



**Michael Alvarez, Planner II**  
**Community Development Department**  
 316 North Park Avenue, Room 403  
 Helena, MT 59623

Phone: 406-447-8459  
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[helenamt.gov](http://helenamt.gov)

**Date:** July 27, 2023

## CONDITIONAL USE PERMIT

### STAFF REPORT

CITY OF HELENA PLANNING DIVISION  
 316 North Park Avenue  
 Helena, Montana 59632

**TO:** City of Helena Zoning Commission

**FROM:** Michael Alvarez, City Planning

**SUBJECT:** **Consider a Resolution for a Conditional Use Permit as required by §11-2-3 of City Code to allow a residence, multiple-dwelling units in the R-2 (residential) zoning district for a property legally described as Lots 17 and 18 in Blk 303 of the Brooke Addition to the City of Helena, Lewis and Clark County, Montana.**

OVERVIEW
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### GENERAL INFORMATION

**DATE OF APPLICATION:** June 13th, 2023  
**DATE DEEMED COMPLETE:** July 17th, 2023

**PUBLIC HEARING DATES:**  
**Zoning Commission: 6:00 P.M. Tuesday, August 08, 2023**  
**City Commission: 6:00 P.M. Monday, September 11, 2023**

**PUBLIC NOTICE:**  
 Legal notice has been published July 23, 2023 in the Independent Record; notice letters have been sent to adjacent property owners and a sign posted on the property.

**PUBLIC COMMENT:**  
 As of Thursday, July 27, 2023, no public comments have been expressed regarding this proposed CUP.

**OWNER:** HAUSER BLVD LLC (Ray Kuntz)  
**ADDRESS:** PO Box 6784, Helena, MT 59604  
**EMAIL:** N/A  
**PHONE:** 406-442-3785

**AUTHORIZED REP:** Riley Hanson  
**ADDRESS:** 1470 N Roberts St

EMAIL: rileyh@slatearch.com  
PHONE: 406-457-0360  
COMPANY: Slate Architecture

SUBJECT PROPERTY ADDRESS: 2211 Hauser Blvd, Helena, MT 59601

LEGAL DESCRIPTION: Lots 17 and 18 in Blk 303 of the Brooke Addition to the City of Helena, Lewis and Clark County, Montana.

GENERAL LOCATION: This property is addressed 2211 Hauser Blvd and has a general location of the south side of Hauser Blvd, midblock between Hiawatha St and Silverette St and on the southeast corner of the platted Elizabeth St.

#### DESCRIPTION / BACKGROUND

The applicant/property owner is looking to obtain a Conditional Use Permit (CUP) to allow a multiple-dwelling unit residence in the R-2 (residential) zoning district. The subject parcel currently sits vacant and most recently had a non-conforming commercial structure. The property was annexed in with phase 3 of the Helena West Side Infrastructure Extension and Annexation. Staff was unable to determine the previous use from several non-conforming possibilities. The owner received a demolition permit to remove that structure in October of 2022, and the applicant now seeks to build multiple dwelling-unit residences in a townhouse-condominium configuration at the location. Multiple dwelling-unit residential requires a CUP in the R-2 zoning district.

#### ZONING DISTRICT & USE DEFINITIONS:

R-2 (RESIDENTIAL) DISTRICTS: It is the intent of this district to provide for residential dwellings and limited nonresidential development that protects and enhances the residential nature of the area.

MULTIPLE-DWELLING UNITS RESIDENCE: A building containing three (3) or more dwelling units for occupancy by three (3) or more groups living separately from each other, including condominiums.

#### GROWTH POLICY DEFINITION:

URBAN: This category includes predominantly moderate- to high-density residential uses, and may include public uses such as schools, churches, and open lands such as parks and occasional commercial uses that serve the immediate area or are relatively small and low-intensity. Within the County, this category includes areas closer to the city; areas with few development constraints; areas that may be currently developed or could be redeveloped at higher densities; and may include a variety of uses including commercial and light industrial.

#### PRESENT LAND USE & ZONING:

R-2 (residential) – land is presently vacant and last had an undetermined land use designation.

#### ADJACENT LAND USE & ZONING:

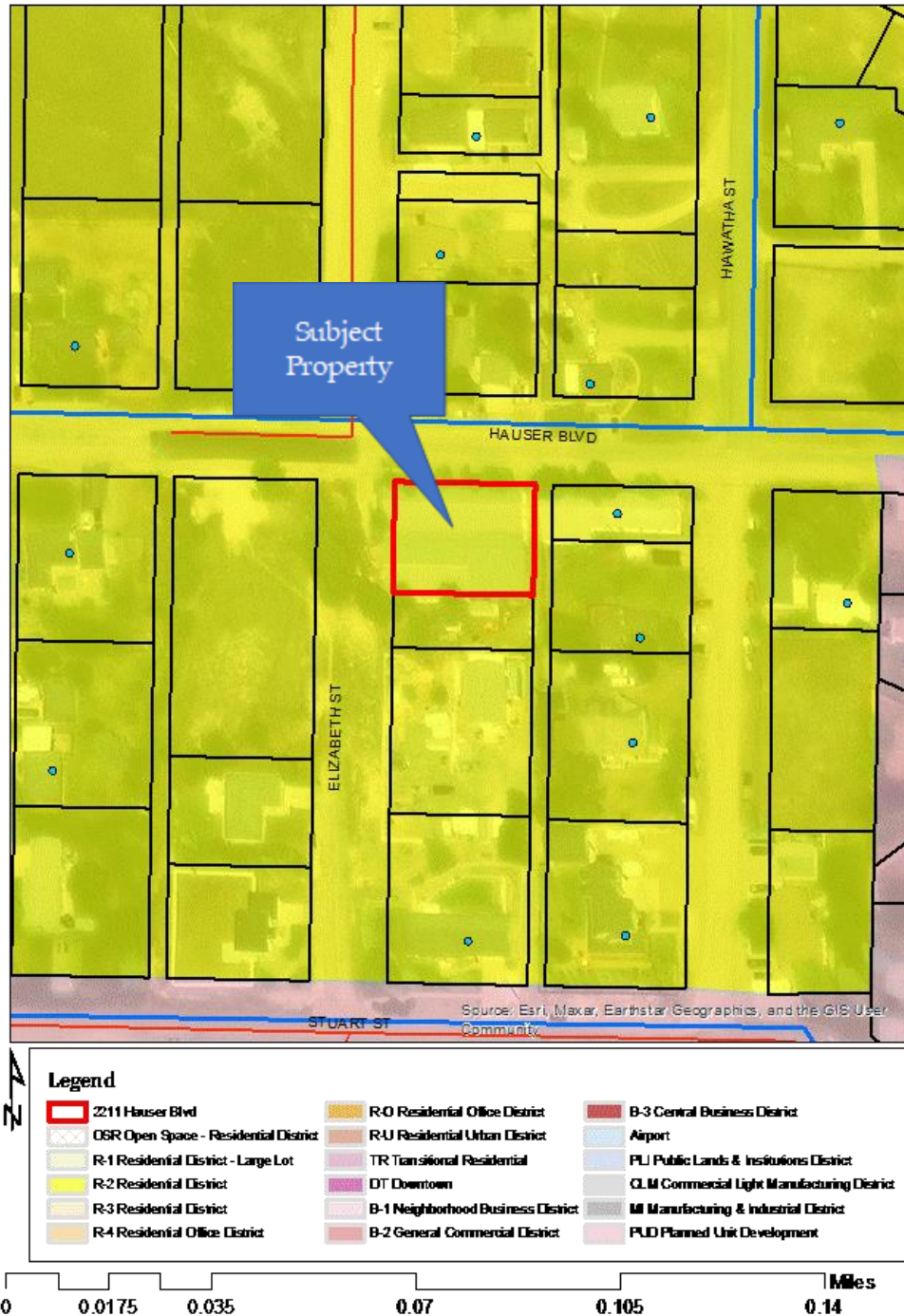
North: R-2 (residential) – single-dwelling unit residences

South: R-2 (residential) – single-dwelling unit residences

East: R-2 (residential) – a commercial structure (like the demolished subject property structure)

West: R-2 (residential) – single-dwelling unit residences

VICINITY MAP:



REVIEW CRITERIA FOR THE CONDITIONAL USE
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Section 11-3-4 of the Helena Zoning Ordinance includes certain criteria that must be reviewed as part of the conditional use permit procedure.

*A. A conditional use permit may be granted by the city commission only upon a finding, supported by substantial credible evidence in the record that the following standards are met:*

- 1. The proposed conditional use, as conditioned, will not adversely impact the public health, safety, or general welfare.*
- 2. The proposed conditional use will not adversely impact or impair the peaceful use of existing property or improvements in the vicinity and the zoning district in which the subject property is located.*

*B. In considering whether sections §11-3-4(A)(1) and (A)(2) of this chapter have been met, the following factors must be considered in determining the impacts of the proposed conditional use on the abutting properties and the neighborhood:*

- 1. Location, character, and natural features of the subject property as it currently exists.*
- 2. Type and size of the proposed structure and improvements and their relative location on the subject property.*
- 3. Historical uses, established use patterns, and recent changes and trends in the neighborhood.*
- 4. Conformity of the proposed use with the neighborhood plan, if one has been adopted.*
- 5. Current and proposed pedestrian, vehicular, and bicycle traffic including ingress and egress, circulation and parking.*
- 6. Whether the use is consistent with the Helena Climate Change Action Plan.*
- 7. Whether the proposal meets the zoning dimensional standards requirements for the zoning district without the need for a variance.*
- 8. Hours of operation.*
- 9. Noise.*
- 10. Glare.*
- 11. Odor.*
- 12. Expressed public opinion related to factors identified above.*

*C. The above factors are weighed and evaluated depending on the circumstances of each case. Any one factor may be sufficient to find adverse impacts for the purposes of Section §11-3-4(A)(1) and (A)(2) justifying denial of the permit or placement of special conditions.*

#### FINDINGS & EVALUATION

- 1. Location, character, and natural features of the subject property as it currently exists.*

The site is located on the south side of Hauser Blvd, midblock between Hiawatha St and Silverette St and on the southeast corner of the platted Elizabeth St. The undeveloped Elizabeth St has coulee like terrain features towards the rear of and adjacent to the property. The surrounding area is generally residential, with fully detached houses and is zoned R-2. To the east is a non-conforming commercial building that addresses Hauser Blvd similarly to the now demolished building on the subject property did. This area includes a small number of multi-dwelling unit residential a block to the north on Elizabeth St. PUD #10, to the south and east consists of detached single dwelling-unit homes built at a higher density than the surrounding neighborhood zoned R-2. Kessler School, St. Andrew's School, and First Assembly of God Church are the largest non-residential facilities within a 15 minute walk.

2. *Type and size of the proposed structure and improvements and their relative location on the subject property.*

The applicant proposes construction of a four townhome style condos. The front of each townhome will have a garage that faces Hauser Blvd. A pair of townhomes will share their drive approach per Transportation System requirements on the number of drive approaches on a minor collector. The townhomes will be 2.5 stories in height. The applicant is not requesting any variances from district dimensional standards for the buildings with this proposal. All other structures have already been removed.

Basic elevations of the proposed structures were provided by the applicant in their application materials.

3. *Historical uses, established use patterns, and recent changes and trends in the neighborhood.*

The site last had an undetermined land use designation. It was annexed into the city as an existing non-conforming structure with the West Side Infrastructure Expansion and Annexation in 2018. This area of town has seen recent interest in residential development.

