

MEETING AGENDA
CITY OF EAST HELENA
CITY HALL – 306 EAST MAIN - ROOM 110
COUNCIL MEETING: 6:30 PM
DATE: TUESDAY, SEPTEMBER 16, 2025
JOIN ZOOM MEETING: <https://us06web.zoom.us/j/3787705872>
CONFERENCE CALL-IN: 1-253-205-0468 MEETING ID: 378 770 5872

MEETING CALLED TO ORDER: Mayor Harris

PLEDGE OF ALLEGIANCE: Councilmember Feist

PUBLIC HEARING:

1. Conditional Use Permit for Multi-Family Development to Include 12 Four-Plex Buildings on the North Side of East Helena – Zoning Officer Fadness Action: Information Only
2. Conditional Use Permit for Multi-Family Development to Include 12 Four-Plex Buildings on the North Side of East Helena – Mayor Harris Action: Hear the Public
3. Conditional Use Permit for Multi-Family Development to Include 12 Four-Plex Buildings on the North Side of East Helena – Mayor Harris Action: Approve/Deny/Table

WASTEWATER TREATMENT PLANT UPGRADE PRESENTATION: Jeremy Perlinski, Robert Peccia & Associates
Action: Information Only

PUBLIC COMMENTS: Note: This time is set aside for comments from the public on matters that are not on the meeting agenda. Public comments will be taken on agenda items prior to a motion. All public comments will be limited to a reasonable duration. Prior to your comments, please state your name and address in an audible tone of voice for the record.

APPROVAL OF MINUTES: September 2, 2025

CITY COURT REPORT: City Judge Dennis Loveless

DEPARTMENTAL REPORTS:

Administration – Clerk/Treasurer Amy Thorngren
Police Department – Police Chief Mike Sanders
Public Works - Public Works Director Kevin Ore
Volunteer Fire Department - Fire Chief Roger Campbell

NEW BUSINESS:

1. Resolution No. 633 to Authorize Submittal of MCEP Infrastructure Planning Grant – Mayor Harris
Action: Approve/Deny/Table
2. Request to Close City Hall Administration Office Friday, November 28, 2025 and Allow Staff to Use Vacation Time – Clerk/Treasurer Thorngren
Action: Approve/Deny/Table

MAYOR’S REPORT: Mayor Harris

COUNCILMEMBERS’ REPORTS:

Don Dahl
Judy Leland
Wesley Feist
Suzanne Ferguson

LEGAL REPORT: City Attorney Elverum

PAYMENT OF BILLS: Action: Approve/Deny/Table

MEETING SCHEDULE:

1. East Helena Planning Board Meeting, Wednesday, September 24, 6:00 p.m., City Hall Rm 110
2. East Helena City Council Meeting, Tuesday, October 7, 6:30 p.m., City Hall Rm 110
3. East Helena City Council Meeting, Tuesday, October 21, 6:30 p.m., City Hall Rm 110

ADJOURNMENT: Mayor Harris

ADA NOTICE

The City of East Helena is committed to providing access to persons with disabilities for its meetings, in compliance with Title II of the Americans with Disabilities Act and the Montana Human Rights Act. The city will not exclude people with disabilities from participating in its meetings, or otherwise deny them the City’s services, programs, or activities. Persons with disabilities requiring accommodations to participate in the City’s meetings, services, programs, or activities should contact the City Clerk as soon as possible to allow sufficient time to arrange for the requested accommodation, at any of the following:

(406) 227-5321 or TTY Relay Service 1-800-253-4091 or 711

cityclerk@easthelenamt.us - 306 East Main Street, P.O. Box 1170, East Helena, MT 59635

CITY OF EAST HELENA
306 E MAIN ST / PO BOX 1170
EAST HELENA, MT 59635
(406) 227-5321

ORIGINAL COUNCIL MEETING DATE: 09/16/2025

Agenda item:

CUP for Multi-Family Development to Include 12 4-Plex Buildings on the North Side of East Helena

From:

Joseph Nistler

Initiated by City: ☐ YES ☒ NO (check one)

Department:

Planning & Zoning

Presented by:

Zoning Officer Fadness

Action requested:

Approve/Deny/Table

PLEASE PROVIDE A NARRATIVE BACKGROUND OF THE PROPOSED AGENDA ITEM:

The purpose of the public hearing is to consider a Conditional Use Permit from Joseph Nistler for a multi-family development to include 12 four-plex buildings for a total of 48 residential units on 5.005 acres on the north side of East Helena adjacent to Plant Road. The property is legally described as Lot 3 Hoffman Tracts Minor Subdivision located in Section 24, T. 10 N., R. 3 W, Lewis and Clark County, Montana.

Attachment: Staff Report

Attachments: ☒ YES ☐ NO (check one)

Date submitted:

RECOMMENDATIONS:

Approve for agenda:

☐ YES

☐ NO

Initial:

Referred to Dept. Head for resolution:

☐ YES

☐ NO

Referred to _____:

☐ YES

☐ NO

Agenda requests must be submitted to East Helena City Hall by noon the Wednesday prior to the Tuesday council meeting.

Owner: Joseph Nistler
2190 Gold Avenue, Apartment B
Helena, MT 59601

Applicant: Nistler Construction and Design, LLC
2190 Gold Avenue, Apartment B
Helena, MT 59601

Project Location/Legal Description:

The property is located north of and adjacent to the city limits on the north side of Plant Road and legally described as Lot 3 of Hoffman Tracts Minor Subdivision, located in Section 24, T010N, R3W, Lewis and Clark County, Montana.



Proposal/Background:

The applicant has submitted a Conditional Use Permit (CUP) application for a new use of the property to construct a 12 new residential buildings consisting of four (4) dwelling units each for a total of 48 dwelling units on the property. The applicant proposes construction of a sewer main extension and each unit will be served by an individual sewer service off the main. The sewer main will connect to the existing sewer main within Ashley Avenue in Vigilante Subdivision via an existing easement. The applicant proposes the construction of a looped water main through

the property from Plant Road. No city streets will be extended to serve the development. Each unit will be accessed by an internal private access road that will be owned and maintained by the applicant. The property has legal and physical access from Plant Road on the south boundary of the existing lot. As part of the annexation resolution of intent, the applicant will be responsible for constructing a sidewalk along the north side of Plant Road along the property boundary and connecting to existing sidewalk at Ashley Avenue. The proposed project will be located in an area not previously approved under a conditional use permit, and is therefore subject to the plan review standards of Chapter 5 of the Ordinance, including review against site plan and CUP approval criteria.

Adjacent Zoning and Land Uses:

Direction	Existing Zoning	Existing Land Use
North	County – Suburban Residential Mixed Use	Single Family Residential
East	County – Suburban Residential Mixed Use	Single Family Residential
South	Residential District	High School
West	Residential District	Single Family Residential

Site Plan Review Criteria:

Per Section 05.1.03, the City staff must evaluate a site plan against specific review criteria to consider the plan for approval. These review criteria from 05.1.03.B are summarized below, along with analyses and comments of staff regarding these specific requirements.

A preliminary site plan was submitted with the application that shows what is proposed for the site, see attached site plan. Below is a review of the provided site plan against the requirements for site plan review.

<p><i>1. Conformance to and consistency with the City's adopted growth policy</i></p>	<p>The proposed use for a multi-family dwelling with 48 residential units is consistent with the growth policy.</p> <p>Growth Policy, Land Use and Community Goals, lists Goal #1 as “Provide for orderly development of the City of East Helena and the Planning Area.”</p> <p>Objective #3 for reaching this goal is “Promote planning and infrastructure design that reflects and supports neighborliness, pedestrian-oriented commercial and residential districts, and accessible public facilities.”</p> <p>Objective #4 for reaching this goal is “Assure that new development is respectful of the character of the community including landscaping, lighting, sidewalks, street design and other related improvements.”</p> <p>Growth Policy, Housing Goals, Lists Goal #1 as “Create, improve, and maintain the quality of the residential environment in the Planning Area.”</p> <p>Objective #1 for reaching this goal is “Encourage the provision of an adequate supply of housing to meet the needs of all segments of</p>
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	<p>the population.”</p> <p>Goal #2 “Work to achieve a balance with respect to housing in East Helena that strives to achieve diversity in type, accessibility, affordability and location through new construction and the redevelopment of existing properties.”</p> <p>Objective #1 “Identify and promote available building sites in and around the City of East Helena which have access to services and utilities.”</p> <p>The project will create a 12 multi-family dwelling structure with four (4) dwelling units each for a total of 48 dwelling units. The site is located adjacent to the existing City transportation network as well as water and sewer infrastructure. The site was formerly used for a single-family residence and is being redeveloped with this project. The majority of housing within East Helena consists of single-family residential. This project would provide for additional housing diversity by providing additional density and rentals within the City. This project meets the housing goals of the City by providing infill development adjacent to existing infrastructure as well as providing much needed housing for the City of East Helena residents.</p>
2. <i>Conformance to this title, including the cessation of any current violations</i>	<p>The proposed multi-family housing project is allowed as a conditional use within the Residential District. All improvements to the subject property will be new including the buildings, access, water, sewer, and stormwater treatment. The buildings and other site development meet the requirements of the Ordinance. The property is currently not within the City of East Helena but a resolution of intent to annex and prezone the property to Residential District was approved by the City Council on March 19, 2024. As a condition of annexation, the applicant is required to get approval of the conditional use permit prior to final annexation of the property. The conditional use permit will not be effective until the property is annexed into the City.</p>
3. <i>Conformance with all other applicable laws, ordinances and regulations</i>	<p>Staff finds the application is in general compliance with all other applicable ordinances and regulations of the City of East Helena. The applicant is required to provide copies of all applicable permits (if any) as a condition of this conditional use permit. This will be reviewed and finalized with the site plan review process.</p>
4. <i>The impact of the proposal on the existing and anticipated traffic conditions</i>	<p>The site will access Plant Road with two new driveway approaches. The ITE Trip Generation Manual indicates that the average daily trips per dwelling unit for low-rise multi-family housing is 6.74 trips per day. The proposed project will add approximately 324 trips per day to the adjacent roadway system. Plant Road adjacent to the project was reconstructed to City street standards with the Vigilante Subdivision project from the project to Valley Drive. The existing roadway has capacity for the additional traffic from this project. The project will create more traffic at the intersection of Plant Road and Valley Drive. Lewis and Clark County reconstructed Valley Drive north of Plant Road</p>

	in 2024. The City is currently working on a project to reconstruct Valley Drive/Montana Avenue from Plant Road to Highway 12 over the next 3 years. There may be temporary impacts to existing traffic on Valley Drive until the road is reconstructed.
5. <i>Pedestrian and vehicular ingress, egress and circulation</i>	Vehicle and pedestrian access will be from Plant Road. There is an existing sidewalk on the south side of Plant Road. As part of the annexation conditions the applicant is required to install sidewalk along the north side of Plant Road along the property frontage to Ashely Avenue. The site will be accessed via two new driveway approaches onto Plant Road to provide two ingress and egress routes. Parking is provided with one parking space within a one car garage and one parking space in a driveway for each unit. Additional areas are provided around the site for additional parking. The site conforms to the off-street parking requirements of the Ordinance.
6. <i>Building location and height</i>	The buildings are located outside of all the required yard setbacks. Each building is proposed to be two stories with a pitched roof. These are typically between 25-ft and 30-ft in height. The Ordinance allows a building height of 30-ft. The proposed building meets the location and height requirements of the Ordinance.
7. <i>Setbacks</i>	The proposed buildings meet all the setback requirements for the Residential District.
8. <i>Lighting</i>	The site plan shows no light poles for the project. Each building will have some outside lighting.
9. <i>Provisions for utilities, including efficient public services and facilities</i>	There are water and sewer utilities located adjacent to the property that will provide service to the proposed project. The project will construct a new gravity sewer main and looped water main through the property to serve each building. The applicant will need to work with the City Public Works and City Engineer on design, permitting, and construction of water and sewer mains to serve the property.
10. <i>Site surface drainage and stormwater control</i>	The current site appears to grade from west to east and south to north. The applicant has provided a grading and drainage plan for the project that includes the construction of two storm water detention ponds to treat storm water meeting the requirements of the East Helena Engineering Standards. The storm water will need to be constructed with the project. The east storm water pond is located within a delineated flood hazard area and will require a floodplain permit from either the County or the City prior to construction of the pond. A copy of the permit will need to be submitted to the City as a condition of approval for this CUP.
11. <i>Loading and unloading areas</i>	Proposed internal roads and building driveways will be utilized for loading and unloading areas.
12. <i>Grading</i>	The current site appears to grade from west to east and south to north. The applicant has provided a grading and drainage plan for the project that includes the construction of two storm water detention ponds to treat storm water meeting the requirements of the East Helena Engineering Standards. The storm water will need to be constructed with the project. The east storm water pond is located within a delineated flood hazard area and will require a floodplain permit from either the County or the City prior to

	construction of the pond. A copy of the permit will need to be submitted to the City as a condition of approval for this CUP.
<i>13. Signage</i>	There is a sign for the project proposed on the south side currently shown within Plant Road right-of-way. Signs are not allowed within rights-of-way, and no other information is provided for the sign. A separate zoning application will need to be submitted and approved for the proposed sign prior to installation. A condition is included for this requirement.
<i>14. Screening</i>	No screening is proposed for the project. There are large lot residential properties located north of and adjacent to the project. During the annexation public hearing several adjacent landowners voiced concerns with the density of the development adjacent their properties. This project should be screened from the adjacent residential properties to the north. As a condition, the application will be required to install a 6-ft privacy fence along the north boundary to the floodplain boundary. It is not recommended to install a privacy fence within the floodplain that will restrict flow during run-off events. There is already a 6-ft privacy fence along the west boundary that was installed as part of the Vigilante Subdivision. There does not appear to be a need for screening for the east boundary as there is a large buffer area, approximately 175-ft from the closest building to the east boundary due to the existing drainage and floodplain area.
<i>15. Parking</i>	Each unit will require a minimum of 2 off-street parking spaces for a total of 96 spaces required. Each unit is provided with a single car garage and a driveway which will provide two parking spaces per unit. There is some additional parking areas provided throughout the site. The site plan meets the off-street parking requirements of the Ordinance.
<i>16. Other related matters, including relevant comment from affected parties</i>	The zoning administrator has not received any written public comment on the project as of the preparation of the staff report.

Conditional Use Review Criteria:

Per Section 05.1.03.B, the City Council must evaluate an application for a CUP against site plan review criteria to consider the CUP for approval. The Council must also reach favorable conclusions regarding the requirements of Section 05.1.04.B in order to approve the CUP. These review criteria from 05.1.04.B are listed below, along with analyses and comments of staff regarding these specific requirements.

