is requesting a zone change from Entryway General Commercial (EGC) to Entryway Light Industrial (ELI) on a 6.79 acre parcel of land described as Lots 4 and 5, Block 1 of Keller Place Subdivision. The property is generally located south of the intersection of Johnson Lane and Old Hardin Road. The preliminary addresses assigned to the lots are 630 and 660 Johnson Lane. The property is vacant. The applicant conducted a pre-application neighborhood meeting on September 25, 2014 at the 1<sup>st</sup> Interstate Bank in Lockwood. The Zoning Commission conducted a public hearing on November 13, 2014, and is forwarding a recommendation of approval on a 3-0 vote.

**APPLICATION DATA**

OWNER: Beckman Freedom Church Trust, Martin J. Beckman  
AGENT: Charlie Hamwey and Kathy Vick, Real Estate by Hamwey  
LEGAL DESCRIPTION: Lots 4 and 5, Block 1 of Keller Place Subdivision  
ADDRESS: Preliminary addresses 630 and 660 Johnson Lane  
SIZE OF PARCEL: 6.79 acres  
EXISTING LAND USE: Vacant  
PROPOSED LAND USE: Personal storage warehouses  
EXISTING ZONING: EGC  
PROPOSED ZONING: ELI

**APPLICABLE ZONING HISTORY**

**Subject Property**

**Zone Change #457** – A zone change from R-150 to EGC was approved on September 28, 1995. (Johnson Lane Master Plan zone change) In 1995, the Entryway Light Industrial zoning district did not exist. In 2000, the city and county created the ELI zoning district.

**Surrounding Properties** – Many of the surrounding properties were part of the Johnson Lane Master Plan zone change approved in September 1995. The Board of County Commissioners approved the master plan by resolution in July 1994. The Johnson Lane Master Plan and the adopted zoning was intended to attract businesses that serve tourists and travelers and make this entry to Lockwood more appealing through enhanced building design with attractive and abundant landscaping. Similar interchange entryway plans and zoning were implemented at the South Billings Boulevard/I-90 Interchange and the Zoo Drive/I-90 Interchange.

No amendments to the approved Johnson Lane Master Plan have been made since its adoption. Several zone changes were adopted prior to the master plan including re-zoning from R-96 to CC, Neighborhood Commercial (NC) and Highway Commercial (HC). Properties northwest of the Johnson Lane interchange were specifically excluded from the Master Plan and remain in the Controlled Industrial (CI) zone or the Heavy Industrial (HI) zone.

## **CONCURRENT APPLICATIONS**

**None**

## **SURROUNDING LAND USE & ZONING**

NORTH: Zoning: EGC  
Land Use: Verizon Wireless

SOUTH: Zoning: RMH  
Land Use: Emerald View Manufactured Home Park

EAST: Zoning: EGC  
Land Use: Fly In Truck Wash and vacant land

WEST: Zoning: EGC  
Land Use: Pineview Court Manufactured Home Park

## **REASONS**

The subject property is located south of the Verizon Wireless store at 700 Johnson Lane. The property east across Johnson Lane is developed as the Fly In Truck Lube and Wash. The property is vacant and currently owned by Beckman Freedom Church Trust. The owner has a prospective buyer who intends to develop personal storage units on the property. The current zoning, EGC, does not allow personal storage warehouses. Entryway Light Industrial (ELI) is an entryway zoning district that may allow personal storage units. The landscaping requirements in entryway districts will require a buffer yard on Johnson Lane. Additional landscaping and screening will be required adjacent to the south and west property lines since the adjacent uses are residential in nature. The building design standards for entryway districts prohibit flat building facades longer than 100 feet that parallel a street.

The proposed zoning, ELI, does allow personal storage warehouses. This property was zoned R-150 prior to the adoption of the Johnson Lane Master Plan. The current EGC zoning was adopted in 1995 following the adoption of the Johnson Lane Master Plan, a sub-area plan similar to a neighborhood plan. Three of the properties within the Johnson Lane Master Plan area were developed prior to the entryway zoning including the Flying J Truck Plaza, Burger King, and the Fly In Lube and Truck Wash. Western Security Bank, First Interstate Bank, the Exxon gas station and convenience store, the Lockwood Center multi-tenant strip mall, the Lucky Diamond Casino and Lockwood Square multi-tenant strip mall were all developed after the master plan approval and zone change to entryway zoning. These properties would have met the design and landscaping standards at the time of construction.