4. *Conformity of the proposed use with the neighborhood plan, if one has been adopted.*

The subject area falls under an approved neighborhood planning area. Looking to the 2019 Growth Policy Land Use chapter, the City of Helena Future land Use map designates this area as Urban. This proposal would fit the definition of Urban by providing a moderate density residential development there.

5. *Current and proposed pedestrian, vehicular, and bicycle traffic including ingress and egress, circulation, and parking.*

Elizabeth St. on the west side of the property is platted but not developed. The applicant indicates that they will seek Commission action to allow a waiver of protest for a future SID to be signed in lieu of installation of curb and gutter along Elizabeth. The applicant will need to install sidewalk along Hauser Blvd per city standards. Since all new primary structures require the installation of sidewalks per city standards when absent, and the same body that approves a CUP approves the variance from sidewalk requirements, the installation of sidewalks doesn't need to be conditioned in the CUP.

Transportation Systems has asked and received a change in the number of and distance between the curb cuts for the proposed development from four curb cuts to two, and less than twenty-five feet (25') between curb cuts to 25' or more between them.

The project is not expected to increase traffic by more than 200 trips per day and a traffic impact study is not required. ITE numbers for four single-unit dwellings indicate traffic generation of less than forty (40) vehicle trips per day.

6. *Whether the use is consistent with the Helena Climate Change Action Plan.*

The development is consistent with the plan because it increases density on existing roads, water, and sewer which provides for a more efficient use of land, improves the efficiencies of service and transportation networks, and will install sidewalks (non-motorized infrastructure).

7. *Whether the proposal meets the zoning dimensional standards requirements for the zoning district without the need for a variance.*

The proposal will meet the district dimensional standards and not require a variance

8. *Hours of operation.*

Not applicable.

9. *Noise.*

Noise levels can be expected to be typical of four single dwelling-units.

10. *Glare.*

Proposed structure will not result in an unusual amount of glare. The site is slightly uphill from its neighbor across Hauser Blvd to the north and the headlights of cars that have backed into the garage may shine at the house. This is less likely to be an issue where the drivers face forward into the garage.

11. *Odor.*

There are no expected new odors to be produced from the proposal.

12. *Expressed public opinion related to factors identified above.*

As of Thursday, 07/27/2023, no public comments have been given for this proposal.

**RECOMMENDATION**

To recommend **Approval of** a resolution for a Conditional Use Permit as required by §11-2-3 of City Code to allow a residence, multiple-dwelling units in the R-2 (residential) zoning district for a property legally described as Lots 17 and 18 in Blk 303 of the Brooke Addition to the City of Helena, Lewis and Clark County, Montana:

1. A building permit must be submitted for within one (1) year.
2. All conditions must be met within one year of CUP approval, as per Section 11-3-9 of the Helena City Code.



# CONDITIONAL USE PERMIT/AMENDMENT APPLICATION

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

Date received:

**RECEIVED**  
By April Sparks at 8:09 am, Jun 13, 2023

APPLICATION FEE: \$435.00  
(PAYABLE TO THE CITY OF HELENA)  
ALL FEES ARE NON-REFUNDABLE

**PROPERTY OWNER:** *Primary Contact?*

Name: HAUSER BLVD LLC (Ray Kuntz) Primary Number: 406.442.3785  
Address: PO BOX 6784 Other Phone: \_\_\_\_\_  
Email: Helena, MT 59604

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

Name: \_\_\_\_\_ Primary Number: \_\_\_\_\_  
Address: \_\_\_\_\_ Other Phone: \_\_\_\_\_  
Email: \_\_\_\_\_ Company: \_\_\_\_\_

**AUTHORIZED REPRESENTATIVE:** *Primary Contact?*

Name: Riley Hanson Primary Number: 406.457.0360  
Address: 1470 N Roberts St Other Phone: \_\_\_\_\_  
Email: [rileyh@slatearch.com](mailto:rileyh@slatearch.com) Company: Slate Architecture

**ADDRESS OF PROPERTY:** 2211 Hauser Boulevard Helena MT 59601  
Address City State Zip Code

Legal Description (Block & Lots, Subdivision, COS #) \_\_\_\_\_  
BROOKE ADDN, S23, T10 N, R04 W, BLOCK 303, Lot 17 - 18

Current Zoning District R-2 \_\_\_\_\_

Geocode 05-1887-23-4-02-05-0000 \_\_\_\_\_

Provide a current deed & plat

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

Submit proof of current paid taxes

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: Ray LS Date: 6-1-23  
Property Owner

Applicant: [Signature] Date: 6-1-23  
(If different from Owner)

**Please provide all the information requested in the Application Instructions. An incomplete application may delay the review of your request.**

Are you requesting any variances with this application?  Yes  No  
If yes, see Board of Adjustment application.

Have any variances or CUPs been previously given for this property?  Yes  No  
If yes, provide a copy of the variance decision or CUP Resolution.

**Review Process and Criteria per 11-3-3 City Code:** The following completeness review is required for applications for conditional use permits:

- A. Within ten (10) working days of receipt of an application and required filing fee, the City shall review the submitted information to determine whether the application contains all the information required by this chapter. The application is complete if all the information required is provided, thereby forming the basis for an informed decision on the application. The City shall give written notice to the applicant of the determination as to whether or not the application is complete.
- B. If the City determines that information is missing from the application, the City will identify those elements in the notification. If the applicant fails to submit the missing information within five (5) working days of the notice of deficiency, the City may deny approval of the application.
- C. If the applicant corrects the deficiencies and resubmits the application within the time provided above, the City has ten (10) working days to notify the applicant whether the resubmitted application contains all the information required by this chapter.
- D. After a complete application has been filed, the City shall investigate the facts bearing on the application to assure that the action on the application is consistent with the intent and purpose of this Title and then give its recommendation to the Zoning and City Commission.

**A CONDITIONAL USE PERMIT IS EFFECTIVE UPON APPROVAL BY THE CITY COMMISSION AND AFTER ALL OF THE CONDITIONS FOR APPROVAL HAVE BEEN COMPLETED.**

**YOUR PROPOSAL MUST COMPLY WITH THE FOLLOWING:**

- Building and fire codes including required building and occupancy permits.
- Zoning Ordinance requirements including but not limited to: front, side and rear yard setbacks; maximum lot coverage; building height; landscaping; parking; screening; and signage.
- Sidewalks, curbs, and gutters; if deteriorated, repair or replacement may be required.



**APPLICATION INSTRUCTIONS:**

**Please note: "N/A" is not an acceptable answer alone and requires an explanation if used.**

**All conditional use permit applications must include the following information per 11-3-2 CC:**

- 1. Apply to the City on the appropriate forms and pay any required fees. The application must include the property owner's signature;
- 2. Type and extent of the proposed use (including hours of operation);
- 3. Site plan showing the proposed and current location of:
  - Pedestrian, vehicular, and bicycle ingress and egress to the property;
  - Parking and loading areas;
  - Landscaping and screening;
  - Solid waste collection areas;
  - Utilities;
  - Signs; and
  - Lighting;
- 4. Proposed storm water drainage plan;
- 5. Traffic impact study for any use that will generate more than two hundred (200) vehicle trips a day;
- 6. Vicinity map of the area showing the location of the property in relation to surrounding land and zoning in the immediate area, water and wastewater mains, other utilities, and city streets;
- 7. Planned modifications to the existing structure;
- 8. Preliminary architectural drawings for new construction with elevations that include building heights;
- 9. An evaluation of the impacts on the abutting properties and the neighborhood with respect to the factors identified in section 11-3-4B City Code. The evaluation must address any potential adverse impacts and how any such adverse impacts will be mitigated.
- 10. Expected time when the permitted conditional use will commence; and
- 11. Variances requested.

**12. All applications for conditional use permits will be evaluated against the following criteria from 11-3-4 City Code:**

- The proposed conditional use, as conditioned, will not adversely impact public health, safety, or general welfare.
- The proposed conditional use, as conditioned, will not adversely impact the peaceful use of existing property or improvements in the vicinity and the zoning district in which the subject property is located.

The following factors must be considered in determining the impacts of the proposed conditional use on the abutting properties and the neighborhood. **Please provide an evaluation of the following using the above criteria on a separate page:**

- Location, character, and natural features of the subject property as it currently exists;
- Type and size of the proposed structure and improvements and their relative location on the subject property;
- Historical uses, established use patterns, and recent changes and trends in the neighborhood;
- Conformity of the proposed use with the neighborhood plan if one has been adopted;
- Current and proposed pedestrian, vehicular, and bicycle traffic including ingress and egress, circulation, and parking;
- Whether the use is consistent with the Helena Climate Change Action Plan;
- Whether the proposal meets the zoning dimensional standards requirements for the zoning District without the need for a variance;
- Hours of operation;
- Noise;
- Glare;
- Odor;

**Expressed public opinion related to factors identified above will be used in the evaluation of the proposed CUP.** 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.

**IT IS THE POLICY OF THE CITY COMMISSION NOT TO ACT ON A PROPOSAL IF THE APPLICANT/ APPLICANT'S REPRESENTATIVE IS NOT PRESENT AT THE COMMISSION MEETING.** City Planning Staff represents the City; staff cannot answer questions for the applicant.

Per 1-4-12 City Code, the taxes and assessments on the applicant's property, which is the subject of the proposed action, must be paid or payment of said taxes and assessments must be made a condition of final approval of said action by the City Commission, with the taxes and assessments to be paid within fourteen (14) days after final passage.



PROJECT NAME: Hauser Boulevard Condos  
PROJECT NO.: 2022062  
DATE: June 9th, 2023

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### Project Overview

**Address:** 2211 Hauser Boulevard, Helena, MT 59601

**Geocode:** 05-1887-23-4-02-05-0000

**Zoning:** Residential District (R-2)

**Function:** Residence, multiple-dwelling units (3 or more units).

**Description:** The proposed project is to develop a 5,080 sf multifamily condominium that would provide (4) 4 bedroom, 3.5 bathroom dwelling units, increasing the available housing in Helena.

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**See attached for current deed, current plat map, and proof of current tax information.**

**All applications for a Conditional Use Permit must include the following information:**

**1. Type and extent of the proposed use.**

The primary use for this property will be the construction of a single structure containing four (4) vertically oriented dwelling units. Multiple-dwelling unit buildings are considered conditional use in district R-2, thus requiring this Conditional Use Permit.

Each dwelling unit contains four (4) bedrooms and 3.5 bathrooms, providing 3,200 square feet of living space in each condominium (1,270 square feet footprint ea.) spread across a basement and two upper levels in a stepped configuration to address the sloping of the site. The building is proposed to be clad in a residential style fiber cement paneling with asphalt shingle roofing.

**2. Site plan showing the proposed and current location of:**

See attached Site Plan.

**a. Pedestrian, vehicular, and bicycle ingress and egress to the property**

See attached Site Plan.

**b. Parking and Loading areas**

See attached Site Plan.

**c. Landscaping and screening**

See attached Site Plan.

**d. Solid waste collection areas**

No designated solid waste collection areas proposed. Tenants expected to store bins in garage until waste collection days.



**e. Utilities**

See attached Site Plan.

**f. Signs**

No Signage proposed for residential condos.

**g. Lighting.**

Only proposed exterior lighting to be small residential wall-mounted sconces at entry/exit doors. See attached Site Plan.

**3. Proposed storm water drainage plan**

See attached Site Plan.

