

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

RESOLUTION NO. 20082

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO ALLOW UP TO SIX (6) DWELLING UNITS 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 up to six (6) dwelling units to be located in an existing structure (a triplex) and in a new structure (a triplex) to be erected on property in a CLM (Commercial-Light Manufacturing) District, which property is described as Lots 11-13 in Block 48 of the Northern Pacific Addition, in the City of Helena, Montana, generally located between Railroad and Gallatin Avenues and west of North Harris street, with property addresses of 1529 and 1531 Railroad Avenue, in Helena, Lewis and Clark County, Montana; and

WHEREAS, the Zoning Commission of the City of Helena, Montana, after holding a regularly scheduled public hearing on said conditional use permit application on **May 13, 2014** 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;

WHEREAS, a public hearing was held on this matter at the regular City Commission meeting **at 6:00 p.m. on June 9, 2014**, in

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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 Zoning Commission's recommendation, and the information presented at the public hearing, and has considered 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 of 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 will not significantly increase risk to the public health, safety, or general welfare; and

3. That 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.

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

Section 1. A conditional use permit is hereby granted allowing up to six (6) dwelling units to be located in an existing triplex and a triplex to be erected on property in a CLM (Commercial Light Manufacturing) District, which property is described as Lots 11-13 in Block 48 of the Northern Pacific Addition in the City of Helena, Montana, generally located between Railroad and Gallatin Avenues and west of North Harris Street, with property addresses of 1529 and 1531 Railroad

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Avenue, in Helena, Lewis and Clark County, Montana, subject to the following condition:

A. Owner must obtain, at its own expense, inspections by the Helena Fire Department and the Helena Building Division to ensure that the existing dwelling units are habitable, and comply with any recommended findings resulting from said inspections.

PASSED AND EFFECTIVE BY THE COMMISSION OF THE CITY OF HELENA, MONTANA, THIS 9th DAY OF JUNE, 2014.

/S/ James E. Smith
MAYOR

ATTEST:

/S/ Debbie Havens
CLERK OF THE COMMISSION