<i>1. That the site for the proposed use is adequate in size and topography to accommodate such use, and all yards, spaces, walls and fences, parking, loading and landscaping are adequate to properly relate such use with the land and uses in the vicinity.</i>	The site plan shows that the site is adequate in size and topography for the proposed use and structures.
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<p>2. <i>That the proposed use will have no material adverse effect upon the abutting property. Persons objecting to the recommendations of City staff carry the burden of proof</i></p>	<p>The proposed new use will be located on an existing undeveloped lot and is located within the Residential District. The facility is surrounded by single-family residential uses and the high school. There is adequate access and utilities to serve the project. The properties to the north are large lot single-family residential and the proposed density of the project may adversely affect the adjacent property to the north. The applicant will be required to install 6-ft privacy fence along the north boundary to the floodplain that will help to screen the project from this existing use. There is an approximate 175-ft buffer from the east boundary to the closest building. It does not appear that the project will adversely affect the property to the east. There is existing small lot single-family residential development to the west within Vigilante Subdivision. There is an existing 6-ft privacy fence on the west boundary that was installed as part of Vigilante Subdivision. The condition to install a 6-ft privacy fence along the north boundary to the floodplain will mitigate any adverse effects on property to the north.</p>
<p>3. <i>The site size, dimensions, location, topography, and access are adequate for the needs of the proposed use, considering the proposed building mass, parking, traffic, noise, vibration, exhaust/emissions, light, glare, erosion, odor, dust, visibility, safety, and aesthetic considerations</i></p>	<p>The site is adequate for the proposed use. The proposed buildings can meet all the dimensional standards for the Residential District. Based on the site plan review and analysis presented in this report and the CUP review criteria the site size, dimensions, topography, and access are adequate for the proposed use.</p>
<p>4. <i>The negative impacts of the proposed use, if any, on adjacent properties and on the public can be mitigated through application of other Code standards, or other reasonable conditions of approval</i></p>	<p>The proposed new use will be located on an existing undeveloped lot and is located within the Residential District. The facility is surrounded by single-family residential uses and the high school. There is adequate access and utilities to serve the project. The properties to the north are large lot single-family residential and the proposed density of the project may adversely affect the adjacent property to the north. The applicant will be required to install 6-ft privacy fence along the north boundary to the floodplain that will help to screen the project from this existing use. There is an approximate 175-ft buffer from the east boundary to the closest building. It does not appear that the project will adversely affect the property to the east. There is existing small lot single-family residential development to the west within Vigilante Subdivision. There is an existing 6-ft privacy fence on the west boundary that was installed as part of Vigilante Subdivision. The condition to install a 6-ft privacy fence along the north boundary to the floodplain will mitigate any adverse effects on property to the north.</p>
<p>5. <i>All required public facilities, including water, sanitary sewer, and streets, have adequate capacity or are to</i></p>	<p>It appears the City of East Helena has adequate capacity to provide service to the development.</p>

<i>be improved to serve the proposal, consistent with City standards</i>	
6. <i>A conditional use permit shall not allow a use that is prohibited or not expressly allowed under this title; nor shall a conditional use permit grant a variance without a variance application being reviewed with the conditional use application</i>	The proposed use is a permitted conditional use in the Residential District. No variances are required for the proposed project.

Conditional Use Permit Recommendations:

In order to ensure conformance with Ordinance requirements, and to protect public health, safety, and welfare, Staff recommends that the following conditions be stated in the CUP approval:

Condition 1: The applicant shall provide a copy of all other permits required for the proposed uses prior to commencement of the proposed uses including but not limited to building permits, etc.

Condition 2: A 6-ft privacy fence shall be constructed along the north boundary of the property from the northwest property corner to the west edge of the floodplain located on the east side of the property. A zoning application for the construction of the fence shall be submitted to the City of East Helena for review and approval prior to construction of the fence.

Condition 3: A separate zoning application shall be submitted to the City of East Helena for review and approval prior to construction for the proposed sign shown on the south side of the property. Private signs are not permitted within City street rights-of-way; therefore, the sign shall be shown outside of the right-of-way and within the boundary of the subject property.

Condition 4: All water and sewer mains shall be reviewed and approved by the City of East Helena and the Montana Department of Environmental Quality prior to construction. All mains shall be constructed, inspected, and accepted by the City of East Helena prior to occupancy of any structure.

Condition 5: All water and sewer mains shall be in an easement dedicated to the City of East Helena as required by the City for operation and maintenance of said mains. Executed easement documents shall be provided to the City and filed with the Lewis and Clark County Clerk and Recorder prior to occupancy of any structure.

Condition 6: All site storm water drainage and treatment shall be reviewed and approved by the City of East Helena prior to construction. All storm water drainage and treatment required for the site shall be constructed, inspected, and approved by the City of East Helena prior to occupancy of any structure.

Condition 7: A Municipal Facilities Exemption (MFE) shall be prepared by the applicant and submitted to the City of East Helena for review and approval prior to submittal to the Montana Department of Environmental Quality. The approved MFE shall be provided to the City.

Condition 8: Driveway access onto Plant Road shall be reviewed and approved by the City of East Helena prior construction. Driveway access shall be constructed, inspected, and accepted by the City of East Helena prior to occupancy of any structure.

Condition 9: In accordance with existing City Ordinances, a well shall not be drilled on the property for irrigation or any other purpose. Water for all uses shall be provided by the City of East Helena through approved mains, services, and meters.

Condition 10: Site access and fire hydrant locations shall be coordinated with the East Helena Fire Chief to ensure adequate access and fire protection is provided for the site. Correspondence from the East Helena Fire Chief shall be provided to the City indicating site access and fire protection is acceptable prior to the occupancy of any structure.

Condition 11: Site trash pick-up locations shall be coordinated with City of East Helena Public Works prior to construction to ensure each site is accessible for garbage pickup. Any requirements from the City for trash pick-up shall be met.

Condition 12: A floodplain permit shall be obtained for the construction of the proposed storm water drainage and treatment shown within the delineated flood hazard area prior to construction of these improvements. All requirements of the floodplain permit shall be met.

Per 05.070.C, The City Council shall, in addition to all other conditions, impose the following general conditions upon every conditional use permit granted:

Condition 13. That the right to a use shall be contingent upon the fulfillment of all general and special conditions imposed by the conditional use permit procedure; and

Condition 14. That all of the special conditions shall constitute restrictions running with the land use, shall apply and be adhered to by the owner of the land, successors or assigns, shall be binding upon the owner of the land, his successors or assigns, shall be consented to in writing, and shall be recorded as such with the County Clerk and Recorder's Office by the property owner prior to the issuance of any building permits, final site plan approval or commencement of the conditional use.

Background:

After reviewing the application and the required criteria, the Zoning Administrator has concluded that the application with the recommended conditions comply with the applicable standards and requirements of the East Helena Zoning Ordinance, including Section 01.1.04, and that the proposed site plan and conditional uses will not be detrimental to the health, safety or welfare of the community, is in compliance with the requirements of this title and is in harmony with the purposes and intent of this title and the East Helena Growth Policy

After reviewing the application and the required criteria for conditional use permits, the Zoning Administrator has concluded that the application with the recommended conditions meets the conditions required for approval by the City Council.

Staff analyses of the required criteria as they relate to the site plan and CUP applications are presented above, along with recommendations for conditions to be included as part of the CUP.

Public Comment

No public comment was received by this office as of 9-12-2025.

Council Actions

The Council may take the following actions regarding the conditional use permit:

1. Deny approval of the permit. Denial requires a determination that the applicant has not shown that the conditions required for approval do exist.
2. Approve the permit after making a determination that the applicant has shown that the conditions required for approval do exist.
3. ***Staff Recommendation*** - Conditionally approve the permit after making a determination that the applicant has shown that the conditions required for approval do exist.

Attachments:

- 1) Submitted Application
- 2) Resolution of Intent to Annex
- 3) Rezoning Ordinance

The applicant is advised that unmet code provisions, or code provisions that are not specifically listed as conditions of approval, does not, in any way, create a waiver or other relaxation of the lawful requirements of the East Helena Municipal Code or state law.

THE EAST HELENA CITY COUNCIL SHALL MAKE THE FINAL DECISION ON THIS APPLICATION. ANY AGGRIEVED PERSON AS SET FORTH IN SECTION 10.1.06 OF THE ZONING ORDINANCE OF THE EAST HELENA MUNICIPAL CODE MAY APPEAL THE DECISION OF THE CITY COUNCIL.

Attachment A

Application



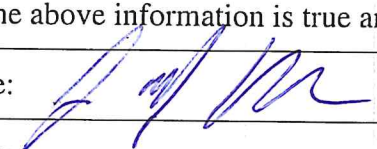

CITY OF EAST HELENA
306 EAST MAIN STREET
PO BOX 1170
EAST HELENA, MT 59635
PHONE: (406) 227-5321

DEVELOPMENT REVIEW APPLICATION

1. Name of Project: IRONHORSE LANDING			
2. Property Owner Information:			
Name: JOSEPH NISTLER		Email: smfnistler@yahoo.com	
Mailing Address: 2190 GOLD AVENUE APARTMENT B HELENA, MT 59601			
Phone: (406) 439-7888		Fax: —	
3. Applicant Information:			
Name: NISTLER CONSTRUCTION AND DESIGN, LLC		Email: smfnistler@yahoo.com	
Mailing Address: 2190 GOLD AVENUE APARTMENT B HELENA, MT 59601			
Phone: (406) 439-7888		Fax: —	
4. Representative Information:			
Name: LARSON CIVIL ENGINEERING, LLC		Email: jeff@larsonee.com	
Mailing Address: 28 ANTLER AVENUE CLANCY, MT 59634			
Phone: (406) 465-6189		Fax: —	
5. Street Address of Project: 3355 HOFFMAN ROAD			
6. Legal Description:			
LOT 3 HOFFMAN TRACTS MINOR SUBDIVISION, SECTION 24, T10N, R3W			
7. Project Description:			
MULTIFAMILY RESIDENTIAL DEVELOPMENT WITH 12 4-PLEXES			
8. Zoning Designation: PROPOSED RESIDENTIAL			
9. Current Land Use(s): VACANT			
10. Gross Area: 5.005 Acres 218,018 Square Feet			
11. Net Areas: 5.005 Acres 218,018 Square Feet			

12. Application Type - (√)checklist available:			
	Sketch Plan (√)		Zone Map Amendment (ZMA) (√)
✓	Site Plan, Preliminary (√)		Zone Map Amendment Initial (√)
×	CUP, Preliminary (√)		Zoning Text Amendment (√)
	Site Plan, Final (√)		Informal Review
	CUP, Final (√)		Classification of Use
	Variance (√)		Public Agency Exemption
	Administrative Appeal (√)		
13. Attachments:			
Yes			
×	Checklist for Appropriate Application Type (if available). If a Checklist is not available, enough information must be provided to make a proper decision in the matter. No decisions are made for Public Agency Exemption or Informal Review.		
×	Fee (includes both review fee and advertising fee).		
×	Copy of most recent paid tax receipt.		
×	Copy of the deed for the subject property.		
×	Required Number of Sets.		

As indicated by the signature(s) below, the property owner(s), applicant(s) and representative(s) submit this application for review under the terms and provisions of the East Helena Municipal Code. It is further indicated that any work undertaken to complete a development, approved by the City of East Helena shall be in conformance with the requirements of the East Helena Municipal Code and any special conditions established by the approval authority. This development shall be in conformance with building and fire codes including required building and occupancy permits.

I (We) hereby certify that the above information is true and correct to the best of my (our) knowledge.	
Property Owner's Signature: 	Date: 8-12-25
Property Owner's Signature:	Date:
Property Owner's Signature:	Date:
Property Owner's Signature:	Date:
Applicant's Signature: 	Date: 8-12-25
Applicant's Signature:	Date:
Representative's Signature: Jeffery J. Sam	Date: 8-12-25
Representative's Signature:	Date:

Use additional pages as necessary to provide all required information.

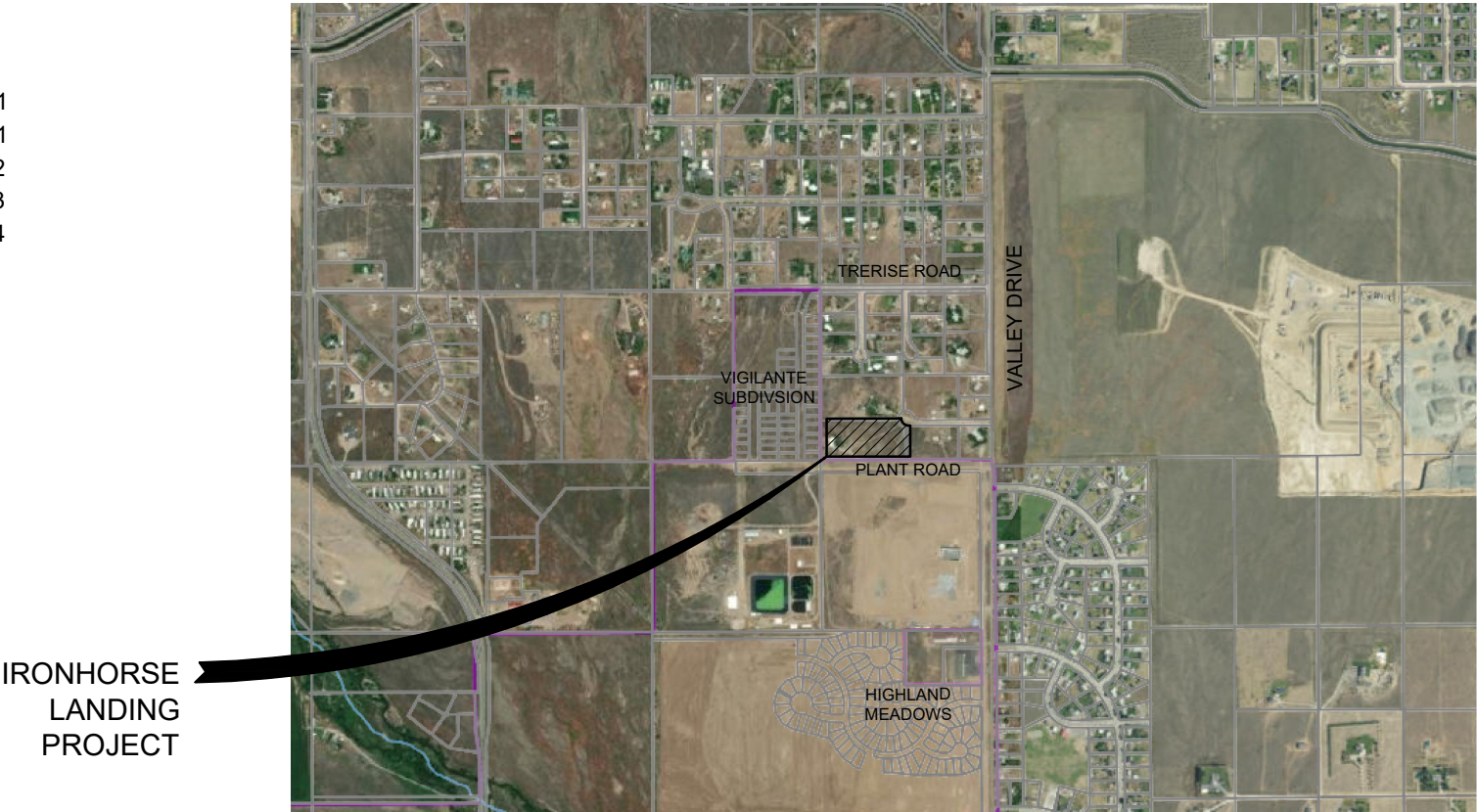
PLANS FOR CONSTRUCTION OF:

