

RESOLUTION 9772

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT
TO ALLOW TELECOMMUNICATION ANTENNAE TO BE PLACED
ON THE WATER TANK AT DUDLEY ANDERSON PARK

* * * * *

WHEREAS, Dudley Anderson Park is located between 7th and 9th Avenues South and 33rd and 35th Streets South and is currently occupied by park land, a swimming pool, a water tank, and a utility building with a pumping station; and

WHEREAS, Gold Creek Cellular of Montana Limited Partnership d/b/a Verizon Wireless By Cellular Inc. Network Corporation, Its General Partner (the Proprietor) desires to mount concealed antennae to the rim of the water tank and install an equipment building next to the existing utility building at Dudley Anderson Park; and

WHEREAS, said Dudley Anderson Park is presently zoned as POS Parks and open space district wherein a telecommunication facility is permitted upon processing and approval of a conditional use application; and

WHEREAS, the Proprietor has applied for a conditional use permit to allow telecommunication antennae to be mounted to the rim of the water tank and installation of an equipment building next to the existing utility building at Dudley Anderson Park; and

WHEREAS, the Great Falls Zoning Commission conducted a public hearing on June 24, 2008, to consider said conditional use permit application and at the conclusion of said hearing, passed a motion recommending the City Commission grant a conditional use permit to allow telecommunication antennae to be mounted to the rim of the water tank and installation of an equipment building next to the existing utility building at Dudley Anderson Park, subject to terms and conditions;

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

Section 1. It is determined that the herein requested conditional use permit will meet the criteria cited in Section 17.16.36.040 of the Unified Land Development Code of the City of Great Falls.

Section 2. That a conditional use permit to allow telecommunication antennae to be mounted to the rim of the water tank and installation of an equipment building next to the existing utility building at Dudley Anderson Park, is hereby approved.

Section 3. That the mounting of telecommunication antennae to the rim of the water tank and installation of an equipment building next to the existing utility building at

Dudley Anderson Park shall be in accordance with City Codes, Ordinances and other requirements and the Agreement dated _____, 2008, between the City of Great Falls and Gold Creek Cellular of Montana Limited Partnership d/b/a Verizon Wireless by Cellular Inc. Network Corporation, Its General Partner.

Section 4. 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 this 16th day of September, 2008.

Dona R. Stebbins, Mayor

ATTEST:

Lisa Kunz, City Clerk

(CITY SEAL)

Approved for legal content:

David V. Gliko, City Attorney

State of Montana)
County of Cascade :ss
City of Great Falls)

I, Lisa Kunz, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution 9772 was placed on its final passage by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the 16th day of September, 2008, wherein it was approved by said Commission.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 16th day of September, 2008.

Lisa Kunz, City Clerk

(CITY SEAL)