**4. Traffic impact study for any use that will generate more than two hundred (200) vehicle trips per day.**

Proposed use not anticipated to generate more than 200 trips per day. Traffic impact study not provided.

**5. Vicinity map of the area showing the location of the property in relation to surrounding land and zoning in the immediate area, water and wastewater mains, other utilities, and city streets.**

See attached Site Plan.

**6. Planned modifications to the existing structure.**

All existing structures onsite to be demolished.

**7. Preliminary architectural drawings for new construction with elevations that include building heights.**

See attached Plans, Section, and Massing for pertinent aesthetic and dimensional information.

**8. An evaluation of the impacts of the abutting properties and the neighborhood with respect to factors identified in section 11-3-5B. The evaluation must address any potential adverse impacts and how any such adverse impacts will be mitigated.**

The original use of the property was a commercial warehouse spanning the entire extents of the property, notably not allowed in the current zoning designation, which as part of this project has been demolished. The proposed project would replace this non-compliant warehouse with medium density residential housing in-line and style with the surrounding existing neighborhood character. The proposed development would provide public right-of-way improvements including curb + gutter, public boulevard & trees, and public sidewalks as part of improving the interface between the project's parking areas (garage & 20' driveway) and public right-of-way. No signage is proposed for this residential usage, and only wall mounted sconce lighting will be considered at dwelling unit entries for private local lighting and is not anticipated to cause undue light pollution to neighboring properties. This project would reduce the lot coverage from the current 100% that the existing warehouse occupied down to the code maximum 40% coverage of the parcel for the new structure, thus increasing the amount of permeable surfacing to facilitate stormwater absorption. The site is anticipated to be re-graded to facilitate the remaining natural stormwater drainage around the structure to the right-of-way, avoiding runoff to neighboring properties. Boulevard tree planting proposed for public right-of-way improvements, otherwise no major landscaping is proposed beyond providing grass lawns for the remaining permeable site area. All other zoning requirements will be met such as required building setbacks, lot coverage, max building height, etc. The development is not anticipated to create any undue noise, glare, odor, traffic, etc. that is beyond the character of a typical residential dwelling and congruent with the intent of the neighborhood's zoning.

**9. Expected time when the permitted conditional use will commence.**

Construction for the proposed project is anticipated to commence this fall of this year (2023).

L & C 1060793  
Return to:  
First Montana Land Title  
P.O. Box 251  
Helena, MT 59624

**AND WHEN RECORDED MAIL TO:**

Ray Kuntz Revocable Trust and Mary Sue Alt  
Revocable Trust  
PO BOX 6784  
HELENA, MT 59604

Filed for Record at Request of:  
First Montana Land Title Company

Space Above This Line for Recorder's Use Only

Order No.: 1060793  
Parcel No.: 9169

**WARRANTY DEED**

FOR VALUE RECEIVED,

**Yuhas Millwork Company**

hereinafter called Grantor(s), do(es) hereby grant, bargain, sell and convey unto

**Ray Kuntz, Trustee of the Ray Kuntz Revocable Trust and Mary Sue Alt, trustee of the Mary Sue Alt Revocable Trust**

whose address is: **PO BOX 6784, HELENA, MT 59604**

Hereinafter called the Grantee, the following described premises situated in **Lewis and Clark** County, **Montana**, to-wit:

Lots 17 and 18 in Block 303 of the BROOKE ADDITION in Lewis and Clark County, Montana.

SUBJECT TO covenants, conditions, restrictions, provisions, easements and encumbrances apparent or of record.

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantees and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all lawful claims whatsoever.







# LEWIS & CLARK COUNTY

Shopping Cart: 0 items [\$0.00]

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**Property Tax ID:** 9169

**Status:** Current  
**Realware#:** 188723402050000  
**Receipt:** 31676

**2022 Owner(s):**  
RAY KUNTZ REVOCABLE TRUST  
MARY SUE ALT REVOCABLE TRUST

**Mailing Address:**  
PO BOX 6784  
HELENA, MT 596046784

**Levy District:**  
2C-09, Tax District 2C

### 2022 Value:

**Market:** \$182,171  
**Taxable:** \$3,443

[Detail](#)

### 2022 Taxes:

[View Pie Charts](#)

**First Half:** \$1,728.70    **Due:** 11/30/2022  
**Second Half:** \$1,722.31    **Due:** 5/31/2023  
**Total:** \$3,451.01

[Detail](#)

### 2022 Payments:

**First Half:** \$1,728.70  
**Second Half:** \$1,722.31  
**Total:** \$3,451.01

(May include penalty & interest)

### 2022 Legal Records:

**Geo Code:** 05-1887-23-4-02-05-0000 **Deed Book:** M61 **Page:** 4388 **Instru#:** 3403053 **Date:** 2022-08-30

**Property address:** 2211 HAUSER BLVD, HELENA MT 59601  
**Subdivision:** (BRK) SubDiv BRK **Lot:** 17 **Block:** 303  
**TRS:** T10 N, R04 W, Sec. 23  
**Legal:** BROOKE ADDN, S23, T10 N, R04 W, BLOCK  
303, Lot 17 - 18  
Acres: 0.29

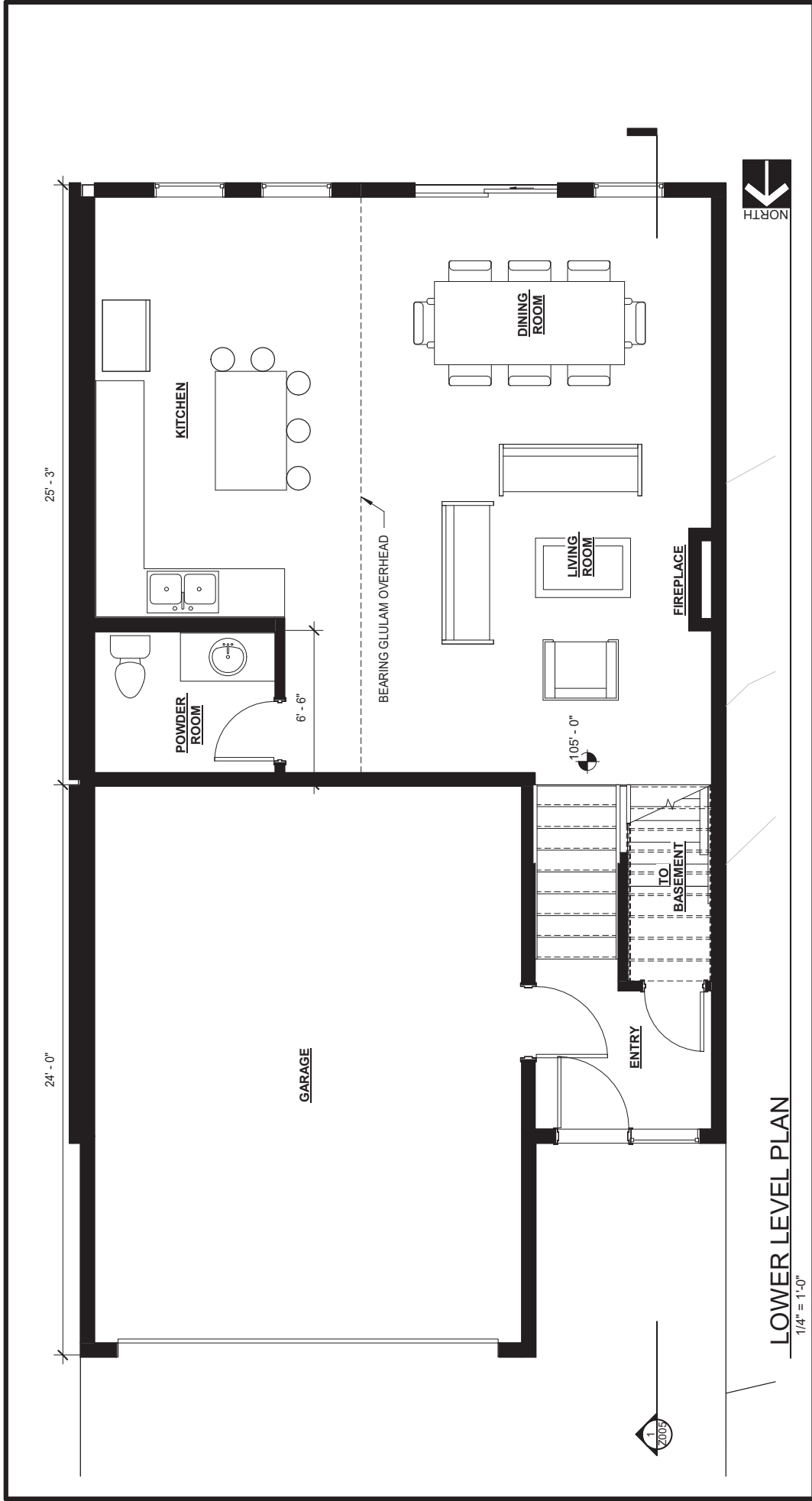
**Note:** The accuracy of this data is not guaranteed. Property Tax data was last updated 06/12/2023 03:00 PM.

Send Payments to:  
Lewis & Clark County  
316 North Park Ave; Room #113  
Helena, Montana 59623

Phone: (406) 447-8329  
Email: [propertytax@lccountymt.gov](mailto:propertytax@lccountymt.gov)







