



Michael Alvarez, Planner II
Community Development Department
316 North Park Avenue, Rm. 445
Helena, MT 59623

: Phone: 406-447-8459
: Fax: 406-447-8460
: Email: malvarez@helenamt.gov

helenamt.gov

DATE: January 27, 2023

STAFF REPORT

TO: Helena Board of Adjustment

FROM: Michael Alvarez, City Planner II

SUBJECT:

Consideration of:

1. A variance from Section 11-23-10 to increase the number of allowable freestanding signs from 1 to 2;
2. A variance from Section 11-23-10 to increase the allowable height of a freestanding sign from 34' to 45' for the northern freestanding sign;
3. A variance from Section 11-23-10 to increase the allowable area of a freestanding sign from 150sf to 192sf for the southern freestanding sign;
4. A variance from Section 11-23-10 to increase the allowable height of a freestanding sign from 34' to 37' for the southern freestanding sign;

for a property with a legal description of Lots 2 and 3 of Block 1 on COS #3100615 of the Nob Hill Subdivision, City of Helena, Lewis and Clark County, Montana.

This property is located at 3196 Colonial Dr.

The reason for the variance is to allow for wayfinding from the interstate.

OVERVIEW

GENERAL INFORMATION

DATE OF APPLICATION: Application received December 14, 2022

PUBLIC HEARING DATE: Board of Adjustment - 5:30 p.m., Tuesday, February 07, 2023

PROPERTY OWNER (Lot 1): PTNH LLC

MAILING ADDRESS: 7 Clover View Dr. Helena, MT 59601-0252

CONTACT NUMBER:

EMAIL ADDRESS:

PROPERTY OWNER (Lot 2): PEC DESIGN-BUILD CORPORATION

MAILING ADDRESS: 3400 CENTENNIAL DR. HELENA, MT 59601

CONTACT NUMBER:

EMAIL ADDRESS:

REPRESENTATIVE: Melanie Ruff
MAILING ADDRESS: 185 S State St, Ste 800, Salt Lake City, UT 84111
CONTACT NUMBER: (385)343-4137
EMAIL ADDRESS: melanie.ruff@maverik.com

PROPERTY ADDRESS: 2885 N Sanders St, Helena, MT 59601

LEGAL DESCRIPTION: Lot 8A on COS #3395855 of the Custer Landing Major Subdivision, City of Helena, Lewis and Clark County, Montana.

GENERAL LOCATION: This property is generally located on the east side of N Sanders St. Sportsman's Warehouse is across the street to the west and Winco is to its east.

PRESENT LAND USE: vacant land.

ADJACENT LAND USE AND ZONING:

North: undeveloped, Hwy I-15, B-2 zoning

South: Senior Living Facility, multiple dwelling-unit, B-2 zoning

East: undeveloped, Hwy I-15, B-2 zoning

West: Commercial (various), B-2 zoning, (farther west single dwelling-unit neighborhood, R-2 zoning),

PRESENT ZONING: B-2

VARIANCE PROPOSALS:

- 1. A variance from Section 11-23-10 to increase the number of allowable freestanding signs from 1 to 2, for a property with a legal description of Lots 2 and 3 of Block 1 on COS #3100615 of the Nob Hill Subdivision, City of Helena, Lewis and Clark County, Montana.**
- 2. A variance from Section 11-23-10 to increase the allowable height of a freestanding sign from 34' to 45' for the northern freestanding sign, for a property with a legal description of Lots 2 and 3 of Block 1 on COS #3100615 of the Nob Hill Subdivision, City of Helena, Lewis and Clark County, Montana.**
- 3. A variance from Section 11-23-10 to increase the allowable area of a freestanding sign from 150sf to 192sf for the southern freestanding sign, for a property with a legal description of Lots 2 and 3 of Block 1 on COS #3100615 of the Nob Hill Subdivision, City of Helena, Lewis and Clark County, Montana.**
- 4. A variance from Section 11-23-10 to increase the allowable height of a freestanding sign from 34' to 37' for the southern freestanding sign, for a property with a legal description of Lots 2 and 3 of Block 1 on COS #3100615 of the Nob Hill Subdivision, City of Helena, Lewis and Clark County, Montana.**

HISTORY OF APPLICABLE PERMITTING ACTION:

- Vacant land

ZONING EVALUATION for the property legally addressed as 3196 Colonial Dr, Helena, MT, located in a B-2 zoning district.

ZONING REQUIREMENT	Applicable ZONING REGULATION	PRESENT CONDITION	PROPOSAL	VARIANCE REQUIRED
City Code: §11-23-10 B-2 A	One freestanding sign permitted	N/A	Two freestanding signs	Yes
§11-23-10 B-2 A	Height of a freestanding sign shall not exceed thirty four feet (34')	N/A	One freestanding sign to have a height of 45'	Yes
§11-23-10 B-2 A	Total area of a freestanding sign shall not exceed one hundred fifty (150) square feet	N/A	One freestanding sign to have an area of <192sf	Yes
§11-23-10 B-2 A	Height of a freestanding sign shall not exceed thirty four feet (34')	N/A	One freestanding sign to have a height of 37'	Yes

BOARD OF ADJUSTMENT VARIANCE CRITERIA

Section 11-5-5 of the Helena Zoning Ordinance includes certain criteria that must be reviewed as part of the variance procedure.

To approve a requested variance for a new building or portion thereof, the board of adjustment shall consider the following standards and find as follows:

1. *The variance will not create a significant risk to the public health, safety, or general welfare;*
2. *The variance 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; and*
3. *Strict compliance with the provisions of this title would create unnecessary hardship or practical difficulty.*

In evaluating the standards above, the board of adjustment may consider the following factors:

1. *Special conditions and circumstances that are unique to the applicant's site, including the size of the property, unusual or extreme topography, or unusual shape of the property.*
2. *The height, location, or dimensions of existing structures located on the site or in the vicinity of the site.*
3. *Whether there is a prevalence of nonconformities in the vicinity of the site that are similar to the variance requested.*
4. *The subsequent imposition of zoning restrictions creating nonconforming lots or parcels, and governmental actions beyond the applicant's control.*
5. *Whether a literal interpretation of the provisions of this Title would deprive the property owner of rights commonly enjoyed by other properties similarly situated in the same district under the terms of this Title.*
6. *The extent to which the hardship or difficulty results from the actions of the applicant.*
7. *Whether granting the variance requested will confer an unreasonable special privilege to the subject property that is not available to other properties similarly located in the same zoning district.*

PUBLIC COMMENT:

As of Friday, January 27, 2023, no public comments have been received for the variance.

City Attorney's Office:

It is the recommendation of the City Attorney's Office, that staff does not make a recommendation to approve or deny a variance.

CONCLUSION

Montana law states the Board of Adjustment has authority to consider "...upon appeal in specific cases such variance from the terms of the ordinance as will not be contrary to the public interest, where, owing to

special conditions, a literal enforcement of the provisions of the ordinance will result in unnecessary hardship and so that the spirit of the ordinance shall be observed and substantial justice done.” (76-2-323 MCA)

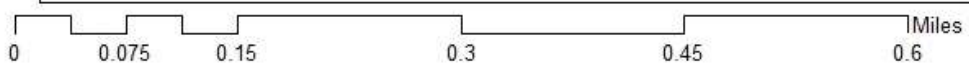
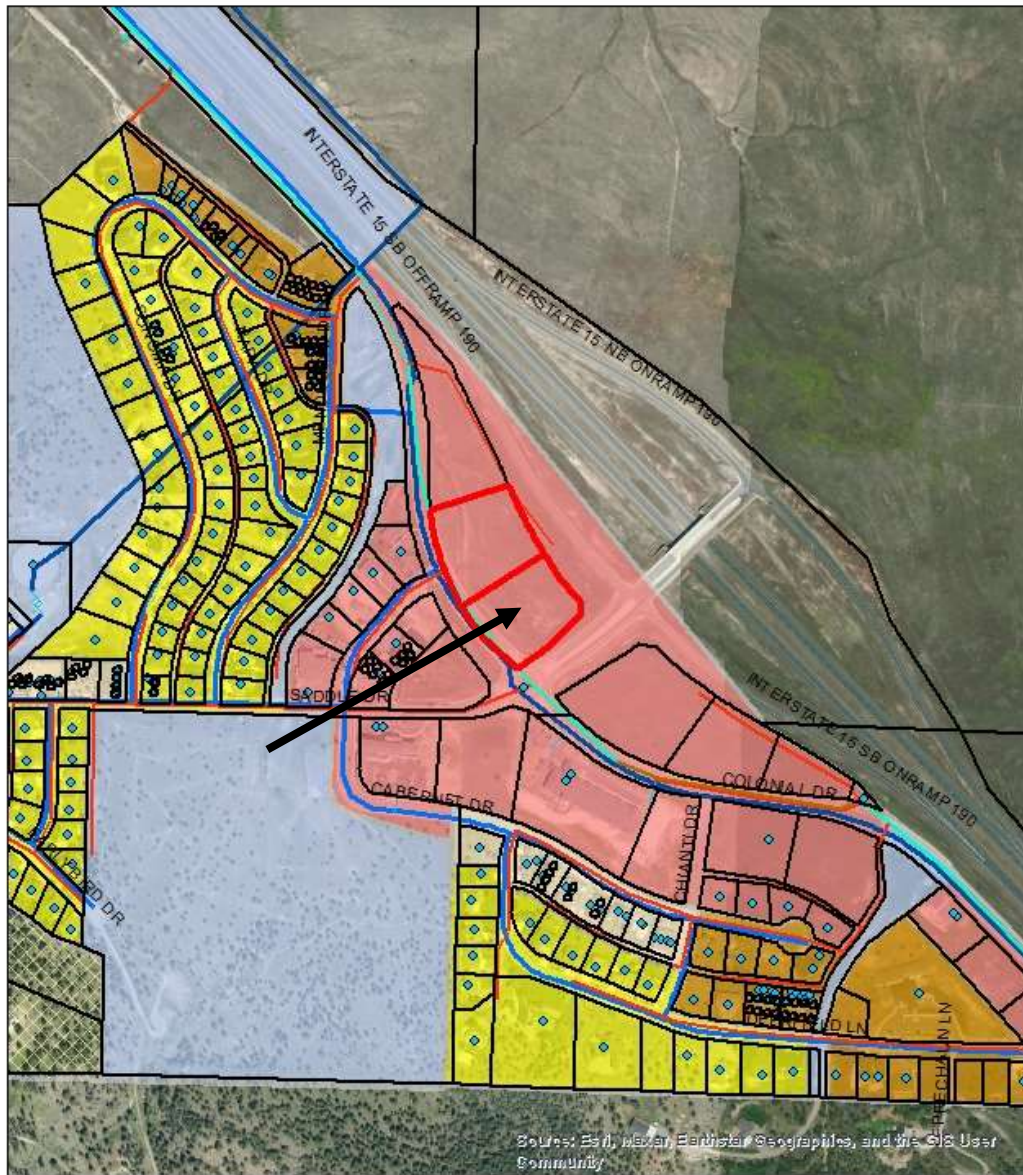
Motion:

Move to Approve or Deny

1. A variance from Section 11-23-10 to increase the number of allowable freestanding signs from 1 to 2, for a property with a legal description of Lots 2 and 3 of Block 1 on COS #3100615 of the Nob Hill Subdivision, City of Helena, Lewis and Clark County, Montana.
2. A variance from Section 11-23-10 to increase the allowable height of a freestanding sign from 34' to 45' for the northern freestanding sign, for a property with a legal description of Lots 2 and 3 of Block 1 on COS #3100615 of the Nob Hill Subdivision, City of Helena, Lewis and Clark County, Montana.
3. A variance from Section 11-23-10 to increase the allowable area of a freestanding sign from 150sf to 192sf for the southern freestanding sign, for a property with a legal description of Lots 2 and 3 of Block 1 on COS #3100615 of the Nob Hill Subdivision, City of Helena, Lewis and Clark County, Montana.
4. A variance from Section 11-23-10 to increase the allowable height of a freestanding sign from 34' to 37' for the southern freestanding sign, for a property with a legal description of Lots 2 and 3 of Block 1 on COS #3100615 of the Nob Hill Subdivision, City of Helena, Lewis and Clark County, Montana.

