

RESOLUTION 10002

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT AT THE PROPERTY ADDRESSED AS 2100 21ST AVENUE SOUTH AND LEGALLY DESCRIBED AS LOT 3E, MEDICAL TECH PARK, SECTION 18, TOWNSHIP 20 NORTH, RANGE 4 EAST, CASCADE COUNTY, MONTANA, TO ALLOW AN UNCONCEALED TELECOMMUNICATIONS FACILITY ON THE PROPERTY.

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WHEREAS, Bresnan Communications, LLC has an option to purchase Lot 3E, Medical Tech Park, Section 18, Township 20 North, Range 4 East, Cascade County, Montana, from the City of Great Falls, upon approval of a Conditional Use Permit for an Unconcealed Telecommunications Facility; and,

WHEREAS, said Lot 3E, Medical Tech Park is presently zoned M-1 Mixed-use district wherein an Unconcealed Telecommunications Facility is permitted upon processing and approval of a Conditional Use Permit; and,

WHEREAS, the Bresnan Communications, LLC has applied for a Conditional Use Permit to allow an Unconcealed Telecommunications Facility to be established on a portion of said property; and,

WHEREAS, the proposed Conditional Use Permit for an Unconcealed Telecommunications Facility on said property meets the Basis of Decision requirements in the Official Code of the City of Great Falls Section 17.16.36.040; and,

WHEREAS, the Great Falls Zoning Commission conducted a public hearing on October 23, 2012, to consider said Conditional Use Permit application, and at the conclusion of said hearing passed a motion recommending a Conditional Use Permit be

granted for the property addressed as 2100 21st Avenue South and legally described as Lot 3E, Medical Tech Park, Section 18, Township 20 North, Range 4 East, Cascade County, Montana, to allow an Unconcealed Telecommunications Facility on a portion of the site, subject to the following conditions:

1. **Stormwater Management.** A Stormwater Management Plan shall be developed to City standards and shall be submitted to the City Public Works Department for review and approval prior to issuance of building permits for the Site.
2. **Substantial Compliance.** Final build-out of the project shall be in substantial compliance with the final approved site plan documents, drawings and renderings dated 09/28/2012.
3. **Land Use and Zoning.** Except as provided herein, development of the property shall be consistent with the allowed uses and development standards of the M-1 Mixed-use district designation.
4. **General Code Compliance.** The proposed project shall be developed consistent with the conditions in this report, and all codes and ordinances of the City of Great Falls, the State of Montana, and all other applicable regulatory agencies.
5. **Subsequent modifications and additions.** If after establishment of a conditional use, the owner proposes to expand or modify the use, buildings, and/or structures, the Director of the Planning Department shall determine in writing if such proposed change would alter the finding for one or more review criteria. If such proposed changes would alter a finding, the proposal shall be submitted for review as a new conditional use application. If such proposed change would not alter a finding, the owner shall obtain all other permits as may be required.
6. **Landscape Screening.** Applicant shall provide a 15-foot continuous evergreen landscape buffer including trees and shrubs along the southern portion of the property.

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

That a Conditional Use Permit be granted at the property addressed as 2100 21st Avenue South to allow an Unconcealed Telecommunications Facility, conditioned upon the owner complying with the said conditions; and,

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION that this Resolution shall become effective immediately upon its passage and approval.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana,
on December 18, 2012.

Michael J. Winters, Mayor

ATTEST:

Lisa Kunz, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

David L. Nielsen, Interim City Attorney