RESOLUTIONS OF THE CITY OF HELENA, MONTANA

RESOLUTION NO. 20548

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO ALLOW A 2,654 SQUARE-FOOT GENERAL AND PROFESSIONAL SERVICES USE IN THE R-3 (RESIDENTIAL) 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 2,654 square foot general and professional services use addition in the R-3 (Residential) Zoning District, for property with the street address of 1905 Henderson Street and legally described as Lots 1-8 and 11-16 in Block 43 of the Broadwater Second Addition, together with the vacated portions of the east-west alley and Henderson Street rights-of-way in Block 43, generally located north of Hudson Street and east of Henderson Street;

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 and installation of an ADA compliant sidewalk in the adjacent Warehouse Avenue right-of-way the

1

entire length of the property boundary;

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

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

Resol. 20548

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

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 2,654 square foot general and professional service use addition in the R-3 (Residential) Zoning District, for property with the street address of 1905 Henderson Street and legally described as Lots 1-8 and 11-16 in Block 43 of the

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

Broadwater Second Addition, together with the vacated portions of the east-west alley and Henderson Street rights-of-way in Block 43 generally located north of Hudson Street and east of Henderson Street.

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

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

B.   The applicant must install an ADA compliant sidewalk in the adjacent Warehouse Avenue right-of-way the entire length of the property boundary.

PASSED AND EFFECTIVE BY THE COMMISSION OF THE CITY OF HELENA, MONTANA, THIS 15TH DAY OF JULY, 2019.

/S/ WILMOT COLLINS
MAYOR

ATTEST:

/S/ DEBBIE HAVENS
CLERK OF THE COMMISSION