



**AGENDA
CITY OF LAUREL
CITY COUNCIL MEETING
TUESDAY, JUNE 11, 2024
6:30 PM
COUNCIL CHAMBERS**

***WELCOME . . .** By your presence in the City Council Chambers, you are participating in the process of representative government. To encourage that participation, the City Council has specified times for citizen comments on its agenda -- once following the Consent Agenda, at which time citizens may address the Council concerning any brief community announcement not to exceed one minute in duration for any speaker; and again following Items Removed from the Consent Agenda, at which time citizens may address the Council on any matter of City business that is not on tonight's agenda. Each speaker will be limited to three minutes, unless the time limit is extended by the Mayor with the consent of the Council. Citizens may also comment on any item removed from the consent agenda prior to council action, with each speaker limited to three minutes, unless the time limit is extended by the Mayor with the consent of the Council. If a citizen would like to comment on an agenda item, we ask that you wait until the agenda item is presented to the Council by the Mayor and the public is asked to comment by the Mayor.*

Any person who has any question concerning any agenda item may call the City Clerk-Treasurer's office to make an inquiry concerning the nature of the item described on the agenda. Your City government welcomes your interest and hopes you will attend the Laurel City Council meetings often.

Pledge of Allegiance

Roll Call of the Council

Approval of Minutes

1. Approval of Minutes of May 28, 2024.

Correspondence

2. Resignation from Library Board - Lela Schlitz
3. Police Monthly Report - May 2024
4. Fire Monthly Report - May 2024.
5. City/County Planning Board Reappointment - Judy Goldsby

Council Disclosure of Ex Parte Communications

Public Hearing

6. Public Hearing: A Resolution Of The City Council For Annexation Of Property Legally Described As A Portion Of Lot 7a-1, Of The Amended Plat Of Tracts 6a And 7a, Of The Amended Plat Of Tracts 6 And 7, Of Westbrooks Subdivision, Yellowstone County, Montana, According To The Official Plat On File In The Office Of The Clerk And Recorder Of Said County, Under Document No. 1684287. Excepting Therefrom That Portion Granted Unto The State Of Montana By Virtue Of Bargain And Sale Deed Recorded January 25, 1965, Book 807, Under Document No. 747048; And Excepting Therefrom That Portion Granted Unto The Montana Department Of Transportation By Virtue Of Bargain And Sale Deeds Recorded September 13, 2017 Under Document No. 3827294 And 3827295; And Excepting Therefrom That Portion Granted Unto The Montana Department Of Transportation By Virtue Of Warranty Deeds Recorded September 13, 2017 Under Document No. 3827296 And 3827297. Adjacent To The City Of Laurel, As An Addition To The City Of Laurel, Yellowstone County, Montana, With Concurrent Approval Of Zoning Designation Upon Annexation Of The Property.

Consent Items

NOTICE TO THE PUBLIC

*The Consent Calendar adopting the printed Recommended Council Action will be enacted with one vote. **The Mayor will first ask the Council members if any Council member wishes to remove any item from the Consent Calendar for discussion and consideration.** The matters removed from the Consent Calendar will be considered individually at the end of this Agenda under "Items Removed from the Consent Calendar." (See Section 12.) The entire Consent Calendar, with the exception of items removed to be discussed under "Items Removed from the Consent Calendar," is then voted upon by roll call under one motion.*

7. Claims entered through June 7, 2024.
8. Approval of Payroll Register for PPE 5/26/2024 totaling \$205,606.34.
9. Council Workshop Minutes of June 4, 2024.

Ceremonial Calendar

Reports of Boards and Commissions

10. Budget/Finance Committee Minutes of May 28, 2024.
11. Tree Board Minutes of May 9, 2024.

Audience Participation (Three-Minute Limit)

Citizens may address the Council regarding any item of City business that is not on tonight's agenda. Comments regarding tonight's agenda items will be accepted under Scheduled Matters. The duration for an individual speaking under Audience Participation is limited to three minutes. While all comments are welcome, the Council will not take action on any item not on the agenda.