IRONHORSE LANDING

EAST HELENA, MONTANA

SHEET INDEX

TITLE SHEET	T1
SITE PLAN	C1
GRADING PLAN	C2
TYPICAL SECTIONS	C3
LANDSCAPING PLAN	C4



VICINITY MAP



PRELIMINARY



28 ANTLER AVENUE
CLANCY, MT 59634
406-443-6111
jeff@larsonce.com

REVISE	NO.	DATE	SYMBOL	DESCRIPTION

SHEET TITLE:

TITLE SHEET

PROJECT:

IRONHORSE LANDING
EAST HELENA, MONTANA

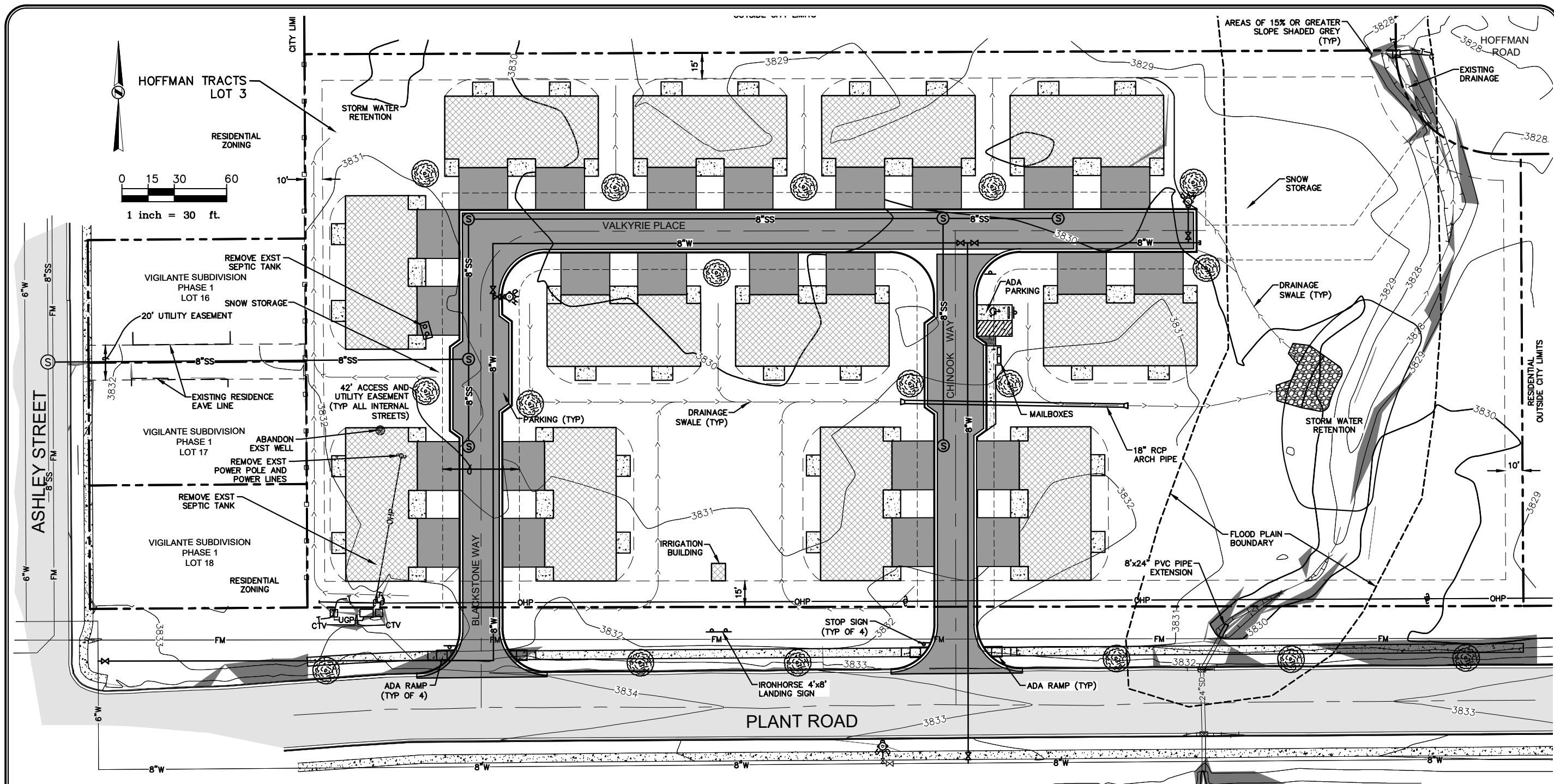
DATE:

Jan. 8, 2024

DWG NAME:

SHEET #:

T1



LEGEND			
PROPOSED FEATURES		EXISTING FEATURES	
	ASPHALT		ASPHALT
	SIDEWALK		SIDEWALK
	NEW BUILDING		SEWER MANHOLE
	SEWER MANHOLE		STORM INLET
	STORM INLET		VALVE
	EASEMENT		SIGN
	RIPRAP		TELEPHONE PEDESTAL
	SWALE		CURB AND GUTTER
	EASEMENT		24" SD STORM DRAIN
			WELL
			SEPTIC TANK
	FIRE HYDRANT		FIRE HYDRANT
	VALVE		8" SS SEWER MAIN
	8" W WATER MAIN		OHP OVERHEAD POWER
	8" SS SEWER MAIN		T COMMUNICATIONS
	SD STORM DRAIN		G GAS LINE
	CURB AND GUTTER		8" W WATER MAIN
	FLOODPLAIN BOUNDARY		FM SEWAGE FORCE MAIN
	SETBACK		PROPERTY LINE
	SIGNS		WOOD FENCE
			POWER POLE

ZONING SUMMARY			
PARCEL SIZE		5.005 ACRES (FROM COS #299553)	218,018 SF (FROM COS #299553)
BUILDING FOOTPRINTS	(12) 4-PLEX BUILDINGS	3,448 SF INDIVIDUAL BUILDING FOOTPRINT AREA	41,376 SF ALL BUILDING FOOTPRINTS
BUILDING FLOOR AREA		6,896 SF INDIVIDUAL BUILDING FLOOR AREA	82,752 SF ALL BUILDINGS
FLOOR AREA RATIO (INCLUDING GARAGES)		82,752 SF TOTAL FLOOR AREA	38%
LOT COVERAGE FOR BUILDINGS		41,376 SF TOTAL BUILDING FOOTPRINTS	19%*
LOT COVERAGE FOR DRIVEWAYS AND PARKING		18,135 SF TOTAL PARKING AND DRIVEWAY AREA	8%
LOT COVERAGE FOR OPEN SPACE AND LANDSCAPING		132,043 SF TOTAL OPEN SPACE/LANDSCAPING	60%*
LOT COVERAGE FOR PUBLIC STREET RIGHT-OF-WAY		0 SF RIGHT OF WAY AREA	0% (INTERNAL STREETS ARE PRIVATE)
DWELLING UNITS			48 DWELLING UNITS/ 3 BEDROOMS PER UNIT
LOT AREA PER DWELLING UNIT			4,542 SF*

- * CALCULATION UTILIZES LOT AREA FROM THE COS
- NOTES:
1. GAS, POWER AND COMMUNICATIONS WILL BE UNDERGROUND IN LOCATIONS ADJACENT TO STREETS AS DETERMINED BY THE UTILITY OWNERS.
 2. THIS PROPERTY WAS PREVIOUSLY OCCUPIED BY A SINGLE RESIDENCE WHICH WAS DEMOLISHED IN 2022.
 3. BUILDINGS ARE TWO STORY WITH A TOTAL HEIGHT OF ±27- FEET. MAXIMUM LENGTH AND WIDTH OF THE BUILDING FOOTPRINT IS 88- FEET BY 41- FEET.
 4. PROPOSED ZONING IS RESIDENTIAL.
 5. FILL IS ANTICIPATED OVER THE MAJORITY OF THE PROJECT SITE, WITH THE EXCEPTIONS OF THE RETENTION BASINS, PART OF THE STREET NEAR THE MAILBOX AREA, PORTIONS OF DRAINAGE SWALES LOCATED BEHIND BUILDINGS, AND THE PROPERTY PERIMETER.
 6. TRASH WILL BE COLLECTED IN INDIVIDUAL ROLL OUT RECEPTACLES ASSIGNED TO EACH UNIT.
 7. OPEN SPACE/LANDSCAPING AREAS INCLUDE RETENTION BASINS.

PRELIMINARY

28 ANTLER AVENUE
CLANCY, MT 59634
406-443-6111
jeff@larsonce.com

REVISIONS:	NO.	DATE	SYMBOL	DESCRIPTION

SITE PLAN

IRONHORSE LANDING

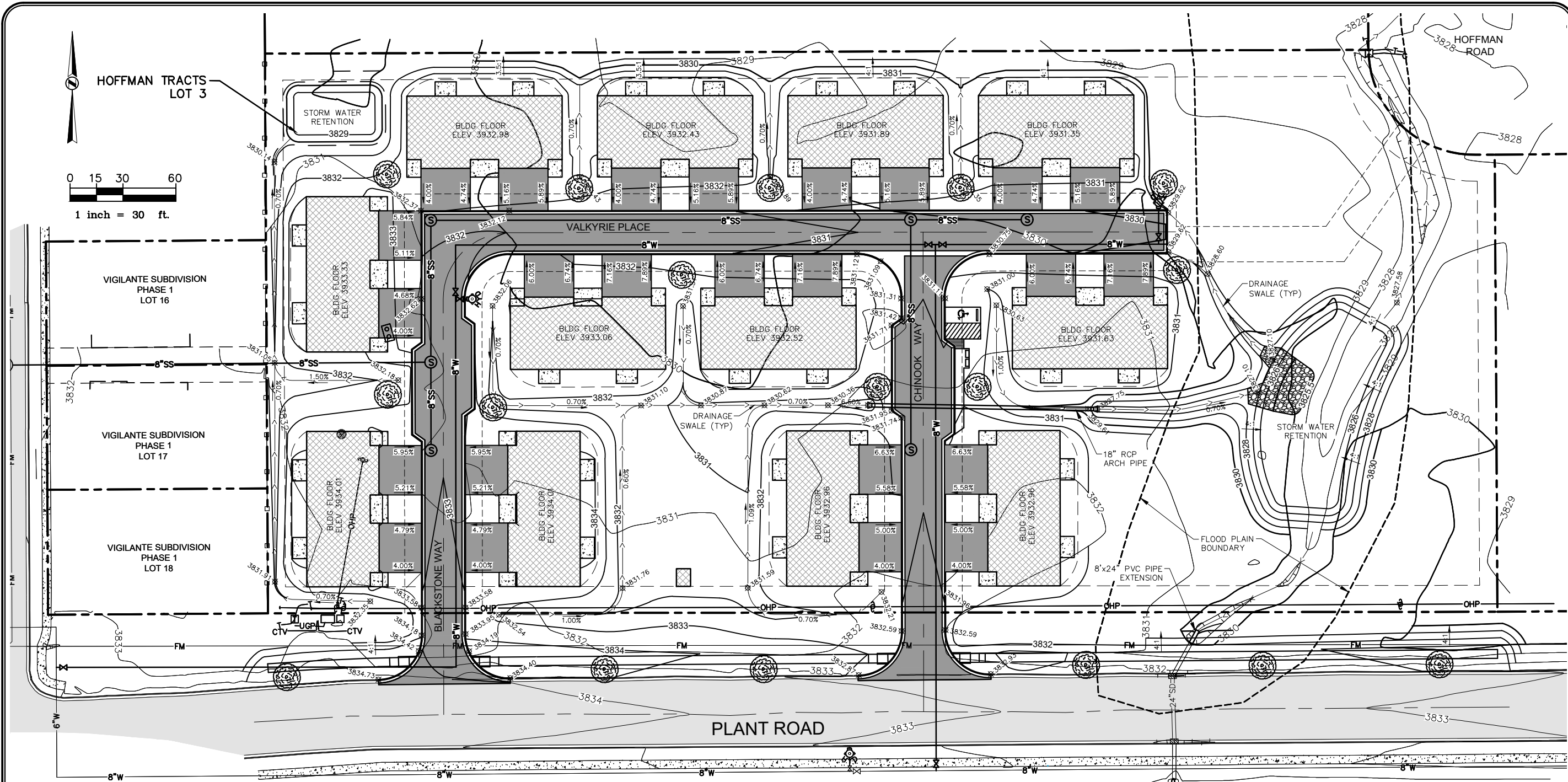
EAST HELENA, MONTANA

PROJECT:

DATE:
January 10, 2024

DWG NAME:
Ironhorse Landing
- Base.dwg

SHEET #:
C1



LEGEND

PROPOSED FEATURES

- ASPHALT
- SIDEWALK
- NEW BUILDING
- SEWER MANHOLE
- STORM INLET
- EASEMENT
- RIPRAP
- SWALE
- EASEMENT
- FIRE HYDRANT
- VALVE
- 8"W WATER MAIN
- 8"SS SEWER MAIN
- SD STORM DRAIN
- CURB AND GUTTER
- FLOODPLAIN BOUNDARY
- SETBACK
- SIGNS

EXISTING FEATURES

- ASPHALT
- SIDEWALK
- SEWER MANHOLE
- STORM INLET
- VALVE
- SIGN
- TELEPHONE PEDESTAL
- CURB AND GUTTER
- 24"SD STORM DRAIN
- WELL
- SEPTIC TANK
- FIRE HYDRANT
- 8"SS SEWER MAIN
- OHP OVERHEAD POWER
- T COMMUNICATIONS
- G GAS LINE
- 8"W WATER MAIN
- FM SEWAGE FORCE MAIN
- PROPERTY LINE
- WOOD FENCE
- POWER POLE