In 2000, the city and county developed and adopted another entryway zoning district, Entryway Light Industrial. The zoning district is intended to provide large lots directly accessible to arterial streets for warehousing and light manufacturing or commercial facilities for the community and interstate travelers. The largest ELI zoning district is located south of I-90 near the Zoo Drive interchange. Another large ELI zoning district is Montana Sapphire Subdivision at Shiloh Road and King Avenue West.

The property has frontage on Johnson Lane but has adjacent residential neighborhoods to the south and west. Johnson Lane is a principal arterial street and any new buildings will need to be setback at least 80 feet from the centerline of Johnson Lane or 25 feet from the front property line whichever is greater. Johnson Lane carries approximately 2,160 vehicles per day on this section south of the traffic signal. Old Hardin Road carries about 5,500 vehicles per day just west of the traffic signal. The proposed use for personal storage warehousing should generate about 400 additional vehicle trips per day when fully developed. This additional traffic generation may require a traffic impact analysis submitted to County Public Works.

The entryway zoning requires each development to adhere to site development standards for building design, landscaping, lighting and signage that are more substantial than standard commercial zoning districts. For example, the entryway zoning does not allow exposed seam metal buildings, limits long flat facades on new buildings, and requires landscaped buffer yards along each public right of way including the interstate. Parking lot and site lighting is also restricted to minimize impact on surrounding property. These site development requirements may add to the cost of property development but are intended to create a more attractive environment for the types of businesses allowed in entryway zoning such as retail and businesses providing services to tourists and interstate travelers.

The property is not within the 5-year limits of annexation area for the City of Billings, and not within any Long Range Urban Planning Area on the City Limits of Annexation Map. The property is adjacent to residential uses. Each property line abutting these residential uses must have a buffer yard at least 10 feet in width planted with 10 trees and 10 shrubs for each 100 feet. In addition, a wall or fence compatible with the building design is required along these property lines at a minimum height of 6 feet and chain link or wire fencing is prohibited. A commercial use, Verizon Wireless, is adjacent to the north. No buffer yard is required in this area but any fencing of the personal storage facility cannot be chain-link or wire fencing.

The applicant conducted a pre-application meeting on September 25, 2014 and one surrounding owner attended the meeting. Mr. Dunker, owner of the Fly In Lube and Truck Wash, attended the meeting but had no particular issues with the proposed zone change or intended use. Mr. Woods from Lockwood Water and Sewer District stated water and sewer are both available to this property if needed. Any driveway opening on to Johnson Lane may require County and State permits.

The County adopted the Lockwood Neighborhood Plan in August 2006. The land use for this area was not predicted to change since the Johnson Lane Master Plan was in place and the zoning was approved in 1995. The adjacent residential homes to the south and west may be impacted by some uses allowed in both the EGC and ELI zones. The Lockwood Neighborhood Plan emphasizes development of commercial land uses in the Johnson Lane interchange area. Both the EGC and the ELI zone allow similar commercial uses. The primary difference in the two zoning districts is the ELI zone allows some more intense uses such as warehousing, truck stops and auto repair.

Planning staff reviewed the application and forwarded a recommendation of approval for the proposed zone change based on the 11 criteria for zone changes. The Zoning Commission concurred with the staff recommendation. The property is located adjacent to commercial zoning

districts and has reasonable access to Johnson Lane, a principal arterial street. The proposed ELI zoning district allows all the uses allowed in the existing EGC zone in addition to warehousing, truck stops, bus stations, RV and mobile home sales, and light manufacturing. The Johnson Lane Master Plan and adopted zoning was intended to attract businesses that serve tourists and travelers and make this entry to Lockwood more appealing through enhanced building design and attractive and abundant landscaping.

The rapid development of the Johnson Lane interchange area after the adoption of the master plan and zone change demonstrates the effectiveness of this plan. Further development in the past 10 years slowed due to the lack of public sewer services. Lockwood has constructed its Phase I public sewer in the past 2 years and further development according to the master plan and zoning can now occur. The Lockwood Community Plan did not have a specific plan for this area other than the existing zoning and uses. There have been no amendments proposed for the master plan area and the previous impediment – lack of public sewer services – has been addressed.