Scheduled Matters

12. Appointment of James Wise to the Laurel Airport Authority for a five-year term ending June 30, 2029.
13. Appointment of Tom Canape to the Cemetery Commission for a two-year term ending June 30, 2026.
14. Appointment of Wallace Hall to the Cemetery Commission for a two-year term ending June 30, 2026.
15. Appointment of Steven Hurd to the Cemetery Commission for a two-year term ending June 30, 2026.
16. Appointment of Mardie Spalinger to Laurel Urban Renewal Agency for the remainder of a four-year term ending December 31, 2027.
17. Appointment of Richard Klose to the City/County Planning Board for a two-year term ending June 30, 2026.
18. Resolution No. R24-43: A Resolution Of The City Council For Annexation Of Property Legally Described As A Portion Of Lot 7a-1, Of The Amended Plat Of Tracts 6a And 7a, Of The Amended Plat Of Tracts 6 And 7, Of Westbrooks Subdivision, Yellowstone County, Montana, According To The Official Plat On File In The Office Of The Clerk And Recorder Of Said County, Under Document No. 1684287. Excepting Therefrom That Portion Granted Unto The State Of Montana By Virtue Of Bargain And Sale Deed Recorded January 25, 1965, Book 807, Under Document No. 747048; And Excepting Therefrom That Portion Granted Unto The Montana Department Of Transportation By Virtue Of Bargain And Sale Deeds Recorded September 13, 2017 Under Document No. 3827294 And 3827295; And Excepting Therefrom That Portion Granted Unto The Montana Department Of Transportation By Virtue Of Warranty Deeds Recorded September 13, 2017 Under Document No. 3827296 And 3827297. Adjacent To The City Of Laurel, As An Addition To The City Of Laurel, Yellowstone County, Montana, With Concurrent Approval Of Zoning Designation Upon Annexation Of The Property.

Items Removed From the Consent Agenda

Community Announcements (One-Minute Limit)

This portion of the meeting is to provide an opportunity for citizens to address the Council regarding community announcements. The duration for an individual speaking under Community Announcements is limited to one minute. While all comments are welcome, the Council will not take action on any item not on the agenda.

Council Discussion

Council members may give the City Council a brief report regarding committees or groups in which they are involved.

Mayor Updates**Unscheduled Matters****Adjournment**

The City makes reasonable accommodations for any known disability that may interfere with a person's ability to participate in this meeting. Persons needing accommodation must notify the City Clerk's Office to make needed arrangements. To make your request known, please call 406-628-7431, Ext. 2, or write to City Clerk, PO Box 10, Laurel, MT 59044, or present your request at City Hall, 115 West First Street, Laurel, Montana.

File Attachments for Item:

1. Approval of Minutes of May 28, 2024.

DRAFT

MINUTES OF THE CITY COUNCIL OF LAUREL

May 28, 2024

A regular meeting of the City Council of the City of Laurel, Montana, was held in the Council Chambers and called to order by Mayor Dave Waggoner at 6:30 p.m. on May 28, 2024.

COUNCIL MEMBERS PRESENT:	Thomas Canape	Heidi Sparks
	Michelle Mize	Jessica Banks
	Casey Wheeler	Irv Wilke
	Richard Klose	Jodi Mackay

COUNCIL MEMBERS ABSENT: None

OTHER STAFF PRESENT:

- Brittney Harakal, Administrative Assistant
- Kelly Strecker, Clerk/Treasurer
- Kurt Markegard, Planning Director
- Forrest Sanderson, Contract Planner
- Stan Langve, Police Chief
- Jared Anglin, Police Captain
- Haley Swan, Police Sargent
- Jackson Booth, Police Sargent
- Ryan Sedgwick, Police Officer
- Steven Baumgartner, Police Officer
- Jeremiah Johnson, Police Officer

Mayor Waggoner led the Pledge of Allegiance to the American flag.

MINUTES:

Motion by Council Member Wilke to approve the minutes of the regular meeting of May 14, 2024, as presented, seconded by Council Member Mackay. With no objection, the minutes of the regular meeting of May 14, 2024, as presented, were approved. There was no public comment or Council discussion.

CORRESPONDENCE: None.

COUNCIL DISCLOSURE OF EX PARTE COMMUNICATIONS: None.

PUBLIC HEARING:

- **Public Hearing on A Resolution Of The City Council To Adopt Updated Growth Management Policy For The City Of Laurel-Yellowstone County Joint Planning Jurisdiction.**

Mayor Waggoner opened the public hearing and asked Staff to present the item.