If the Board of Adjustment approves the requested variance, the following condition is recommended:

Sign Permit: A sign permit must be obtained within one (1) year.





Kyle Holland, Planner II

Community Development Department
316 North Park Avenue, Room 445
Helena, MT 59623

: Phone: 406-447-8492
: Fax: 406-447-8460
: Email: kholland@helenamt.gov

helenamt.gov

Date: May 22, 2023

TO WHOM IT MAY CONCERN: Variances from district dimensional standards requirements are being proposed in your area. Please review the enclosed description, and vicinity map. You may respond to the proposal at the public hearing or submit written comments prior to the June 06, 2023 Board of Adjustments public hearing to the City Planning Division, 316 North Park, Helena MT 59623.

The Helena Board of Adjustments will hold a public hearing on the variance request on Tuesday, June 06, 2023 at 5:30 p. m. via Zoom at <https://zoom.us/j/95139091644>, Meeting ID: 951 3909 1644. Dial in at (346) 248-7799 or find your local Zoom phone number by going to <https://zoom.us/j/95139091644>.

Interested parties are encouraged to attend this meeting. We may not be able to reach all who may be interested in this application, and we encourage you to talk to your neighbors about this proposal.

PROPOSAL:

1. A variance from Section 11-23-10 to increase the allowable height of a freestanding sign **from 34' to 45'** for the northern freestanding sign, for a property with a legal description of Lots 2 and 3 of Block 1 on COS #3100615 of the Nob Hill Subdivision, City of Helena, Lewis and Clark County, Montana.

The reason for the variance is to allow for wayfinding from the interstate.

This was a previously tabled item from the February 07, 2023 meeting. A variance to increase the square footage of the sign to 192 square feet was approved at that time.

ADDRESS:

This property is located at 3196 Colonial Dr.

GENERALLY LOCATED:

This property is generally located on the north corner of Saddle Dr and Colonial Dr.

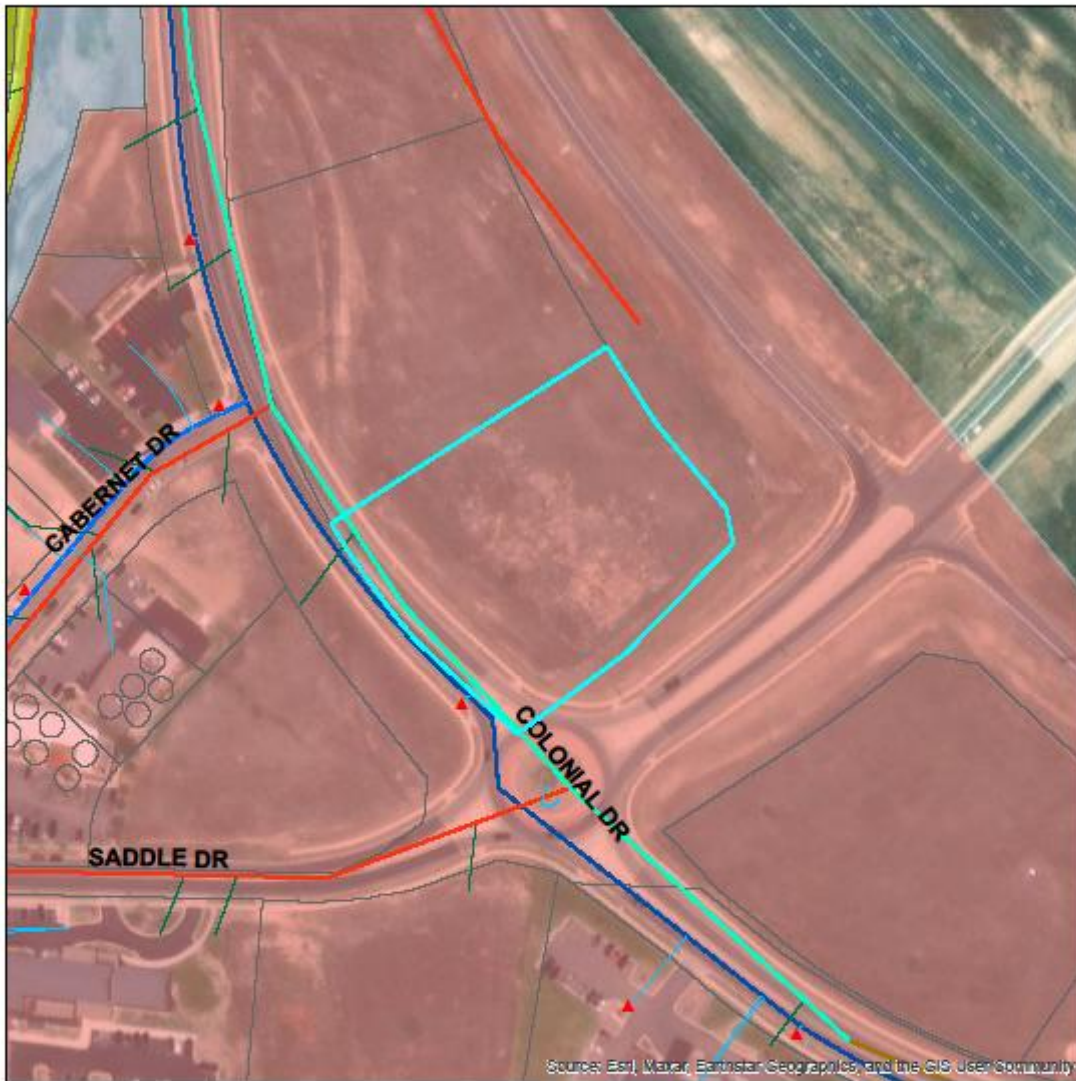
If you have questions concerning the proposed change, please contact the City Planning Division of the Community Development Department at 447-8459.

Sincerely,

Kyle Holland, Planner II

Community Development Department
City-County Building
316 N. Park Ave, Rm 403
Helena, MT 59601

3196 Colonial Dr



Legend

-  R-2 Residential District
-  PLI Public Lands & Institutions District
-  B-2 General Commercial District





BOARD OF ADJUSTMENT VARIANCE APPLICATION

Community Development Department, Planning Division
316 North Park Avenue, Room 445, Helena, MT 59623
406-447-8490; citycommunitydevelopment@helenamt.gov

Date received: _____

APPLICATION FEE: \$125.00
(PAYABLE TO THE CITY OF HELENA)
ALL FEES ARE NON-REFUNDABLE

PROPERTY OWNER: *Primary Contact?*

Name: See attached Primary Number: _____
Address: See attached Other Phone: _____
Email: _____

APPLICANT (If different from property owner): *Primary Contact?*

Name: Melanie Ruff Primary Number: 385-343-4137
Address: 185 S State Street, Ste 800, SLC, UT Other Phone: _____
Email: melanie.ruff@maverik.com Company: Maverik Inc.

AUTHORIZED REPRESENTATIVE: *Primary Contact?*

Name: _____ Primary Number: _____
Address: _____ Other Phone: _____
Email: _____ Company: _____

Section A: PLEASE PROVIDE THE INFORMATION REQUESTED BELOW.

- Address of Property 3134, 3196 Colonial Drive, Helena, MT 59601

Address	City	State	Zip Code
---------	------	-------	----------
- Legal Description (Block & Lots, Subdivision, COS#) NOB Hill Subdivision, S 34, T10 N, R03 W, Block 1
Lots 2& 3, COS #3100615
- Geocode 46°34'26.28"N, 111°58'37.28"W
- The most recent deed for impacted property
- Lot or Parcel Size (square feet) 197,326.8 SF
- Current and proposed use of structure or property: Vacant ; Proposed Fuel and Convenience Store
- Current Zoning District B-2 General Commercial District
- Are there other related Land Use Applications being submitted: Yes No
- Submit proof of current paid taxes
- 1 copy of a scaled site plan and supporting data/documents. The site plan must clearly show the existing standard and the proposed variance to the standard.

Section B: INDICATE WHICH VARIANCE(S) IS (ARE) BEING REQUESTED AND THE EXTENT OF THE VARIANCE.

EXAMPLE: [X] Reduce Front Lot Line Setback: *From the required 10 feet to 3 feet.*

Please provide all the information requested in the Application. An incomplete application may delay the review of your request. Please note: "N/A" is not an acceptable answer alone and requires an explanation if used.

Dimensional Criteria:

- Reduce front lot line setback: _____
- Front lot line setback #2 (corner lot): _____
- Reduce garage entrance setback: _____
- Reduce side lot line setback: _____
- Reduce rear lot line setback: _____
- Exceed building height limitation: _____

Lot Coverage/Area Criteria:

- Lot coverage percentage: _____
- Front porch lot coverage percentage: _____
- Lot area per dwelling unit: _____

Landscaping Criteria:

- Reduce or eliminate landscaping area: _____
- Reduce or eliminate screening: _____

Parking Criteria:

- Exceed the maximum parking spaces allowed: _____
- Reduce the amount of required on-site parking spaces: _____
- Reduce or eliminate loading berths: _____
- Reduce or eliminate required bicycle spaces: _____
- Reduce size of parking space: _____

Sign Criteria:

- Sign area (square footage): _____
- Sign height: 45' tall pole sign
- Sign location: _____
- Number of signs: _____

Other: _____

Section C: BOARD OF ADJUSTMENTS VARIANCE REVIEW CRITERIA.

To approve a requested variance for a new building or portion thereof, the Board of Adjustment shall consider the following standards in section 11-5-5 of the Helena City Code and find as follows:

1. The variance will not create a significant risk to the public health, safety, or general welfare;
2. The variance 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; and
3. Excluding monetary hardship, strict compliance with the provisions of this title would create unnecessary hardship or practical difficulty.

These are the standards your application for variance will be judged on. Your answers in section D should speak to the review criteria.

It is the applicant's burden of proof to show that a variance should be granted. As part of your application, you are required to provide information for each of the following factors including all alternatives considered. Failure to provide adequate responses or requested documentation may result in a returned application.

Section D: EVALUATION FACTORS

1. **Special conditions and circumstances that are unique to the applicant's site, including the size of the property, unusual or extreme topography, or unusual shape of the property.**

If the above condition applies, state the specific factors and provide supporting documentation. For example, if the variance request is due to an abnormal lot configuration, provide a survey of the lot that specifically demonstrates the issue.