PARKING SUMMARY

SPACES REQUIRED			
USE	NUMBER OF UNITS	PARKING SPACES PER UNIT	PARKING REQUIRED
RESIDENTIAL	48	2	96
SPACES PROVIDED			
TOTAL GARAGE PARKING SPACES			48
TOTAL DRIVEWAY PARKING SPACES			48
TOTAL ON-STREET PARKING INSIDE DEVELOPMENT			8
TOTAL HANDICAPPED SPACES PROVIDED			1
TOTAL SPACES			105

- ELEVATION DATUM IS NAVD88

LARSON CIVIL
ENGINEERING, LLC
28 ANTLER AVENUE
CLANCY, MT 59634
406-443-6111
jeff@larsonce.com

REVISIONS:		DESCRIPTION	
NO.	DATE	SYMBOL	

SHEET TITLE:
GRADING PLAN

PROJECT:
IRONHORSE LANDING
EAST HELENA, MONTANA

DATE:
January 10, 2024
DWG NAME:
Ironhorse Landing - Base.dwg

SHEET #:
C2

PRELIMINARY

REVISIONS:	NO.	DATE	SYMBOL	DESCRIPTION

SHEET TITLE:

TYPICAL
SECTIONS

PROJECT:

IRONHORSE LANDING

EAST HELENA, MONTANA

DATE:

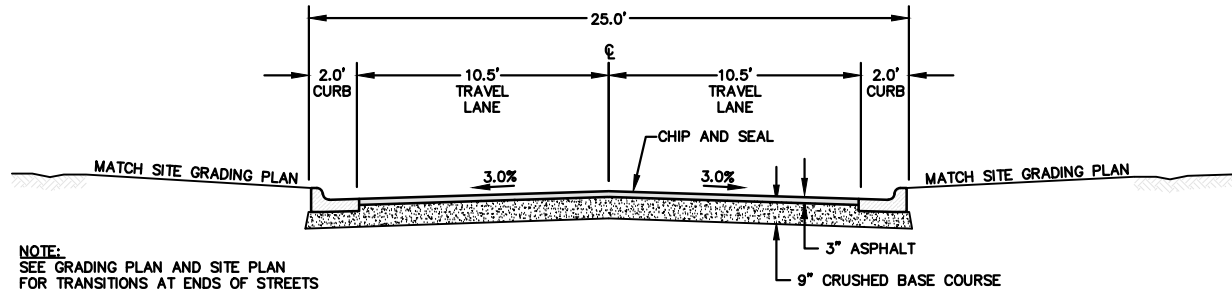
January 10, 2024

DWG NAME:

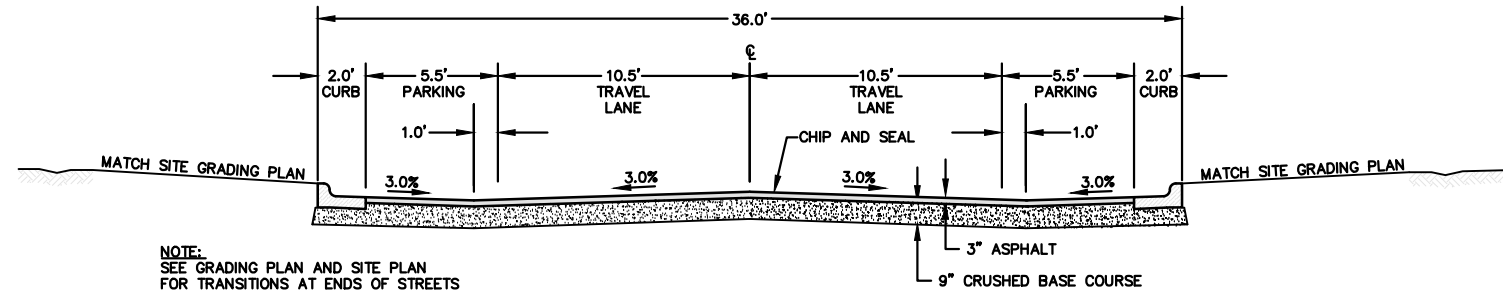
Ironhorse Landing
- Base.dwg

SHEET #:

C3



BLACKSTONE WAY
VALKYRIE PLACE
CHINOOK WAY
(PRIVATE DRIVES)
NO SCALE



BLACKSTONE WAY
CHINOOK WAY
PARKING TURNOUTS
(PRIVATE DRIVES)
NO SCALE

LANDSCAPING AREAS

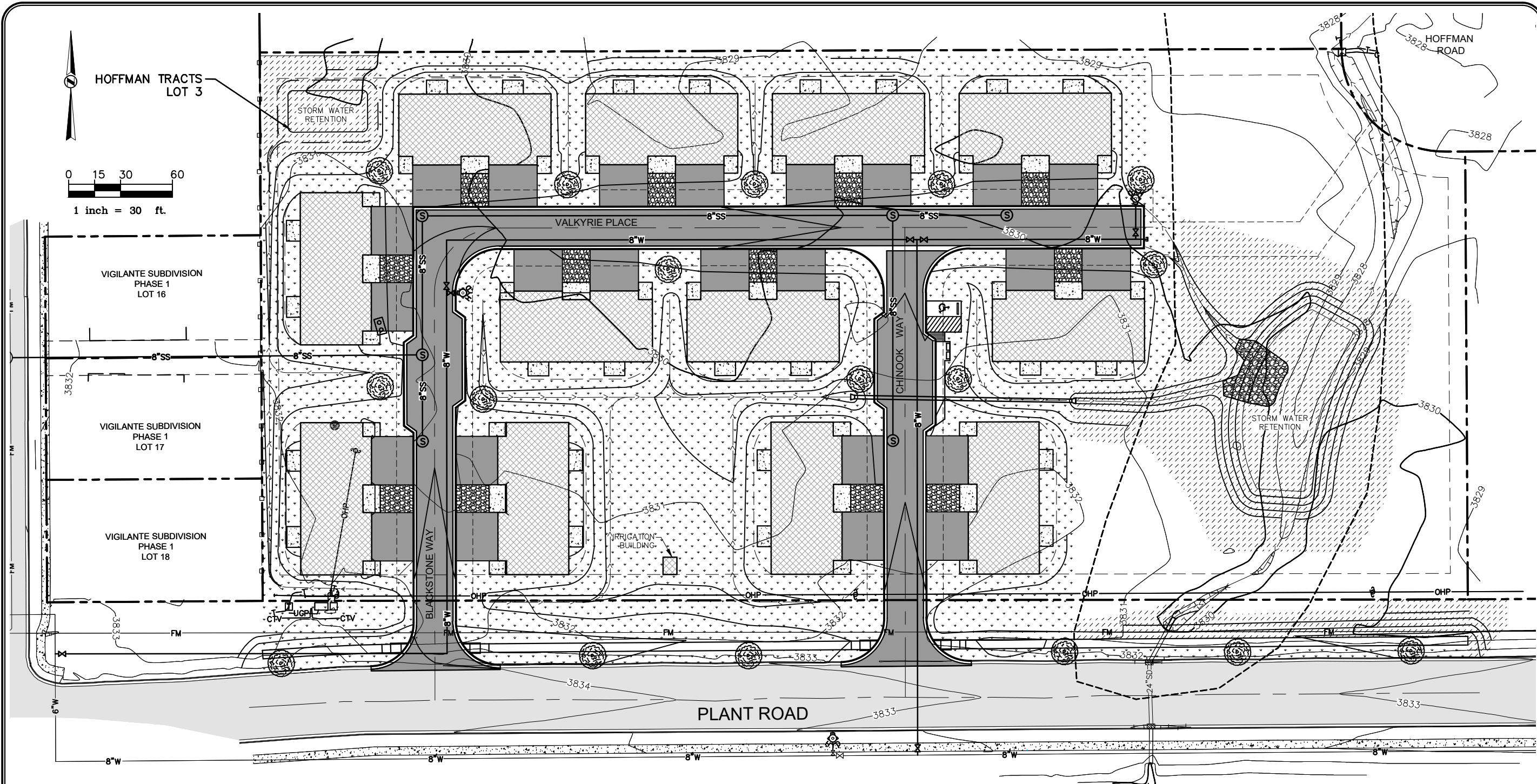
DRIVEWAYS

STANDARD SIDEWALK

ADA PARKING

TYPICAL SECTIONS
NO SCALE

PRELIMINARY



LEGEND

NEW TREES



DECIDUOUS TREE
OWNER SELECT SPECIES

NEW LAWN



STANDARD LAWN SEED MIX OR SOD

FIELD GRASS



NATIVE UPLAND GRASS

ROCK MULCH



1" TO 3" ROUNDED ROCK

LANDSCAPING NOTES:

1. ALL TREES, SHRUBS AND LAWN SHALL BE WATERED BY A DRIP IRRIGATION PIPING PROVIDED BY THE CONTRACTOR.
2. PLANT TREES, SHRUBS AND LAWN IN ACCORDANCE WITH ACCEPTED PRACTICE.
3. OWNER MAY ADD ADDITIONAL TREES AND/OR SHURBS AT HIS DISCRETION. THE TREES SHOWN ARE THE MINIMUM REQUIRED.