Kurt Markegard, Planning Director, briefly reviewed the schedule of events to bring the Growth Management Policy before the Council as included in the Growth Management Policy.

Forrest Sanderson, Contract Planner, reviewed the attached changes to the maps. If Council would like to move forward with the amended maps they will need to include that in the motion.

Mayor Waggoner opened the floor for public comment and stated that copies of the rules governing the public hearing were posted in the Council chambers.

Mayor Waggoner asked three (3) times if there were any proponents. There were none.

Mayor Waggoner asked if there were any opponents.

Karen Jurassi, 1131 N. 32nd Street, Billings, MT, read the attached statement into the record.

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Steve Krum, 249 24th Avenue W., read the attached statement into the record.

Kasey Felder, 1434 McMullen Lane, asked that the Council postpone voting until the maps were correct.

Arron Felder, 1434 McMullen Lane, noted the Planning Director had stated at the County Commission Public hearing that the maps were correct. He hopes that the maps are correct. He questioned who the Planning Director works for and asked for transparency.

Ms. Jurrasi noted that there are Type I and Type II zoning requests. Type I is owner-initiated. Type II is initiated by the zoning authority. Type II requires a Growth Management Policy. She stated that until the County has adopted subdivision regulations or zoning regulations, Laurel should still have zoning jurisdiction.

Mayor Waggoner stated that he would have Staff respond to questions.

Kurt Markegard, Planning Director, clarified that SB382 will eliminate the growth policy. The City will be creating a Land Use Plan. There are ten cities affected by this new law; now, counties are included in the law. Yellowstone County will stay on the old Planning laws while the City moves to the new laws. Currently, this is an unfunded mandate. The City of Helena was quoted \$200k to \$750k for the house data portion of the Land Use Plan. Council can choose to accept the Growth Management Policy, deny it, or they can send it back to the City/County Planning Board.

Mayor Waggoner closed the public hearing.

- **Public Hearing on An Ordinance Repealing And Replacing Certain Sections Of Title 17 Of The Laurel Municipal Code Related To Zoning.**

Mayor Waggoner opened the public hearing and asked Staff to present the item.

Kurt Markegard, Planning Director, stated the City received a Community Development Block Grant for 50k to redo the Zoning regulations. The City had a 16k match. During the last legislative session, four bills affected zoning regulations. Two have received an injunction and the other two are under review. The City decided to move forward while waiting for those legal decisions to be made through the court. Once this ordinance is adopted it will close out our grant.

Forrest Sanderson, Contract Planner, briefly reviewed the attached Staff report and zoning map.

Mayor Waggoner opened the floor for public comment and stated that copies of the rules governing the public hearing were posted in the Council chambers.

Mayor Waggoner asked three (3) times if there were any proponents. There were none.

Mayor Waggoner asked if there were any opponents.

Karen Jurassi, 1131 N. 32nd Street, Billings, MT, stated the City's Growth Management Plan is good through 2025. It has been rushed through because of the County and their particular agenda. SB 382 was passed on May 17, 2023, and is effective immediately. The new law has a much more stringent plan, and the City should follow at least the spirit of the new law. It may be expensive, but it needs to have data and studies. When Northwest Energy passes the cost of the electric plant onto its customers, the rates will go up. Choose your costs.

Mayor Waggoner asked two (2) additional times if there were more opponents. There were none.

Mayor Waggoner stated that he would have Staff respond to questions, but there were none.

Mayor Waggoner closed the public hearing.

CONSENT ITEMS:

DRAFT

Council Minutes of May 28, 2024

- **Claims entered through May 24, 2024.**
A complete listing of the claims and their amounts is on file in the Clerk/Treasurer's Office.
- **Approval of Payroll Register for PPE 5/12/2024 totaling \$239,169.93.**
- **Council Workshop Minutes of May 7, 2024.**
- **Council Workshop Minutes of May 21, 2024.**

The Mayor asked if there was any separation of consent items. There was none.

Motion by Council Member Klose to approve the consent items as presented, seconded by Council Member Wilke. With no objection, the Consent Agenda of May 28, 2024, as presented, was approved. There was no public comment or Council discussion.

