

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

RESOLUTION NO. 20274

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO ALLOW A MINI-STORAGE FACILITY IN A B-2 (GENERAL COMMERCIAL) 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 mini-storage facility in a B-2 (General Commercial) District, for property legally described as Remainder Tract 1-A shown on Certificate of Survey No. 3266569, generally located west of McHugh Lane in the vicinity of the intersection of McHugh Lane and Custer Avenue, with a property address of 3108 McHugh Lane, in Helena, 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 **June 14, 2016**, 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, subject to the following conditions:

1. A designated ADA-compliant parking space must be installed in accordance with the 2010 Americans with Disabilities Act design standards before utilizing the subject

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property for any storage activity.

2. A pedestrian route of travel from the parking area and ADA parking space to the sidewalk adjacent to McHugh Lane must be installed.

3. Screening shall be placed along the northern border of the property to provide a buffer from vehicle light and windshield glare.

4. Prior to any storage use on the subject property, all conditions must be met. Conditions must be met within one year of this approval.

WHEREAS, a public hearing was held on this matter at the regular City Commission meeting **at 6:00 p.m. on July 11, 2016**, 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; and

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

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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:

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

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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 mini-storage facility in a B-2 (General Commercial) District, for property legally described as Remainder Tract 1-A shown on Certificate of Survey No. 3266569, generally located west of McHugh Lane in the vicinity of the intersection of McHugh Lane and Custer Avenue, with a property address of 3108 McHugh Lane, in Helena, Montana subject to the following conditions:

1. A designated ADA-compliant parking space must be installed in accordance with the 2010 Americans with Disabilities Act design standards before utilizing the subject property for any storage activity.

2. A pedestrian route of travel from the parking area and ADA parking space to the sidewalk adjacent to McHugh Lane must be installed.

3. Screening shall be placed along the northern border of

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the property to provide a buffer from vehicle light and windshield glare.

4. Prior to any storage use on the subject property, all conditions must be met. Conditions must be met within one year of this approval.

PASSED AND EFFECTIVE BY THE COMMISSION OF THE CITY OF HELENA, MONTANA, THIS 11th DAY OF JULY, 2016.

/S/ James E. Smith

MAYOR

ATTEST:

/S Debbie Havens

CLERK OF THE COMMISSION