PRELIMINARY

REVISIONS:		DESCRIPTION	
NO.	DATE	SYMBOL	

SHEET TITLE:
**LANDSCAPING
PLAN**

PROJECT:
IRONHORSE LANDING
EAST HELENA, MONTANA

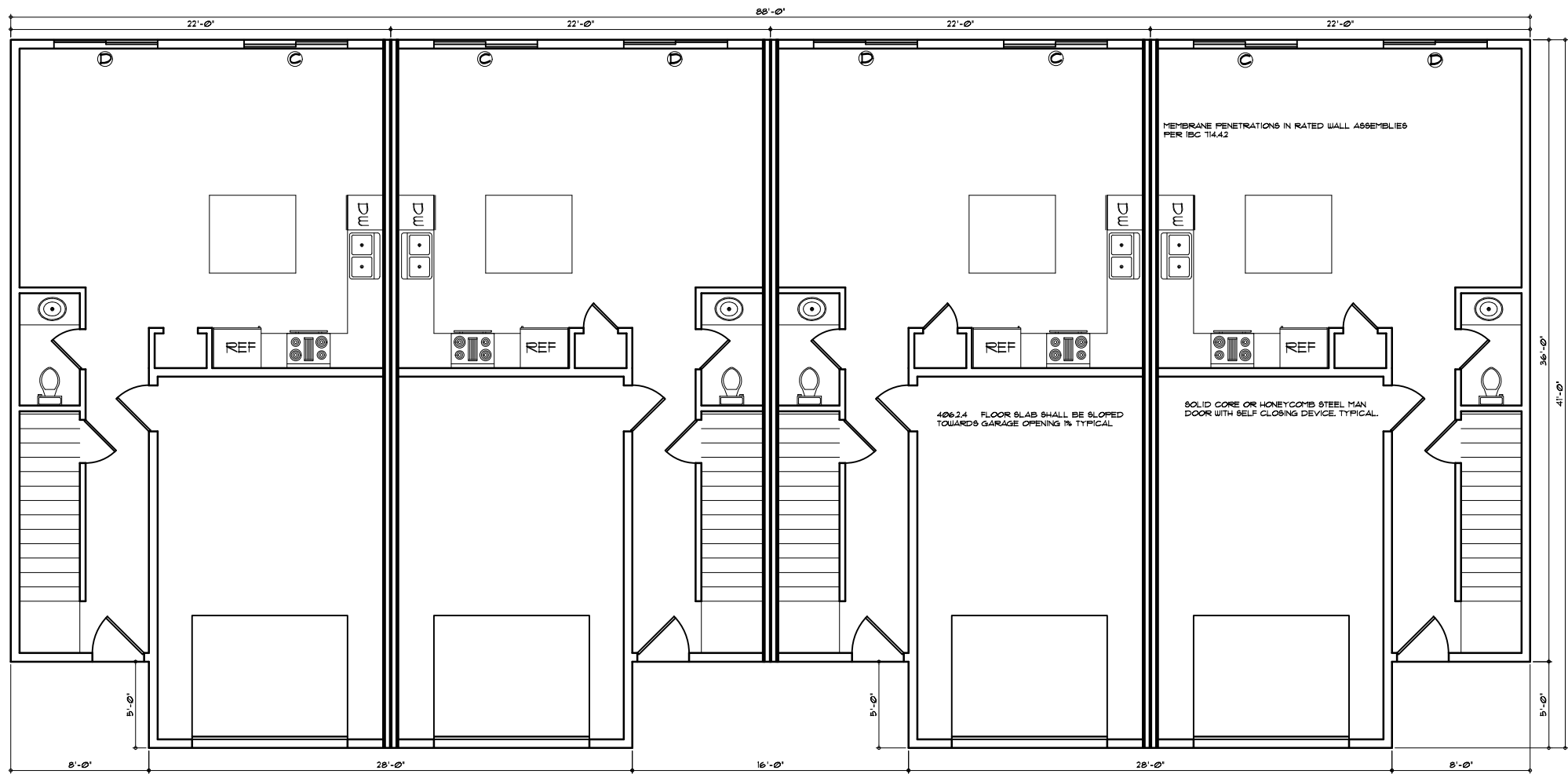
DATE:
January 10, 2024

DWG NAME:
Ironhorse Landing
- Base.dwg

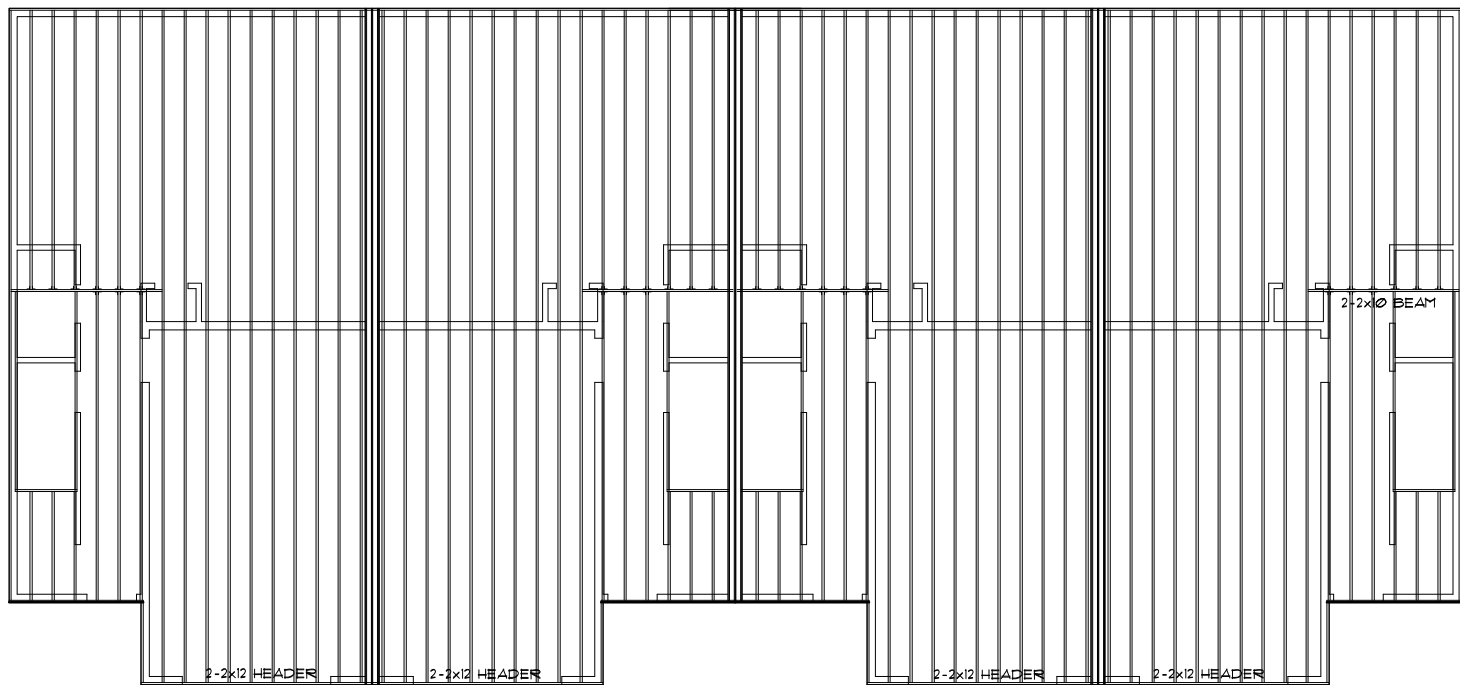
SHEET #:
C4

11/16/21
BUILDING DIVISION
CITY OF HELENA

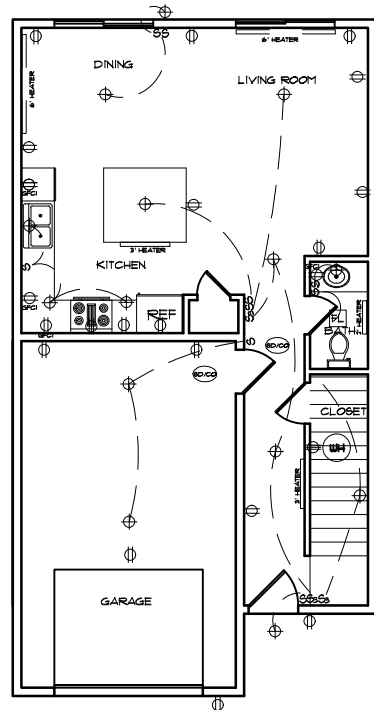




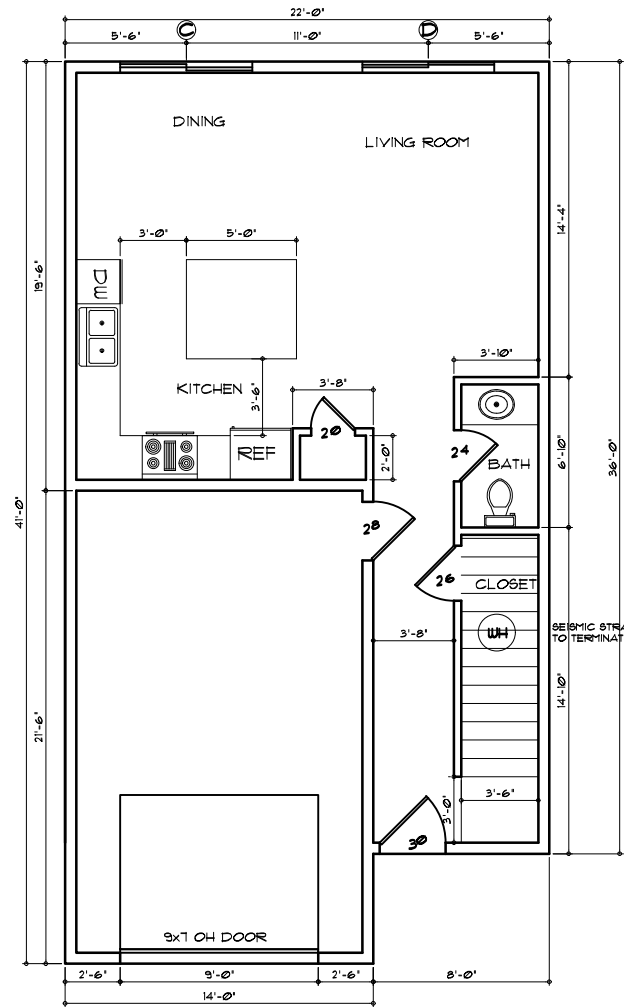
MAIN FLOOR PLAN
SCALE: 1/4" = 1'-0" 1680 SF



UPPER FLOOR FRAMING
SCALE: 3/16" = 1'-0"



MAIN FLOOR ELECTRICAL
SCALE: 3/16" = 1'-0"



MAIN FLOOR PLAN
SCALE: 1/4" = 1'-0"

WINDOW SCHEDULE				
LTR	QTY	WINDOW	ROUGH OPENING	CLEAR OPENING
A	8	4640SV	4'-6"x 4'-0"	23"x 42-5/8" 6.81SF
B	4	5040SV	5'-0"x 4'-0"	26"x 42-5/8" 7.10SF
C	4	6068SD	6'-0"x 6'-8"	
D	4	6046SV	6'-0"x 4'-6"	

0.32 U-FACTOR MAXIMUM

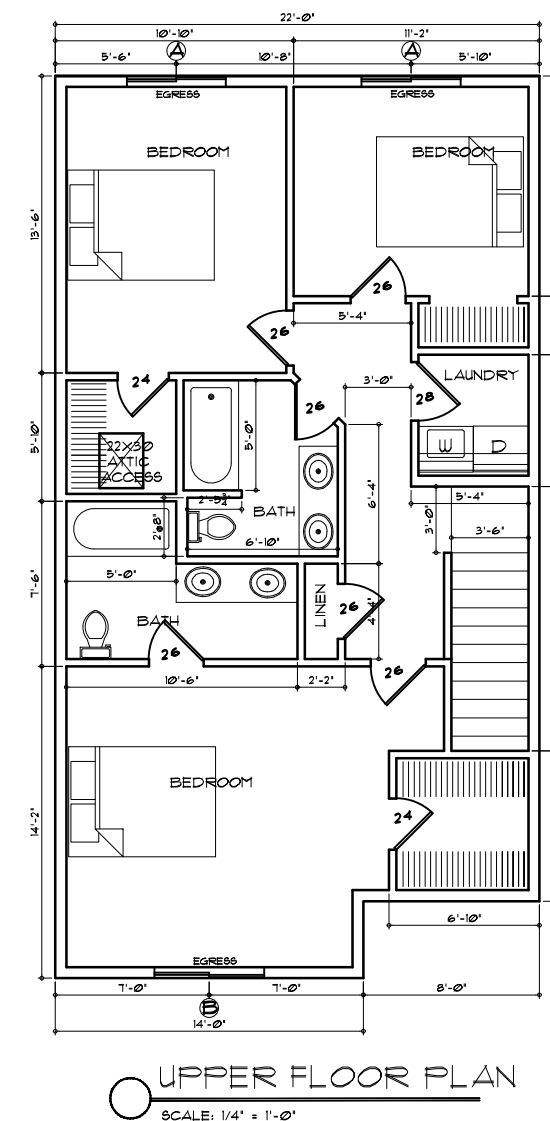
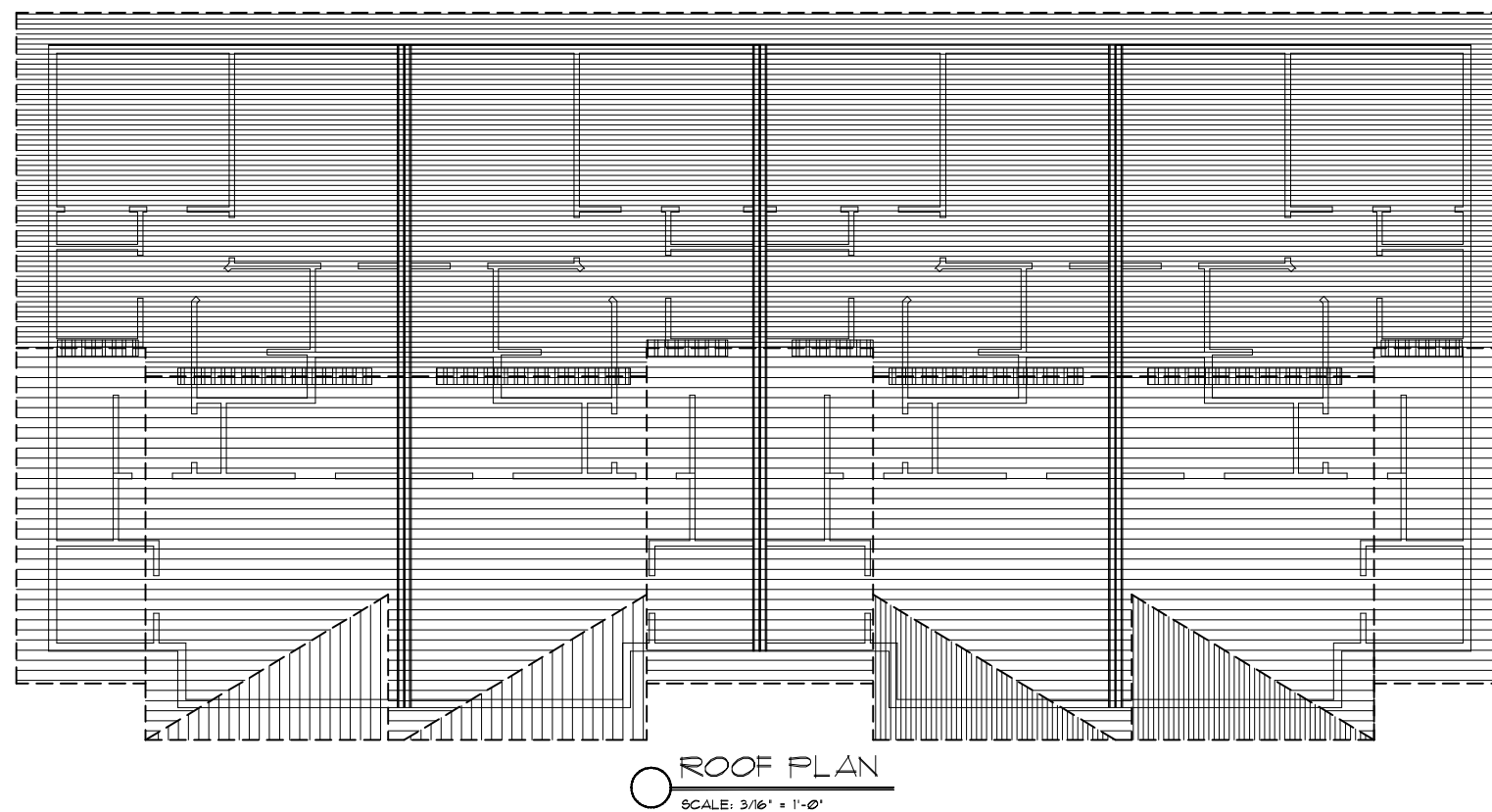
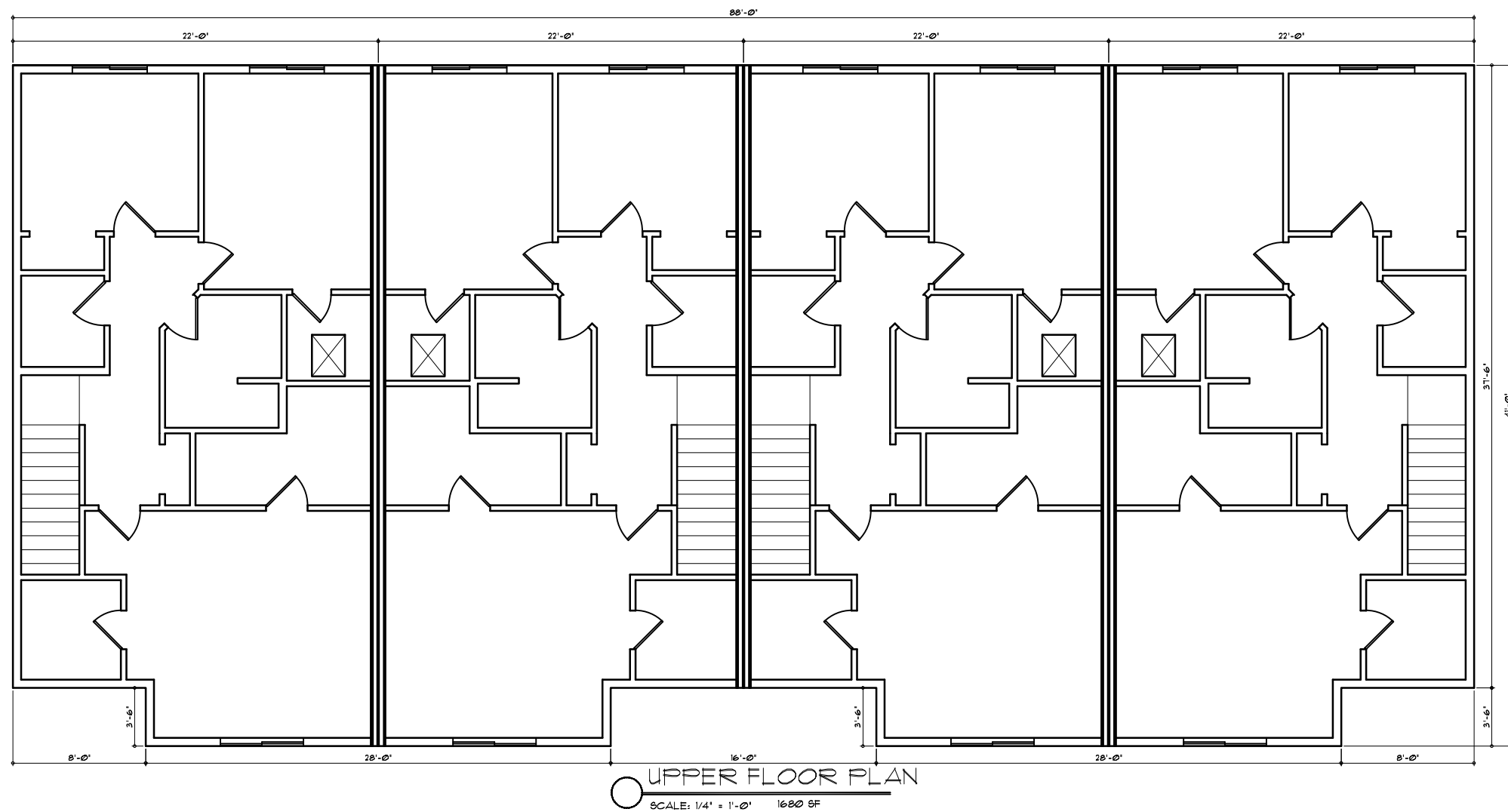
RESUBMITTAL
11/16/21
BUILDING DIVISION
CITY OF HELENA