PRELIMINARY

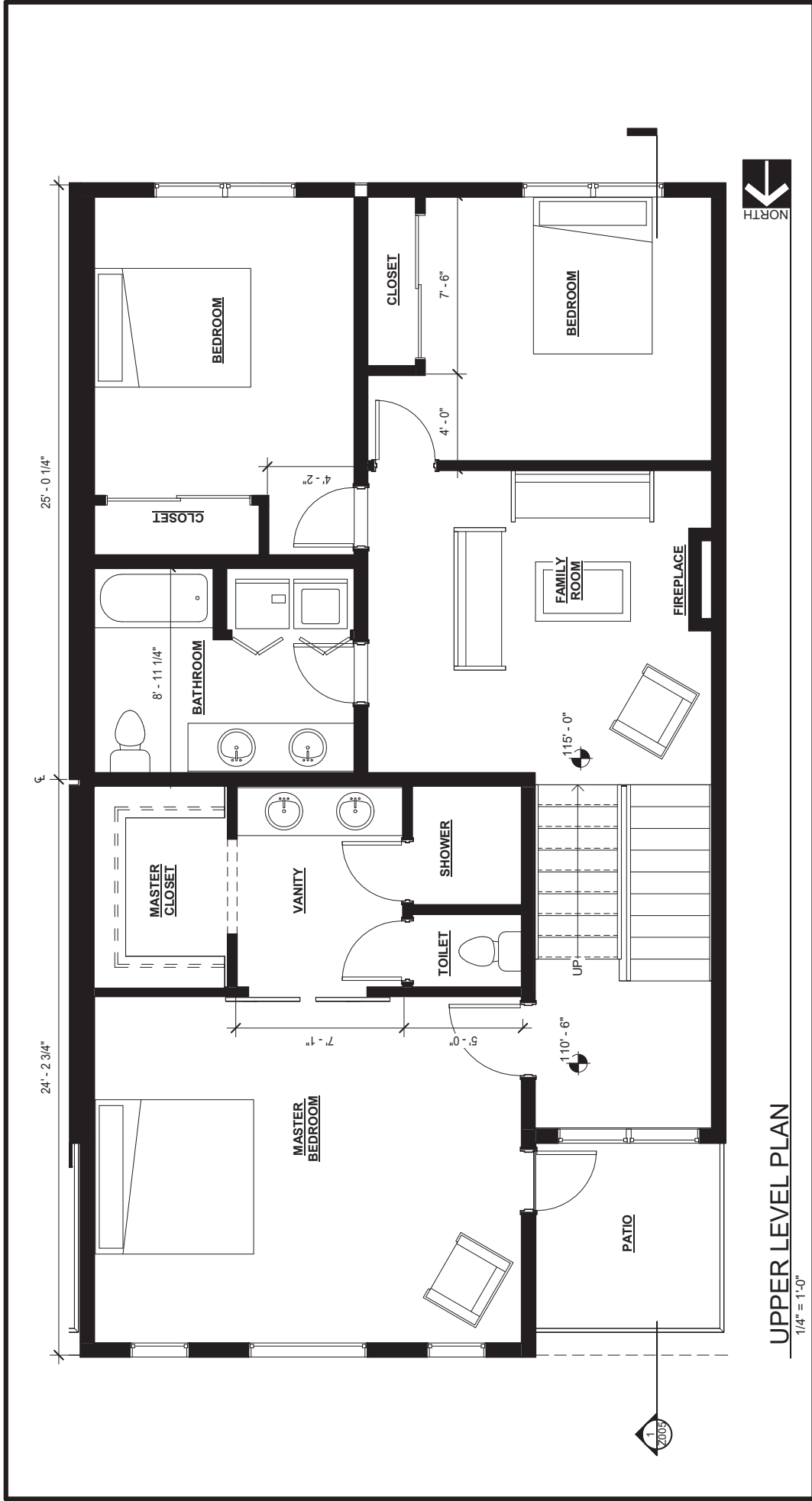
**SCHEMATIC CONDO - LOWER LEVEL**

HAUSER BOULEVARD CONDOS  
RAY KUNTZ

**LOWER LEVEL PLAN**  
1/4" = 1'-0"



www.slatearchitecture.com



UPPER LEVEL PLAN  
1/4" = 1'-0"

PRELIMINARY

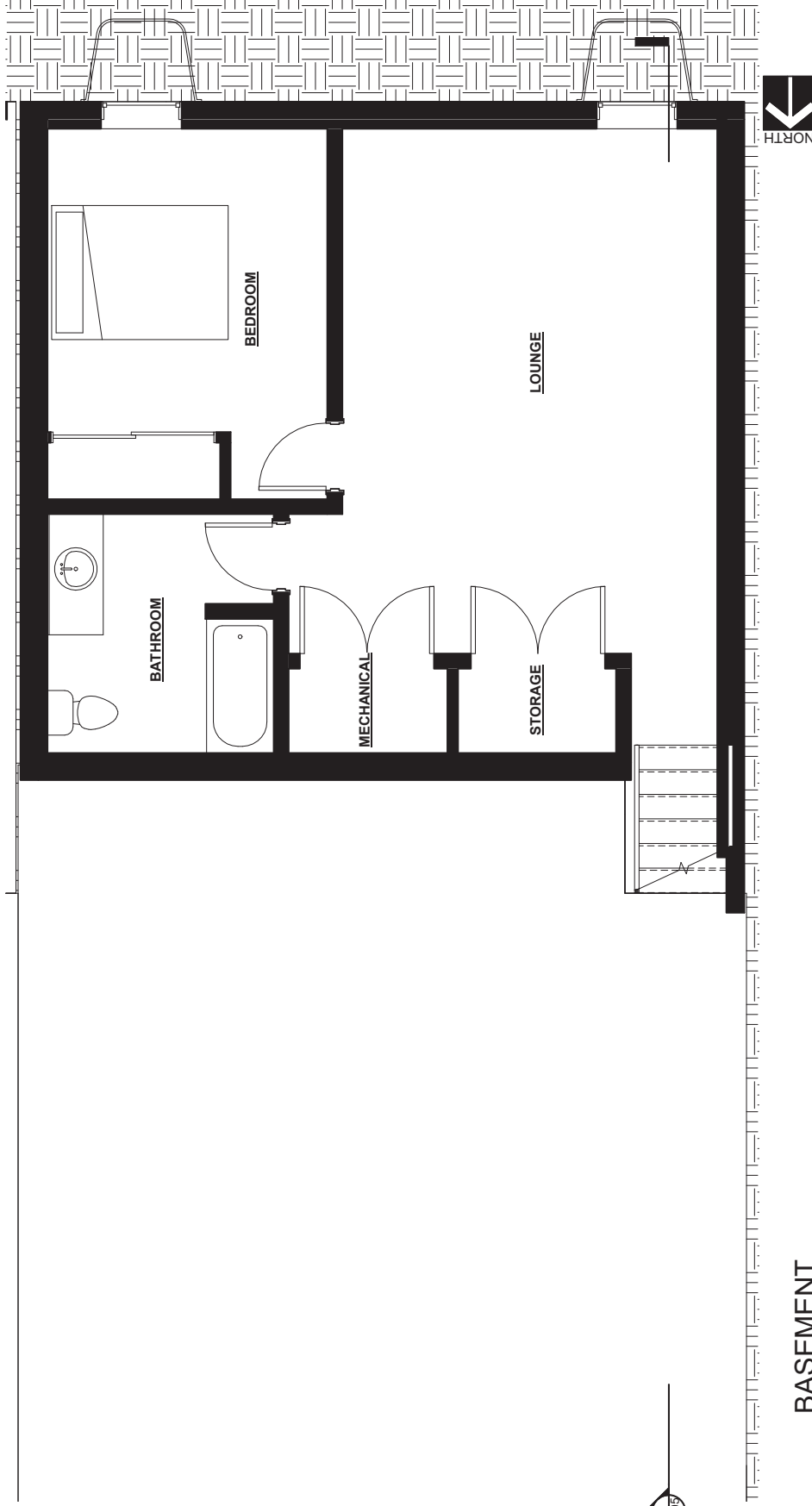
SCHEMATIC CONDO - UPPER LEVEL

HAUSER BOULEVARD CONDOS

RAY KUNTZ



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**BASEMENT**  
1/4" = 1'-0"

PRELIMINARY

**SCHEMATIC CONDO - BASEMENT LEVEL**

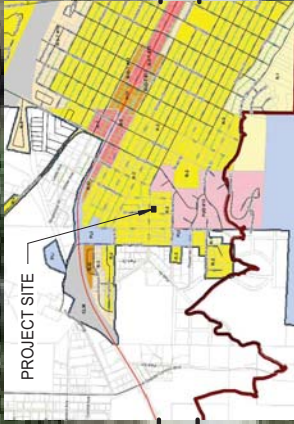
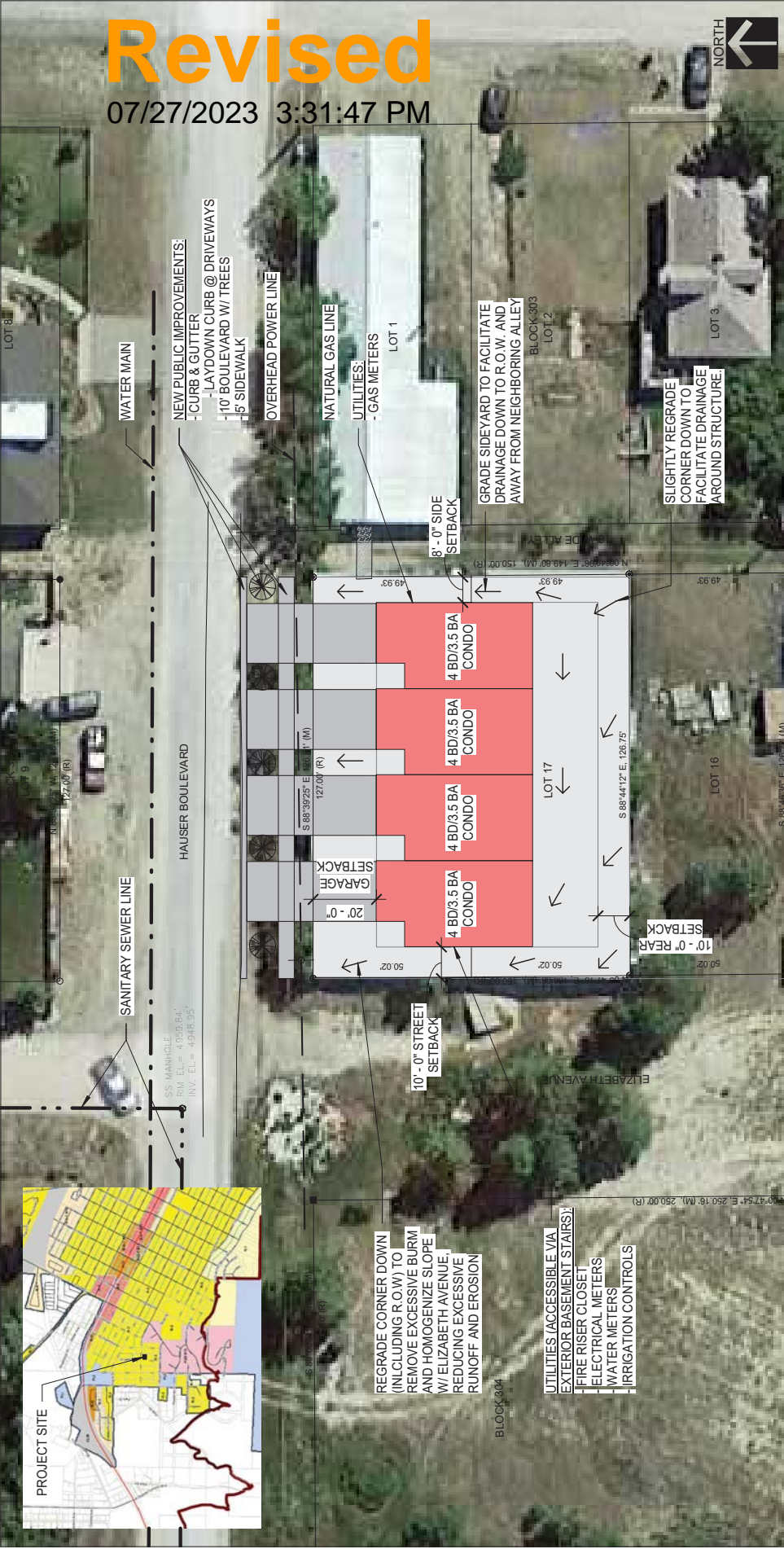
HAUSER BOULEVARD CONDOS  
RAY KUNTZ



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# Revised

07/27/2023 3:31:47 PM



- REGRADE CORNER DOWN (INCLUDING R.O.W) TO REMOVE EXCESSIVE BURM AND HOMOGENIZE SLOPE W/ ELIZABETH AVENUE REDUCING EXCESSIVE RUNOFF AND EROSION
- UTILITIES (ACCESSIBLE VIA EXTERIOR BASEMENT STAIRS):
  - FIRE RISER CLOSET
  - ELECTRICAL METERS
  - WATER METERS
  - IRRIGATION CONTROLS

SITE PLAN  
1/32" = 1'-0"

