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City of Columbia Falls
130 6th Street West
Columbia Falls, MT 59912

RESOLUTION NO. 1766

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA, APPROVING AN APPLICATION FOR A CONDITIONAL USE PERMIT BY CFALLS LLC DBA YIKES, INC TO EXPAND THE CASINO AT 624 NUCLEUS AVENUE, MORE FORMERLY KNOWN AS LOTS 8, N5' OF LOT 9, S20' OF LOT 9, 12 , 13 AND LOT A OF THE AMENDED PLAT OF LOTS 10 AND 11 OF BLOCK 44, COLUMBIA FALLS ORIGINAL TOWNSITE, SECTION 8, TOWNSHIP 30 NORTH, RANGE 20 WEST, P.M.M., FLATHEAD COUNTY.

WHEREAS, an Application been filed with the City by CFalls LLC, dba Yikes, Inc. to allow for the expansion of the existing casino from 12 gaming machines to a maximum of 20 gaming machines at 624 Nucleus Ave (formerly the Bandit Bar and Casino), Columbia Falls, Montana; more formerly known as Lots 8, N5' of Lot 9, S20' of Lot 9, 12, 13 and Lot A of the Amended Plat of Lots 10 and 11 of Block 44, Columbia Falls Original Townsite, Section 8, Township 30 North, Range 20 West, P.M.M., Flathead County;

WHEREAS, the property is currently zoned CB-4 Central Business which allows, with conditional use pursuant to 18.332.030 in the Columbia Falls Municipal Code, the proposed casino expansion;

WHEREAS, said requested conditional use permit was considered by the Columbia Falls City-County Planning Board at its regular meeting on January 9, 2018, and said Board recommended granting the proposed conditional use permit, with certain conditions; and

WHEREAS, said conditional use permit was considered by the City Council of the City of Columbia Falls, Montana, at a public hearing held during the Council's regularly scheduled meeting on Monday, February 5, 2018, pursuant to public notice as required by law, and all comments filed or voiced concerning said requested conditional use permit having been considered by the City Council, along with the recommendation of the Planning Board.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA AS FOLLOWS:

Section One. Findings of Fact. That the City Council specifically finds that the conditions set forth in Section 18.332.030 of the Columbia Falls Municipal Code are accurately evaluated as set forth in Conditional Use Report #CCU-18-01 of the Columbia Falls Planning Office, and the City Council hereby adopts said report as findings of fact in support of the requested conditional use permit.

Section Two. Permit Approved. That based upon the findings of Section One of this Resolution, the Application by CFalls LLC dba Yikes, Inc, to expand an existing casino from 12 gaming machines to a maximum of 20 gaming machines at 624 Nucleus Avenue, Columbia Falls, Montana, known more formally as Lots 8, N5' of Lot 9, S20' of Lot 9, 12, 13 and Lot A of the Amended Plat of Lots 10 and 11 of Block 44, Columbia Falls Original Townsite, Section 8, Township 30 North, Range 20 West, P.M.M., Flathead County, is hereby approved.

Section Three. Conditional Use Permit. That the conditional use permit is approved, specifically contingent upon the conditions set forth on Exhibit "A" attached hereto and incorporated herein by reference.

Section Four. Effective Date. That this Resolution shall become effective immediately upon its passage and approval by the City Council.

PASSED AND ADOPTED BY THE CITY COUNCIL OF COLUMBIA FALLS, MONTANA THIS 5th DAY OF FEBRUARY, 2018, THE COUNCIL VOTING AS FOLLOWS:

AYES: Fisher, Karper, Lovering, Piper, Robinson, Shepard and Barnhart

NOES: None

ABSENT: None

CITY CLERK

APPROVED BY THE MAYOR OF COLUMBIA FALLS, MONTANA THIS 5th DAY OF FEBRUARY, 2018.

MAYOR

ATTEST:

CITY CLERK

EXHIBIT "A"

1. The applicant shall develop the project as proposed, except as modified by these Conditions.
2. The casino is limited to 20 gaming machines consistent with State Law.
3. The casino will comply with all State and Local regulations.
4. The applicant shall secure a sign permit from the City of Columbia Falls prior to installing any signage. Signage shall comply with the City's Sign Regulations.
5. The Conditional Use Permit shall terminate 18 months from the date of issuance if commencement of the authorized activity has not begun.