PERMIT COPY
THIS SET OF APPROVED
PLANS TO BE ON JOB SITE
AT ALL TIMES

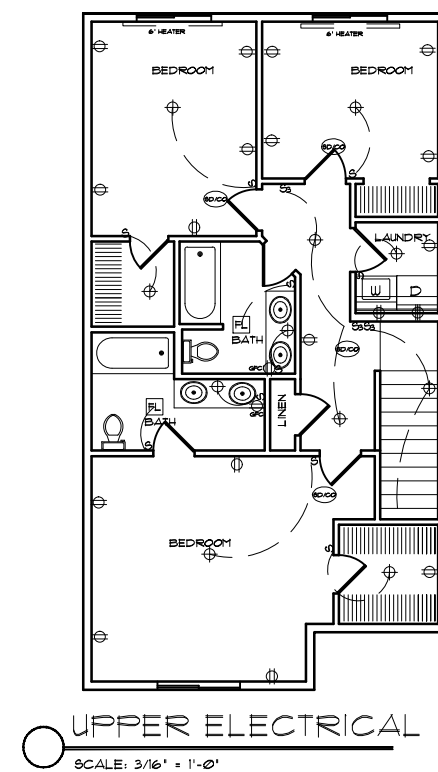


©2021
Derek Brown
CONSULTING
HELENA, MONTANA
(406) 465-3191

MAIN FLOOR PLAN			
Revision Date	Revision Date	Drawn By	Check File Title
9/14/2021		DJB	BlackhawkApts
Approved By	Approved By	Scale	1/4" = 1'-0"
BLACKHAWK APTS		BENCHMARK DRIVE	
Drawing Number		S2	



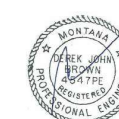
WINDOW SCHEDULE				
LTR	QTY	WINDOW	ROUGH OPENING	CLEAR OPENING
A	8	4640SV	4'-6" x 4'-0"	23" x 42'-5/8" 6.81SF
B	4	5040SV	5'-0" x 4'-0"	26" x 42'-5/8" 7.10SF
C	4	6068SD	6'-0" x 6'-8"	
D	4	6046SV	6'-0" x 4'-6"	



RESUBMITTAL
11/16/21
BUILDING DIVISION
CITY OF HELENA

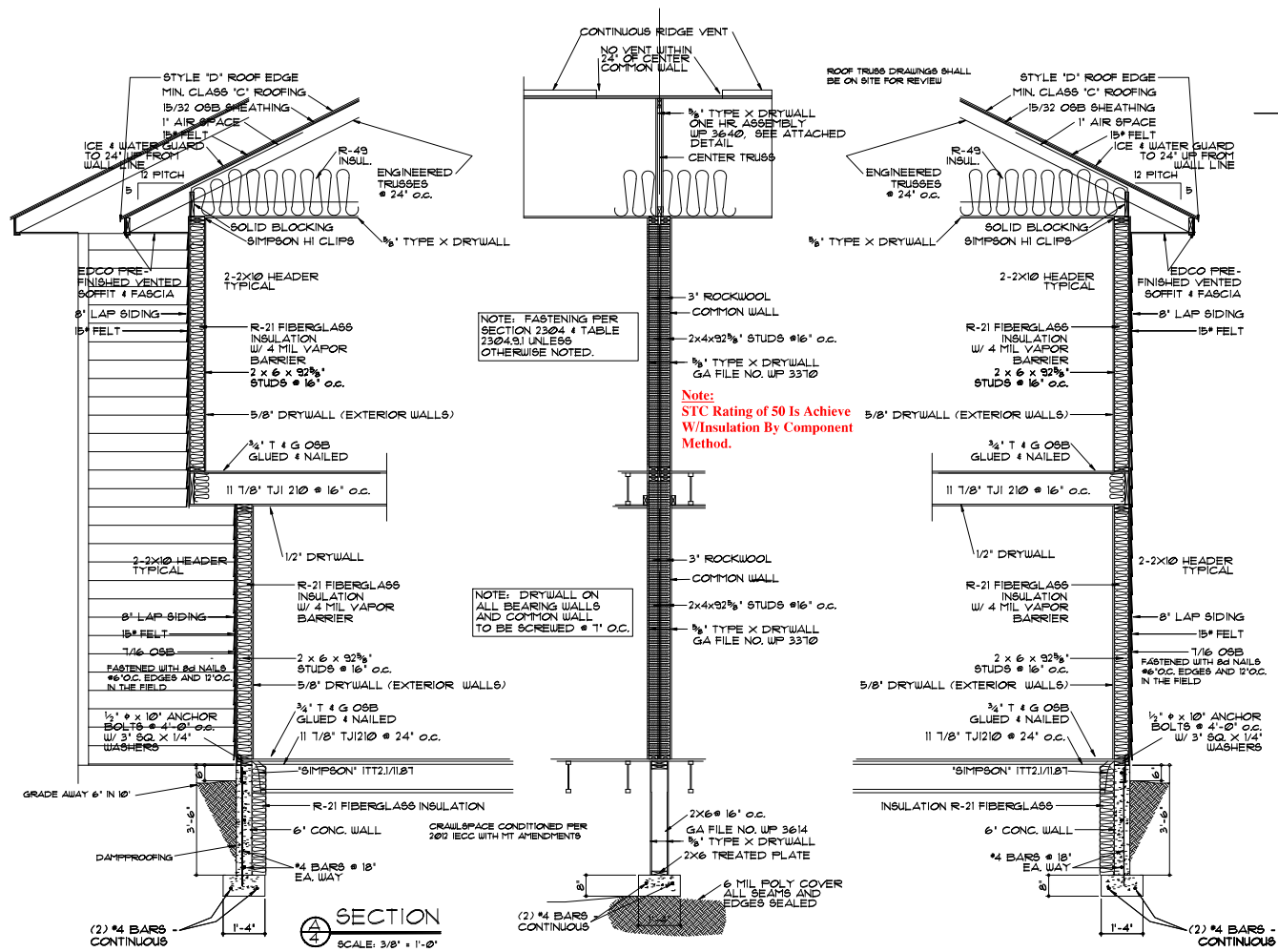
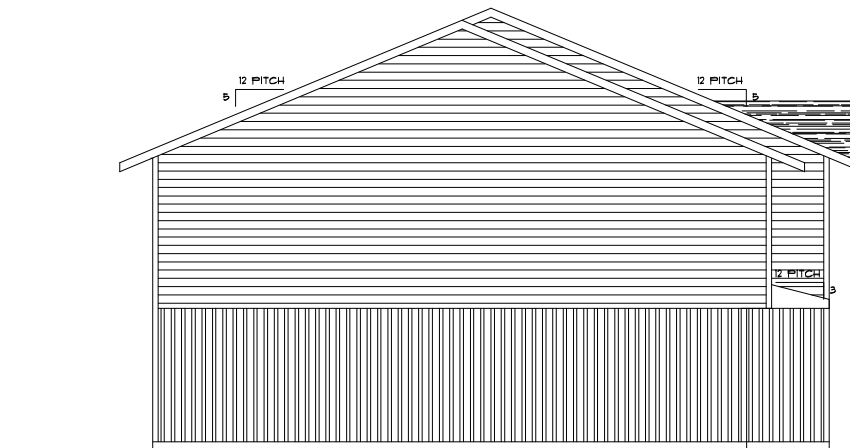
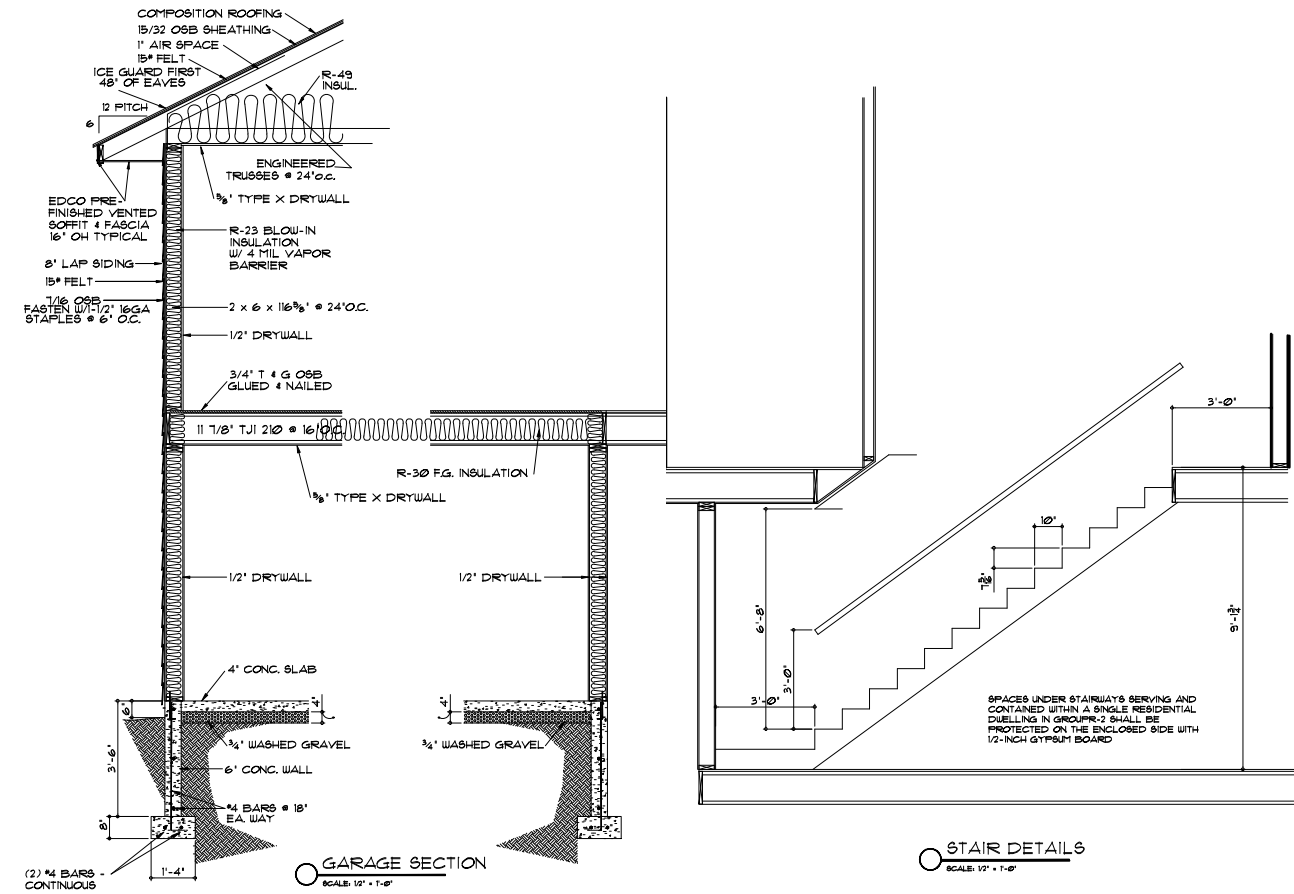
BLACKHAWK APTS	Revision Date		Revision Date	Approved By	Date
	UPPER FLOOR PLAN			—	9/14/2021
BENCH MARK DRIVE	Scale	Drawing File Title	Drawn By	Approved By	Drawing Number
					23

PERMIT COPY
THIS SET OF APPROVED
PLANS TO BE ON JOB SITE
AT ALL TIMES



Derek Brown
CONSULTING
TRANSFORMING BUSINESS

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Revision Date	Revision Description	Drawn By	Scale
9/14/2021	54	DJB	3/16" = 1'-0"

BLACKHAWK APTS
BENCHMARK DRIVE

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PLANS TO BE ON JOB SITE
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HELENA, MONTANA
(406) 465-3191

Attachment B

ROI Annexation

RESOLUTION OF THE CITY OF EAST HELENA
RESOLUTION No. 601

A RESOLUTION OF THE CITY COUNCIL OF EAST HELENA, MONTANA, INTENDING TO CONSIDER THE ANNEXATION OF REAL PROPERTY – LOT 3 OF HOFFMAN TRACTS MINOR SUBDIVISION, LOCATED IN SECTION 24, TOWNSHIP 10 NORTH, RANGE 3 WEST, LEWIS AND CLARK COUNTY, MONTANA – INTO THE CITY OF EAST HELENA, MONTANA, AND ESTABLISH CONDITIONS FOR ANNEXATION

WHEREAS, pursuant to The Planned Community Development Act of 1973, Title 7, Chapter 2, Part 47, MCA (“Act”), whenever the owners of real property situated outside the corporate boundaries of any municipality, but contiguous to the municipality, desire to have real estate annexed to the municipality, they may file with the governing body of the municipality a petition bearing the signatures of 51% of the real property owners of the area sought to be annexed and requesting a resolution stating that the municipality intends to consider annexation; and

WHEREAS, Joseph Nistler (“Owner”), the owners of record of Lot 3 of the Hoffman Tracts Minor Subdivision, located in Section 24, Township 10 North, Range 3 West, Lewis and Clark County, Montana (“Lot 3”), being real property outside the corporate boundaries of the City of East Helena, Montana, (“City”), but contiguous to the City, have filed a petition with the City bearing their signatures, seeking annexation of Tract A, and requesting a resolution stating the City intends to consider annexation of Lot 3; and

WHEREAS, pursuant to Section 4705 through 4707 of the Act, if the City desires to annex the territory under the provisions of the Act, the City shall act on the petition within sixty (60) days by first passing a resolution stating the intent of the City to consider annexation, describing the boundaries of the area under consideration; and

WHEREAS, pursuant to the Act, the City need not submit the question of annexation to the qualified electors; and

WHEREAS, the City desires to annex Lot 3 into the City’s corporate boundaries as its annexation appears to be in the best interests of the owners of Lot 3 and the City, provided that certain conditions specified herein are met; and

THEREFORE, NOW BE IT RESOLVED THAT:

SECTION 1. INTENT TO CONSIDER ANNEXATION; DESCRIPTION OF PROPERTY TO BE ANNEXED

The East Helena City Council intends to consider the annexation of Lot 3, as generally depicted and more particularly described on the survey attached as Exhibit “A,” pursuant to the procured outlined in the Act. Final adoption of an ordinance of annexation extending the corporate limits of the City to include all or part of Lot 3 is contingent upon completion of the conditions outlined in Section 2.