The Zoning Commission concurred with the staff recommendation based on the testimony received and the 11 criteria for zone changes.

## **RECOMMENDATION**

The Zoning Commission voted 3-0 to recommend approval of Zone Change #653.

## **ZONING COMMISSION PUBLIC HEARING AND DISCUSSION**

The Zoning Commission conducted a public hearing on this application on November 13, 2014. The applicant's agents, Charlie Hamwey and Kathy Vick, were in attendance to testify in favor of the proposed zone change. Mr. Ivan Andrick, principal owner of Emerald View Manufactured Home Park to the south of the subject property, provided testimony for information purposes but was neither opposed or in favor of the zone change. No other testimony was received at the public hearing.

Mr. Hamwey stated the owner, who lives out of state and wants to retire from property management, has listed the property for sale for 15 years. Mr. Hamwey stated the prospective buyer is a developer of personal storage in western Montana and knows the ins and outs of property development and management. He stated the proposed ELI zoning will require the same site development standards as the current zoning so the adjacent uses will be protected.

Mr. Ivan Andrick stated he was not opposed or in favor of the proposed zoning. He stated the problem has always been the lack of improvements required of developers on Johnson Lane. He stated when Emerald View was constructed in the early 1980s, the County Commissioners required Johnson Lane to be fully improved with curbs, gutters, sidewalks, a parking lane and new pavement on the west side of the street in front of Emerald View park. Since then, no other developer has been required to install improvements. Mr. Andrick noted the Verizon Wireless store just north of this site, recently went in and it looks nice except for the street frontage on Johnson Lane which is unkempt, full of weeds and trash from the area. Mr. Andrick asked the Zoning Commission to assure him those development standards that applied to Emerald View park will apply to this development. Mr. Andrick stated the buildings should be permanent buildings and not just a fenced field with open storage of people's junk. He stated Lockwood

does not need any more slums or junk yards. Mr. Andrick stated he would be assured if the prospective owner provided information on his existing developments in western Montana.

Mr. Hamwey stated the prospective owner is serious about meeting all the site development requirements and would not build a slum or a junk yard. He stated the owner has already agreed to the purchase price of nearly ¾ of million dollars, so he is a serious investor. He stated the new owner will do all improvements that are required by the County, but ultimately it is the County's decision on the extent of those improvements.

Chair Dennis Cook closed the public hearing. Member Ole Shafer made a motion to recommend approval to the County Commissioners and it was seconded by member Terri Welborn. The motion carried with a 3-0 vote.

## **RECOMMENDATION**

The Zoning Commission recommends approval of Zone Change #653 on a 3-0 vote.

## **PROPOSED COUNTY COMMISSION DETERMINATIONS**

The Board of County Commissioners, prior to any recommendation, shall consider the following:

1. *Is the new zoning designed in accordance with the Yellowstone County and City of Billings 2008 Growth Policy?*

The proposed zoning does comply with the following goals of the Yellowstone County and City of Billings 2008 Growth Policy and area plans:

- Predictable land use decision that are consistent with neighborhood character and preferred land use patterns identified in neighborhood plans. (Land Use Element, page 6).

*This zone change would allow for development of a vacant parcel to the same site standards as surrounding parcels. The proposed use is not an allowed use in the EGC zone but is allowed in the ELI zone. The parcel could be used for other ELI purposes but its size and dimension are not conducive to some of the more intense uses that could be allowed. The use is compatible with the surrounding uses and the site landscaping and building design will be similar to surrounding parcels. This is consistent with the Johnson Lane Master Plan and the Lockwood Community Plan.*

- Goal: New developments that sensitive to and compatible with the character of adjacent development. (Land Use Element Goal, page 6).