Our pole sign is designed to be 34' above the interstate level. Our site sits 11' below the interstate, therefore we added 11' feet of pole below the interstate level to meet our grade and to ensure the traffic has a safe exit from the interstate. Please see the attached topography.

2. **The height, location, or dimensions of existing structures located on the site or in the vicinity of the site.**

Ex: How is the proposed variance compatible with the other structures located on the site or in the vicinity of the site? On the site plan you provide, please represent accurately and to scale the height, location, and dimensions of existing structures.

The existing site is vacant. Immediately adjacent to the proposed pole sign location is the interstate offramp and a vacant parcel across from Saddle Drive.

3. **Whether there is a prevalence of nonconformities in the vicinity of the site that are similar to the variance requested.**

If so, what are those nonconformities and provide supporting documentation.

There are no similar conditions in the vicinity.

4. **The subsequent imposition of zoning restrictions creating nonconforming lots or parcels, and governmental actions beyond the applicant's control.**

Is the need for a variance request a result of government action? For example, the front yard setbacks were increased after construction of the structure, thereby creating the non-conformity. Explain.

No.

5. **Whether a literal interpretation of the provisions of this title would deprive the property owner of rights commonly enjoyed by other properties similarly situated in the same district under the terms of this title.**

For example, would the denial of the variance deny the property owner the right to safe placement of a garage where garages are typical? If so, explain.

A shorter pole sign would put drivers in a more dangerous position when deciding to exit the interstate.

6. The extent to which the hardship or difficulty results from the actions of the applicant.

Explain the extent of the circumstances that are creating hardship or difficulty in compliance with the City Code and list alternatives and options considered by the applicant. Provide supporting documentation.

The proposed site is 11' below the grade of the interstate. See attached

7. Whether granting the variance requested will confer an unreasonable special privilege to the subject property that is not available to other properties similarly located in the same zoning district.

There are no similar conditions immediately adjacent to the site. In northern Helena in the B-2 District

there is an Exxon but it's blocked from abutting I-15 due to an Express Car Wash.


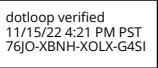
8. Do you think a rebuttable presumption, as identified in City Code Section 11-5-5(E), should apply to your property, yes or no? For example, do you have an existing non-conforming structure that you wish to rebuild in the same location? If yes, show the original footprint of the building. Provide documentation that proves the existence of the prior nonconformity. Document that the nonconformity can be in compliance with building and fire codes.


No.

9. Provide any additional information you would like the Board to consider.

IT IS THE POLICY OF THE CITY OF HELENA'S BOARD OF ADJUSTMENT TO NOT ACT ON A PROPOSAL IF THE APPLICANT/PROPERTY OWNER OR REPRESENTATIVE IS NOT PRESENT AT THE BOARD OF ADJUSTMENTS HEARING. CITY STAFF REPRESENT THE CITY AND CANNOT ANSWER QUESTIONS ON BEHALF OF THE APPLICANT AT THE BOARD OF ADJUSTMENT HEARINGS.

I HEREBY CERTIFY AND ACKNOWLEDGE THE STATEMENTS IN THIS APPLICATION AND ANY ATTACHED INFORMATION ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Signed:   Date: 11/15/22
Property Owner Pat McCutcheon

Applicant:  Date: 10/18/2022
(If different from Owner)

(Property owner must sign application)

It is recommended that the applicant contact neighbors to inform them of proposal and identify any concerns that the applicant may be able to address.

City Planning Staff represents the City; staff cannot answer questions for the applicant.



BOARD OF ADJUSTMENT VARIANCE APPLICATION

Community Development Department, Planning Division
316 North Park Avenue, Room 445, Helena, MT 59623
406-447-8490; citycommunitydevelopment@helenamt.gov

Date received:

RECEIVED
By April Sparks at 4:30 pm, Jan 17, 2023

APPLICATION FEE: \$125.00
(PAYABLE TO THE CITY OF HELENA)
ALL FEES ARE NON-REFUNDABLE

PROPERTY OWNER: *Primary Contact?*

Name: See attached Primary Number: _____
Address: See attached Other Phone: _____
Email: _____

APPLICANT (If different from property owner): *Primary Contact?*

Name: Melanie Ruff Primary Number: 385-343-4137
Address: 185 S State Street, Ste 800, SLC, UT Other Phone: _____
Email: melanie.ruff@maverik.com Company: Maverik Inc.

AUTHORIZED REPRESENTATIVE: *Primary Contact?*

Name: _____ Primary Number: _____
Address: _____ Other Phone: _____
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Section A: PLEASE PROVIDE THE INFORMATION REQUESTED BELOW.

Address of Property 3134, 3196 Colonial Drive, Helena, MT 59601
Address City State Zip Code

Legal Description (Block & Lots, Subdivision, COS#) NOB Hill Subdivision, S 34, T10 N, R03 W, Block 1
Lots 2& 3, COS #3100615

Geocode 46°34'26.28"N, 111°58'37.28"W

The most recent deed for impacted property

Lot or Parcel Size (square feet) 197,326.8 SF

Current and proposed use of structure or property: Vacant ; Proposed Fuel and Convenience Store

Current Zoning District B-2 General Commercial District

Are there other related Land Use Applications being submitted: Yes No

Submit proof of current paid taxes

1 copy of a scaled site plan and supporting data/documents. The site plan must clearly show the existing standard and the proposed variance to the standard.

Section B: INDICATE WHICH VARIANCE(S) IS (ARE) BEING REQUESTED AND THE EXTENT OF THE VARIANCE.

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- Lot coverage percentage: _____
- Front porch lot coverage percentage: _____
- Lot area per dwelling unit: _____

Landscaping Criteria:

- Reduce or eliminate landscaping area: _____
- Reduce or eliminate screening: _____

Parking Criteria:

- Exceed the maximum parking spaces allowed: _____
- Reduce the amount of required on-site parking spaces: _____
- Reduce or eliminate loading berths: _____
- Reduce or eliminate required bicycle spaces: _____
- Reduce size of parking space: _____

Sign Criteria:

- Sign area (square footage): 191.9SF for the double faced pole sign
- Sign height: _____
45' tall pole sign 37' tall double face pole sign
- Sign location: _____
- Number of signs: _____
Total Signs on site: 10

Other: _____

Section C: BOARD OF ADJUSTMENTS VARIANCE REVIEW CRITERIA.

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Ex: How is the proposed variance compatible with the other structures located on the site or in the vicinity of the site? On the site plan you provide, please represent accurately and to scale the height, location, and dimensions of existing structures.

The existing site is vacant. Immediately adjacent to the proposed pole sign location is the interstate offramp and a vacant parcel across from Saddle Drive.

3. **Whether there is a prevalence of nonconformities in the vicinity of the site that are similar to the variance requested.**

If so, what are those nonconformities and provide supporting documentation.

There are no similar conditions in the vicinity.

4. **The subsequent imposition of zoning restrictions creating nonconforming lots or parcels, and governmental actions beyond the applicant's control.**

Is the need for a variance request a result of government action? For example, the front yard setbacks were increased after construction of the structure, thereby creating the non-conformity. Explain.

No.

5. **Whether a literal interpretation of the provisions of this title would deprive the property owner of rights commonly enjoyed by other properties similarly situated in the same district under the terms of this title.**

For example, would the denial of the variance deny the property owner the right to safe placement of a garage where garages are typical? If so, explain.

A shorter pole sign would put drivers in a more dangerous position when deciding to exit the interstate.

6. The extent to which the hardship or difficulty results from the actions of the applicant.

Explain the extent of the circumstances that are creating hardship or difficulty in compliance with the City Code and list alternatives and options considered by the applicant. Provide supporting documentation.

The proposed site is 11' below the grade of the interstate. See attached

7. Whether granting the variance requested will confer an unreasonable special privilege to the subject property that is not available to other properties similarly located in the same zoning district.

There are no similar conditions immediately adjacent to the site. In northern Helena in the B-2 District

there is an Exxon but it's blocked from abutting I-15 due to an Express Car Wash.


8. Do you think a rebuttable presumption, as identified in City Code Section 11-5-5(E), should apply to your property, yes or no? For example, do you have an existing non-conforming structure that you wish to rebuild in the same location? If yes, show the original footprint of the building. Provide documentation that proves the existence of the prior nonconformity. Document that the nonconformity can be in compliance with building and fire codes.


No.

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I HEREBY CERTIFY AND ACKNOWLEDGE THE STATEMENTS IN THIS APPLICATION AND ANY ATTACHED INFORMATION ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Signed:  dotloop verified
11/15/22 4:21 PM PST
76JO-XBNH-XOLX-G4SI Date: 11/15/22
Property Owner Pat McCutcheon

Applicant:  Date: 10/18/2022
(If different from Owner)

(Property owner must sign application)

It is recommended that the applicant contact neighbors to inform them of proposal and identify any concerns that the applicant may be able to address.

City Planning Staff represents the City; staff cannot answer questions for the applicant.



New Store Sign Package by



Salt Lake Region

Salt Lake Office
1605 South Gramercy Road
Salt Lake City, UT 84104
801-487-8481

Version

OPY-46860-R2
Date: 10.18.2022

Address

Maverik Store #TBD
Colonial Drive & Saddle Drive
Helena, MT

TYPOGRAPHY NOTE

All vertical typography dimensions specified in this package are based upon the measurement from the baseline to the cap-line of an uppercase letter 'i'. The height of descenders and ascenders, below and above the baseline and cap-line respectively, are not included in the measurements unless specifically noted.



COLOR MATCHING NOTE

Colors specified in this package are to match vendor supplied physical samples. Colors chosen based upon how they appear on a computer monitor or printed media are not guaranteed to match.

PRODUCTION NOTE

The PDF format of this package may contain graphics which have been down-sampled for proofing purposes and should not be used for production purposes. Source files for this package are available upon request for production purposes.



DESIGN

1605 South Gramercy Rd.
Salt Lake City, UT 84104
801.487.8481

www.yesco.com

© 2021 YESCO LLC. All right reserved

This drawing was created to assist you in visualizing our proposal. The original ideas herein are the property of YESCO LLC. Permission to copy or revise this drawing can only be obtained through a written agreement with YESCO.

The colors shown are only approximated on any computer monitor, inkjet or laser print. The final product may vary slightly in color from your computer monitor or print.

This sign is installed in accordance with the requirements of Article 600 of the National Electrical Code and / or other applicable local codes. This includes proper grounding and bonding of the sign.

