

RESOLUTION 10069

A RESOLUTION TO APPROVE A CONDITIONAL USE PERMIT TO ALLOW THE RE-ESTABLISHMENT AND EXPANSION OF A NON-CONFORMING TYPE-1 CASINO

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WHEREAS, MRO, Inc, is the owner of record of the property addressed as 1905 4th St NE and legally described as Lot 2, Stan Oil Tracts, Section 1, Township 20 North, Range 3 East, PMM, Cascade County, Montana; and,

WHEREAS, said property is presently zoned C-2 General Commercial District wherein a Type-1 Casino is generally permitted; and,

WHEREAS, The River City Casino previously existed as a non-conforming Type-1 Casino until its demolition in June 2012; and,

WHEREAS, The Official City Code of the City of Great Falls allows the City Commission to approve the re-establishment and expansion of a non-conforming use upon the processing and approval of a Conditional Use Permit (CUP); and,

WHEREAS, the owner has applied for a Conditional Use Permit to allow a non-conforming Type-1 Casino be re-established and expanded in a new building, addressed as 1905 4th St NE, 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 as depicted in this staff report.

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 C-2 General Commercial 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 at least the minimum required special landscaping as required in City code 17.20.6.140 (F).

7. Site Signage. Site signage shall comply with the City Sign Code as well as the following special conditions:

- Signs facing Smelter Ave NE shall not provide any “casino” designation.
- LED reader board type signs shall not be allowed on-site.

8. Exterior lighting. All exterior lighting shall be fully shielded, down-cast type lights so as to reduce any light spill onto adjoining properties.

9. Exterior HVAC Equipment. All exterior HVAC equipment shall be screened

10. Food Service. If food preparation is conducted on the subject property, an appropriate grease interceptor shall be provided per City standard and installed according to the appropriate plumbing/building codes.

and,

WHEREAS, the Great Falls Zoning Commission conducted a public hearing on April 8, 2014, to consider said Conditional Use Permit application, and at the conclusion of said hearing passed a motion recommending a Conditional Use Permit be granted to allow the re-establishment and expansion of a Type-1 Casino on the subject property.

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

That a Conditional Use Permit be granted for the property addressed as 1905 4th St NE and legally described as Lot 2, Stan Oil Tracts, Great Falls, Section 1, Township 20 North, Range 3 East, PMM, Cascade County, Montana, to allow the re-establishment and expansion of a Type-1 Casino, contingent on 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 June 3, 2014.

Michael J. Winters, Mayor

ATTEST:

Lisa Kunz, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

Sara Sexe, City Attorney