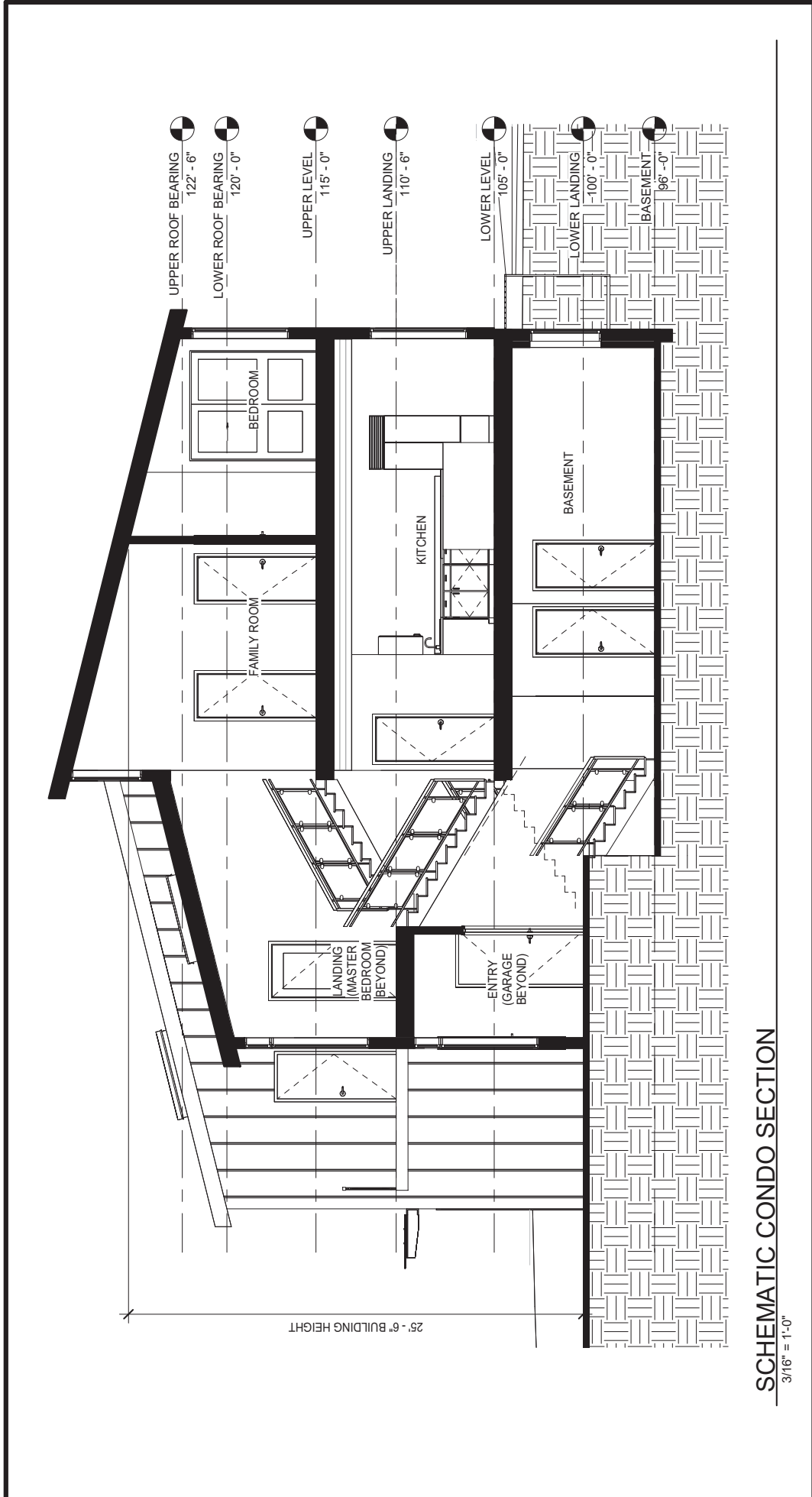


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## SCHEMATIC SITE PLAN

HAUSER BOULEVARD CONDOS  
RAY KUNTZ

PRELIMINARY



**SCHEMATIC CONDO SECTION**  
3/16" = 1'-0"



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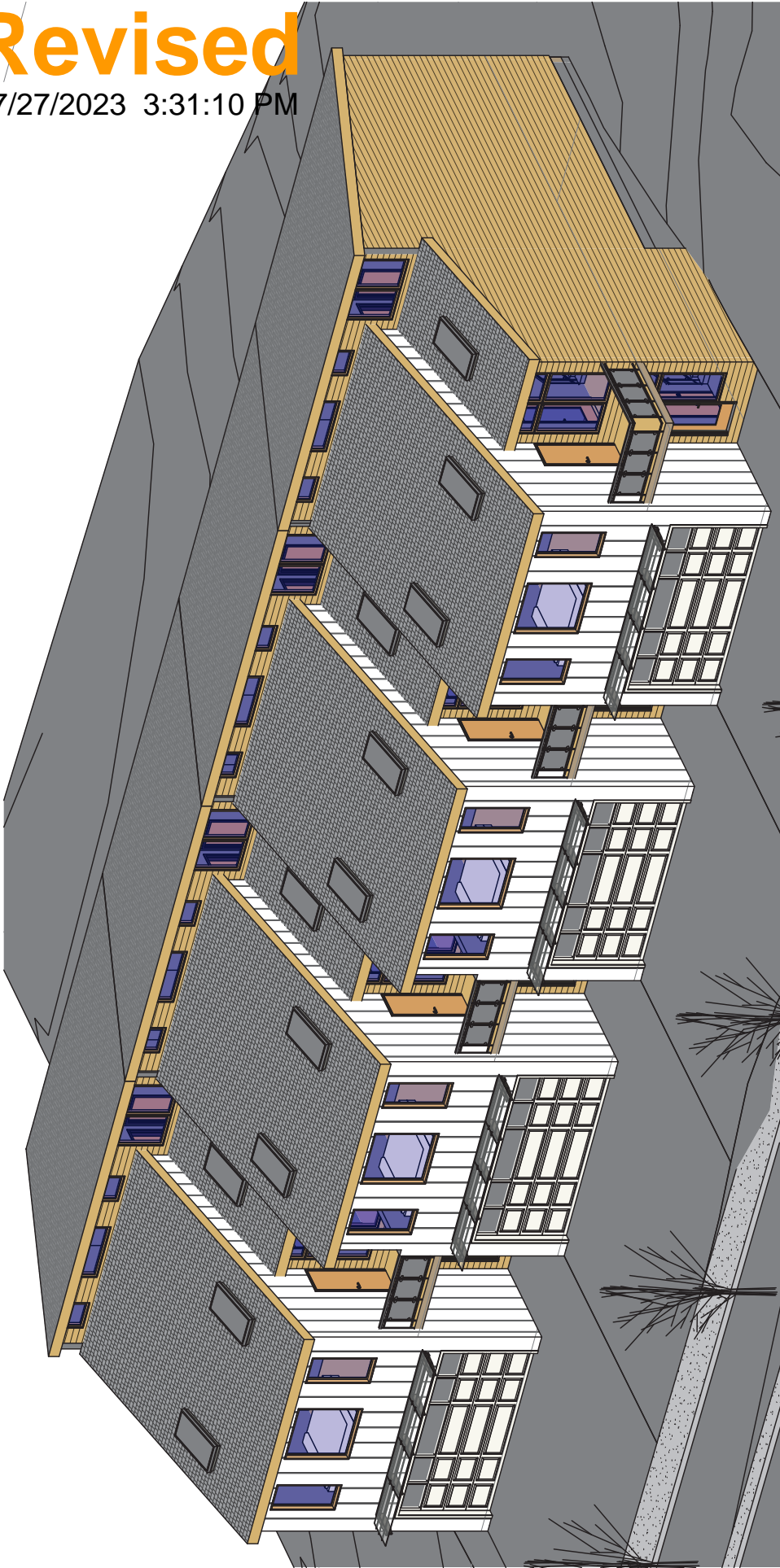
**SCHEMATIC CONDO SECTION**

HAUSER BOULEVARD CONDOS  
RAY KUNTZ

**PRELIMINARY**

Revised

07/27/2023 3:31:10 PM



SCHEMATIC BUILDING MASSING

HAUSER BOULEVARD CONDOS

RAY KUNTZ

PRELIMINARY



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After recording return to:  
Hauser Blvd LLC  
P.O. Box 6784  
Helena, MT 59604

**SPECIAL WARRANTY DEED**

FOR VALUABLE CONSIDERATION the receipt and sufficiency of which is hereby acknowledged, the undersigned, RAY KUNTZ, TRUSTEE OF THE RAY KUNTZ REVOCABLE TRUST and MARY SUE ALT, TRUSTEE OF THE MARY SUE ALT REVOCABLE TRUST (collectively the "Grantor"), hereby grant and convey unto HAUSER BLVD LLC, a Montana limited liability company, with a mailing address of P.O. Box 6784, Helena, Montana 59604 (the "Grantee"), all of Grantor's interest in real property:

Lots 17 and 18 in Block 303 of the BROOKE ADDITION in Lewis and Clark County, Montana.

Together with any and all: (a) buildings, fixtures and improvements thereon, (b) water rights appurtenant thereto, (c) lease(s) of said real property, (d) other tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, (e) assignable title insurance policies and rights under title insurance policies affecting title to any of said real property, and (f) legal warranties (of title and otherwise), with full substitution and subrogation in and to all rights and actions of warranty, which the Grantor has or may have against any prior owners, grantors or vendors of said real property.

This Special Warranty Deed shall be subject to the following exceptions:

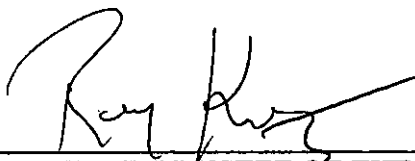
- (a) All reservations and exceptions of record in patents from the United States or the State of Montana;
- (b) All existing easements and rights-of-way of record;
- (c) All buildings, use, zoning and sanitary restrictions; and
- (d) All taxes, assessments and special improvement assessments for the current year and subsequent years.

TO HAVE AND TO HOLD unto the Grantee, its successors and assigns forever; and the Grantor, and Grantor's successors and assigns do hereby covenant with the Grantee, and its successors and assigns, to warrant and defend the title to said property conveyed against the claim of every person whatsoever, claiming by, through or under the Grantor.

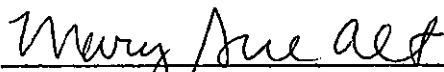
[SIGNATURE PAGE FOLLOWS]



Dated: 11/29/22, 2022.



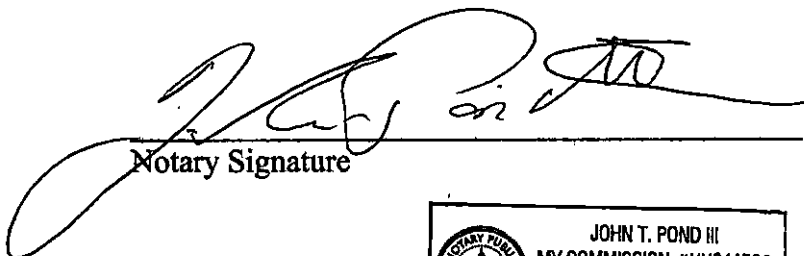
RAY KUNTZ, TRUSTEE OF THE RAY KUNTZ  
REVOCABLE TRUST Ray Kuntz



MARY SUE ALT, TRUSTEE OF THE MARY  
SUE ALT REVOCABLE TRUST

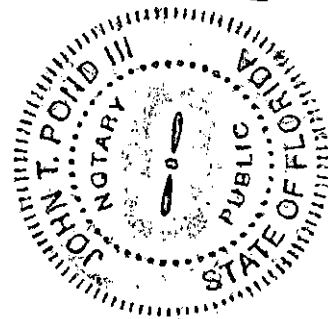
STATE OF FLORIDA        )  
                                      : ss.  
County of Sumter        )

This instrument was signed and acknowledged before me on 29<sup>th</sup> Day of November, 2022  
by Ray Kuntz, Trustee of the Ray Kuntz Revocable Trust and Mary Sue Alt, Trustee of the Mary  
Sue Alt Revocable Trust.