CEREMONIAL CALENDAR:

- Captain Pinning Ceremony

Jared Anglin was promoted to Police Captain.

- Sergeant Pinning Ceremony

Haley Swan was promoted to Police Sergeant.

REPORTS OF BOARDS AND COMMISSIONS:

- Budget/Finance Committee Minutes of May 14, 2024.
- Emergency Services Committee Minutes of May 20, 2024.
- Public Works Committee Minutes of May 20, 2024.
- Laurel Urban Renewal Agency Minutes of May 20, 2024.

AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT): None.

SCHEDULED MATTERS:

- **Appointment of John Collins and Killian Mayo to the Laurel Police Department.**

Motion by Council Member Sparks to approve the Mayor's appointment of John Collins and Killian Mayo to the Laurel Police Department, seconded by Council Member Wilke. There was no public comment or council discussion. A vote was taken on the motion. All eight Council Members present voted aye. Motion carried 8-0.

Stan Langve, Police Chief, briefly introduced Mr. Collins and Mr. Mayo to Council.

Mr. Collins and Mr. Mayo were sworn in as

- **Resolution No. R24-40: A Resolution Of The City Council Authorizing The Mayor To Execute The Agreement For Provision Of Fire Services By And Between The City Of Laurel And Fire District 5.**

Motion by Council Member Banks to approve Resolution No. R24-40, seconded by Council Member Wilke. There was no public comment or council discussion. A vote was taken on the motion. All eight Council Members present voted aye. Motion carried 8-0.

- **Resolution No. R24-41: A Resolution Of The City Council To Adopt Updated Growth Management Policy For The City Of Laurel-Yellowstone County Joint Planning Jurisdiction.**

Motion by Council Member Canape to approve Resolution No. R24-41 with amended maps, seconded by Council Member Mize.

DRAFT

Council Minutes of May 28, 2024

Steve Krum, 249 24th Avenue W, in SB 382, states you have an existing one. You cannot change it after the Governor signs the bill. So, changing this may not be legal either. Let Billings get their own growth policy because joint growth policies may not be legal.

It was questioned if the County is waiting on the City to make its maps. The Growth Policy is the same. However, their map did not include a buffer zone that CHS had asked for years ago. The City limits are the only changes being made.

Kasey Felder, 1434 McMullen Lane, asked that the vote be postponed until the changes have been made to the maps.

Aaron Felder, 1434 McMullen Lane, stated that they are asking for the maps to be updated correctly. They have not seen the maps. He stated that it sounded like a helicopter was in the air the whole day. He asked for transparency.

It was questioned if the new maps would be included in the final draft. It was clarified that this was correct. The only changes being made to the maps are the City limits for the Golf Course annexation and the right of way going to Riverside Park.

A roll call vote was taken on the motion. Council Members Sparks, Banks, Wilke, Mackay, Klose, Wheeler, Mize, and Canape voted aye. Motion carried 8-0.

- **Resolution No. R24-42A: Prosecutor Contract**

Motion by Council Member Mackay to approve Resolution No. R24-42A (Non-Renewing), seconded by Council Member Sparks. There was no public comment or council discussion. A vote was taken on the motion. All eight Council Members present voted aye. Motion carried 8-0.

- **Ordinance No. O24-02: An Ordinance Repealing And Replacing Certain Sections Of Title 17 Of The Laurel Municipal Code Related To Zoning. (Second Reading)**

Motion by Council Member Wheeler to adopt Ordinance No. O24-02, seconded by Council Member Wilke. There was no public comment or council discussion. A roll call vote was taken on the motion. Council Members Sparks, Banks, Wilke, Mackay, Klose, Wheeler, Mize, and Canape voted aye. Motion carried 8-0.

ITEMS REMOVED FROM THE CONSENT AGENDA: None.

COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT):

June 1, 2024, is Crazy Days in Downtown Laurel. There is a City-wide lemonade stand competition for the kids.

COUNCIL DISCUSSION:

The Splash Parks Grand Opening is scheduled for May 30, 2024, at 5:00 p.m. at the Billie Riddle Splash Park.

MAYOR UPDATES:

There is a Community Clean Up this weekend. If you need items picked up, please call to schedule a pick-up.