Revisions



No.	Date / Description
△	08.10.2022 Updates (GB)
△	10.18.2022 Site plan update (GB)

Approval

A/E Sign / Date

Client Sign / Date

Landlord Sign / Date

Maverik Store

Colonial Drive and Saddle Drive
Helena, MT

Acct. Exec: Matt Wren

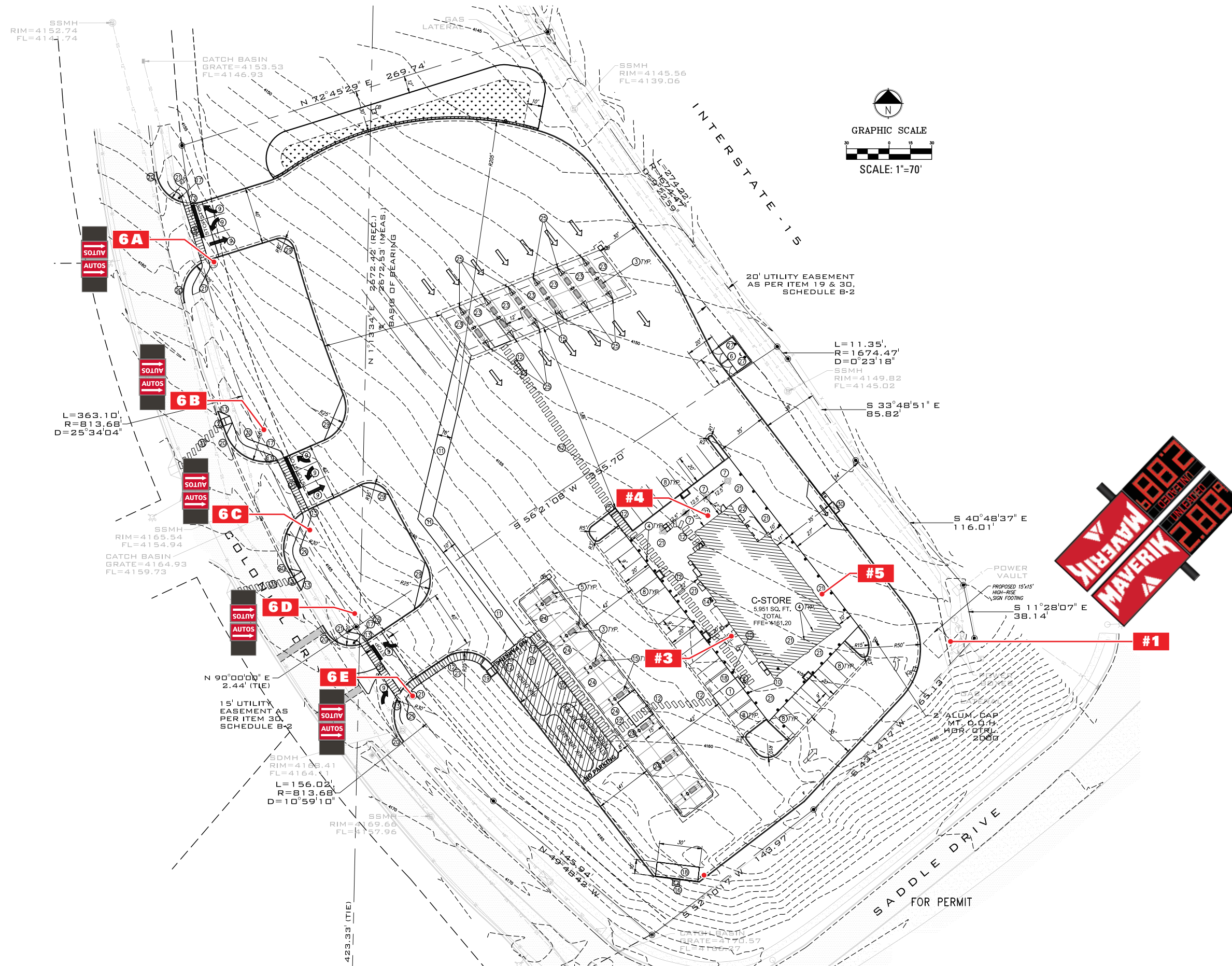
Designer: Glerly Becerra

Orig: 03.31.2022

OPY_46860 R2

scale: as noted

LOC 0.1





L.E.D.digits are on the freeway side

1.3 OPPOSITE FACE VIEW

SCALE: 3/8" = 1'-0"

COLOR KEY - MAVERIK STANDARDS - NEW LOGO

1	PAINT	SW STD. BLACK
2	VINYL	3M RED 3630-33

NOTE: UNLESS OTHERWISE NOTED, THE COLORS DEPICTED ON THIS RENDERING MAY NOT MATCH ACTUAL COLORS ON FINISHED DISPLAY. PLEASE REFER TO COLOR-CALLOUTS AND THEIR APPROPRIATE VENDOR SPECIFIED SAMPLES FOR APPROVED COLOR SPECIFICATIONS

SCOPE OF WORK:

MANUFACTURE & INSTALL ONE (1) DOUBLE FACE, INTERNALLY ILLUMINATED HIGH RISE POLE SIGN.

FINAL ELECTRICAL CONNECTION BY: CLIENT TO PROVIDE POWER TO SIGN LOCATION
YESCO TO PROVIDE FINAL CONNECTION

Top Maverik Sign cabinet 150 sq feet

Lower Price sign cabinet 42 sq feet

Total: 192 sq feet

YESCO DESIGN
1605 South Gramercy Rd.
Salt Lake City, UT 84104
801.487.8481

www.yesco.com

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This drawing was created to assist you in visualizing our proposal. The original ideas herein are the property of YESCO LLC. Permission to copy or revise this drawing can only be obtained through a written agreement with YESCO.

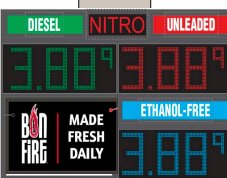
The colors shown are only approximated on any computer monitor, inkjet or laser print. The final product may vary slightly in color from your computer monitor or print.

This sign is installed in accordance with the requirements of Article 600 of the National Electrical Code and / or other applicable local codes. This includes proper grounding and bonding of the sign.

Revisions

No.	Date / Description
△ 08.10.2022	Revised sign size and OAH (GB)
△ 10.18.2022	No changes (GB)

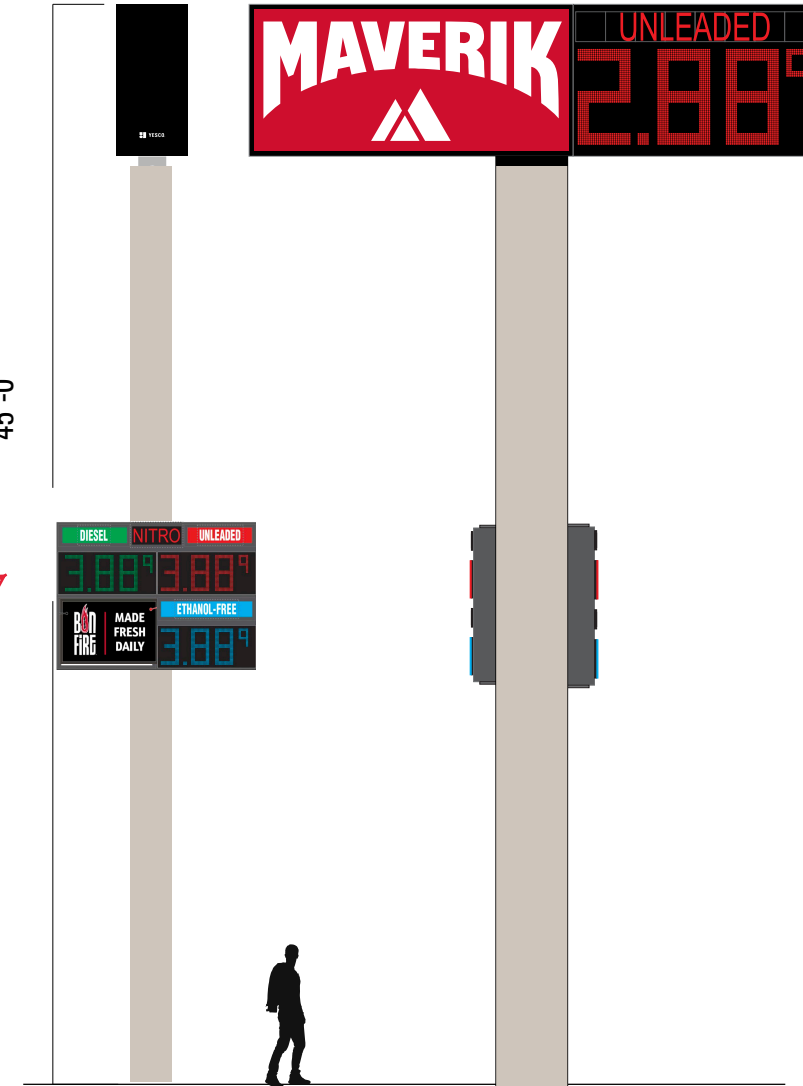
CABINET DEPTH TBD BY PRODUCTION



1.0 DOUBLE FACE HIGH-RISE POLE SIGN (DETAIL)

SCALE: 1/4" = 1'-0"

TOTAL SIGN AREA = 120 FT²



1.2 D/F HIGH RISE POLE SIGN

SCALE: 1/8" = 1'-0"

1.1 SIDE VIEW

SCALE: 3/8" = 1'-0"

Approval

A/E Sign / Date

Client Sign / Date

Landlord Sign / Date

Maverik Store
Colonial Drive and Saddle Drive
Helena, MT

Acct. Exec: Matt Wren
Designer: Glerly Becerra

Orig: 03.30.2022

OPY_46860 R2

scale: as noted

ART 1.0



**ELEVATION GRADE AT
BASE OF SIGN = 4150 FT**

**ELEVATION GRADE OF
OVERPASS = 4161 FT**



DESIGN
1605 South Gramercy Rd.
Salt Lake City, UT 84104
801.487.8481

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Revisions

No.	Date / Description
1	08.10.2022 Page added (GB)
2	10.18.2022 No changes (GB)

Approval

A/E Sign / Date

Client Sign / Date

Landlord Sign / Date

Maverik Store
Colonial Drive and Saddle Drive
Helena, MT

Acct. Exec: Matt Wren
Designer: Glerly Becerra

Orig: 03.30.2022

OPY_46860 R2
scale: as noted

ART 1.1



VIEW HEADING SOUTH ON I-15



DESIGN

1605 South Gramercy Rd.
Salt Lake City, UT 84104
801.487.8481

www.yesco.com

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The colors shown are only approximated on any computer monitor, inkjet or laser print. The final product may vary slightly in color from your computer monitor or print.

This sign is installed in accordance with the requirements of Article 600 of the National Electrical Code and / or other applicable local codes. This includes proper grounding and bonding of the sign.

Revisions



No.	Date / Description
△	08.10.2022 Page added (GB)
△	10.18.2022 No changes (GB)

Approval

A/E Sign / Date

Client Sign / Date

Landlord Sign / Date

Maverik Store
Colonial Drive and Saddle Drive
Helena, MT

Acct. Exec: Matt Wren
Designer: Glery Becerra

Orig: 03.30.2022

OPY_46860 R2

scale: as noted

ART 1.2

RETURN TO HATCO (Russ)
#067508

WARRANTY DEED

FOR VALUABLE CONSIDERATION, the receipt of which is acknowledged, the undersigned, **Nob Hill Properties, LLC**, of 825 Custer Ave., Helena, MT 59601 hereby grants to **PEC Design-Build Corporation**, of 25 Neill Ave., Helena, MT 59601 real property in the City of Helena, Lewis and Clark County, Montana, described as follows:

All of Nob Hill Subdivision Phase IV, in the City of Helena, Lewis and Clark County, Montana, as shown on the plat filed under Doc. No. 3100615 of the Records of the Clerk and Recorder of Lewis and Clark County, Montana, EXCEPTING Lot 1 in Block 18 and Lot 1 in Block 6.