Notary Signature

JOHN T. POND III  
MY COMMISSION #HH244506  
EXPIRES: MAR 23, 2026  
Bonded through 1st State Insurance





# Project Reviews

## City of Helena

**Project Number: CUP2306-001**

**Description: 2211 Hauser Blvd**

Applied: **6/13/2023**

Approved:

Site Address: **2211 HAUSER BLVD**

Closed:

Expired:

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

Status: **RECEIVED**

Applicant: **<NONE>**

Parent Project:

Owner: **RAY KUNTZ REVOCABLE TRUST**

Contractor: **<NONE>**

Details:

### LIST OF REVIEWS

SENT DATE	RETURNED DATE	DUE DATE	TYPE	CONTACT	STATUS	REMARKS
Review Group: ALL						
6/20/2023	7/10/2023	7/6/2023	TRANSPORTATION SYSTEMS	Mark Young	SEE COMMENTS	
Notes:						
<ul style="list-style-type: none"> <li>- Per City Code Title 7 Chapter 4               <ul style="list-style-type: none"> <li>o Curb, gutter and sidewalks will need to be installed along both the Hauser Boulevard and Elizabeth Avenue frontages including ADA curb ramps at the corner.</li> <li>o Sidewalks should be placed one-foot (1') from the property line.</li> </ul> </li> <li>- Per City Code Title 7 Chapter 5: No more than two drive approaches, a minimum of twelve feet (12') and a maximum twenty-four feet (24') wide, are allowed per frontage. There must be at least twenty-five feet (25') of full height curb between the approaches.               <ul style="list-style-type: none"> <li>o Hauser Boulevard is classified as a major collector. The Transportation Systems Department would not support a deviation request for the approaches proposed along Hauser Blvd.</li> </ul> </li> <li>- Per the City's MS4 (stormwater) Permit, onsite stormwater treatment is required with the development or redevelopment of 5,000 square feet or more of a property.</li> </ul>						
7/17/2023	7/25/2023	7/20/2023	PUBLIC WORKS	JAMIE CLARK	NO COMMENT	
Notes:						
7/17/2023	7/18/2023	7/20/2023	TRANSPORTATION SYSTEMS	David Knoepke	APPROVED	
Notes:						
Responses appear to meet the comments. The curb and gutter along Elizabeth will required Commission action to allow a waiver of protest for any future SID to be signed in lieu of installation of curb and gutter along Elizabeth Street. In addition, the applicants comments of the sidewalks not aligning along Hauser may require a Commission action. This action would be for the placement of sidewalk in a location other than 1' from the property line. Drainage along Elizabeth Street must be considered so not to cause future issues when the street is completely built out through a SID or other manner. All sidewalk and curb ramps must meet the ADA/PROWAG and City of Helena requirements.						
Review Group: AUTO						
6/13/2023		6/16/2023	DIRECTOR REVIEW	Christopher Brink		
Notes:						

# Project Reviews

## City of Helena

Review Group: ZONING

6/20/2023	6/27/2023	7/6/2023	ADDRESSING	Jason Danielson	SEE COMMENTS	
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Notes:

2211 Hauser Blvd is a valid and existing physical property address assigned to Lots 17-18.

A City Address Application must be completed and submitted to the Addressing Office for the assignment of the 3 additional units. Individually owned living spaces (condos, townhomes) shall be assigned primary numbers (e.g., 2211, 2213, 2215, 2217).

Notification letters will be sent to the applicant and service providers after the addresses have been assigned.

A multi-family use type will be associated to each condo.

Address numbers and unit numbers must be 4 inches at a minimum and clearly visible for the efficient provision of delivery and emergency services. The installation and maintenance of address numbers shall be the responsibility of the property owner.

6/20/2023	6/22/2023	7/6/2023	BUILDING	Kim Mack	APPROVED	
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Notes:

Full building and site review will be completed when plans are submitted for permits.

6/20/2023		7/6/2023	CITY ATTORNEY	Attorney Bucket		
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Notes:

6/20/2023	7/5/2023	7/6/2023	FIRE	Lou Antonick	SEE COMMENTS	
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Notes:

1. FIRE: Using either the 2012 or 2021 International Fire Code, depending on when this is submitted, a full building and site review will be completed when plans are submitted to the City of Helena Building Division. Fire Department access and fire protection water supply must be included in this project.

6/22/2023 12:37:29 PM

6/20/2023	6/27/2023	7/6/2023	PARKS	Craig Marr	NO COMMENT	
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Notes:

6/20/2023		7/6/2023	PLANNING	Planning Bucket		
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Notes:

6/20/2023	7/25/2023	7/6/2023	PUBLIC WORKS	JAMIE CLARK	NO COMMENT	
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Notes:

Sanitary sewer main does not currently serve this property. Sanitary sewer main will have to be extended across the entire frontage of the property.

6/20/2023		7/6/2023	ZONING ENFORCEMENT	Planning Bucket		
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Notes:





PROJECT NAME: Hauser Boulevard Condos  
PROJECT NO.: 2022062  
DATE: July 14, 2023

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### TRANSPORTATION:

Per City Code Title 7 Chapter 4; Curb, gutter and sidewalks will need to be installed along both the Hauser Boulevard and Elizabeth Avenue frontages including ADA curb ramps at the corner.

**Response:** *Curb, gutters, sidewalks, boulevard trees, and corner ADA laydowns will be installed along Hauser Boulevard per City of Helena standards. Sidewalk & boulevard trees will be installed along Elizabeth Street, and requirements for curb and gutters will be requested a variance to omit due to lack of established drive aisle at Elizabeth Street and thus no surfacing requiring curbing and gutter.*

Sidewalks should be placed one-foot (1') from the property line.

**Response:** *We will place sidewalk where the city requires it.*  
**Note:** *recent adjacent development at corner of Hauser and Elizabeth indicates sidewalk being placed ~5' away from their property line, thus the sidewalks will not align across the street. Final design will be coordinated with Transportation per city requirements.*

Per City Code Title 7 Chapter 5: No more than two drive approaches, a minimum of twelve feet (12') and a maximum twenty-four feet (24') wide, are allowed per frontage. There must be at least twenty-five feet (25') of full height curb between the approaches. Hauser Boulevard is classified as a major collector. The Transportation Systems Department would not support a deviation request for the approaches proposed along Hauser Blvd.

**Response:** *Every other condo unit will be mirrored to provide only two driveways in compliance of City of Helena dimensional standards in lieu of the previously proposed 4 driveways; see revised attached site plan.*

Per the City's MS4 (stormwater) Permit, onsite stormwater treatment is required with the development or redevelopment of 5,000 square feet or more of a property.

**Response:** *Onsite stormwater treatment will be provided.*



### ADDRESSING:

2211 Hauser Blvd is a valid and existing physical property address assigned to Lots 17-18. A City Address Application must be completed and submitted to the Addressing Office for the assignment of the 3 additional units. Individually owned living spaces (condos, townhomes) shall be assigned primary numbers (e.g., 2211,2213,2215,2217). Notification letters will be sent to the applicant and service providers after the addresses have been assigned.

A multi-family use type will be associated to each condo.

Address numbers and unit numbers must be 4 inches at a minimum and clearly visible for the efficient provision of delivery and emergency services. The installation and maintenance of address numbers shall be the responsibility of the property owner.

**Response: *New addresses will be sought for the additional condos during development of the project. Installed address numbers will comply with City of Helena standards.***

### BUILDING:

Full building and site review will be completed when plans are submitted for permits.

**Response: *Building permit will be sought after development of the construction drawings for the project.***

### FIRE:

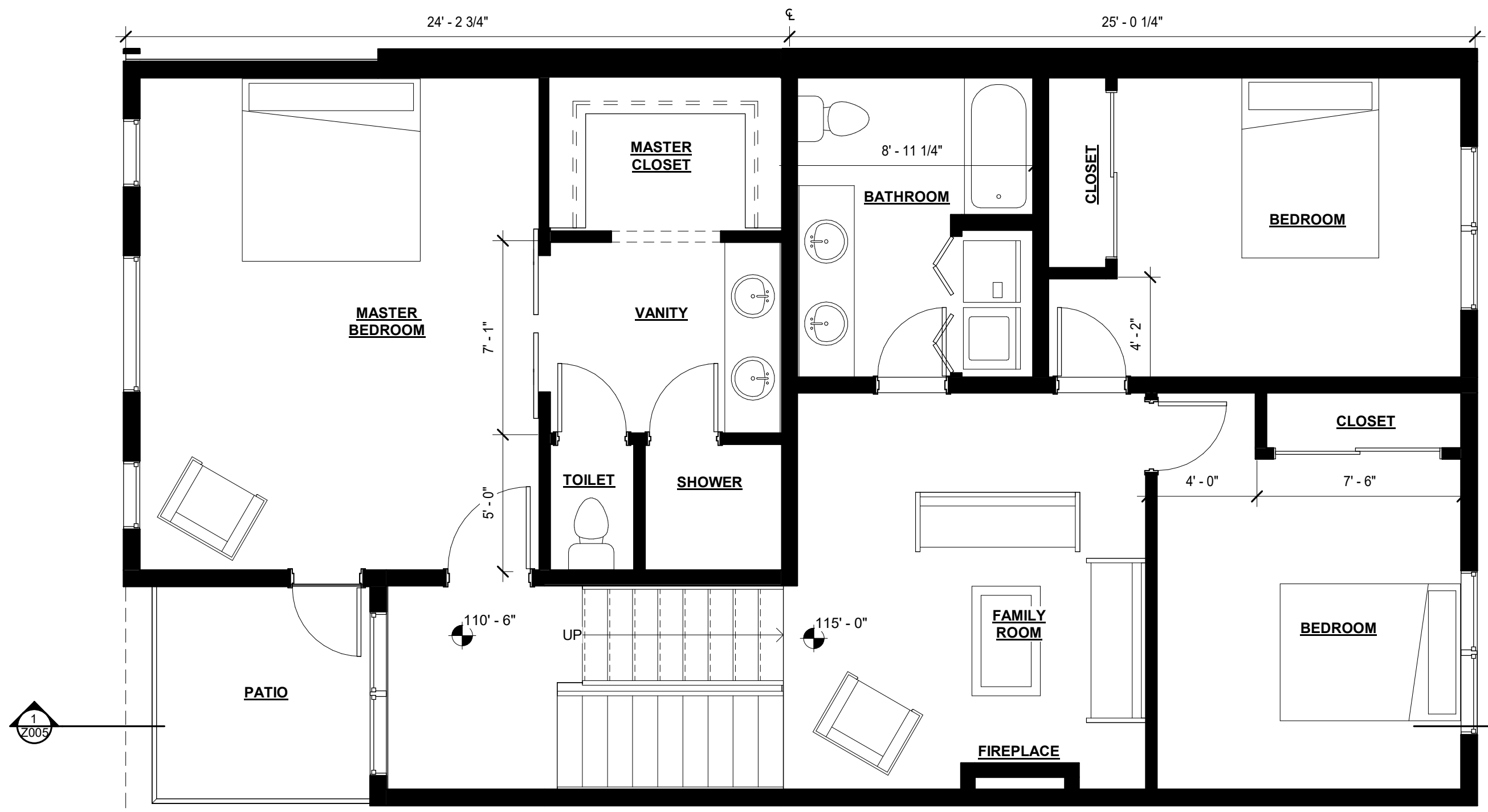
Using either the 2012 or 2021 International Fire Code, depending on when this is submitted, a full building and site review will be completed when plans are submitted to the City of Helena Building Division. Fire Department access and fire protection water supply must be included in this project.

