

# ORDINANCES OF THE CITY OF HELENA, MONTANA

## ORDINANCE NO. 3220

AN ORDINANCE PREZONING TO B-2 (GENERAL COMMERCIAL) DISTRICT AND, UPON ANNEXATION, AMENDING THE OFFICIAL ZONING MAP FOR THE CITY OF HELENA FOR A PORTION OF THE PROPERTY LEGALLY DESCRIBED AS TRACT B-1-A SHOWN ON COS #3207070, IN LEWIS AND CLARK COUNTY, PRIOR TO ANNEXATION INTO THE CITY OF HELENA, MONTANA

WHEREAS, Trinity Development Partnership, LLC, on behalf of Resurrection Cemetery Association, Inc., the owner of the following-described property, has requested that the City of Helena pass an ordinance, pursuant to Helena City Code Section 11-1-4, for the following prezoning designation:

A prezoning designation of B-2 (General Commercial) District for an approximately five-acre portion of Tract B-1-A as shown on a Certificate of Survey filed under Document No. 3207070, more particularly described by metes and bounds (see Exhibit "A" attached hereto), located in Lewis and Clark County, Montana, which property is generally located north of Sanders Street and east of Jordan Drive; and

WHEREAS, on **March 8, 2016**, the Helena Zoning Commission made no recommendation for the requested prezoning as described above; and

WHEREAS, the Helena City Commission opened a public hearing on this requested prezoning **at 6:00 p.m. on March 21, 2016**, staff recommended tabling the hearing, and the hearing was tabled to the call of the City Manager; and

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WHEREAS, the Helena City Commission opened a public hearing on this requested rezoning at 6:00 p.m. on May 9, 2016, staff recommended APPROVAL, 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 a rezoning designation of:

B-2 (General Commercial) District for an approximately five-acre portion of Tract B-1-A as shown on a Certificate of Survey filed under Document No. 3207070, located in Lewis and Clark County, Montana, which property is generally located north of Sanders Street and east of Jordan Drive.

FIRST PASSED BY THE COMMISSION OF THE CITY OF HELENA, MONTANA, THIS 9<sup>th</sup> DAY OF MAY, 2016.

ATTEST: /S/ James E. Smith  
MAYOR

/S/ Debbie Havens  
CLERK OF THE COMMISSION

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FINALLY PASSED BY THE COMMISSION OF THE CITY OF HELENA,  
MONTANA, THIS 23<sup>rd</sup> DAY OF MAY, 2016.

ATTEST:

/S/ James E. Smith

MAYOR

/S/ Debbie Havens

CLERK OF THE COMMISSION

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## EXHIBIT "A"

Beginning at the northwest corner of Lot 1 of the Lowes's HIW, Inc. Minor Subdivision recorded under Document No. 3098722, said point also being the intersection of the east right-of-way line of Sanders Street and the south line of said Tract B-1-A as shown on a Certificate of Survey filed under Document No. 3207070; thence approximately north  $00^{\circ}00'00''$  east, 300± feet; thence approximately south  $90^{\circ}00'00''$  east, 700± feet; thence approximately south  $00^{\circ}00'00''$  east, 300± feet; thence approximately north  $90^{\circ}00'00''$  west, 700± feet to the point of beginning.