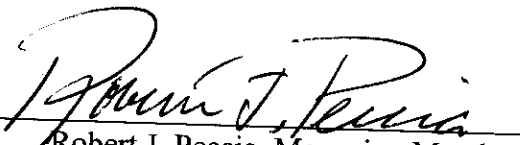
TO HAVE AND TO HOLD unto the Grantee, and Grantee's heirs, successors, and assigns, forever, SUBJECT TO THE FOLLOWING:

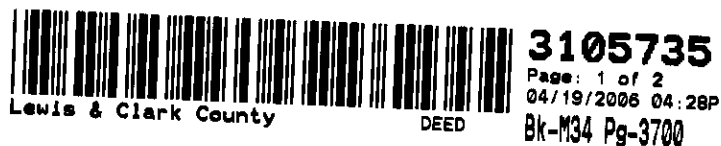
- (a) Reservations and exceptions in patents from the United States and the State of Montana.
- (b) All restrictions, dedications, rights of way and easements of record.
- (c) Mineral and royalty reservations and conveyances of record.
- (d) Building, use, zoning, sanitary and environmental restrictions, and waivers of record.
- (e) Taxes and assessments for 2006 and subsequent years.

EXCEPT with reference to the items referred to in paragraphs (a) to (e) inclusive, this deed is given with the usual covenants expressed in Section 30-11-110, MCA.

Dated: April 18, 2006

Nob Hill Properties, LLC

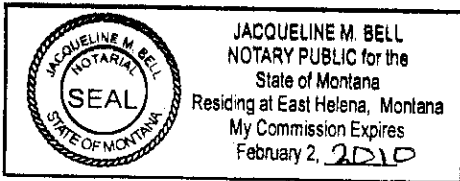
By: 
Robert J. Peccia, Managing Member



STATE OF MONTANA)

COUNTY OF LEWIS AND CLARK)

This instrument was acknowledged before me on 4/18, 2006 by Robert J. Peccia, as the Managing Member of Nob Hill Properties, LLC.



Jacqueline M Bell
Notary Public for the State of Montana
Jacqueline M. Bell [print name]
Residing at East Helena, Montana
My commission expires Feb 2, 2010



Lewis & Clark County

DEED

3105735

Page: 2 of 2
04/19/2006 04:28P

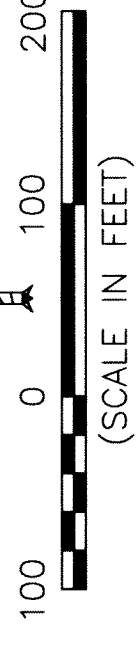
Bk-M34 Pg-3700

NOB HILL SUBDIVISION PHASE IV

SE 1/4 SECTION 33, SW 1/4 SECTION 34 T10N R3W, P.M., M.

NE 1/4 SECTION 4, NW 1/4 SECTION 3 T9N R3W P.M., M.

LEWIS AND CLARK COUNTY, MONTANA

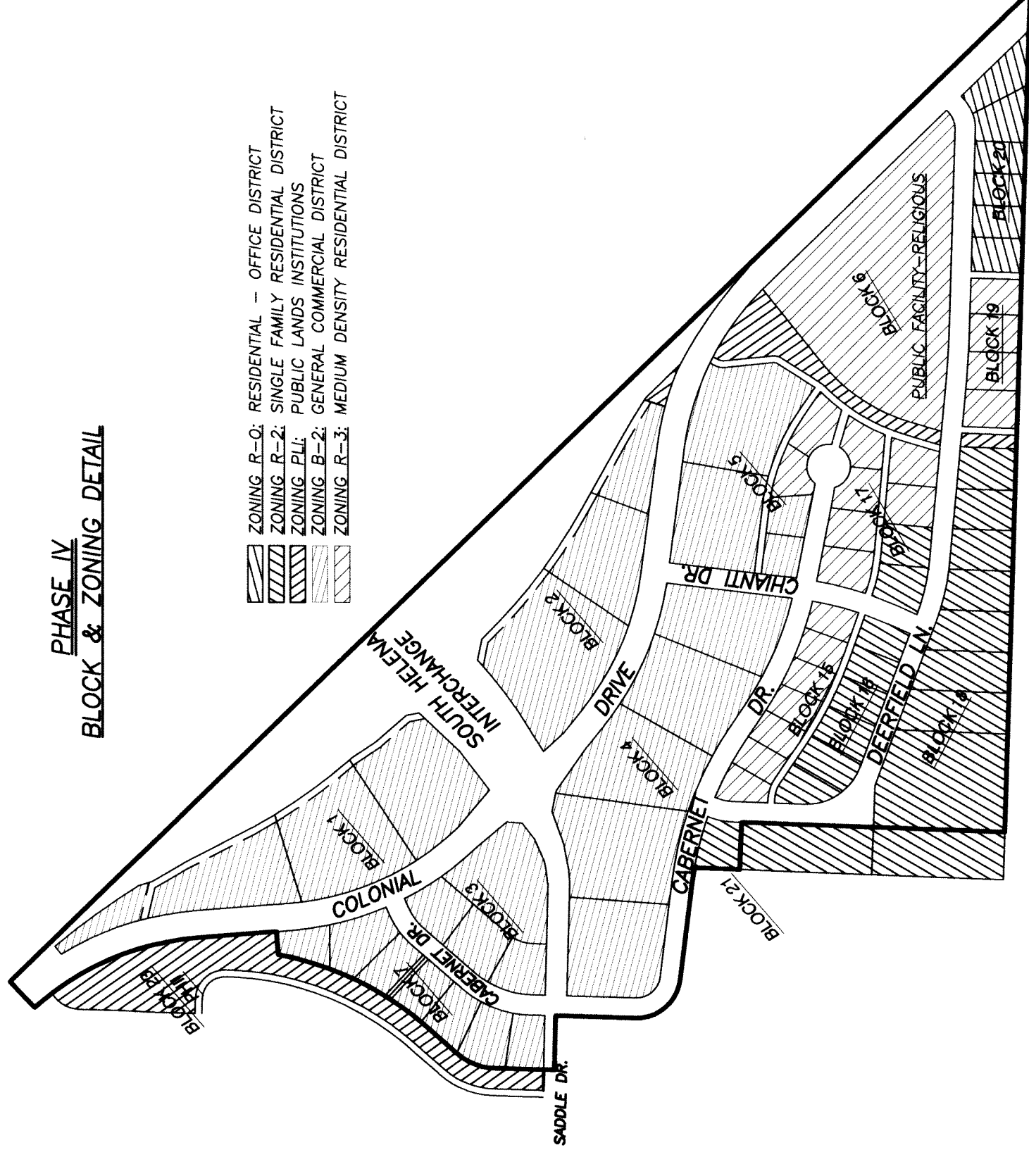


MONTANA STATE PLANE NAD83/1992 COORDINATES
 #102 NORTHING: 261125.81m EASTING: 410190.46m
 BASIS OF BEARINGS:
 GPS SURVEY

BEARINGS ARE GRID, DISTANCES ARE GROUND
 CONVERGENCE FOR THIS PROJECT: -1'48.41"

CURVE	LENGTH	RADIUS	DELTA
C10	85.041	200.00'	24°21.42'

- PHASE IV
BLOCK & ZONING DETAIL**
- ZONING R-0: RESIDENTIAL - OFFICE DISTRICT
 - ZONING R-2: SINGLE FAMILY RESIDENTIAL DISTRICT
 - ZONING P-1: PUBLIC LANDS INSTITUTIONS
 - ZONING B-2: GENERAL COMMERCIAL DISTRICT
 - ZONING R-3: MEDIUM DENSITY RESIDENTIAL DISTRICT



- LEGEND:**
- ★ FOUND SECTION CONTROLLING CORNER - AS NOTED
 - FOUND MONUMENT AS NOTED
 - FOUND 2" ALUMINUM CAP "STARK 12249LS"
 - SET 3/8" X 24" REBAR WITH 2" ALUMINUM CAP MARKED "STARK 12249LS"
 - FOUND 4" SQUARE RIGHT OF WAY MONUMENT
 - FENCELINE
 - BUILDING SETBACK LINES R-2 LOTS (30' OR 8')
 - BUILDING SETBACK LINES R-0 LOTS (20' OR 6')
 - BUILDING SETBACK LINES B-2 LOTS (15')
 - BUILDING SETBACK LINES R-3 LOTS (20' OR 7.5')
 - #102 - FOUND 3/4" ALUMINUM CAP. SEE CORNER SURVEY MONUMENT WHEN CONSTRUCTION IS COMPLETED
- NON-CITY RIGHT OF WAY (FUTURE INTERCHANGE/MDT R/W)

CERTIFICATE OF SURVEY NO.

OWNERS: NOB HILL PROPERTIES LLC, ET AL.

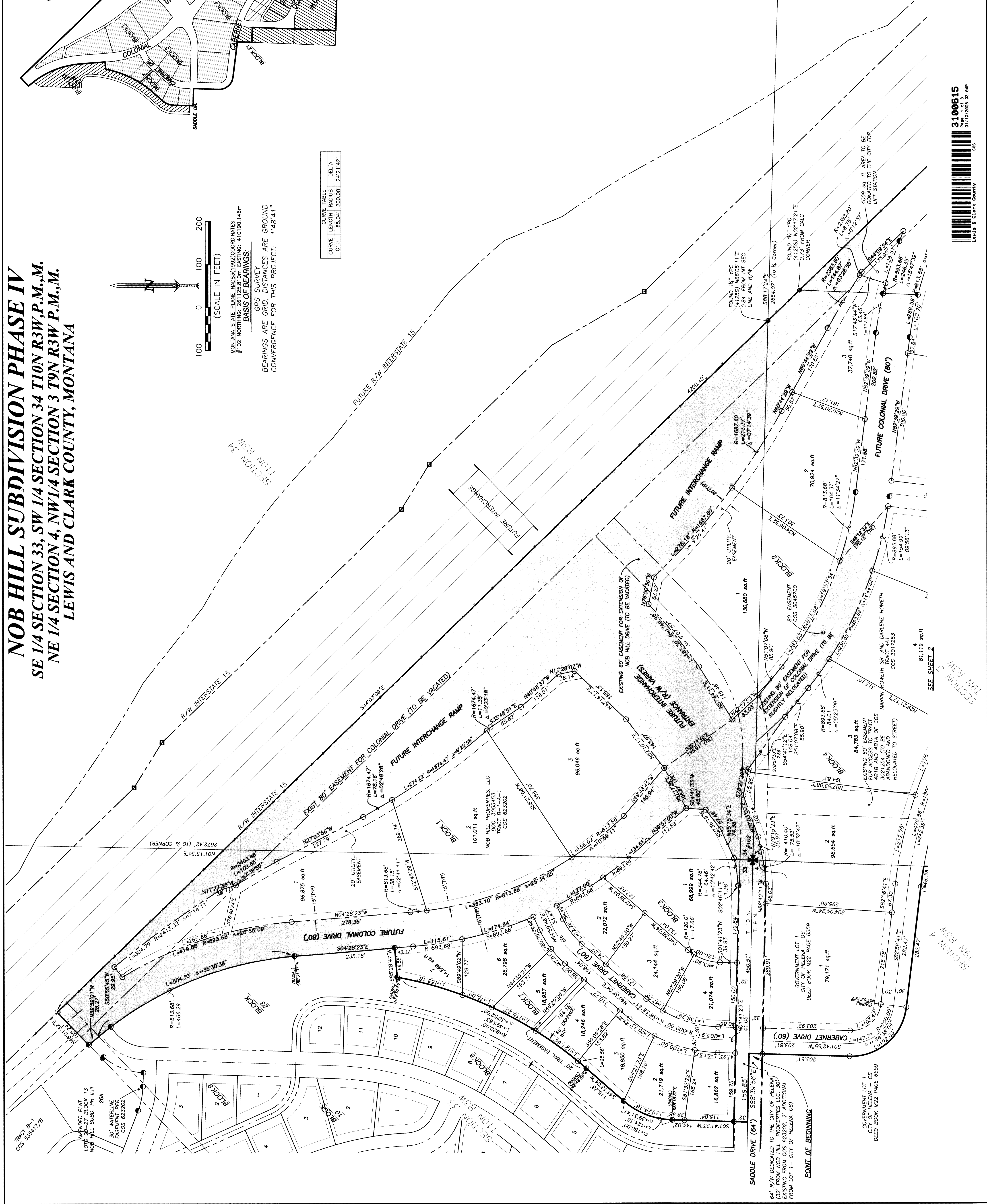
PURPOSE: TO CREATE RESIDENTIAL, COMMERCIAL AND OFFICE LOTS FOR PHASE IV
 REQUESTED BY NOB HILL PROPERTIES

