

**MINUTES
CITY OF LAUREL
CITY COUNCIL WORKSHOP
TUESDAY, FEBRUARY 01, 2022**

A Council Workshop was held in Council Chambers and called to order by Mayor Dave Waggoner at 6:29 p.m. on February 1, 2022.

COUNCIL MEMBERS PRESENT:

<input type="checkbox"/> Emelie Eaton	<input checked="" type="checkbox"/> Heidi Sparks
<input checked="" type="checkbox"/> Michelle Mize	<input checked="" type="checkbox"/> Richard Herr
<input checked="" type="checkbox"/> Scot Stokes	<input checked="" type="checkbox"/> Irv Wilke
<input checked="" type="checkbox"/> Richard Klose	<input checked="" type="checkbox"/> Bill Mountsier

OTHERS PRESENT:

Jean Kerr, City Judge
Kelly Gauslow, Court Clerk
Sherri Phillips, Court Clerk
Karen Courtney, Building Official
Forrest Sanderson, KLJ
Kurt Markegard, Public Works Director
Michele Braukmann,

Public Input:

There were none.

General Items

1. Appointment of Forrest Sanderson as interim City Planner, Flood Plain Administrator, and conditions outlined in the task order with KLJ Engineering as per Resolution R18-12.

Four years ago, the City had a task order for KLJ to provide planning services. That task order is still in effect. This task order allows for providing the immediate need of planning services and training the future Planner. Council has been asked to appoint Mr. Sanderson as the interim Planner.

Mr. Sanderson briefly introduced himself.

Executive Review

2. Resolution - A Resolution Of The City Council Approving An Application For Special Review For J. Johnson Properties Authorizing The Operation Of Lucky Louie's, A Bar And Casino, Within An Existing Structure Located At 305 South 1st Avenue, City Of Laurel.

See the attached staff report.

It was questioned if the City or the State would need to approve this request first. It was clarified that the City must approve the special review before they can go before the State for approval.

Council noted this parking lot has only one entrance. It was questioned if that had been addressed. It was clarified that the Owners have spoken with the previous owners of Reese & Rays about removing parking stops to help with traffic flow. There has been a discussion with Wendy's about creating an opening in the fence should patrons park in their lot.

3. Resolution - A Resolution Of The City Council Authorizing The Mayor To Sign An Agreement With Meridian Law PLLC For The Provision Of Civil City Attorney Legal Services For The City Of Laurel.

The Mayor, City Attorney, Council President, and Ambulance Director spoke with Ms. Braukmann, and all were very impressed with her qualifications.

Ms. Braukmann briefly introduced herself to Council and spoke about her numerous credentials.

It was questioned how many RFP's the City received. The City received only one, and she is qualified for the position.

It was questioned if Ms. Braukmann would need to travel often for her practice. It was clarified that she has very few out-of-state travel commitments. She does know her docket pretty far out and will keep the City informed if there are any conflicts.

Mayor Waggoner stated he met with Alan Houlse this afternoon, and he stated Ms. Braukmann is an excellent attorney, and he would 100% recommend her.

It was questioned how many hours Ms. Braukmann expected to work each week. It was clarified that she anticipated working approximately 50 to 60 hours a week while dedicating 20 hours to the City's needs.

Council questioned when they would see the contract with Ms. Braukmann. It was clarified that it would be included in next week's packet.

Council Issues

Other Items

Review of Draft Council Agendas

4. Review Draft Council Agenda for February 8, 2022.
There were no suggested changes.

Attendance at Upcoming Council Meeting

All Council Members present plan on attending next week's Council meeting.

Announcements

There will be a ceremony for unaccompanied vets at the National Ceremony tomorrow.

Park Board will meet this Thursday at 5:30 in Council Chambers.

The council workshop adjourned at 6:50 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Brittney Moorman", with a stylized flourish at the end.

Brittney Moorman
Administrative Assistant

NOTE: This meeting is open to the public. This meeting is for information and discussion of the Council for the listed workshop agenda items.



LAUREL CITY-COUNTY PLANNING DEPARTMENT

STAFF REPORT

TO: Laurel City-County Planning Board and Zoning Commission
FROM: Nicholas Altonaga, Planning Director
PROJECT: Special Review Application for Lucky Louie's (305 S. 1st Ave)
DATE: December 3, 2021

DESCRIPTION OF REQUEST

An application for Special Review was submitted by J Johnson Properties for the property at 305 S. 1st Avenue in Laurel. The property owner plans to renovate the currently vacant commercial building to operate a bar and casino. The property is located within the Highway Commercial (HC) zoning district, as well as the Community Entryway Zoning District (CEZD) and the SE 4th Street Overlay District. The Laurel Municipal Code requires all cocktail lounges, restaurants, bars and taverns located in the Highway Commercial (HC) zoning district to go through the Special Review process prior to the start of operations. An approval of the special review application would allow the operation of a cocktail lounge, bar, or tavern on the location in addition to the proposed casino.

