



Commission Memorandum

REPORT TO: Honorable Mayor and City Commission

FROM: Allyson B. Brekke, Associate Planner
Wendy Thomas, Director of Community Development

SUBJECT: Adoption of Resolution 4684 amending the future land use map, Figure 3-1 of the Bozeman Community Plan, for 7.406 acres located at 1 Simmental Way, City of Bozeman, Gallatin County for Growth Policy Amendment Application No. 15429

MEETING DATE: April 4, 2016

AGENDA ITEM TYPE: Consent

RECOMMENDATION: The City Commission approves the adoption of Resolution 4684 for a growth policy amendment amending the future land use map, Figure 3-1 of the Bozeman Community Plan, to change the future land use designation of Industrial to Regional Commercial and Services for 7.406 acres located at 1 Simmental Way.

RECOMENDED MOTION: Should the Commission remove this from the consent agenda we recommend the following motion: "Having reviewed and considered the application materials, public comment, and all of the information presented, and a public hearing and adoption of a resolution of intent to amend the growth policy (City Commission Resolution No. 4670) on February 8, 2016, I hereby approve adoption of Resolution No. 4684 to amend the future land use map Figure 3-1 of the Bozeman Community Plan to change the future land use designation of Industrial to Regional Commercial and Services for 7.406 acres located at 1 Simmental Way, Application no. 15429."

BACKGROUND: The City Commission conducted a public hearing on February 8, 2016 for the Simmental Way Growth Policy Amendment, application no. 15429. Additionally, the City Commission adopted a resolution of intent to amend Figure 3-1 of the Bozeman Community Plan to change the future land use designation of Industrial to Regional Commercial and Services for 7.406 acres located at 1 Simmental Way.

The Commission made their own findings at their public hearing on February 8, 2016 and found that the Criteria of Section 17.4 of the Bozeman Community Plan were met by the application, and approved the growth policy amendment application subject to contingencies necessary to complete the resolution adoption process. The necessary mapping and boundary descriptions have been provided. Per the City's practice, the boundary of the amended areas have been extended to the middle of the adjacent streets.

UNRESOLVED ISSUES: None.

ALTERNATIVES: Approval or denial based upon Commission determination of compliance with the original contingencies of approval.

FISCAL EFFECTS: No budget items will be affected by this ordinance.

Attachments: *Resolution 4684 and accompanying map*



COMMISSION RESOLUTION NO. 4684

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF BOZEMAN, MONTANA, TO REVISE THE FUTURE LAND USE MAP, FIGURE 3-1 OF THE BOZEMAN COMMUNITY PLAN, TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM INDUSTRIAL TO REGIONAL COMMERCIAL AND SERVICES FOR 7.406 ACRES OF PROPERTY ADDRESSED AS 1 SIMMENTAL WAY, CITY OF BOZEMAN, GALLATIN COUNTY, MONTANA.

WHEREAS, the City of Bozeman has had a comprehensive plan (growth policy) since 1958; and

WHEREAS, the City of Bozeman adopted its current growth policy known as the Bozeman Community Plan (BCP) through Resolution 4163 on June 1, 2009; and

WHEREAS, the City of Bozeman adopted its most recent amendments to the BCP as a whole through Resolution 4195 on August 3, 2009, and

WHEREAS, the Bozeman City Commission establishes criteria for the amending of the document, and

WHEREAS, a Growth Policy Amendment (GPA) application has been received by the City of Bozeman requesting to amend Figure 3-1 the future land use map of the growth policy, and

WHEREAS, the City of Bozeman Planning Board conducted a public hearing on the application on November 3, 2015, and

WHEREAS, after considering public comment, the recommendation from the Planning Board, and the staff report for the application, the City Commission made their own findings at their public hearing on February 8, 2016 and found that the Criteria of Section 17.4 of the Bozeman Community Plan were met by the application, and

WHEREAS, the City Commission approved Commission Resolution no. 4670 at their public hearing on February 8, 2016, a resolution stating the intent of the City Commission to consider an amendment to Figure 3-1 of the Bozeman Community Plan.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Bozeman, Montana:

Section 1

Figure 3-1 of the Bozeman Community Plan is hereby amended to change the future land use designation from Industrial to Regional Commercial and Services on a portion of land addressed as 1 Simmental Way and more particularly described as:

A tract of land being Lot 1 of Tract 2 of the Gardner – Simmental Plaza Subdivision, Plat J -5, located in the northeast quarter of Section 35, Township 1 South, Range 5 East, P.M.M., City of Bozeman, Gallatin County, Montana, more particularly described as follows:

Beginning at the northwest corner of Lot 1 of Tract 2, from which the one-quarter corner common to Sections 35 & 36, Township 1 South, Range 5 East, P.M.M. bears S 31°34'31" E a distance of 1567.71 feet; thence N 89°08'38" E a distance of 669.51 feet; thence south a distance of 463.71 feet along a non – tangent curve concave to the west having a radius of 4127.5 feet, a central angle of 6°26'13", a chord bearing of S 10°01'42" E and a chord length of 463.46 feet; thence S 90°00'00" W a distance of 750.14 feet; thence N 00°00'00" E a distance of 446.37 feet to the point of beginning; containing 7.406 acres, more or less.

Section 2

PASSED AND APPROVED by the City Commission of the City of Bozeman, Montana, at a regular session thereof held on the 4th day of April 2016.

