

# **ORDINANCES OF THE CITY OF HELENA, MONTANA**

## **ORDINANCE NO. 3154**

**AN ORDINANCE AMENDING ORDINANCE NO 3109 TO CHANGE THE PREZONING OF THAT PROPERTY LEGALLY DESCRIBED AS A PORTION OF TRACT C-2-A-1-A-1-A-1-A AMENDED PLAT OF PHASE A OF ASPEN PARK AT MOUNTAIN VIEW MEADOWS SUBDIVISION (COS #3173428) LOCATED IN LEWIS AND CLARK COUNTY, PRIOR TO ANNEXATION INTO THE CITY OF HELENA, MONTANA**

**WHEREAS, R and D Partners, LLC,** the owners of the following-described property previously requested that the City of Helena pass an ordinance, pursuant to Helena City Code Section 11-2-8(D), for rezoning of the above-described property; and

**WHEREAS,** the City Commission rezoned the property on February 23, 2009, by Ordinance No. 3109; and

**WHEREAS, R and D Partners, LLC,** now request an amendment to that rezoning as follows:

From B-2 (General Commercial) to:

R-2 (Residential) for Lot 3 and the southern portion of Lot 2 in Block 7; the northern portion of Lot 1 in Block 9; Blocks 8-10; the southern portion of Lot 1 and Lots 2-13 in Block 11; Lots 4-16 in Block 12; and Lots 5-14 and 23-29 in Block 22

PLI (Public Lands and Institutions) for the southern portion of Lot 1 in Block 7

All lots and blocks are as shown on the proposed preliminary plat of the Crossroads Amendment at Mountain View Meadows Subdivision, as shown on Exhibit "A" attached hereto and more particularly described by metes and bounds on Exhibit "B" attached hereto

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All being that undeveloped property shown on Certificate of Survey Number 3173428, in Lewis and Clark County, Montana, which property is generally located east of Crossroads Parkway and south and west of Alice Street, adjacent to the existing City limits.

The property is legally described as a portion of Tract C-2-A-1-A-1-A-1-A of Certificate of Survey Number 3173428, located in Lewis and Clark County, Montana.

**WHEREAS**, on **April 10, 2012**, the Helena Zoning Commission recommended **APPROVAL** of the requested rezoning amendment as mentioned above; and

**WHEREAS**, the Helena City Commission held a public hearing on this requested rezoning amendment on **May 7, 2012**, staff recommended **APPROVAL** of this request, 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 an amended rezoning designation of:

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R-2 (Residential) for Lot 3 and the southern portion of Lot 2 in Block 7; the northern portion of Lot 1 in Block 9; Blocks 8-10; the southern portion of Lot 1 and Lots 2-13 in Block 11; Lots 4-16 in Block 12; and Lots 5-14 and 23-29 in Block 22

PLI (Public Lands and Institutions) for the southern portion of Lot 1 in Block 7

All lots and blocks are as shown on the proposed preliminary plat of the Crossroads Amendment at Mountain View Meadows Subdivision, as shown on Exhibit "A" attached hereto and more particularly described by metes and bounds on Exhibit "B" attached hereto

All being that undeveloped property shown on Certificate of Survey Number 3173428, which is shown on Exhibit "C" attached hereto, all in Lewis and Clark County, Montana.

**FIRST PASSED BY THE COMMISSION OF THE CITY OF HELENA, MONTANA, THIS 7<sup>th</sup> DAY OF MAY, 2012.**

**ATTEST:** /S/ James E. Smith  
**MAYOR**

/S/ Debbie Havens  
**CLERK OF THE COMMISSION**

**FINALLY PASSED BY THE COMMISSION OF THE CITY OF HELENA, MONTANA, THIS 4<sup>th</sup> DAY OF JUNE, 2012.**

**ATTEST:** /S/ James E. Smith  
**MAYOR**

/S/ Debbie Havens  
**CLERK OF THE COMMISSION**