

# RESOLUTIONS OF THE CITY OF HELENA, MONTANA

## RESOLUTION NO. 20547

### A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO ALLOW A 2,192 SQUARE-FOOT K-12 EDUCATION USE IN AN EXISTING BUILDING IN THE R-O (RESIDENTIAL OFFICE) ZONING 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 2,192 square foot K-12 education use in an existing building in the R-O (Residential Office) Zoning District, for property with the street address of 600 N. Park Avenue and legally described as Lot 5 of the Henry Thompson Placer Mining Claim as more particularly described in Book M42 Page 5371, document number 3193057, generally located south of Gilbert Street and west of Park Avenue;

**WHEREAS,** the Zoning Commission of the City of Helena, Montana, after holding a regularly scheduled public hearing on said conditional use permit application on June 11, 2019, to gather facts and information from all interested parties as contemplated by Helena City Code § 11-3-6, has recommended that the Helena City Commission approve the described conditional use permit conditioned upon the installation of three (3) on-site bicycle parking spaces;

**WHEREAS,** a public hearing was held on this matter at the

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regular City Commission meeting at 6:00 p.m. on July 15, 2019, in the Commission Chambers in the City-County Building, 316 North Park Avenue, in Helena, Montana as contemplated by Helena City Code § 11-3-7;

**WHEREAS**, the City Commission has considered the information contained in the application, the information presented at said public hearing, the Zoning Commission's recommendation, and whether the proposed conditional use meets the requirements of Helena City Code § 11-3-5A1 and A2, by weighing and balancing the following factors, as set forth in Helena City Code § 11-3-5B:

- (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.

**WHEREAS**, based on its consideration of all those matters, the Helena City Commission hereby specifically finds as follows:

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1. 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;

2. That the proposed conditional use, as conditioned, will not significantly increase risk to the public health, safety, or general welfare; and

3. That the proposed conditional use, as conditioned, 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.

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

**Section 1.** A conditional use permit is hereby granted allowing a 2,192 square foot K-12 educational use in an existing building in the R-0 (Residential Office) Zoning District, for property with the street address of 600 N. Park Avenue and legally described as Lot 5 of the Henry Thompson Placer Mining Claim as more particularly described in Book M42 Page 5371, document number 3193057, generally located south of Gilbert

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Street and west of Park Avenue.

**Section 2.** The conditional use is subject to the following continuing conditions:

- A. The applicant must install a minimum of three (3) bicycle parking spaces on the property in accordance with City Code.

**PASSED AND EFFECTIVE BY THE COMMISSION OF THE CITY OF HELENA, MONTANA, THIS 15<sup>TH</sup> DAY OF JULY, 2019.**

/S/ WILMOT COLLINS  
MAYOR

**ATTEST:**

/S/ DEBBIE HAVENS  
CLERK OF THE COMMISSION