SECTION 2. CONDITIONS TO FINAL ADOPTION OF ORDINANCE OF ANNEXATION

The following conditions must be met prior to final adoption of an ordinance of annexation:

2.1 **Infrastructure.** The property is located adjacent to and has access to existing water and sewer mains for service to Lot 3; therefore, water and sewer service into the lot will be constructed with development of Lot 3 meeting City of East Helena Engineering Standards. The property has legal and physical access from Plant Road. Internal access to Lot 3 will be constructed with development of Lot 3 meeting City of East Helena Engineering Standards and East Helena Zoning Regulations. The owner will otherwise comply with the following infrastructure requirements detailed below prior to annexation of the property.

- 2.1.1 **Water Right Update.** Owner shall work with the City to update the City water right point of use to include the subject property. This may include mapping, point of use change application to DNRC, and any other information required to accomplish this update. Owner is responsible for costs of survey, mapping, and application process to DNRC.
- 2.1.2 **Connection Fees.** Owner shall pay to the City all water and sewer connection fees that may be required for main extensions.
- 2.1.3 **Vigilante Lift Station.** Owner shall provide payment to the City for connection to the gravity sewer main and lift station within Vigilante Subdivision in accordance with the latecomers agreement between the City and the Vigilante Developers. Payment shall be made prior to final annexation of the property.
- 2.1.4 **Boulevard & Sidewalk.** Provide a 7-ft boulevard and 5-ft sidewalk on the north side of Plant Road along property boundary and connecting to the existing sidewalk to the west at the intersection of Ashley Street and Plant Road. Owner is responsible for costs of survey, engineering, and installation. Owner may defer the installation of the boulevard and sidewalk but shall financially guarantee the improvements and enter into an improvements agreement with the City for installation of the sidewalk and boulevard prior to final annexation.
- 2.1.5 **RSID/SID Waiver.** Owner shall execute, have notarized, and file with the Lewis and Clark County Clerk and Recorder an RSID/SID waiver that states the following: Owners and their successors-in-interest waive all rights for 20 years to protest the creation of a special/rural improvement district for any purpose allowed by law, including: developing, improving or expanding municipal utility services including community water system or a community wastewater treatment system for an incorporated municipality, and storm water facilities. (MCA 76-3-608(7)).
- 2.1.6 **RSID/SID Waiver.** Owner shall execute, have notarized, and file with the Lewis and Clark County Clerk and Recorder an RSID/SID waiver that states the following: Owners and their successors-in-interest waive all rights for 20 years to protest the creation of a special/rural improvement district for any purpose allowed

by law, including: improving and/or maintaining the roads that access Lot 3 including Valley Drive and Plant Road and related right-of-way. (MCA 76-3-608(7)).

- 2.1.7 RSID/SID Waiver. Owner shall execute, have notarized, and file with the Lewis and Clark County Clerk and Recorder an RSID/SID waiver that states the following: Owners and their successors-in-interest waive all rights for 20 years to protest the creation of a special/rural improvement district for any purpose allowed by law, including: improving and/or maintaining the streets lights. (MCA 76-3-608(7)).
- 2.1.8 RSID/SID Waiver. Owner shall execute, have notarized, and file with the Lewis and Clark County Clerk and Recorder an RSID/SID waiver that states the following: Owners and their successors-in-interest waive all rights for 20 years to protest the creation of a special/rural improvement district or any purpose allowed by law, including: constructing, improving, and/or maintaining parks, playgrounds, and pedestrian facilities such as sidewalks and trails. (MCA 76-3-608(7)).
- 2.1.9 Conditional Use Permit. Owner shall submit a Conditional Use Permit and Site Plan zoning application to the City for review and approval for development of the lot prior to final annexation of the property. All review fees and costs incurred for review of the application shall be paid prior to final annexation.
- 2.1.10 Floodplain Permit. Owner shall provide an approved floodplain permit from the City of East Helena for construction of the storm water facilities and any other construction that may be proposed within the delineated 100-year floodplain.

SECTION 3. REVIEW OF NEW CONSTRUCTION

For all new construction or remodels subsequent to the adoption of this Resolution and prior to annexation of Lot 3, Owner shall submit plans for review by the City for compliance with City infrastructure, zoning, and other Code requirements, provide proof of compliance with all building and fire codes, and pay all fees for such reviews in the same manner and on the same basis as do owners of properties already in the City.

SECTION 4. TAXES AND ASSESSMENTS

Before final adoption of the ordinance of annexation for Lot 3, all taxes and assessments must be paid and current.

SECTION 5. COMPLETION OF CONDITIONS

The preceding annexation conditions must be completed prior to final adoption of the ordinance of annexation for Lot 3. Upon completion of the conditions for approval of annexation, Owner shall notify the City of the same in a sworn and notarized written statement. If the conditions are

not completed, the City shall not be obligated to annex Lot 3 and may discontinue any City services to Lot 3, including water and sewer service.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF EAST HELENA, MONTANA,
AT A REGULAR SESSION HELD ON MARCH 19, 2024.**

By: _____

Kelly Harris
Kelly Harris
Its: Mayor



Attest: _____

Amy Thorngren
Amy Thorngren
Its: Clerk

EXHIBIT "A"

HOFFMAN TRACTS

A MINOR SUBDIVISION

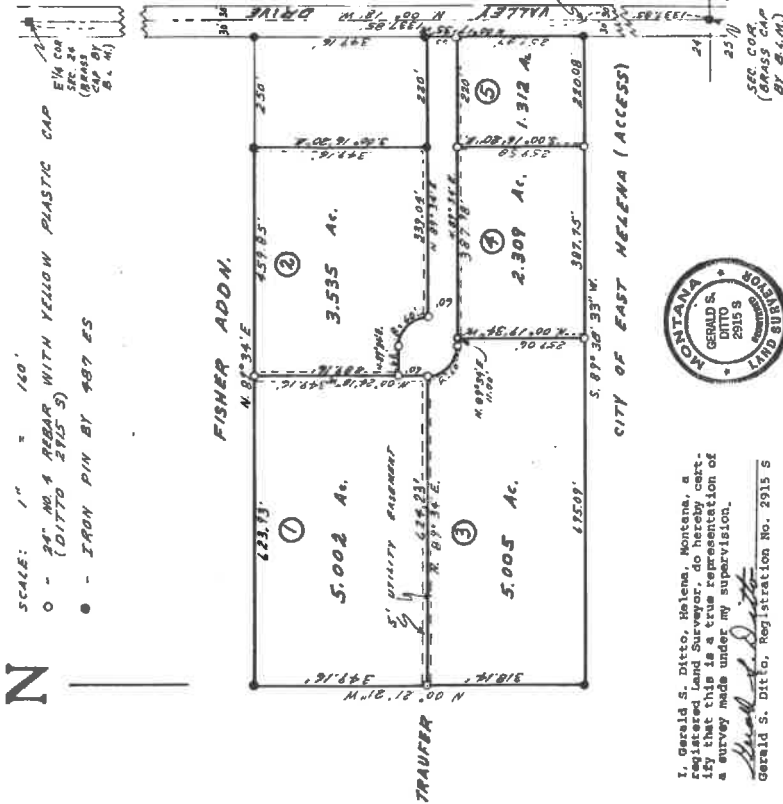
NOTES:

- The wastewater treatment operation for the city of East Helena is located west-southwest approximately 4 miles.
- The road within the subdivision is a private road and the homeowners of the lots within this subdivision will be responsible for maintaining the road.
- The owner hereby grants to all public utility companies as defined by Montana law a 5 foot easement on both sides of all interior lot lines, for construction, maintenance, repair and removal of their lines over, under, and across the areas designated on this plat as "Utility Easements" to have and hold forever; however, no utilities shall be placed that will obstruct view, lighting or surveying between survey monuments. Any survey monument or easement shall be established in accordance with the laws of Montana or removal of utilities shall be reestablished as a registered land survey company involved.
- Direct access from lot 5 onto Valley Drive is not permitted.

SCALE: 1" = 160'

0 - 24" NO. 4 REBAR WITH YELLOW PLASTIC CAP
(DITTO 2X15 S)

• - IRON PIN BY 487 ES



I, Gerald S. Ditto, Helena, Montana, a registered land surveyor, do hereby certify that this is a true representation of a survey made under my supervision.

Gerald S. Ditto
Gerald S. Ditto, Registration No. 2915 S

Point Road
1-9-74
At 119 1/2 23

SEC. COR.
(BRASS CAP
BY G.L.M.)

24 5 1 13
24 10N 3W

2737

CERTIFICATE OF DEDICATION

I, Raymond M. Hoffman, HEREBY CERTIFY AS OWNER, that I have caused to be surveyed and recorded and plotted into lots and road easements as shown by this plat and certificate and that the same have been duly recorded in the County of Lewis and Clark, State of Montana, and that the same are known as the HOFFMAN TRACTS in the County of Lewis and Clark, State of Montana, and to wit:

A tract of land in the NE1/4 of section 24, T.10 N., R.1 W., of the Principal Meridian and Clark County, Montana, more particularly described as follows: Beginning at the NE corner of the NW1/4 of section 24, T.10 N., R.1 W., of the Principal Meridian and Clark County, Montana, and thence S. 33° 33' E., 30.00 feet distant; thence from the point of beginning S. 59° 38' 33" W., along the 1/16 line 1302.92 feet to an iron pin at the SE 1/16 corner of section 24; thence N. 0° 21' 21" E., 667.30 feet to an iron pin; thence S. 31° 31' E., 1053.76 feet to an iron pin; thence S. 0° 16' 20" E., 317.15 feet to an iron pin; thence S. 17° 17' E., 260.00 feet to a survey cap on the county road right-of-way; thence S. 0° 17' 17" E., 150.00 feet to the right-of-way 119.87 feet to the point of beginning, containing 18.226 acres, all according to the attached plat.

Dated this 9 day of January, 1974.

Raymond M. Hoffman Subscribed and sworn to before me, a Notary Public for the State of Montana, this 9 day of January, 1974.

Robert Decker
Notary Public for the State of Montana
Residing at Helena, Montana

CERTIFICATE OF EXPENSES FOR THE PARK OR PLAYGROUND

We, the Board of County Commissioners of Lewis and Clark County, Montana, do hereby certify that on the 9 day of January 1974, the following order was made: To wit: The Board of County Commissioners found no necessity, up to and including the year 1974, to expend any money for the purchase of land or equipment within the district area of HOFFMAN TRACTS in Lewis and Clark County, Montana. It is hereby ordered by the Board of County Commissioners of Lewis and Clark County, Montana, that cash in the amount of \$0.00 be paid in lieu of park or playground development.

Robert Decker
Commissioner

CERTIFICATE OF APPROVAL OF COUNTY COMMISSIONERS

We, the undersigned, being the duly elected, qualified or acting Board of County Commissioners of Lewis and Clark County, State of Montana, do hereby certify that we have examined the foregoing plat of HOFFMAN TRACTS, a minor subdivision, and that the same conforms to the laws of the State of Montana and therefore, we hereby order this plat be recorded and a further order that it be filed of record by the Clerk and Recorder of Lewis and Clark County, Montana, by law.

Robert Decker
Commissioner

Robert Decker
Commissioner

DIRECTOR OF PLANNING

RESTRICTIVE COVENANTS FILED IN NEOLANDS BOOK # 2915 S

Attachment C
Prezone Ordinance

ORDINANCE NO. 286

**AN ORDINANCE OF THE
CITY COUNCIL OF EAST HELENA, MONTANA,
AMENDING THE EAST HELENA LAND USE MAP BY
PREZONING TO RESIDENTIAL DISTRICT ON LOTS LEGALLY DESCRIBED AS
LOT 3 OF HOFFMAN TRACTS MINOR SUBDIVISION, SECTION 24, TOWNSHIP
10 NORTH, RANGE 3 WEST, P.M.M., LEWIS AND CLARK COUNTY, PRIOR TO
ANNEXATION INTO THE CITY OF EAST HELENA, MONTANA**

WHEREAS, **Joseph Nistler**, the owner of the following-described property, has requested that the City of East Helena pass an ordinance, pursuant to East Helena Zoning Ordinance, for:

A prezoning designation of Residential District for Lot 3 of Hoffman Tracts Minor Subdivision, Section 24, Township 10 North, Range 3 West, P.M.M., Lewis and Clark County, Montana, which property is generally located north of Plant Road and west of Valley Drive; and

WHEREAS, the City of East Helena adopted the Zoning Ordinance on March 15, 2022 and it became effective on April 13, 2022; and

WHEREAS, the Zone Map Amendment has been properly submitted, reviewed, and noticed, in accordance with the procedures set forth in Chapter 12 of the Zoning Ordinance for the City of East Helena Montana and Title 76-2-301, MCA; and

WHEREAS, the Zoning Commission held a public hearing on February 13, 2024, to receive and review all written and oral testimony on the zone map amendment;

WHEREAS, the Zoning Commission found that the proposed zone map amendment is consistent with the intent and purpose of the Zoning Ordinance and the East Helena Growth Policy;

WHEREAS, the Zoning Commission has reviewed and considered the nine zone change criteria established in Section 76-2-304, MCA, and found the zone map amendment to be in compliance with the nine criteria; and

WHEREAS, the Zoning Commission made a recommendation to the City Council to approve the zone map amendment; and

WHEREAS, the City Council held a public hearing on 3-19-2024, to receive and review all written and oral testimony on the zone map amendment; and

WHEREAS, the City Council found that the proposed zone map amendment is consistent with the intent and purpose of Zoning Ordinance; and

WHEREAS, the City Council has reviewed and considered the nine zone change criteria established in Section 76-2-304, MCA, and found the zone map amendment to be in compliance with the nine criteria; and

WHEREAS, the City Council found that the zone map amendment would be in compliance with the City of East Helena Growth Policy and would be in the public interest; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of East Helena, Montana, that:

Section 1

That the above described property is hereby granted a rezoning designation of Residential District for Lot 3 of Hoffman Tracts Minor Subdivision, Section 24, Township 10 North, Range 3 West, P.M.M., Lewis and Clark County, Montana, which property is generally located north of Plant Road and east of Valley Drive.

Section 2

The effective date is thirty days after final adoption of this ordinance on second reading. This ordinance shall be in full force and effect on _____.