*This property is directly adjacent to commercial uses and has adequate access to Johnson Lane. The proposed use will be compatible with Verizon Wireless and the site development requirements will buffer the adjacent residential neighborhoods.*

2. *Is the new zoning designed to secure from fire and other danger?*

The subject property is currently served by the Lockwood Fire Department with mutual aid from the Billings Fire Department. The nearest fire station is located on Driftwood Lane, a ½ mile to the east. The Fire Department will be constructing a new station across Johnson Lane in the next year so this location will be much closer to the station in the near future. Billings Fire Station #1 is 5.2 miles to the west. Depending on the specific

uses, the Lockwood Fire Department may require specific development characteristics to prevent structure fires.

3. *Will the new zoning facilitate the provision of transportation, water, sewerage, schools, parks and other public requirements?*

*Transportation:* The new zoning will increase traffic on Johnson Lane and at the signalized intersection to the north. The County will require any new development that adds 500 new vehicle trips per day to analyze the impact of the additional traffic. The proposed use will generate about 400+ new vehicle trips per day. Any new drive approaches will need to receive approval from County Public Works and/or the State of Montana. The subdivision requires a shared drive approach between Lot 4 and 5 so a single point of access is what is allowed for the development.

*Water and Sewerage:* The property will be served by public water and sewer systems through permission of Lockwood Water and Sewer District. The proposed use does not intend to use either public utility at this time.

*Schools and Parks:* The proposed zoning should not impact the student population. Residential uses are not planned for the property.

*Fire and Police:* The subject property is serviced by the Lockwood fire Department and the Yellowstone County Sheriff's Department. Fire protection will be evaluated at the time of a development plan.

4. *Will the new zoning promote health and general welfare?*

The new zoning will allow development of property that is adjacent to existing commercial uses to the north and residential uses to the south and west. Commercial development should not have a negative impact on the residential use to the west and south due to the required landscaping and buffering. The proposed ELI zoning will allow the owner to use and market the property for a greater variety of commercial uses, some of which may or may not promote the health and general welfare of the area. Due to the size and configuration of the lot these more intense uses are not likely.

5. *Will the new zoning provide adequate light and air?*

The proposed zoning would require minimum setbacks, maximum building heights and maximum lot coverage. These requirements should allow adequate light and air to reach the subject property and adjacent properties.