**Response: *Building permit will be sought after development of the construction drawings for the project. Fire department access and fire protection water supply to be included in this project.***

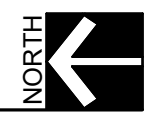
### PUBLIC WORKS:

Sanitary sewer main does not currently serve this property. Sanitary sewer main will have to be extended across the entire frontage of the property.

**Response: *City sewer main will be included in project as requested.***



**UPPER LEVEL PLAN**  
1/4" = 1'-0"



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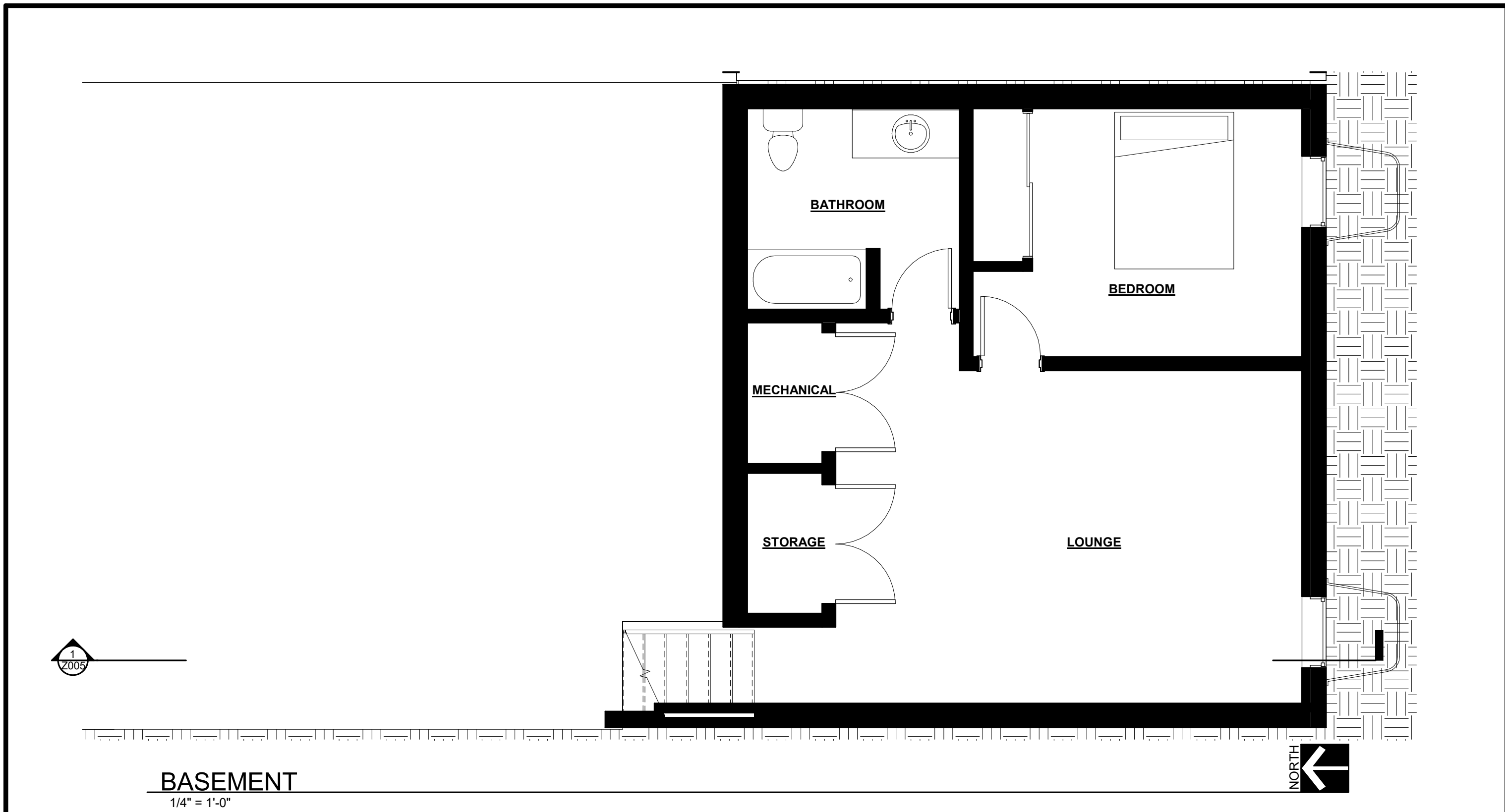
# SCHEMATIC CONDO - UPPER LEVEL

HAUSER BOULEVARD CONDOS

RAY KUNTZ

**PRELIMINARY**

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**BASEMENT**  
1/4" = 1'-0"

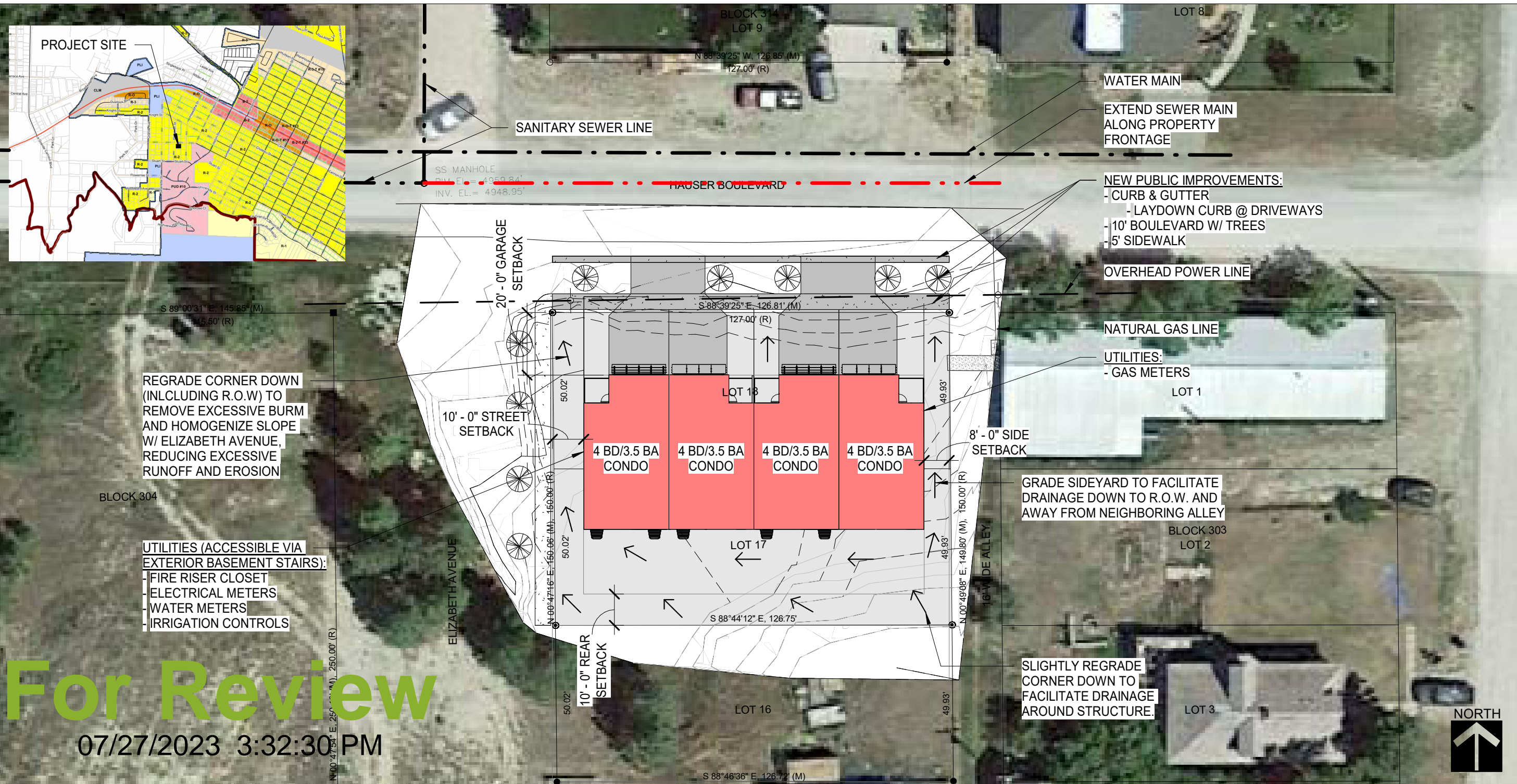
# SCHEMATIC CONDO - BASEMENT LEVEL

HAUSER BOULEVARD CONDOS  
RAY KUNTZ

**PRELIMINARY**



[www.slatearchitecture.com](http://www.slatearchitecture.com)



**For Review**

07/27/2023 3:32:30 PM

**SITE PLAN**  
1/32" = 1'-0"



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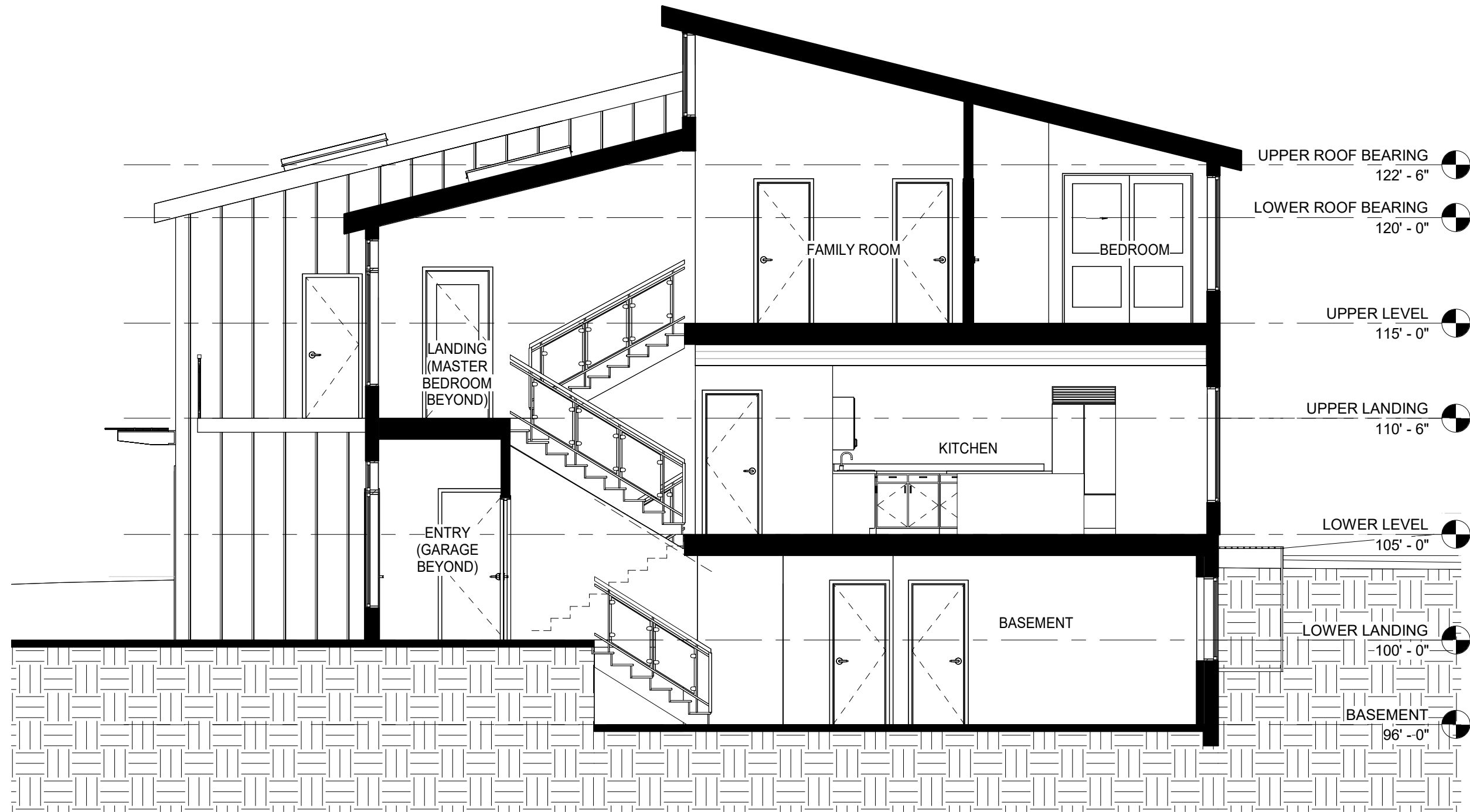
# SCHEMATIC SITE PLAN