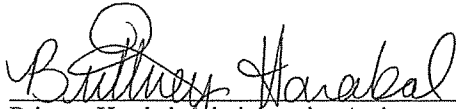
UNSCHEDULED MATTERS: None.

ADJOURNMENT:

Motion by Council Member Mize to adjourn the council meeting, seconded by Council Member Wilke. There was no public comment or council discussion. A vote was taken on the motion. All eight Council Members present voted aye. Motion carried 8-0.

There being no further business to come before the Council at this time, the meeting was adjourned at 7:55 p.m.

DRAFT


Brittney Harakal, Administrative Assistant

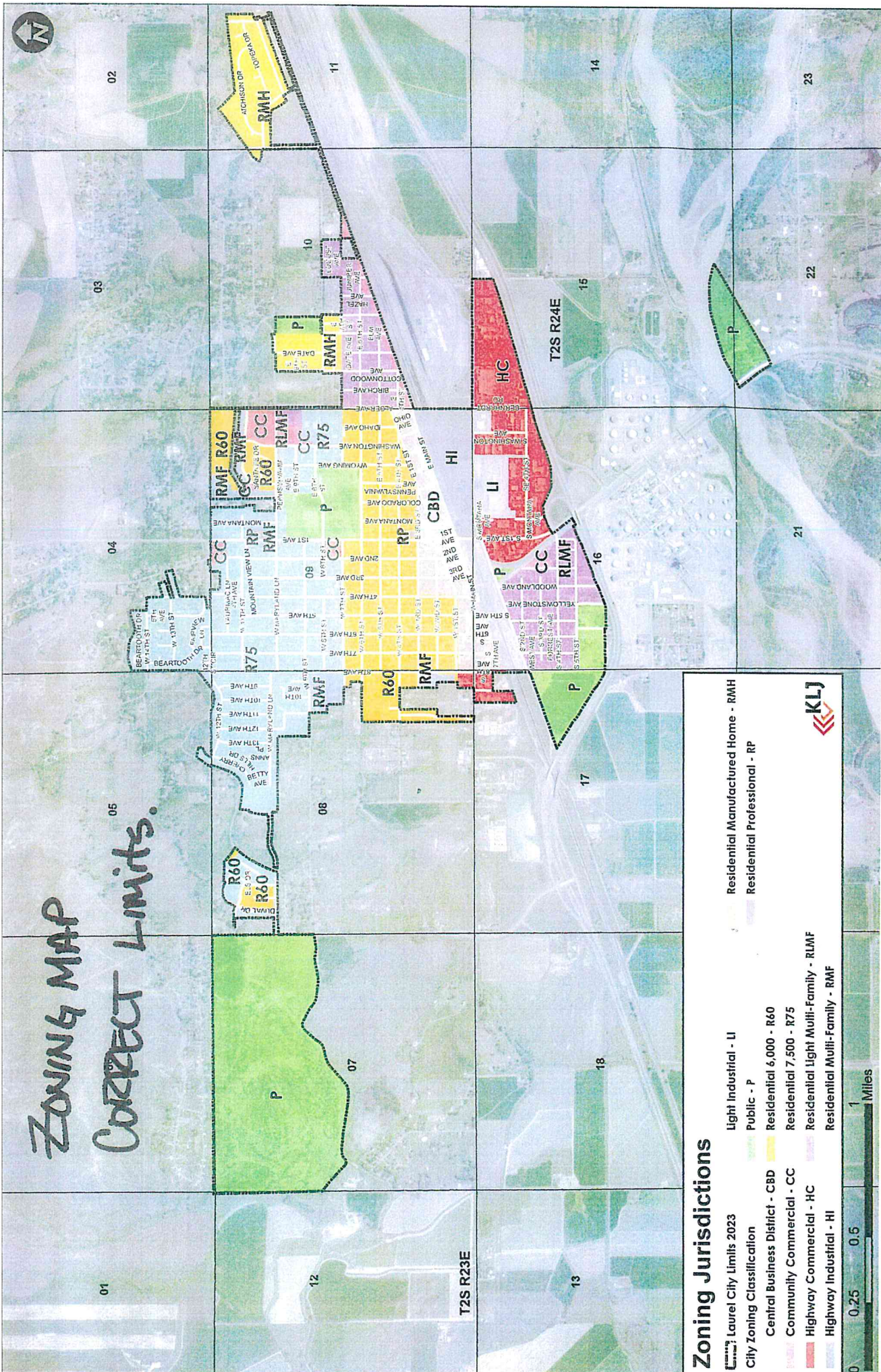
Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this ____ day of ____, 2024.