6. *Will the new zoning effect motorized and non-motorized transportation?*

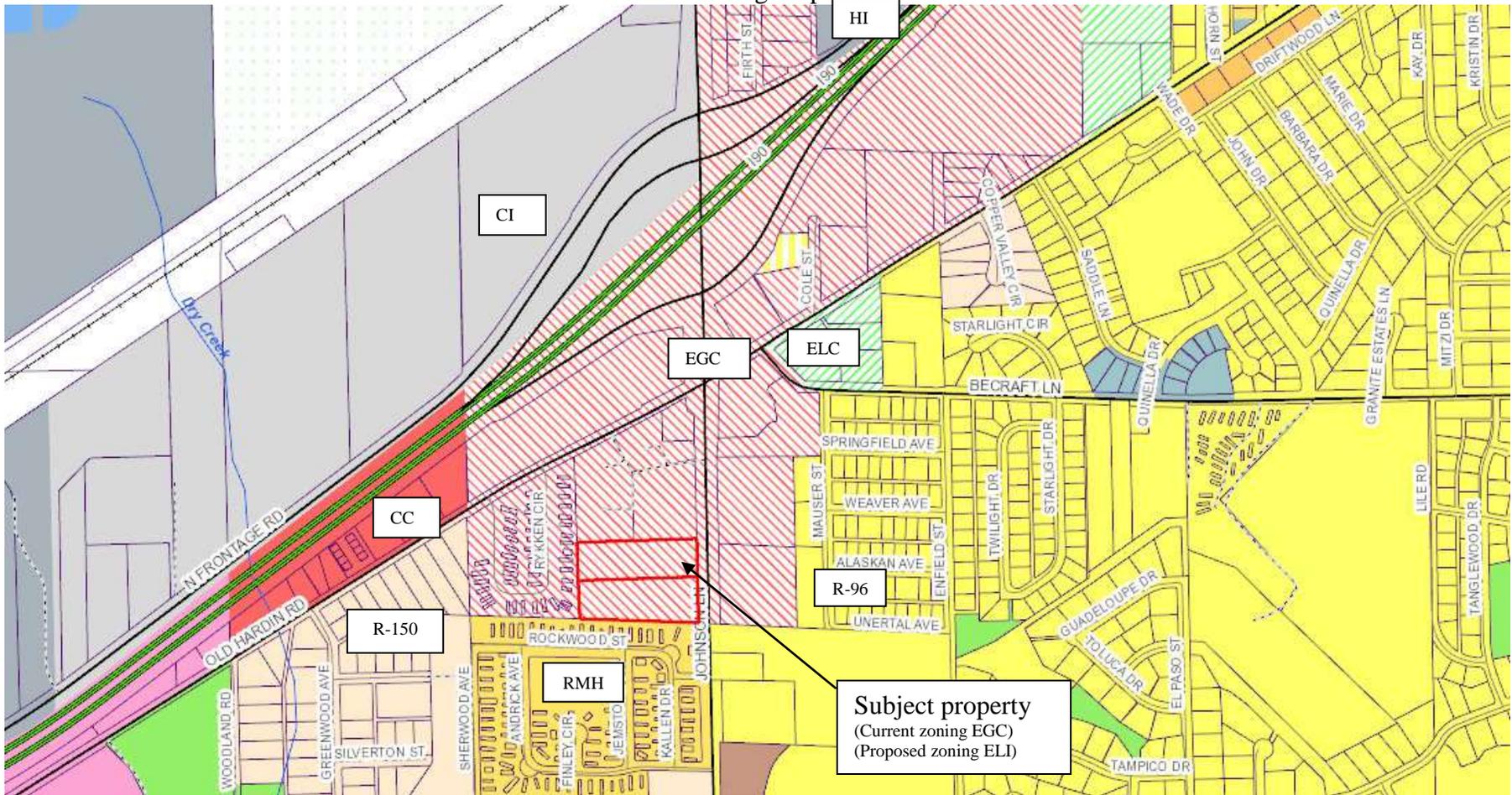
The proposed zoning itself will not generate more traffic on any of the adjacent streets. Pedestrian traffic in the area is limited due to the lack of sidewalks and trails. Residential development is generally located south and west of the property. The 2011 Bikeway and Trail Master Plan indicate Old Hardin Road as a potential long-range, on-street bike lane. The additional traffic generated if the property is developed may affect transportation on the adjacent streets. Lockwood recently passed a bond measure to begin construction of sidewalks and trails in selected areas to increase pedestrian safety. Johnson Lane and Old Hardin Road will likely be on the list of streets where pedestrian facilities will be

constructed. However, development along the Johnson Lane frontage should install improvements, including sidewalks, as the lots are developed, as some of have done in the past, to be consistent and reduce the bond costs for Lockwood residence.

7. Will the new zoning be compatible with urban growth in the vicinity?  
The proposed zoning is compatible with the adjacent entryway developments because the building design, landscaping and site lighting will be the same as those properties.
8. Does the new zoning consider the character of the district and the suitability of the property for particular uses?  
The subject property is in an area that is a mix of commercial and residential uses. The property is suitable for ELI uses and the site development will be in character with the adjacent uses.
9. Will the new zoning conserve the value of buildings?  
The new zoning will allow the development of new commercial uses adjacent to similarly zoned property and to single family homes to the west and south. There are no existing structures on the site. The proposed development will conserve the value of adjacent buildings by employing enhanced development standards for building design, lighting and landscaping.
10. Will the new zoning encourage the most appropriate use of land in Yellowstone County?  
The property is suitable for some of the uses allowed in the ELI zoning district. The most appropriate use of the land is for tourist or traveler related businesses. The proposed personal storage warehouses may be amenity some tourists may need but it is likely to be used by residents of Lockwood more than travelers through the area.
11. Will the new zoning be as compatible as possible with adjacent zoning in the City of Billings?  
The proposed zoning is not close to the City of Billings but is compatible with the typical urban development near arterial intersections. The proposed zoning does fit with the Entryway Zoning in place on the property and developed by the County through the Johnson Lane Master Plan.

