

# RESOLUTIONS OF THE CITY OF HELENA, MONTANA

## RESOLUTION NO. 20719

### A RESOLUTION CONDITIONALLY GRANTING FIRE TOWER APARTMENTS, WISHCAMPER DEVELOPMENT PARTNERS, LLLP A WAIVER OF \$29,895.54 IN BUILDING AND DEVELOPMENT FEES FOR THE FIRE TOWER APARTMENTS LOCATED AT 6 AND 8 S PARK AVENUE

**WHEREAS**, the City Commission adopted Ordinance No. 3277 which allows the City Commission, by resolution, and at its sole discretion, to waive the imposition of a portion or all of any fee imposed by the provisions of Title 3 of the Helena City Code for an affordable housing project;

**WHEREAS**, Wishcamper Development Partners, LLLP is developing affordable housing, known as the Fire Tower Apartments, at 6 and 8 S Park Avenue in the City of Helena;

**WHEREAS**, Fire Tower Apartments consists of forty-four (44) affordable units that serve individuals and families who earn 60% or lower of the area median income. Three (3) of these units will also serve persons with disabilities. The total cost of the project is \$210,041.26;

**WHEREAS**, Fire Tower Apartments, Wishcamper Development Partners, LLLP, has applied for a waiver of \$29,895.54 in building and development fees; and

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WHEREAS, the City Commission has considered the information contained in the application, the information presented before the City Commission, and whether requirements of § 3-1-5(D), Helena City Code are satisfied by considering:

- (a) The size of the project;
- (b) The number of persons proposed to be served;
- (c) The financial capability of the applicant to pursue the project without fee waiver;
- (d) The length of time the project is guaranteed to remain affordable;
- (e) The manner in which the applicant has guaranteed the project will remain affordable; and
- (f) Any other factor the City Commission deems relevant.

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

**Section 1.** The Helena City Commission finds:

A. The Fire Tower Apartments, Wishcamper Development Partners, LLLP, meets the definition of affordable housing project as defined by § 3-1-5(D), Helena City Code.

B. The waiver will not jeopardize the financial interests of the City.

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**Section 2.** The Helena City Commission hereby conditionally grants the waiver of \$29,895.54 in building and development fees for the Fire Tower Apartments located at 6 and 8 S Park Avenue in the City of Helena and as shown on the attached Exhibit "A." This waiver is conditioned as set forth below:

A. Fire Tower Apartments, Wishcamper Development Partners, LLLP, must comply with the July 2nd, 2020 Declaration of Restrictive Covenants for Low-Income Housing Credits, document number 3357734 with the Lewis and Clark County Clerk and Recorder, as modified and amended by the Modification to Declaration of Restrictive Covenants for Low-Income Housing Credits, document number 3380135 with the Lewis & Clark County Clerk and Recorder, for the term of those Covenants.

B. Fire Tower Apartments, Wishcamper Development Partners, LLLP, must provide a copy of all reporting and certification to the City concurrent with provision to the Montana Board of Housing.

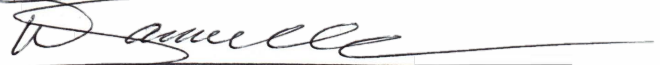
**Section 3.** If the City determines that Fire Tower Apartments, Wishcamper Development Partners, LLLP, has violated any condition imposed in connection with this fee waiver, the City may seek the full balance of the waived fees, which may be attached as a lien against the property.

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PASSED AND EFFECTIVE BY THE COMMISSION OF THE CITY OF HELENA,

MONTANA, THIS 14TH DAY OF February, 2022.



MAYOR



CLERK OF THE COMMISSION