ATTEST:

CARSON TAYLOR
Mayor

PEARL MICHALSON, CMC
Acting City Clerk

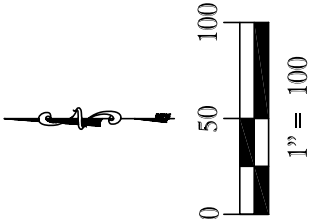
APPROVED AS TO FORM:

GREG SULLIVAN
City Attorney

EXHIBIT A

GROWTH POLICY AMENDMENT
M1 - LIGHT MANUFACTURING TO
B2 - COMMUNITY BUSINESS
1 SIMMENTAL WAY
BOZEMAN, MONTANA

TRACT 2 LOT 1 GARDNER-SIMMENTAL PLAZA
SUBDIVISION
LOCATED IN THE EAST 1/2 OF SECTION 35
T1S, R5E M.P.M. GALLATIN COUNTY



TRACT 1 LOT 3
ZONING: M1 4.038 ACRES
REST AREA

S 89°8'38" W 669.51'

NORTH 19TH AVENUE

PROPOSED GROWTH
POLICY AMENDMENT
TRACT 2 LOT 1
7.406 ACRES

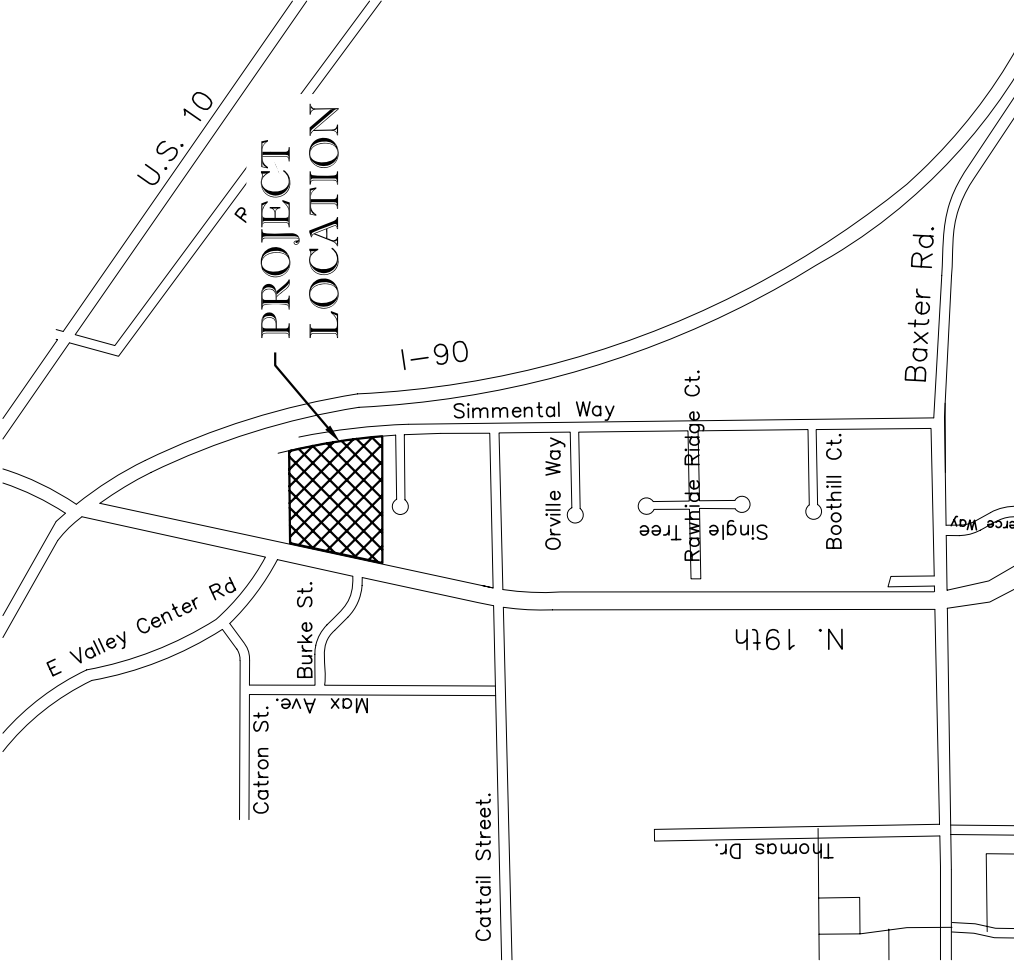
D=06°26'45"
R=4111.02'
L=463.7'
CH=10°01'42"W

SIMMENTAL WAY

TRACT 2 LOT 2
ZONING: M1 2.797 ACRES
BOZEMAN FORD

TRACT 2 LOT 3
ZONING: M1 2.480 ACRES
BOZEMAN FORD

S00°00'00"W 750.14'



AMERICAN SIMMENTAL ASSOCIATION
GROWTH POLICY AMENDMENT
1 SIMMENTAL WAY
BOZEMAN MT

MADISON ENGINEERING
895 TECHNOLOGY BLVD, SUITE 203
BOZEMAN, MT 59718
PHONE (406) 586-0262 FAX (406) 586-5740

EXHIBIT A
DRAWN BY: CGB
DATE: 9/6/15
PROJECT# 15-136

LOT 4 GALLATIN
CENTER SUB PH 1
ZONING: B2 219 ACRES

LOT 3 GALLATIN
CENTER SUB PH 1
ZONING: B2 165 ACRES

LOT 10 GALLATIN
CENTER SUB PH III
ZONING: B2 997 ACRES