ROBERT PECORA & ASSOCIATES
 HELENA, MT 59601
 (406) 441-5000

1/4 SEC.	T.	R.
33	10N	3W
34	10N	3W
4	9N	3W
3	9N	3W

Principal Meridian, Montana
 Lewis and Clark County

3100615
 Page 1 of 3
 07/10/2025 03:00
 LEWIS & CLARK COUNTY



SEE SHEET 2

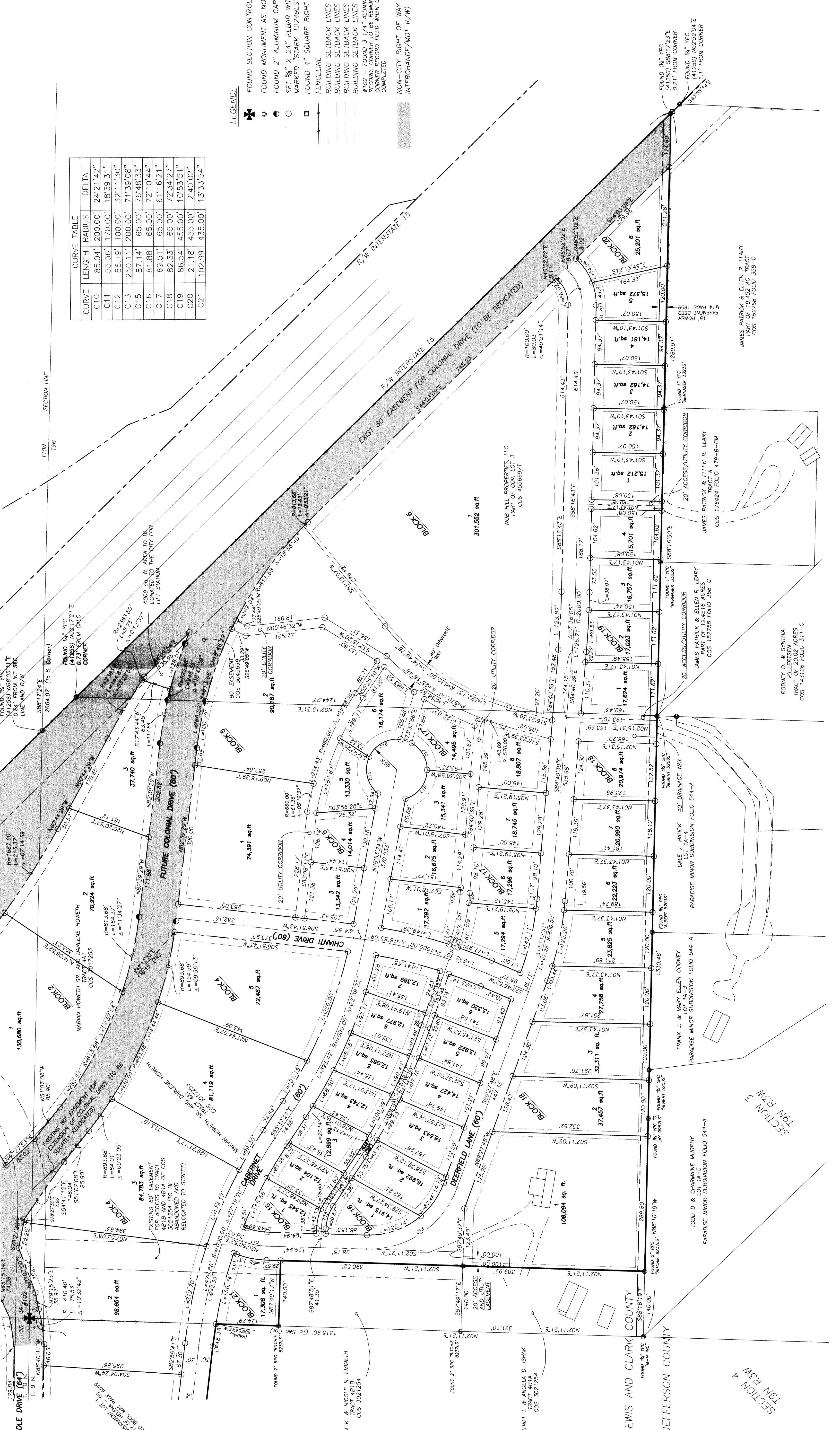
SECTION 4
T9N R3W

SECTION 3
T9N R3W

SECTION 2
T9N R3W

NOB HILL SUBDIVISION PHASE IV

SE 1/4 SECTION 33, SW 1/4 SECTION 34 T10N R3W, P.M., M.
NE 1/4 SECTION 4, NW 1/4 SECTION 3 T9N R3W P.M., M.
LEWIS AND CLARK COUNTY, MONTANA



CURVE	LENGTH	RADIUS	DELTA
C10	85.04'	200.00'	24°21'42"
C11	55.36'	170.00'	18°39'31"
C12	56.19'	100.00'	37°11'30"
C13	250.11'	200.00'	71°39'08"
C15	87.14'	65.00'	76°48'33"
C16	81.88'	65.00'	72°10'44"
C17	69.51'	65.00'	61°16'21"
C18	82.33'	65.00'	72°34'27"
C19	86.54'	455.00'	10°53'51"
C20	21.18'	455.00'	2°40'02"
C21	102.99'	435.00'	13°33'54"

- LEGEND:**
- ✱ FOUND SECTION CONTROLLING CORNER - AS NOTED
 - FOUND MONUMENT AS NOTED
 - FOUND 2" ALUMINUM CAP "STARK 12249LS"
 - SET 3/8" X 24" REBAR WITH 2" ALUMINUM CAP MARKED "STARK 12249LS"
 - FOUND 4" SQUARE RIGHT OF WAY MONUMENT
 - FENCELINE
 - BUILDING SETBACK LINES R-2 LOTS (30' OR 8')
 - BUILDING SETBACK LINES R-0 LOTS (20' OR 6')
 - BUILDING SETBACK LINES B-2 LOTS (15')
 - BUILDING SETBACK LINES R-3 LOTS (20' OR 7.5')
 - #102 - FOUND 3 1/4" ALUMINUM CAP. SEE CORNER NOTES FOR DETAILS. CONSTRUCTION IS COMPLETED.
 - NON-CITY RIGHT OF WAY (FUTURE INTERCHANGE/MDT R/W)

CERTIFICATE OF SURVEY NO.

OWNERS: NOB HILL PROPERTIES, LLC ET AL

PURPOSE: TO CREATE RESIDENTIAL LOTS AND RESIDENTIAL/OFFICE LOTS FOR PHASE IV

REQUESTED BY: NOB HILL PROPERTIES

DATE: SUMMER 2005

PLANNED BY: NISHILL, PH.D. INC.

1/4 SEC.	T.	R.
33	10N	3W
34	10N	3W
4	9N	3W
3	9N	3W

PREPARED BY: NISHILL, PH.D. INC.
PLANNED BY: NISHILL, PH.D. INC.

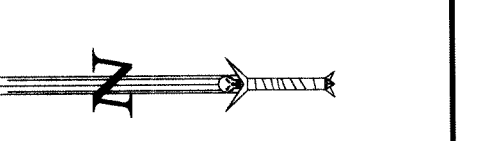
310615

LEWIS & CLARK COUNTY

310615
6/19/2006 08:00

100 0 100 200
(SCALE IN FEET)

BASIS OF BEARINGS:
GPS SURVEY
BEARINGS ARE GRID, DISTANCES ARE GROUND
CONVERGENCE FOR THIS PROJECT: -1'48.41"
MONTANA STATE PLANE NAD83(1992) COORDINATES
#102 NORTHING: 261125.810m EASTING: 410190.146m



NOB HILL SUBDIVISION PHASE IV SE 1/4 SECTION 33, SW 1/4 SECTION 34 T10N R3W, P.M., M. NE 1/4 SECTION 4, NW1/4 SECTION 3 T9N R3W P.M., M. LEWIS AND CLARK COUNTY, MONTANA

CERTIFICATE OF DEDICATION: WE, THE UNDERSIGNED PROPERTY OWNER(S), DO HEREBY CERTIFY THAT WE HAVE CAUSED TO BE SURVEYED, SUBDIVIDED AND PLATTED INTO LOTS, EASEMENTS, AND OTHER DIVISIONS AND DEDICATIONS, AS SHOWN BY THE PLAT HERETO ANNEXED. THE FOLLOWING DESCRIBED LANDS IN LEWIS AND CLARK COUNTY, TO WIT:

LEGAL DESCRIPTION - PHASE IV:
A TRACT OF LAND SITUATED IN THE SOUTHWEST 1/4 OF SECTION 33 AND SOUTHWEST 1/4 OF SECTION 34, T10N R3W, P.M., M., ALSO IN THE NORTHEAST 1/4 OF SECTION 4 AND NORTHWEST 1/4 OF SECTION 3, T9N R3W, P.M., M., LEWIS AND CLARK COUNTY, MONTANA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT SOUTHEAST CORNER OF SECTION 33, THENCE NORTH 88°39'56" WEST, ALONG THE SOUTH LINE OF SAID SECTION 33, 450.51 FEET TO THE POINT OF BEGINNING;