HAUSER BOULEVARD CONDOS

RAY KUNTZ

**PRELIMINARY**

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**SCHEMATIC CONDO SECTION**

3/16" = 1'-0"

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**SCHEMATIC CONDO SECTION**

HAUSER BOULEVARD CONDOS

RAY KUNTZ

**PRELIMINARY**



# For Review

07/27/2023 3:32:59 PM



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## SCHEMATIC BUILDING MASSING

HAUSER BOULEVARD CONDOS

RAY KUNTZ

PRELIMINARY



**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](mailto:malvarez@helenamt.gov)

[helenamt.gov](http://helenamt.gov)

July 20, 2023

**TO WHOM IT MAY CONCERN:** A land use change is 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 August 08, 2023 Zoning Commission public hearing to the City Planning Division, 316 North Park, Helena MT 59623. For written comments to be distributed to the Zoning Commission with the staff report, they must be submitted to the City by **July 26, 2022**.

The Helena Zoning Commission will hold a public hearing on the CUP request on **Tuesday, August 08, 2023 at 6:00 p. m. in person at the City-County Boulding, 316 N Park Ave., Commission Chambers, Rm 330**, and via Zoom at <https://zoom.us/j/92989300533>, Meeting ID: 929 8930 0533. Dial in at (346) 248-7799 or find your local Zoom phone number by going to <https://zoom.us/u/a7dWq98hm>.

**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:**

To consider a resolution granting a Conditional Use Permit to allow a Residence, multiple-dwelling units (3 or more units) use in the R-2 (residential) zoning district for property legally described as Lots 17 and 18 in Block 303 of the Brooke Addition, City of Helena, Lewis and Clark County, Montana.

The plan is to build FOUR townhome style condos on the site.

**ADDRESS:**

2211 Hauser Blvd, Helena, MT, located in a R-2 (residential) zoning district.

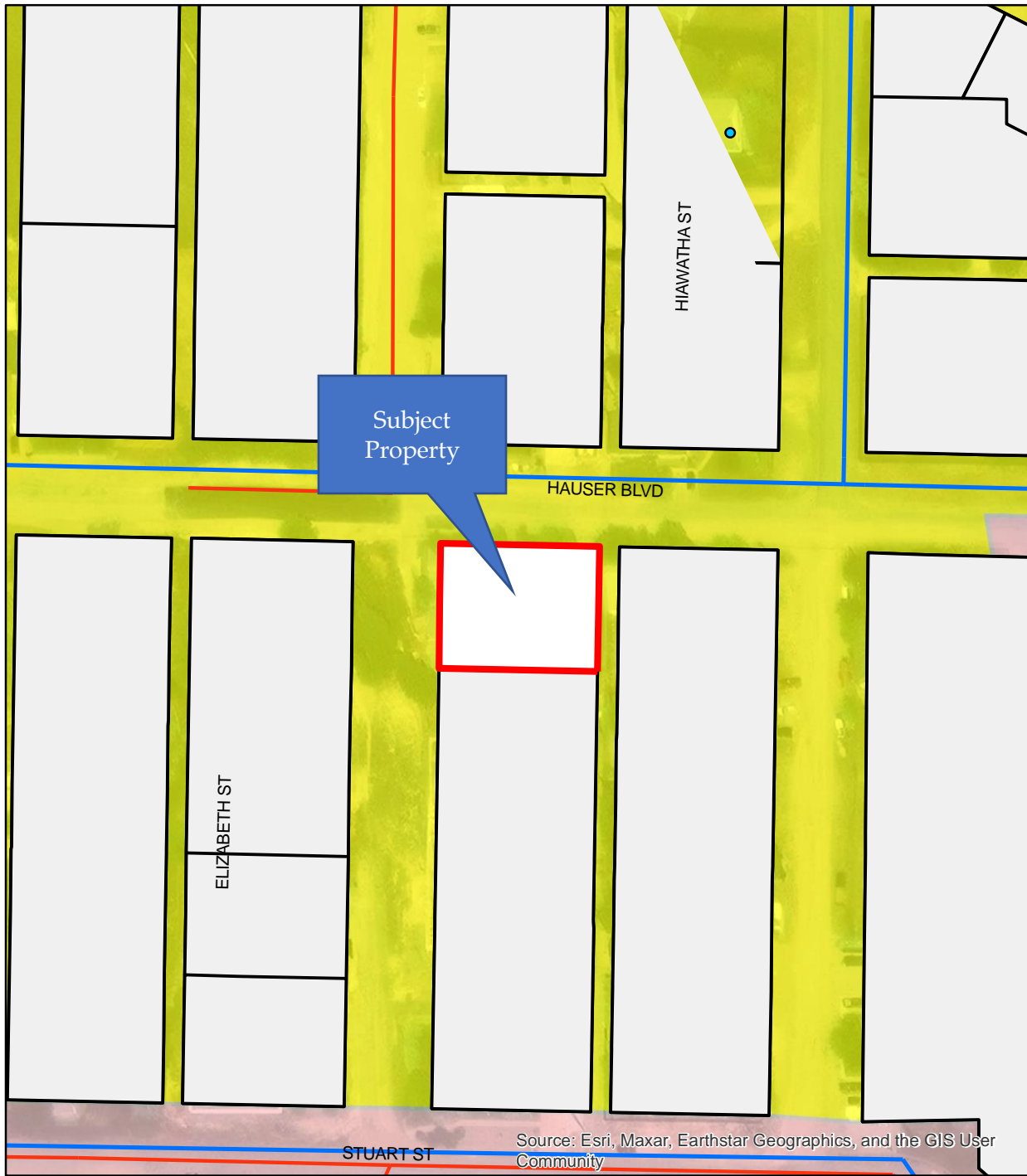
**GENERALLY LOCATED:**

This property is addressed 2211 Hauser Blvd and has a general location of the south side of Hauser Blvd, midblock between Hiawatha St and Silverette St and on the southeast corner of the platted Elizabeth St.



















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

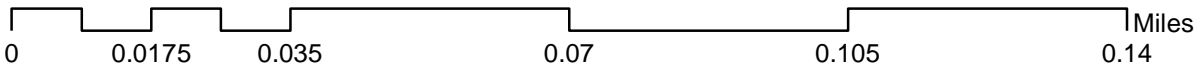
Sincerely,

Michael Alvarez, Planner II



**Legend**

- |   |  |   |
|---|--|---|
|  2211 Hauser Blvd                      |  R-O Residential Office District    |  B-3 Central Business District               |
|  OSR Open Space - Residential District |  R-U Residential Urban District     |  Airport                                     |
|  R-1 Residential District - Large Lot  |  TR Transitional Residential        |  PLI Public Lands & Institutions District    |
|  R-2 Residential District              |  DT Downtown                        |  CLM Commercial Light Manufacturing District |
|  R-3 Residential District              |  B-1 Neighborhood Business District |  MI Manufacturing & Industrial District      |
|  R-4 Residential Office District       |  B-2 General Commercial District    |  PUD Planned Unit Development                |



# Customer Ad Proof

102-60120441

CITY OF HELENA

Order Nbr 162462

**Publication**

**Helena Independent Record**

Contact	CITY OF HELENA	PO Number	
Address 1	316 N PARK AVE RM 320	Rate	HEL Legal Folio
Address 2		Order Price	52.00
City St Zip	HELENA MT 59601	Amount Paid	0.00
Phone	4064478417	Amount Due	52.00
Fax			
Section	Legal	Start/End Dates	07/22/2023 - 07/22/2023
SubSection		Insertions	1
Category	0701 Legals Helena	Size	82
Ad Key	162462-1	Salesperson(s)	HEL Legals
Keywords	Zoning_Commission_ Legal Ad_07-23-23 Run Date	Taken By	Kami Terrell

Notes

**Ad Proof**

**NOTICE OF PUBLIC HEARING**

The Helena Zoning Commission will hold public hearings for the following items on Tuesday, August 08, 2023, at 6pm:

The hearing will be conducted as a hybrid in-person and online hearing streaming from Commission Chambers in Rm 330 on the Zoom meeting platform. The hearing will serve to consider the following proposals:

To make a recommendation on a resolution granting a Conditional Use Permit to allow a Residence, multiple-dwelling units (3 or more units) use in the R-2 (Residential) Zoning District for property legally described as Lots 17 & 18 in Blk 303 of the Brooke Addition, Lewis and Clark County, Montana.

This property is addressed 2211 Hauser Blvd and has a general location of the south side of Hauser Blvd, midblock between Hiawatha St and Silverette St and on the southeast corner of the platted Elizabeth St.

The Helena Zoning Commission hearing can be accessed via the online meeting platform zoom at:

<https://zoom.us/j/92989300533>

Meeting ID: 929 8930 0533

Dial in at 1(346) 248-7799, or find your local number at: <https://us06web.zoom.us/j/92989300533>

Public comment will be taken up to and at the above meeting. If you wish to submit written comments prior to the meeting please send them in via email to [malvarez@helenamt.gov](mailto:malvarez@helenamt.gov) or mail to Michael Alvarez, Community Development Department, Room 403, 316 N. Park Ave, Helena MT, 59623. For any questions, please call 406-447-8459.

Michael Alvarez --Planner II

Rebecca Harbage

Zoning Commission Chair

Persons with disabilities requiring accommodations to participate in the City's meetings, services, programs, or activities should contact the City's ADA Coordinator, Ellie Ray, as soon as possible to allow sufficient time to arrange for the requested accommodation, at any of the following: Phone: (406) 447- 8490; TTY Relay Service 1-800-253-4091 or 711; Email: [Citycommunitydevelopment@helenamt.gov](mailto:Citycommunitydevelopment@helenamt.gov); Mailing Address & Physical Location: 316 North Park, Avenue, Room 445, Helena, MT 59623.

July 22, 2023 162462 **MNAXLP**