

# **RESOLUTIONS OF THE CITY OF HELENA, MONTANA**

## **RESOLUTION NO. 19996**

### **A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO ALLOW A DAYCARE CENTER TO BE LOCATED IN A CLM (COMMERCIAL-LIGHT MANUFACTURING) DISTRICT IN THE CITY OF HELENA, MONTANA**

**WHEREAS**, the Helena City Commission has before it a request to grant a conditional use permit to allow a daycare center with up to thirty (30) students to be located in an existing commercial structure on property in a CLM (Commercial-Light Manufacturing) District, which property is described as Lot 1 in Block 1 of the Cottonwood West Subdivision in the City of Helena, Montana, generally located west of Colton Drive and North of Barney Street, with a property address of 3390 Colton Drive, Suite B, in Helena, Lewis and Clark County, Montana; and

**WHEREAS**, the Helena City Commission finds as follows:

1. The proposed conditional use will not significantly increase risk to the public health, safety, or general welfare.
2. The proposed conditional use will not significantly reduce or impair the peaceful use of existing property or improvements in the vicinity and the zoning district in which the subject property is located.
3. The proposed conditional use meets the requirements of subsections 11-3-5A1 and A2 of the Helena City Code, after consideration of the following factors:

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- (a) Pedestrian, vehicular, and bicycle traffic;
- (b) On street parking;
- (c) Noise;
- (d) Glare;
- (e) Odor; and
- (f) Type and size of structures and improvements and

their relative locations on the subject property.

4. That public hearings have been held by the Zoning Commission and the City Commission after required legal notices have been given, and the public has been given an opportunity to be heard on the matter.

**WHEREAS**, the Zoning Commission of the City of Helena, Montana, after holding a regularly scheduled public hearing on said conditional use permit application on **March 12, 2013**, recommended that the Helena City Commission approve the described conditional use permit; and

**WHEREAS**, a public hearing was held on this matter at the regular City Commission meeting **at 6:00 p.m. on April 8, 2013**, in the Commission Chambers in the City-County Building, 316 North Park Avenue, in Helena, Montana.

