

RESOLUTION 10251

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO ALLOW THE NUMBER OF PARKING SPACES IN A SURFACE PARKING LOT TO EXCEED THE MINIMUM NUMBER BY MORE THAN TWENTY (20) PERCENT UPON A PARCEL OF LAND ADDRESSED AS 900 10<sup>TH</sup> AVE NW AND LEGALLY DESCRIBED AS LOT 6-A, VALLEY VIEW HOMES, SECTION ONE, AN ADDITION TO THE CITY OF GREAT FALLS, LOCATED IN T20N, R3E, PMM, CASCADE COUNTY, MT.

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WHEREAS, the applicant owns a dental clinic at 900 10<sup>th</sup> Ave NW and currently operates the clinic with eleven (11) parking spaces for twelve (12) employees and between forty (40) and sixty (60) patients per day; and,

WHEREAS, the applicant wishes to increase the on-site parking count to nineteen (19) spaces rather than the fifteen (15) spaces allowed by the Official Code of the City of Great Falls (OCCGF) to better address the current and future demand for parking spaces; and,

WHEREAS, the City of Great Falls has been petitioned to approve a Conditional Use Permit to allow the number of parking spaces in a surface parking lot to exceed the minimum number by more than twenty (20) percent upon the property legally described as Lot 6-A, Valley View Homes, Section One, an addition to the City of Great Falls, located in T20N, R3E, PMM, Cascade County, Montana (subject property); and,

WHEREAS, the proposed Conditional Use Permit to allow the number of parking spaces in a surface parking lot to exceed the minimum number by more than twenty (20) percent upon the subject property meets the Basis of Decision requirements in the Official Code of the City of Great Falls (OCCGF) Section 17.16.36.040; and,

WHEREAS, the Great Falls Zoning Commission conducted a public hearing on June 12, 2018, 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 subject property, subject to the following conditions:

### CONDITIONS

1. General Code Compliance: The proposed project shall be developed consistent with the conditions of approval adopted by the City Commission, and all codes and ordinances of the City of Great Falls, the State of Montana, and all other applicable regulatory agencies.
2. Expiration and Abandonment: The Conditional Use Permit shall expire six months after the date of issuance unless substantial work has commenced under the permit and continues in good faith to completion.
3. A parking lot permit must be obtained before construction of the parking lot expansion begins.
4. Prior to the issuance of a parking lot permit, the applicant is required to submit a one-time compliance report outlining the dental facility's industrial pre-treatment practices to the City's Public Works Environmental Division.
5. The applicant's proposed site plan shall be amended as follows: a) parking space #4 shall be designated as an "employee-only" space to avoid regular backing out of parked vehicles in conflict with vehicles entering the property, and b) parking space #1 shall be relocated to the southwestern corner of the property to address the same concern.
6. In conjunction with the issuance of a parking lot permit, the applicant shall complete all landscaping improvements required as part of the Design Review Board approval for the 2017 building addition project.

WHEREAS, the City Commission having allowed for proper public notice, conducted a public hearing to consider said application, and considered the comments and recommendations made by the Zoning Commission.

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

That a Conditional Use Permit be granted to allow the number of parking spaces in a surface parking lot to exceed the minimum number by more than twenty (20) percent at

the property addressed as 900 10<sup>TH</sup> Ave NW, Great Falls, Montana, and legally described as Lot 6-A, Valley View Homes, Section One, an addition to the City of Great Falls, located in T20N, R3E, PMM, Cascade County, Montana, conditioned upon the owner complying with the conditions listed herein; and,

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION that, pursuant to the Official Code of the City of Great Falls (OCCGF) 17.16.36.090, the permit shall be considered a covenant that runs with the land and shall be binding on all subsequent property owners. Additionally, pursuant to OCCGF 17.16.36.100, the Conditional Use Permit shall expire one (1) year after the date of issuance unless substantial work has commenced under the permit and continues in good faith to completion. If the Conditional Use is established, but ceases to operate for more than six (6) months, the Conditional Use Permit shall expire.

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 July 3, 2018.

Bob Kelly, Mayor

ATTEST:

Lisa Kunz, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

Sara R. Sexe, City Attorney