- THENCE NORTH 88°39'56" WEST, CONTINUING ALONG SAID SOUTH LINE, 159.85 FEET;
- THENCE THE FOLLOWING EIGHT (8) COURSES ALONG THE EASTERLY LINE OF BLOCK 23 NOB HILL SUBDIVISION PHASE II & PHASE III:
 1. NORTH 1°41'23" EAST 176.02 FEET TO THE BEGINNING OF 180.00 FOOT RADIUS CURVE TO THE RIGHT, HAVING A RADIAL BEARING OF SOUTH 88°18'37" EAST;
 2. ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 39°31'41", AN ARC DISTANCE OF 124.18 FEET;
 3. NORTH 41°13'04" EAST 115.28 FEET TO A 920.00 FOOT RADIUS CURVE TO THE LEFT, HAVING A RADIAL BEARING OF NORTH 48°46'56" WEST;
 4. ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 30°52'00", AN ARC DISTANCE OF 495.63 FEET;
 5. NORTH 85°28'47" WEST 235.18 FEET TO THE WESTERLY LINE OF FUTURE COLONIAL DRIVE;
 6. NORTH 04°28'23" WEST 235.18 FEET TO A 813.68 FOOT RADIUS CURVE TO THE LEFT, HAVING A RADIAL BEARING OF SOUTH 85°31'37" WEST;
 7. ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 35°30'38", AN ARC DISTANCE OF 504.30 FEET;
 8. NORTH 39°59'01" WEST 28.27 FEET TO A SOUTHERLY CORNER OF CERTIFICATE OF SURVEY (COS), 5354177B;
 - THENCE NORTH 46°01'32" EAST, ALONG A SOUTHERLY LINE OF ABOVE SAID COS, 105.24 FEET TO THE WESTERLY RIGHT OF WAY OF INTERSTATE 15;
 - THENCE SOUTH 44°03'09" EAST, ALONG SAID RIGHT OF WAY, 4200.40 FEET TO THE NORTHEASTERLY CORNER OF COS 152756, FOLIO 358-C, RECORDS OF JEFFERSON COUNTY;
 - THENCE NORTH 88°16'50" WEST, ALONG THE NORTH LINE OF SAID COS, 1289.91 FEET TO THE NORTHEASTERLY CORNER OF PARADISE MINOR SUBDIVISION (FOLIO 544-4), RECORDS OF JEFFERSON COUNTY;
 - THENCE NORTH 88°16'50" WEST, ALONG SAID NORTH LINE, 1190.46 FEET TO THE SOUTHEAST CORNER OF TRACT 4B1A COS 3021254, RECORDS OF JEFFERSON COUNTY;
 - THENCE NORTH 02°11'21" EAST, ALONG THE EASTERLY BOUNDARY OF SAID TRACT, 369.99 FEET TO THE SOUTHEAST CORNER OF TRACT 4B1B COS 3021254;
 - THENCE NORTH 02°11'21" EAST, ALONG THE EASTERLY BOUNDARY OF SAID TRACT, 390.52 FEET TO NORTHEASTERLY CORNER THEREOF;
 - THENCE NORTH 87°49'17" WEST, ALONG THE NORTH LINE OF SAID TRACT, 140.00 FEET TO THE EAST LINE OF SECTION 4, T9N R3W P.M., M.;
 - THENCE NORTH 02°11'21" EAST 134.29 FEET TO SOUTH RIGHT OF WAY LINE OF FUTURE CABERNET DRIVE AND A NON-TANGENT 970.00 FOOT RADIUS CURVE TO THE LEFT, HAVING A RADIAL BEARING OF SOUTH 09°54'47" WEST;
 - THENCE ALONG SAID CURVE AND SOUTHERLY RIGHT OF WAY LINE, AND ENTERING SAID SECTION 4, THROUGH A CENTRAL ANGLE OF 2°51'28", AN ARC DISTANCE OF 48.38 FEET;
 - THENCE NORTH 82°56'41" WEST, CONTINUING ALONG SAID RIGHT OF WAY, 282.47 FEET TO THE BEGINNING OF 130.00 FOOT RADIUS CURVE TO THE RIGHT, HAVING A RADIAL BEARING OF NORTH 07°03'19" EAST;
 - THENCE ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 84°38'04", AN ARC DISTANCE OF 192.03 FEET;
 - THENCE NORTH 01°42'55" EAST, CONTINUING ALONG SAID RIGHT OF WAY, 235.62 FEET TO THE POINT OF BEGINNING, CONTAINING 90.386 ACRES OF LAND, MORE OR LESS, ALL AS SHOWN ON THE ATTACHED DRAWING WHICH IS HERewith INCORPORATED IN AND MADE A PART OF THIS LEGAL DESCRIPTION AND IS SUBJECT TO ALL EASEMENTS AND RIGHTS OF WAY PERTINENT TO THESE TRACTS.

THE ABOVE TRACT OF LAND IS TO BE KNOWN AND DESIGNATED AS NOB HILL SUBDIVISION PHASE IV, CITY OF HELENA, LEWIS AND CLARK COUNTY, MONTANA AND THE TRACTS INCLUDED IN ALL STREETS AND ALLEYS, AVENUES AND PARKS OR PUBLIC SQUARES, AS SHOWN AND DESIGNATED ON SAID PLAT ARE HEREBY GRANTED AND DONATED TO THE CITY OF HELENA FOR PUBLIC USE AND ENJOYMENT.

CODES, COVENANTS AND RESTRICTIONS SEE PROTECTIVE COVENANTS ON FILE

NOTATION (1): THE UNDERSIGNED HEREBY GRANTS UNTO ALL PUBLIC UTILITY COMPANIES, AS SUCH ARE DEFINED AND ESTABLISHED BY MONTANA LAW, AN UNDERGROUND UTILITY EASEMENT FOR THE CONSTRUCTION, REPAIR AND REMOVAL OF THEIR LINES, WITHIN THE DEDICATED RIGHT OF WAY.

Robert D. Parris **MANAGING MEMBER** DEC. 15, 2005 DATE
OWNER REPRESENTATIVE FOR NOB HILL PROPERTIES, LLC

STATE OF MONTANA)
COUNTY OF LEWIS AND CLARK) SS.
ON THIS 12 DAY OF December, 2005, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF MONTANA, PERSONALLY APPEARED Marvin Howeth, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.
IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARY SEAL THE DAY AND YEAR FIRST ABOVE WRITTEN.

Maya A. Bell
NOTARY PUBLIC FOR THE STATE OF MONTANA
RESIDING AT 160 Jimmy Sheen, E. Helena
MY COMMISSION EXPIRES April 14, 2009

Marvin S. Howeth Sr.
MARVIN HOWETH)
Darlene Howeth
DARLENE HOWETH)

STATE OF MONTANA)
COUNTY OF LEWIS AND CLARK) SS.
ON THIS 12 DAY OF December, 2005, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF MONTANA, PERSONALLY APPEARED Michael Ishak, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.
IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARY SEAL THE DAY AND YEAR FIRST ABOVE WRITTEN.

Maya A. Bell
NOTARY PUBLIC FOR THE STATE OF MONTANA
RESIDING AT 160 Jimmy Sheen, E. Helena
MY COMMISSION EXPIRES April 14, 2009

CERTIFICATE OF COUNTY TREASURER:
I HEREBY CERTIFY THAT PURSUANT TO SECTION 76-3-811(1)(b) OF MCA THAT ALL REAL PROPERTY TAXES AND SPECIAL ASSESSMENTS ASSESSED AND LEVIED ON THE LAND DESCRIBED AND ENCOMPASSED ON THIS PLAT HAVE BEEN PAID.
GEO CODE 1888-33-4-01-01-0000 1888-33-4-01-01-0000
DATE 10-26-05 1786-03-2-01-20-0000
LEWIS AND CLARK COUNTY TREASURER

CERTIFICATE OF FILING:
STATE OF MONTANA)
COUNTY OF LEWIS AND CLARK) SS.
FILED ON THE 12 DAY OF December, 2005 AT 10:00 O'CLOCK A.M.
COUNTY CLERK AND RECORDER)
BY: Angela Ishak DEPUTY

CERTIFICATE OF FINAL PLAT APPROVAL:
I HEREBY CERTIFY THAT THE COMPANING PLAT HAS BEEN DULY EXAMINED AND HAS FOUND THE SAME TO CONFORM TO LAW AND APPROVES IT. I HEREBY ACCEPTS THE DEDICATION TO THE CITY OF HELENA FOR PUBLIC USE OF ANY AND ALL LANDS SHOWN ON THIS PLAT AS BEING DEDICATED TO SUCH USE.

WE HEREBY CERTIFY THAT BLOCKS 1-7, AND BLOCKS 15-21 ARE EXEMPT FROM DEO REVIEW IN ACCORDANCE WITH TITLE 76, CHAPTER 4, SECTION 125(2)(d), MCA BECAUSE THEY ARE LOCATED WITHIN THE JURISDICTIONAL AREA OF THE CITY OF HELENA, WHICH HAS ADOPTED A GROWTH POLICY PURSUANT TO TITLE 76, CHAPTER 1, MCA, AND WHICH IS A FIRST-CLASS MUNICIPALITY. THE CITY COMMISSION HAS CERTIFIED TO DEQ, PURSUANT TO TITLE 76, CHAPTER 4, SECTION 127, MCA, THAT ADEQUATE STORM WATER DRAINAGE AND ADEQUATE MUNICIPAL FACILITIES WILL BE PROVIDED.

THE CITY COMMISSION OF THE CITY OF HELENA, MONTANA, DOES HEREBY CERTIFY THAT IT HAS EXAMINED THIS PLAT AND HAVING FOUND THE SAME TO CONFORM TO LAW, APPROVES IT THIS 12 DAY OF December, 2005.

James E. Smith
MAYOR - CITY OF HELENA
Debbie Hawkins
ATTEST: CITY CLERK
Ann E. Long
EXAMINING LAND SURVEYOR 9962-LS

Blake W. Oster
CITY PLANNING
Ryan
CITY PUBLIC WORKS DIRECTOR

3100515
Lewis & Clark County
05
01102688 81 8AP

CERTIFICATE OF PROFESSIONAL LAND SURVEYOR:
THOMAS E. GREGG, REGISTERED LAND SURVEYOR IN THE STATE OF MONTANA, HAS PERSONALLY PERFORMED THE SURVEY AS SHOWN ON THE ATTACHED CERTIFICATE OF SURVEY DURING THE SUMMER OF 2004-2005 AND HAS FOUND THE MONUMENTS, EITHER FOUND OR SET, AS SHOWN, DUE TO ONGOING CONSTRUCTION, THE PLACEMENT OF MONUMENTS HAS BEEN DEFERRED UNTIL CONSTRUCTION IS COMPLETE.