INTRODUCED AND PASSED BY THE CITY COUNCIL OF EAST HELENA, MONTANA, ON FIRST READING, AT A REGULARLY CONVENED MEETING THEREOF HELD ON THE 19th DAY OF March, 2024.

ATTEST:



Amy Thorngren, Town Clerk





Kelly Harris, Mayor

PASSED, ADOPTED AND APPROVED BY THE CITY COUNCIL OF EAST HELENA, MONTANA, ON SECOND READING, AT A REGULARLY CONVENED MEETING THEREOF HELD ON THE _____ DAY OF _____, 2024.

Kelly Harris, Mayor

ATTEST:

Amy Thorngren, Town Clerk

Attachment D

Public Hearing Notice

NOTICE OF PUBLIC HEARING FOR THE CITY OF EAST HELENA CITY COUNCIL TO CONSIDER A CONDITIONAL USE PERMIT

The City of East Helena City Council will hold a public hearing at **6:30 p.m., Tuesday, September 16, 2025**, in room 110 at East Helena City Hall, 306 E. Main Street, East Helena, Montana.

The purpose of the public hearing is to consider a Conditional Use Permit from Joseph Nistler for a multi-family development to include 12 four-plex buildings for a total of 48 residential units on 5.005 acres on the north side of East Helena adjacent to Plant Road. The property is legally described as Lot 3 Hoffman Tracts Minor Subdivision located in Section 24, T. 10 N., R. 3 W, Lewis and Clark County, Montana.

The City Council will hold a public hearing to gather public comment on the proposed Conditional Use Permit for the property. The City Council will make a decision on a Conditional Use Permit which will outline any conditions that the owner must meet for development of the property. The City Council will take into consideration any public comment prior to making a decision on the application.

Information on the proposed application is available for review at East Helena City Hall main office, 306 East Main Street, East Helena 59635. You may direct questions on the proposed application to the East Helena Contract Planner Jeremy Fadness, WWC Engineering, 1275 Maple Street Suite F, Helena, MT 59601, (406)-443-3962. Written comments may be directed to the City Clerk, Amy Thorngren, 306 East Main Street in East Helena or mailed to P.O. Box 1170, East Helena, Montana 59635. Written comments must be received by June 4, 2024 at 4:00 pm. For those who require accommodation for disabilities, please contact the City Clerk, 406-227-5321.

Publish: Publish August 30, 2025 and September 14, 2025

CITY OF EAST HELENA
306 E MAIN ST / PO BOX 1170
EAST HELENA, MT 59635
(406) 227-5321

ORIGINAL COUNCIL MEETING DATE: 09/16/2025

Agenda item:

Wastewater Treatment Plant Upgrade Presentation

From:

Robert Peccia & Associates

Initiated by City: ☒ YES ☐ NO (check one)

Department:

Public Works

Presented by:

Jeremy Perlinski

Action requested:

Action: Information Only

PLEASE PROVIDE A NARRATIVE BACKGROUND OF THE PROPOSED AGENDA ITEM:

WWTP Facility Plan - Meeting No. 2

Type text here

Attachments: ☐ YES ☒ NO (check one)

Date submitted:

RECOMMENDATIONS:

Initial:

Approve for agenda:

☐ YES

☐ NO

Referred to Dept. Head for resolution:

☐ YES

☐ NO

Referred to _____:

☐ YES

☐ NO

Agenda requests must be submitted to East Helena City Hall by noon the Wednesday prior to the Tuesday council meeting.

MEETING MINUTES
CITY OF EAST HELENA
CITY HALL – 306 EAST MAIN - ROOM 110
COUNCIL MEETING: 6:30 PM
DATE: TUESDAY, SEPTEMBER 2, 2025
JOIN ZOOM MEETING: <https://us06web.zoom.us/j/3787705872>
CONFERENCE CALL-IN: 1-253-205-0468 MEETING ID: 378 770 5872

MEETING CALLED TO ORDER: Mayor Harris called the meeting to order at 6:30 p.m. Councilmember Leland led the Pledge of Allegiance.

CITY OFFICIALS & STAFF PRESENT: Mayor Kelly Harris, Council President Don Dahl, Councilmember Judy Leland, Councilmember Wesley Feist, Councilmember Suzanne Ferguson, Clerk/Treasurer Amy Thorngren, City Attorney Pete Elverum, Public Works Director Kevin Ore, Fire Chief Roger Campbell, Police Chief Mike Sanders, Patrol Officer Josh Buissereth, and Deputy Police Chief Ed Royce

PUBLIC PRESENT: Emily Frazier

ABSENT/EXCUSED: City Judge Dennis Loveless

(0:00:30) PUBLIC HEARING:

1. **FY26 Municipal Budget** – The draft budget was included in the council packet. Mayor Harris noted that changes discussed at the August 25th special budget meeting had been implemented. This was an information only item.
2. **FY26 Municipal Budget** – Mayor Harris called for public comment on the proposed budget and received none.
3. **FY26 Municipal Budget** – Council discussed the change to the police department's capital improvement allocation with Chief Sanders. The city's newly taxable property value was also discussed. Councilmember Dahl made a motion to approve the FY26 budget as presented. Councilmember Feist seconded the motion. The motion passed unanimously.

PUBLIC COMMENTS: There were no public comments on non-agenda items.

APPROVAL OF MINUTES:

1. **(0:09:15) August 19, 2025 Draft Minutes** – The draft minutes of the August 19th council meeting were included in the council packet. There was no public comment. Councilmember Feist made a motion to approve the minutes as presented. Councilmember Leland seconded the motion. The motion passed unanimously.
2. **(0:09:40) August 25, 2025 Draft Minutes** – The draft minutes of the August 25th special budget meeting were included in the council packet. There was no public comment. Councilmember Leland made a motion to approve the minutes as

presented. Councilmember Feist seconded the motion. The motion passed unanimously.

CITY COURT REPORT: A written report was included in the council packet. City Judge Dennis Loveless was excused.

DEPARTMENTAL REPORTS:

(0:10:30) Administration – A flyer for Lewis & Clark Public Health’s Neighborhood Parties 2026 was included in the council packet. An invitation to the METG and EPA Community Open House was on the council room table. Clerk/Treasurer Amy Thorngren reported that the organizer of the Christmas Convoy was changing the date of the event from December 6th to December 13th.

(0:12:00) Police Department – Police Chief Mike Sanders reported that there had been 542 calls-for-service in August and that Officer Buissereth would be patrolling on his own soon.

(0:12:30) Public Works – A written report was included in the council packet. Public Works Director Kevin Ore reported that the sludge had been washed down at the wastewater treatment plant, he was moving ahead with finding a new garbage truck, and Helena Sand & Gravel will resume pavement repairs in mid-September.

(0:15:10) Volunteer Fire Department - Fire Chief Roger Campbell reported that the department had been standing by at football games and that three new members had joined.

NEW BUSINESS:

1. **(0:16:15) Request for Use and Fee Waiver of the Council Room on Saturday, September 6th** – Helena Area Community Foundation Executive Director Emily Frazier requested use of the council room at no charge for the non-profit’s board retreat. There was no public comment. Councilmember Leland made a motion to approve the request. Councilmember Ferguson seconded the motion. Councilmembers Leland, Ferguson, and Dahl voted aye. Councilmember Feist abstained. The motion passed.
2. **(0:19:10) Appointment of Eric Seidensticker to the East Helena Zoning Commission** – Mr. Seidensticker’s application was included in the council packet. Mayor Harris requested council’s approval to appoint him to the zoning commission. There was no public comment. Councilmember Feist made a motion to approve. Councilmember Dahl seconded the motion. The motion passed unanimously.

(0:20:40) MAYOR’S REPORT: Mayor Harris reported that he had been shopping for a garbage truck and executing the budget. He showed Council METG’s Phoenix Award.

COUNCILMEMBERS’ REPORTS:

(0:23:15) Don Dahl reported that he attended the special budget meeting and the zoning commission meeting.

(0:23:55) Judy Leland reported that she attended the special budget meeting.

(0:24:05) Wesley Feist reported that he attended the Helena Area Chamber of Commerce board meeting, attended the Montana Opioid Abatement Trust meeting, met with the new Advanced Opportunities Facilitator at East Helena High, and he discussed East Helena's needs with Helena Food Share.

(0:26:00) Suzanne Ferguson reported that she attended the special budget meeting and the zoning commission meeting.

(0:26:25) LEGAL REPORT: City Attorney Elverum reported that he attended the special budget meeting and that he talked to an attorney regarding stormwater and the EPA and the DEQ.

(0:27:10) PAYMENT OF BILLS: Claims 299139 through 299169 were presented for Council's review. Councilmember Leland made a motion to pay the bills. Councilmember Feist seconded the motion. The motion passed unanimously.

MEETING SCHEDULE:

1. East Helena City Council Meeting, Tuesday, September 16, 6:30 p.m., City Hall Room 110
2. East Helena Planning Board Meeting, Wednesday, September 24, 6:00 p.m., City Hall Room 110

ADJOURNMENT: Mayor Harris adjourned the meeting at 6:57 p.m.

ATTEST:

Clerk/Treasurer

Mayor



City of East Helena
306 East Main
PO Box 1170
East Helena, MT 59635
(406) 227-5321

Planning Board & Zoning Commission Members

Effective September 2, 2025

City of East Helena Planning Board:

<u>Member:</u>	<u>Type:</u>	<u>Term Expires:</u>
<vacant>	City Council App.	
Councilmember Don Dahl (Vice Chair)	City Council Rep.	12/31/2025
Terrie Casey	Citizen Member	6/30/2027
Molly Holahan	Citizen Member	6/30/2027
Jean Riley	Lewis & Clark County	6/30/2027
Kaila Matteson	Citizen Member	6/30/2026
<vacant>	Citizen Member	

City of East Helena Zoning Commission:

<u>Member:</u>	<u>Term Expires:</u>
Councilmember Don Dahl (Chair)	12/31/2025
Councilmember Suzanne Ferguson	12/31/2027
Terrie Casey	6/30/2027
Eric Seidensticker	6/30/2028
Luke Serati	6/30/2026



Public Works Department

Proud to serve our Community

September 16th, 2025

1.) WWTP Report

- Construction continues at wastewater treatment plant headworks and screw augers.
- Continue to work with City Engineer Jeremy Perlinski on sample points for ground water discharge permit.
- We purchased the new sample truck for the wastewater plant.

2.) Metal Removal Building

- Operations in Metals Building have gone well this last month.

3.) Source Water Report

- Shane is completing lead and copper samples for the year. We only have to complete 10 samples once a year.
- We are starting to look at pump upgrades and improvements to Wylie 3.

4.) Solid Waste Report

- We are sending out public advertisements for bid on garbage truck purchase.
- Rear leaf springs are all repaired on garbage truck.

5.) Parks

- Crews got all tables removed at Main Street Park. New tables will be installed week of Sept. 22nd.

6.) Pool

- Pool is closed for the Season.
- Looking into options for covers on lights inside pool. They are historically the main leak issue we see.

7.) Streets

- Helena Sand is going to be working on pavement repairs. We are going to pave multiple repair spots on Valley Drive October 16th and 17th when school is on break.
- Torrey is finishing mowing rights-of-way and cities open space.
- I have a meeting this Wednesday with Federal Highways to discuss comments on Build Grant Agreement. (Discuss)

8.) Facilities

- Parking lot at rec. hall was seal coated and re-stripped.
- City Halls parking lot should be seal coated this next Thursday and Friday. Weather permitting.
- Amy and I will be meeting with Mark from Rocky Mountain Computer Supply to discuss computer upgrades and cloud storage options for City Hall.
- ADA south door at City Hall will be getting new frame and glass installed this Friday. We will then be able to move ahead with security lock upgrades on all doors. (Discuss)

9.) Resident/City Information and Events

- Home coming parade is September 26th.

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ORIGINAL COUNCIL MEETING DATE: 09/16/2025

Agenda item:

Resolution No. 633 to Authorize Submittal of MCEP Infrastructure Planning Grant

From:

Robert Peccia & Associates

Initiated by City: ☒ YES ☐ NO (check one)

Department:

Public Works

Presented by:

Mayor Harris

Action requested:

Approve/Deny/Table

PLEASE PROVIDE A NARRATIVE BACKGROUND OF THE PROPOSED AGENDA ITEM:

Attachment: Draft Resolution 633

The Wastewater System Master Plan Update planning grant applications require a resolution passed in order to be submitted.

Attachments: ☒ YES ☐ NO (check one)

Date submitted:

RECOMMENDATIONS:

Approve for agenda:

☐ YES

☐ NO

Initial:

Referred to Dept. Head for resolution:

☐ YES

☐ NO

Referred to _____:

☐ YES

☐ NO

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**RESOLUTION TO AUTHORIZE SUBMITTAL OF MCEP INFRASTRUCTURE
PLANNING GRANT**

Resolution No. 633

WHEREAS, the City of East Helena, Montana, is applying to the Montana Department of Commerce for financial assistance from the Montana Coal Endowment Program (MCEP) to complete the *City of East Helena Wastewater System Master Plan*;

WHEREAS, the City of East Helena has the legal jurisdiction and authority to construct, finance, operate, and maintain the City of East Helena's wastewater system facilities;

WHEREAS, the City of East Helena agrees to comply with all State laws and regulations and the requirements described in the *MCEP Administrative Guidelines and Application for Infrastructure Planning Grants* specifically, and those that will be described in the *MCEP Project Administration Manual* generally;

WHEREAS, the City of East Helena commits to provide the amount of matching funds as proposed in the MCEP application;

WHEREAS, the City of East Helena commits to provide any funding from other grant sources listed in the application budget if not awarded by those grant sources; and

That Kelly Harris, Mayor, is authorized to submit this application to the Montana Department of Commerce, on behalf of the City of East Helena, to act on its behalf and to provide such additional information as may be required.

Signed: _____

Name: Kelly Harris

Title: Mayor

Date: _____

Attested: _____

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ORIGINAL COUNCIL MEETING DATE: 09/16/2025

Agenda item:

Request to Close City Hall Administration Office Friday, November 28, 2025 and Allow Staff to Use Vacation Time

From:

Admin Office Staff

Initiated by City: ☒ YES ☐ NO (check one)

Department:

Administration

Presented by:

Clerk/Treasurer Thorngren

Action requested:

Approve/Deny/Table

PLEASE PROVIDE A NARRATIVE BACKGROUND OF THE PROPOSED AGENDA ITEM:

Admin staff's annual request to close the office the day after Thanksgiving and use either vacation time or floating holiday.

Attachments: ☐ YES ☒ NO (check one)

Date submitted:

RECOMMENDATIONS:

Approve for agenda:

☐ YES

☐ NO

Initial:

Referred to Dept. Head for resolution:

☐ YES

☐ NO

Referred to _____:

☐ YES

☐ NO

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