- Attachment A: Zoning Map
- Attachment B: Applicant Letter & Pre-application neighborhood meeting minutes
- Attachment C: Site Photographs
- Attachment D: Johnson Lane Master Plan Supporting Documents

Attachment A - Zone Change #653  
Zoning Map



**Attachment B - Zone Change #653**  
 Applicant Letter & Pre-application neighborhood meeting minutes

**APPLICATION FORM**

COUNTY ZONE CHANGE

ID: County Zone Change # 653

P2-14-00214  
 - Project #

The undersigned as owner(s) of the following described property hereby request a Zone Change as outlined in the City of Billings-Yellowstone County Unified Zoning Regulations.

Present Zoning: Entryway General Commercial

Proposed Zoning: Entryway Light Industrial

Tax ID # C12324, C12325 COUNTY COMMISSIONER DISTRICT # \_\_\_\_\_

Legal Description of Property: Lots 4+5 Block 1 Keller Place Sub

Address or General Location (If unknown, contact County Public Works): 710 Johnson Lane

Size of Parcel (Area & Dimensions): Lot 4-3.226 ACRES Lot 5-3.560 ACRES  
TOTAL 6.79 ACRES

Present Land-Use: VACANT

Proposed Land-Use: STORAGE UNITS

Covenants or Deed Restrictions on Property: Yes  No \_\_\_\_\_

If yes, please attach to application

\*\*\* Additional information may be required as determined by the Zoning Coordinator in order to fully evaluate the application.

Owner(s): BECKMAN FREEDOM CHURCH TRUST

(Recorded Owner) PO. Box 61 CARROLLS, WA 98609.

(Address) 360-423-2001

(Phone Number) (email)

\*Agent(s): CHARLIE HAMWEL

(Name) 1010 Grand Ave Billings, MT 59102

(Address) 406-248-2020 or 698-2020 CHARLIE HAMWEL (cell)

(Phone Number) (email)

*Please be sure to include on all communications*

I understand that the filing fee accompanying this application is not refundable, that it pays for the cost of processing, and that the fee does not constitute a payment for a Zone Change. Also, I attest that all the information presented herein is factual and correct.

Signature: Marty Beckman  
 (Recorded Owner)

Date: 8-26-2014

**Pre-Application Statement of Owner(s) or Agent(s)**

The owner(s), contract purchasers (if any) and agents (if any) are required to submit this completed form and any attachments along with a completed zone change application packet, including any required fees, for a zone change to be processed by the Planning Division.

1. **Present Zoning:** Entireway General Commercial
2. **Written description of the Zone Change Plan** including square footage or acres of proposed new zoning: Entireway Light Industrial 6.79 ACRES
3. **Subject Property Map:** please attach to this form
4. **Legal Description of Property:**  
Lot 41- Lot 5 - Block 1 Melba Place Sub.
5. **Roster of persons who attended the pre-application neighborhood meeting:** please attach to this form
6. **A copy of the meeting notice.** please attach to this form
7. **A brief synopsis of the meeting results.** please attach to this form
8. **The undersigned affirm the following:**
  - 1) The pre-application neighborhood meeting was held on the 25<sup>th</sup> day of September, 2014
  - 2) The zone change application is based on materials presented at the meeting.

Owner (s): Beckman Freedom Church Inc Telephone: 360-423-2004  
Address: PO Box 61 Canby WA 97109 Email: NONE

Agent (s): Charles Hamway Telephone: 406-248-2020 or 698-2026  
Address: 1010 Grand Ave Email: Charles@Hamway.com  
Billings, MT 59102

September 25, 2014

Minutes from a pre-application neighborhood meeting for a zone change request:

Meeting called to order by Charlie Hamwey with Real Estate by Hamwey at 3 pm.

In attendance was Kathy Vick with Real Estate by Hamwey and one neighbor Bob Dunker.

Questions were asked as to what type of business was going in and there were no objections.

Meeting was adjourned at 3:25 pm.

September 26, 2014

Planning & Community Services Department  
2825 3<sup>rd</sup> Ave. North, 4<sup>th</sup> Floor  
Billings MT 59101

RE: Zone Change Application, Lots 4-5, Block 1, Keller Place Sub. AKA 710 Johnson Lane.

To Whom It May Concern,

This is the response to question 1, A & B.

