

ORDINANCES OF THE CITY OF HELENA, MONTANA

ORDINANCE NO. 3156

AN ORDINANCE AMENDING ORDINANCE NO 3109 TO CHANGE THE PREZONING OF THAT PROPERTY LEGALLY DESCRIBED AS A PORTION OF TRACT C-2-A-1-A-1-A-1-A AMENDED PLAT OF PHASE A OF ASPEN PARK AT MOUNTAIN VIEW MEADOWS SUBDIVISION (COS #3173428) LOCATED IN LEWIS AND CLARK COUNTY, PRIOR TO ANNEXATION INTO THE CITY OF HELENA, MONTANA

WHEREAS, R and D Partners, LLC, the owners of the following-described property previously requested that the City of Helena pass an ordinance, pursuant to Helena City Code Section 11-2-8(D), for rezoning of the above-described property; and

WHEREAS, the City Commission rezoned the property on February 23, 2009, by Ordinance No. 3109; and

WHEREAS, R and D Partners, LLC, now request an amendment to that rezoning as follows:

From R-4 (Residential-Office) to:

R-2 (Residential) for Blocks 50-52

All lots and blocks are as shown on the proposed preliminary plat of the Crossroads Amendment at Mountain View Meadows Subdivision, as shown on Exhibit "A" attached hereto and more particularly described by metes and bounds on Exhibit "B" attached hereto

All being that undeveloped property shown on Certificate of Survey Number 3173428, in Lewis and Clark County, Montana, which property is generally located south and west of Alice Street and north of Runkle Parkway, adjacent to the existing City limits.

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The property is legally described as a portion of Tract C-2-A-1-A-1-A-1-A of Certificate of Survey Number 3173428, located in Lewis and Clark County, Montana.

WHEREAS, on **April 10, 2012**, the Helena Zoning Commission recommended **APPROVAL** of the requested rezoning amendment as mentioned above; and

WHEREAS, the Helena City Commission held a public hearing on this requested rezoning amendment on **May 7, 2012**, staff recommended **APPROVAL** of this request, and in considering said rezoning, the Commission gave due consideration to the matters set forth in §76-2-304, MCA.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF HELENA, MONTANA:

Section 1. That the above-described property is hereby granted an amended rezoning designation of:

R-2 (Residential) for Blocks 50-52

All lots and blocks are as shown on the proposed preliminary plat of the Crossroads Amendment at Mountain View Meadows Subdivision, as shown on Exhibit "A" attached hereto and more particularly described by metes and bounds on Exhibit "B" attached hereto

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All being that undeveloped property shown on Certificate of Survey Number 3173428, which is shown on Exhibit "C" attached hereto, all in Lewis and Clark County, Montana.

**FIRST PASSED BY THE COMMISSION OF THE CITY OF HELENA, MONTANA,
THIS 7th DAY OF MAY, 2012.**

**/S/ James E. Smith
MAYOR**

ATTEST:

**/S/ Debbie Havens
CLERK OF THE COMMISSION**

**FINALLY PASSED BY THE COMMISSION OF THE CITY OF HELENA,
MONTANA, THIS 4TH DAY OF JUNE, 2012.**

**/S/ James E. Smith
MAYOR**

ATTEST:

**/S/ Debbie Havens
CLERK OF THE COMMISSION**