Dave Waggoner, Mayor

Attest:

Kelly Strecker, Clerk/Treasurer

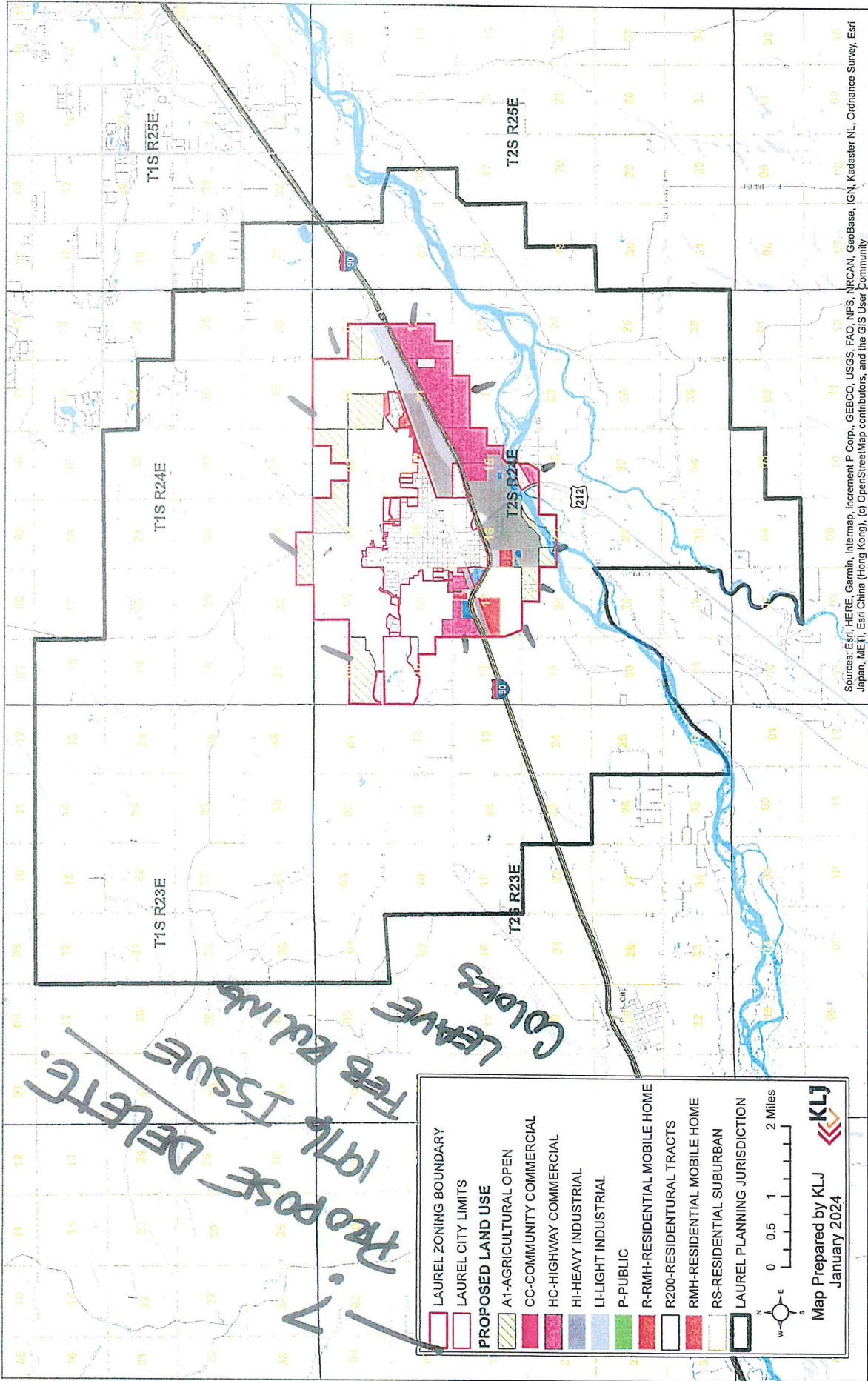
ZONING MAP CORRECT LIMITS.