- A. Development of this property which has been idle will now be able to generate taxes for the county of Yellowstone and also provide a facility that is needed in the Lockwood area. With this development it will fit in the lines of the growth policy of Yellowstone County.
- B. The present zoning on the subject property is Entry Way General Commercial, to build a storage facility on this property it needs a zone change of Entry Way Industrial Commercial. All of the other requirements under the Entry Way zoning will be met.

  
Martin J. Beckman

September 26, 2014

**Attachment C – Zone Change #653**  
Site Photographs



Subject property – view from Johnson Lane



View south along Johnson Lane

**Attachment C – Zone Change #653, continued**  
**Site Photographs**



View north along Johnson Lane



View east across Johnson Lane

**Attachment C – Zone Change #653, continued**  
Site Photographs



Subject property



View west – back of Lockwood Square development

**Attachment D – Zone Change #653  
Johnson Lane Master Plan**

**YELLOWSTONE COUNTY BOARD OF PLANNING**

4TH FLOOR, LIBRARY BUILDING • 510 N. 28TH  
P.O. BOX 1179 • BILLINGS, MONTANA 59503  
PHONE: (406) 667-3243

TO: Board of County Commissioners  
FROM: County Board of Planning  
THROUGH: Bill Arnold, Planning Director **BA**  
DATE: June 30, 1994  
  
RE: Johnson Lane Interchange Master Plan

**RECOMMENDATION**

The County Board of Planning, following a public hearing held on June 28, 1994, recommends that the Board of County Commissioners approve the Johnson Lane Interchange Master Plan. The Board of County Commissioners shall approve a Resolution of Intent to approve the master plan.

**BACKGROUND**

At its regular meeting of May 12, 1994, the Board of County Commissioners held a hearing on the proposed Johnson Lane Interchange Master Plan. Following a lengthy discussion, the Board voted to return this item to the Board of Planning for further discussion and recommendation. Specifically, the Commissioners asked that the Board address the following two issues:

1. Industrially-zoned land north of the interstate; and
2. The 150' strip of property adjacent to Mauser Street, across from Pat Dahl Subdivision.

In regard to the industrially-zoned land north of the interstate, the Board considered what methods are available to increase standards for newly-developed industrial uses. This issue was discussed at the Planning Board meeting of June 14, 1994. Five (5) options were presented by staff(attached) as methods to consider for addressing this issue. The staff recommended that new standards for industrial development be included in the Unified Zoning Code, which is currently being prepared by the Planning Department. Therefore, none of the industrially-zoned properties to the north of Interstate 90 at Johnson Lane are proposed to be included in the master plan.

SERVING BILLINGS, BROADVIEW AND YELLOWSTONE COUNTY

Board of County Commissioners  
June 30, 1994  
Page Two

The one-hundred and fifty foot (150') strip of land adjacent to Mauser Street, across from Pat Dahl Subdivision was discussed at length at the last public hearing of the Planning Board held in Lockwood. The Planning Board recommends that the northerly portion of this strip, owned by Kon Sooper (Charlean Keller, President) be included in the master plan as Entryway General Commercial (EGC). This property is currently zoned Community Commercial (CC) under the County's Zoning Regulations. There are restrictive covenants (attached) filed on this property which address setbacks, access, and buffering. These covenants run with the land such that any future owner would have to comply with those restrictions as well. The restrictive covenants adequately provide for a transition to the residential uses to the east of this property. In addition, there is a likelihood that this property will be dissected with the re-alignment of the Johnson Lane/Becraft intersection. That would effectively limit the type and intensity of uses that would be possible in the future.

In terms of the southern portion of the 150' strip adjacent to Mauser Street, the Board is recommending that this property be included in the master plan as residential. This is the property owned by Mr. Jim McIntosh, and currently zoned Residential 9600 under the County's Zoning Regulations. As you recall, there was a proposal from Mr. McIntosh to provide a 50' landscaped buffer adjacent to Mauser Street. This proposal would leave the remaining land to Johnson Lane zoned as Entryway General Commercial. The neighborhood (owners within Pat Dahl Subdivision) does not support this proposal.