Owner: J Johnson Properties LLC
Legal Description: HAGEMAN SUBD, S16, T02 S, R24 E, BLOCK 4, Lot 15 - 18, W100' LTS 15-18 & 30' X 100' VAC 3RD ST S
Address: 305 S 1st Ave, Laurel, MT 59044
Parcel Size: 15,000sqft
Existing Land Use: Commercial, currently vacant building
Proposed Land Use: Casino and Bar with full-service liquor license.
Existing Zoning: Highway Commercial (HC), Community Entryway Zoning District (CEZD), SE 4th Street Overlay District

BACKGROUND AND PROCEDURAL HISTORY

- Autumn, 2020: Initial conversations begin between Planning Department and Louie Carranco, of Lucky Louie's (located at 117 E. Main Street) about relocating his business to 305 S. 1st Avenue.

- Intermittent discussions take place between Planning Department and Louie Carranco regarding the requirements for relocating his business to 305 S. 1st Ave.
- Planning Department review codes and provide clarification to Louie regarding the procedural requirements.
- September 8, 2021: Planning Department contacted by assistant for developer regarding the land use requirements of the property at 305 S. 1st Ave.
- September 9, 2021: Planning Department provide the codes and forms regarding the special review procedure including the application form, commercial zoning and use requirements, and schedule of fees.
- October 20, 2021: Special Review Application submitted to the Laurel Planning Department.
- December 15, 2021: Public Hearing scheduled at the Planning Board and Zoning Commission for the Special Review.

STAFF FINDINGS

- The applicant has submitted an application for the operation of a bar and tavern at the property of 305 S 1st Avenue in conjunction with the operation of a casino.
- The application contains all the necessary information to move forward to review by Planning Board and City Council.
- The proposed used of the building as a bar and/or tavern conforms with a previous use as a restaurant that offered beer and wine to customers.
- The building is located in close proximity to other establishments operating as casinos with beverage licenses.
- The applicant seeks to relocate their current gaming and bar operation from 117 E. Main St. to 305 S. 1st Ave.
- The applicant seeks to renovate a currently vacant commercial building and place it into productive use.

PLANNING BOARD AND GOVERNING BODY REVIEW CRITERIA

LMC 17.68 – Special Review Procedures, contains the review criteria for the decision-making process for Special Review applications.

- A. *After presentation to the zoning commission of the request for special review by the applicant, the zoning commission shall make a recommendation to the city council to:*
 1. *Grant the application for special review;*
 2. *Deny the application;*
 3. *Delay action on the application for a period not to exceed thirty days; or*
 4. *Grant the application subject to conditions and recommendations and give the reasons therefor.*
- B. *Before approving a special review use, the zoning commission shall find that the contemplated use(s):*

1. *Complies with all requirements of this section;*
2. *Is consistent with the objectives and purposes of this title and the Laurel comprehensive planning process;*
3. *Is compatible with surrounding land use or is otherwise screened and separated from adjacent land in such a way as to minimize adverse effects;*
4. *Further the zoning commission shall consider and may impose modifications or conditions concerning, but not limited to the following:*
 - a. *Street and road capacity,*
 - b. *Ingress and egress to adjoining streets,*
 - c. *Off-street parking,*
 - d. *Fencing, screening and landscaping,*
 - e. *Building bulk and location,*
 - f. *Usable open space,*
 - g. *Signs and lighting,*
 - h. *Noise, vibration, air pollution and similar environmental influences.*

The following actions are to be taken by City Council:

17.68.50 - City council action.

- A. *Before taking action on an application for special review, and after presentation of the zoning commission's report, the city council may hold a public hearing on the application.*
- B. *The zoning commission may recommend to the council whether to hold a public hearing or not. In the event the city council holds its own public hearing on the application, then the recommendations of the zoning commission and the notice of public hearing before the city council shall both be published twice in the newspaper of general circulation in the jurisdictional area of the Laurel-Yellowstone city-county planning board with the first publication being at least fifteen days prior to the hearing.*

RECOMMENDATIONS

The Planning Director recommends the Planning Board and Zoning Commission approve the Special Review with the following conditions:

1. Any applicable permits, including but not limited to building permits, sign permits, and right-of-way permits must be applied for within twelve (12) months of special review approval.
2. A signage plan shall be provided to the Planning Department and Building Department that conforms to the requirements of the Laurel Sign Code and signage requirements of the overlay districts wherein the property is located.
3. Construction of any improvements to the site and building must be completed within twelve (12) months of special review approval with the ability to request an extension.
4. The operation of the site shall not be done in such a manner as to be a nuisance.

5. Any use of the property not specifically included in this approval or allowable within its underlying zoning district shall be deemed a violation of the laurel Zoning Code.
6. Any subsequent use or change of use associated with this special review shall submit additional documentation to the City for subsequent processing and approval or denial.

ATTACHMENTS

1. *Special Review Application Packet and Form*
2. *Site Overview*
3. *Adjacent Property Owners List (300ft)*
4. *Adjacent Property Owners Map (300ft)*
5. *Mailing Labels*
6. LMC 17.68 – Special Review Procedures
7. Public Notice for Special Review Public Hearing