THOMAS E. GREGG
REGISTERED LAND SURVEYOR
MONTANA

NUMBER OF LOTS: 72 (INCLUDING PULI TRACT AND RELIGIOUS TRACTS)
AREA OF PUBLIC LANDS/INSTITUTIONS: 36.482 ACRES
AREA OF RIGHT OF WAY: 30.803 ACRES
AREA OF LAND DEDICATED TO CITY FOR FUTURE LIFT STATION: 0.092 ACRES
TOTAL AREA OF PHASE 4: 90.386 ACRES

ACREAGE BREAKDOWN
AREAS OF DEDICATED RAW
AREA OF SADDLE DRIVE - NOB HILL PROPERTIES: 0.405 ACRES
AREA OF SADDLE DRIVE - CITY OF HELENA: 0.276 ACRES
AREA OF CABERNET DRIVE - CITY OF HELENA: 0.936 ACRES
AREA OF CABERNET DRIVE - NOB HILL PROPERTIES: 2.745 ACRES
AREA OF DEERFIELD LANE: 3.661 ACRES
AREA OF CHIANTI DRIVE: 0.945 ACRES
AREA OF COLONIAL DRIVE/INTERCHANGE: 20.467 ACRES
AREA OF ALLEYS/UTILITY EASEMENTS: 1.188 ACRES
TOTAL: 30.803 ACRES

1/4 SEC. T. R.
33 10N 3W
34 10N 3W
9N 3W
9N 3W

CERTIFICATE OF SURVEY NO.
OWNERS: NOB HILL PROPERTIES LLC, ET AL.
PURPOSE: TO CREATE RESIDENTIAL LOTS FOR PHASE IV
REQUESTED BY NOB HILL PROPERTIES

ROBERT PECORA & ASSOCIATES
HELENA, MT 59601
(409) 447-3000

FLUORINE: NOB HILL PHASING DATE: SUMMER 2005
3 OF 3

Principal Meridian, Montana
Lewis and Clark County

INSTRUMENT REC. NO. _____

DATE: _____

CORPORATION WARRANTY DEED

For Value Received, **PEC DESIGN-BUILD CORPORATION**, a corporation duly organized and existing under the laws of the State of Montana, grantor, does hereby grant, bargain, sell, convey and confirm unto **PTNH, LLC**, grantees, the following described real estate, to wit:

Lot 3 in Block 1 of Nob Hill Subdivision Phase IV in the City of Helena, Lewis and Clark County, Montana, as shown on the plat filed under Doc. No. 3100615.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), (his,her,their) heirs and assigns forever, And the said Grantor does hereby covenant to and with the said Grantee(s), that it will WARRANT and DEFEND the title to the premises hereby conveyed against the claim of every person whatsoever, claiming by, through or under the said Grantor.

IN WITNESS WHEREOF, the Grantor pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its (Vice) President and its corporate seal to be affixed by its (Assistant) Secretary this ____ day of _____, 2007.

CORPORATE
SEAL

PEC DESIGN-BUILD CORPORATION

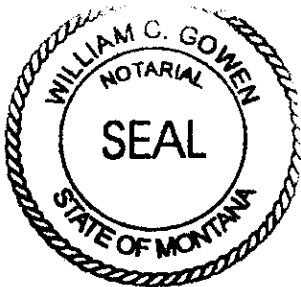
BY: *Donald J. Spitz*
SECRETARY

BY: _____
PRESIDENT

STATE OF MONTANA

COUNTY OF LEWIS AND CLARK

This instrument was acknowledged before me on February 12, 2007,
by Donald J. Spitz
as Director
of **PEC DESIGN-BUILD CORPORATION**.



William C. Gowen

Notary Public State of Montana
Residing at:
My Commission Expires:

WILLIAM C. GOWEN
RESIDING AT HELENA
COMM. EXPIRES 10-1, 2007

063005



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Project Reviews

City of Helena

Project Number: ZBOA2212-003

Description: **Maverik - Colonial & Saddle**

Applied: **12/27/2022**

Approved:

Site Address: **3196 COLONIAL DR**

Closed:

Expired:

City, State Zip Code: **HELENA, MT 59601**

Status: **RECEIVED**

Applicant: **Melanie Ruff**

Parent Project:

Owner: **PTNH LLC**

Contractor: **<NONE>**

Details:

LIST OF REVIEWS

SENT DATE	RETURNED DATE	DUE DATE	TYPE	CONTACT	STATUS	REMARKS
Review Group: AUTO						
12/27/2022		12/30/2022	DIRECTOR REVIEW	Christopher Brink		
Notes:						
Review Group: ZONING						
1/6/2023	1/9/2023	1/20/2023	BUILDING	Kim Mack	SEE COMMENTS	
Notes:						
1/6/2023		1/20/2023	CITY ATTORNEY	Attorney Bucket		
Notes:						
1/6/2023	1/17/2023	1/20/2023	FIRE	Lou Antonick	SEE COMMENTS	
Notes:						
1. FIRE: The proposed design is approved but must not affect Fire Department access or Fire Department operations for the site or occupancy.						
1/6/2023		1/20/2023	HCC			
Notes:						
1/6/2023	1/26/2023	1/20/2023	PARKS	Craig Marr	NO COMMENT	
Notes:						
1/6/2023		1/20/2023	PLANNING	Planning Bucket		
Notes:						

Project Reviews

City of Helena

1/6/2023		1/20/2023	POLICE	Police Bucket		
Notes:						
1/6/2023	1/10/2023	1/20/2023	PUBLIC WORKS	JAMIE CLARK	SEE COMMENTS	
Notes: No justification seems to be provided for the variance request. There is nothing like this in the area at present.						
1/6/2023		1/20/2023	ZONING ENFORCEMENT	Planning Bucket		
Notes:						

Michael Alvarez

From: larry o'donnell <larry.odonnell.mt@gmail.com>
Sent: Wednesday, February 1, 2023 12:43 PM
To: Michael Alvarez
Subject: In regards to proposed variances to property located at 3196 Colonial Drive

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Michael and City of Helena,

We received a notice about a public hearing in regards to a property located at 3196 Colonial Drive.

Would like to submit comments on the proposal.

GENERAL COMMENTS : The notice for public hearing does not state what the current zoning is on the property. Or what the existing covenances are covering the property in regards to the propoal. Where is the location on the property that the proposal will impact. Are the deccribed locations correct as described in the proposal?

This is the first commercial property of this kind built in the neighborhood. Want to insure that it meets the standards of the neighborhood of the residents that have purchased in the neighborhood. Otherwise it will adversely effect property values.

Based on the location/elevation on the property for the proposal thhe two sign location maybe reversed, or should be reversed.

PROPOSAL:

Item 4:

1 A variance form Section 11-23-10 to increase the number of allowable freestanding signs from 1 to 2, for a property with a legal description of Lots 2 and 3 of Block 1 on COS #3100615 of the Nob Hill Subdivision, City of Helena, Lewis and Clark County, Montana.

COMMENTS: The increase does not state where these added signs are to be located on the property. What is the intended use ...?

Are these signs to be located with in the "interstate highway corridor" ?
If so then, they need to fall within the provsions.... Do they?

2 A variance from Section 11-23-10 to increase the allowable height of a freestanding sign from 34' to 45' for the northern freestanding sign, for a property with a legal description of Lots 2 and 3 of Block 1 on COS #3100615 of the Nob Hill Subdivison, City of Helena, Lewis and Clark County, Montana.

COMMENTS: First, reading through the current "Section 11-23-10" does not reflect a current allowable height of 34'. So wonder where the number of 34' is coming from?

Second, if the height was allowed to be increase it will obstruct view from the current neighborhood and effect my property value.

Third, is the current elevation of the stated property going to remain as it currently is ?
If the elevation of the stated property is filled to accomodate the proposed plan, then
it will also impact the stated elevation and/or height of the freestanding sign's elevation.

3 A variance from Section 11-23-10 to increase the allowable area of a freestanding sign from 150sf to 192sf for the southern freestanding sign, for a property with a legal description of Lots 2 and 3 of Block 1 on COS # 3100615 of the Nob Hill Subdivision, City of Helena, Lewis and Clark County, Montana.

COMMENTS: Current Section 11-23-10, states that a freestanding sign conform to (100) square feet. Where has it been allowed to be increase to the 150sf?

The square footage is starting to approach the size of a stand billboard demension.

4 A variance from Section 11-23-10 to increase the allowable height of a freestanding sign from 34' to 37' for the southern freestanding sign, for a property with a legal description of Lots 2 and 3 of Block 1 on COS # 3100615 of the Nob Hill Subdivision, City of Helena, Lewis and Clark County, Montana.

COMMENTS: The height was allowed to be increase it will obstruct view from the current neighborhood and effect my property value.

Can this be done in Email, Fax or must it be delivered in person?

Looking for some direction before the submittal end date of Jan 31, 2023

Larry O'Donnell
965 Mendocino Dr.
Helena, MT 59601

2-2-2023

City Planning Division

Attn: Michael Alvarez

316 North Park, Room 445

Helena, MT.

59623

Re: Item 4: Proposed Variances for property at 3196 Colonial Dr.

I have objections to the granting of the variances #1, #2, #4 and, to a lesser extent, #3.

It is my understanding that a Maverik brand service station/truck stop/convenience store is proposed for these properties, Lots 2 and 3 of Block 1 on COS #3100615 of the Nob Hill Subdivision. I would assume from past examples, that the developer intends to install 2 large, tall, constantly lit, 24 hours per day, 7 days each week signs advertising the fact that this 5 acre commercial facility just off I-15 is a gas station.

Surely, that can be done with one permissible sign visible to prospective customers. And I would suggest that, if a large, tall, "wayfinding" sign is really necessary, it be placed on the South end of the property near the I-15 Exit 190 where it can be visible from everywhere. Placing a second and taller than allowed sign on the north end of the property appears to violate the intent of city code Section 11-23-1. It would not "achieve the proper relationship of signs to their environment," or "enhance the outward appearance of the community as a whole." Also, this proposed second, proposed 45 foot, constantly lit sign will be right outside our bedroom windows.

There are several businesses in the immediate area; dentists, engineering firms and Associates, accounting and attorney offices, eye care, and others which don't appear to need variances from our local sign ordinances in order to attract customers. Their existing signs are compliant, functional, visually acceptable, and not offensive to the "appearance of the community as a whole." And their customers still seem able to find them.

Is it not possible to break the "Anytown USA" appearance of our community here? Where is it written that every freeway exit must have at least one gas station/convenience store with multiple large, brightly lit advertising signs visible for miles? In this day of GPS and Google Maps, can we not think about alternatives to the old "Route 66" ways of getting around?

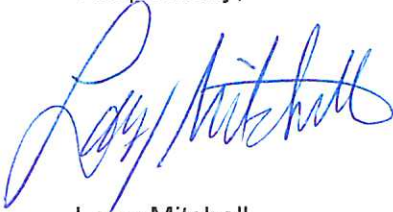
It will be clearly obvious to all southbound I-15 and Colonial Drive traffic that a 5-acre Maverik station is nearby. A more subtle sign on the south end of the property or even a wayfinding sign on the Northbound I-15 lanes south of Exit 190 would be more than enough to direct northbound traffic to the exit. Have you not seen Highway Department signs at other freeway exits indicating specific restaurants, motels, or fuel nearby? See also the I-15 Exit 194 at Custer Avenue.

And let's not forget that the future development of the Padbury Ranch property to the east and a likely connecting road from Mountain Meadows to I-15 via Exit 190 will overlook whatever you approve in terms of lighting and signage for the Maverik proposal.

I also trust that in your deliberations, you adhere to the purpose and intent of Section 10-1-1 regarding light pollution and assure compliance with the city's effort to advance the "dark skies" concept of promoting people's "enjoyment of the night sky". Recently, NW Energy has retrofitted all of the Nob Hill streetlights and the Montana DOT has complied with its Exit 190 lighting in an effort to minimize light pollution.

In summary, I do not support the issuance of these variances for the reasons stated here. I encourage you to set a good example for our community development in doing what you can to enhance the attractiveness of what will become one of Helena's major entry points.

Respectfully,

A handwritten signature in blue ink that reads "Larry Mitchell". The signature is written in a cursive, flowing style.

Larry Mitchell

945 Mendocino Drive