The Planning Staff feels that it is important to provide some type of land use transition between the commercial uses to the west and the residential uses to the east across Mauser Street. The landscaped buffer concept is not supported by the neighborhood, which makes it very uncertain as to how this buffer would be developed and maintained. We cannot conditionally approve zone changes, therefore there would be no guarantee to the County or the neighborhood that the buffer would be developed or maintained. Staff therefore recommends that this 150' strip be included in the master plan as residential. The Entryway General Commercial (EGC) property adjacent to the west would be required to provide a landscaped buffer with any development. That is a requirement within those regulations which address commercial development adjacent to residential uses.

The property could perhaps be rezoned to a multi-family classification which would allow for some transition, and would also increase the value of the 150' strip. The residential zoning of the property does also provide for public parks as an allowable use. This would leave the option open to discussion as to the opportunity or potential for a County park on this 150' strip. Obviously, if that option were pursued, there would have to be involvement from the County Parks Board, and some monetary compensation would have to be provided for the land.

RESOLUTION #1994-6

YELLOWSTONE COUNTY BOARD OF PLANNING  
JOHNSON LANE INTERCHANGE MASTER PLAN

On the 28th day of June, 1994, the following was introduced, moved for approval and seconded. The motion carried on a vote of 10 to 0.

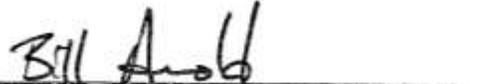
WHEREAS, the Yellowstone County Board of Planning has prepared and proposed a master plan for the Johnson Lane Interchange as required in 76-1-601 MCA; and

WHEREAS, on the 28th day of June, 1994, the master plan, known as the Johnson Lane Interchange Master Plan, was submitted to the Yellowstone County Board of Planning; and

WHEREAS, on the 28th day of June, 1994, a public hearing was held, as required in 76-1-602, MCA by the Yellowstone County Board of Planning to receive public comment concerning the Johnson Lane Interchange Master Plan;

NOW THEREFORE, the Yellowstone County Board of Planning, by Resolution, recommends to the Board of Yellowstone County Commissioners that the Johnson Lane Interchange Master Plan be adopted.

  
PRESIDENT

  
ATTEST: RECORDING SECRETARY

6/30/94  
DATE

RESOLUTION 94-76

RESOLUTION TO ADOPT THE JOHNSON LANE INTERCHANGE  
MASTER PLAN AS RECOMMENDED BY THE  
YELLOWSTONE COUNTY BOARD OF PLANNING

WHEREAS, the Yellowstone County Board of Planning has prepared and proposed a master plan for the Johnson Lane Interchange, as required in Montana Code Annotated Section 76-1-601; and

WHEREAS, on the 26th day of April, 1994, the master plan, known as the Johnson Lane Interchange Master Plan, was submitted to the Yellowstone County Board of Planning; and

WHEREAS, on the 26th day of April, 1994, a public hearing was held by the Yellowstone County Board of Planning, for the purpose of receiving public comments on the proposed Yellowstone County Comprehensive Plans; and

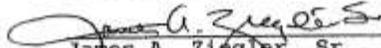
WHEREAS, the Yellowstone County Board of Planning, by resolution, has recommended adoption of the Johnson Lane Interchange Master Plan to the Board of County Commissioners; and

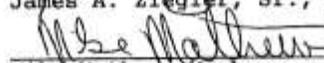
WHEREAS, pursuant to Montana Codes Annotated Section 76-1-604, the Board of County Commissioners adopted a Resolution of Intent to Adopt the Proposed Plan on July 12, 1994.

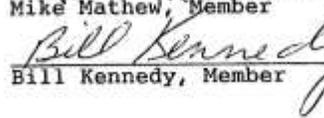
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF YELLOWSTONE COUNTY, MONTANA, to adopt, in its entirety, the Johnson Lane Interchange Master Plan as recommended by the Yellowstone County Board of Planning.

DATED this 16<sup>th</sup> day of August, 1994.

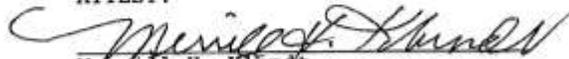
BOARD OF COUNTY COMMISSIONERS  
YELLOWSTONE COUNTY, MONTANA

  
James A. Ziegler, Sr., Chairman

  
Mike Mathew, Member

  
Bill Kennedy, Member

ATTEST:

  
Merrill H. Klundt  
Clerk and Recorder