Zoning Jurisdictions

- Laurel City Limits 2023
- Residential Professional - RP
 - Residential Multi-Family - RMF
 - Residential Light Multi-Family - RLMF
 - Residential Commercial - RC
 - Residential Commercial - CBD
 - Residential Commercial - CC
 - Residential Commercial - HC
 - Highway Industrial - HI
 - Light Industrial - LI
 - Public - P
 - Residential 6,000 - R60
 - Residential 7,500 - R75
 - Residential Light Multi-Family - RLMF
 - Residential Multi-Family - RMF

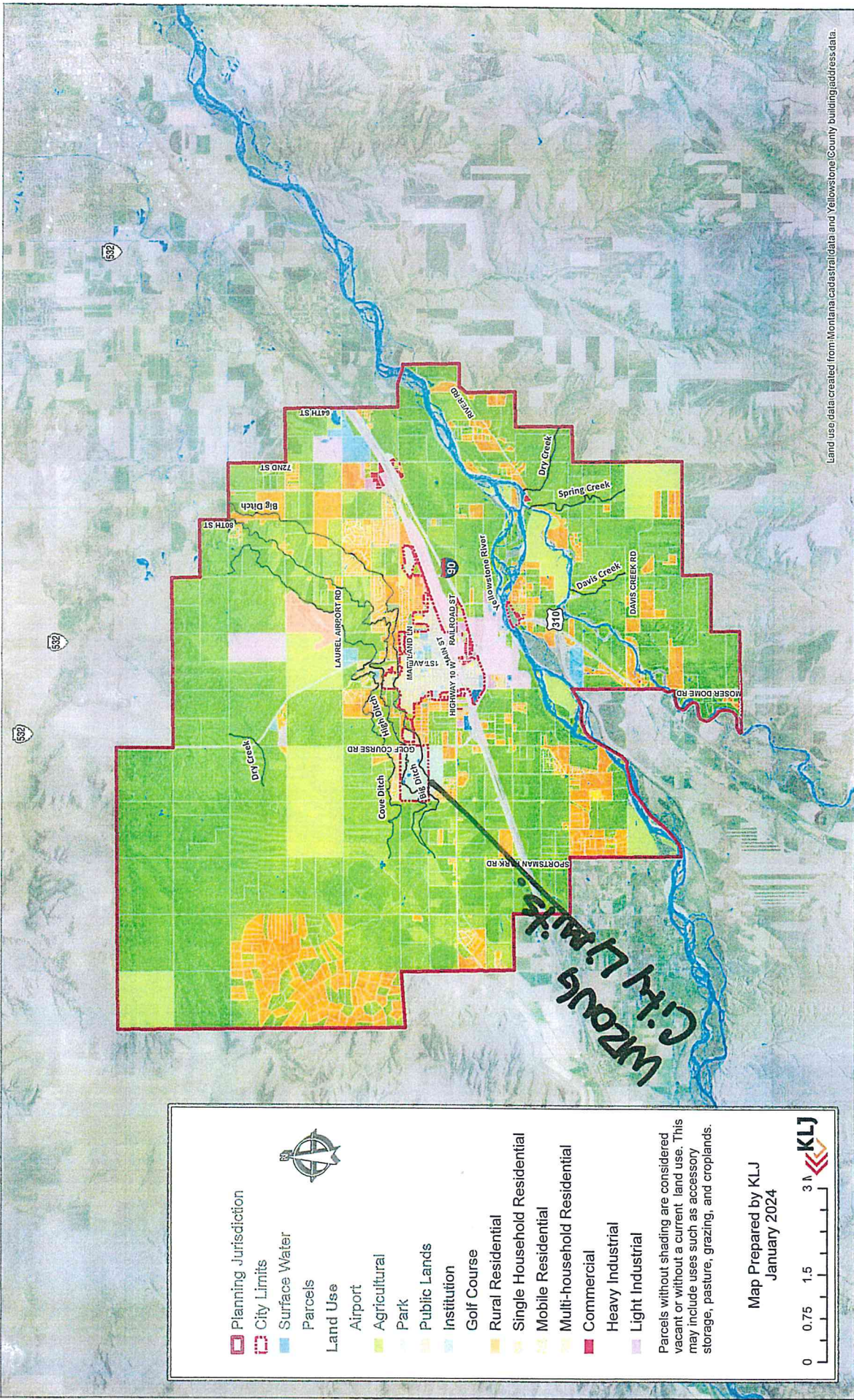




Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

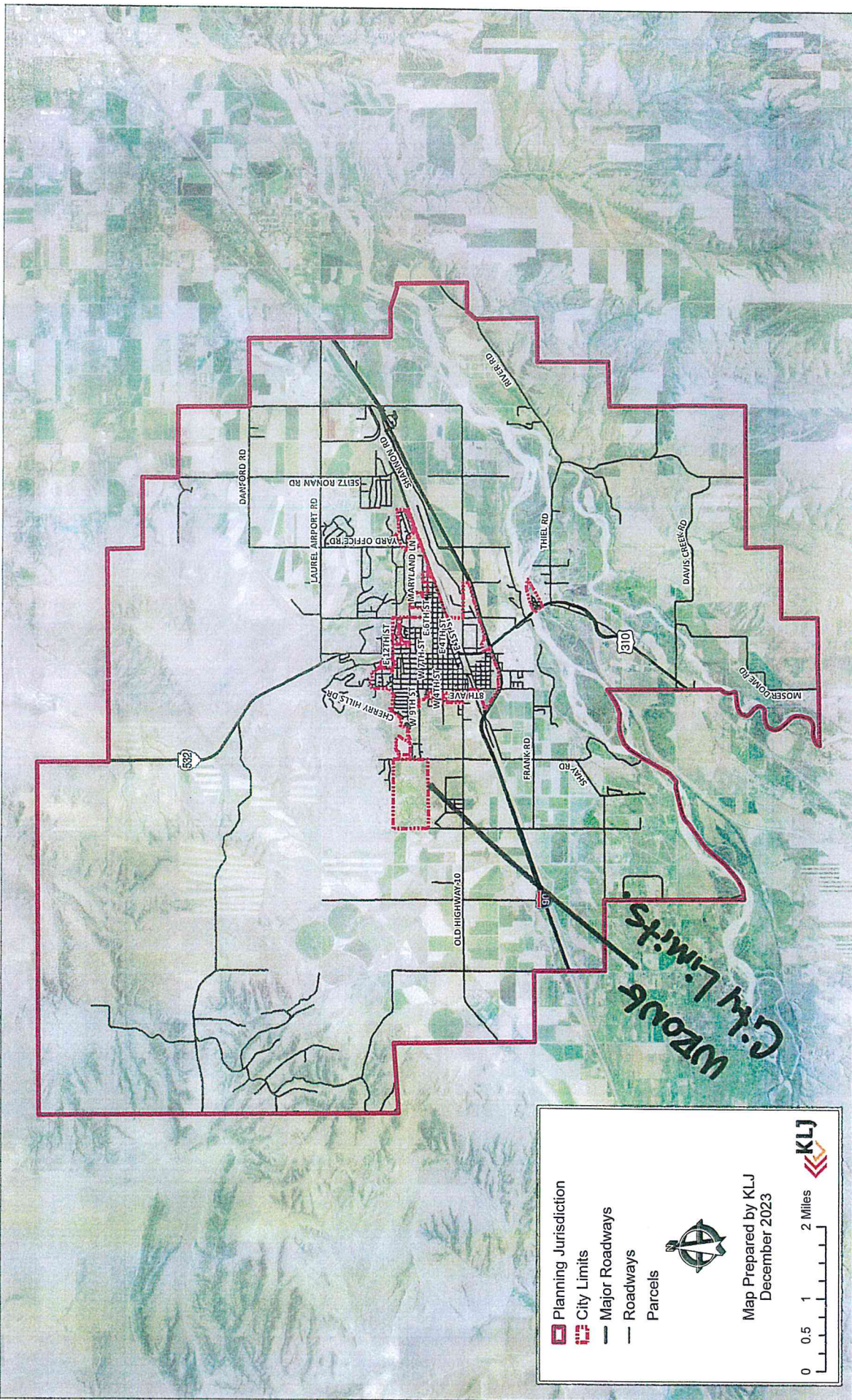
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FUTURE LAND USE

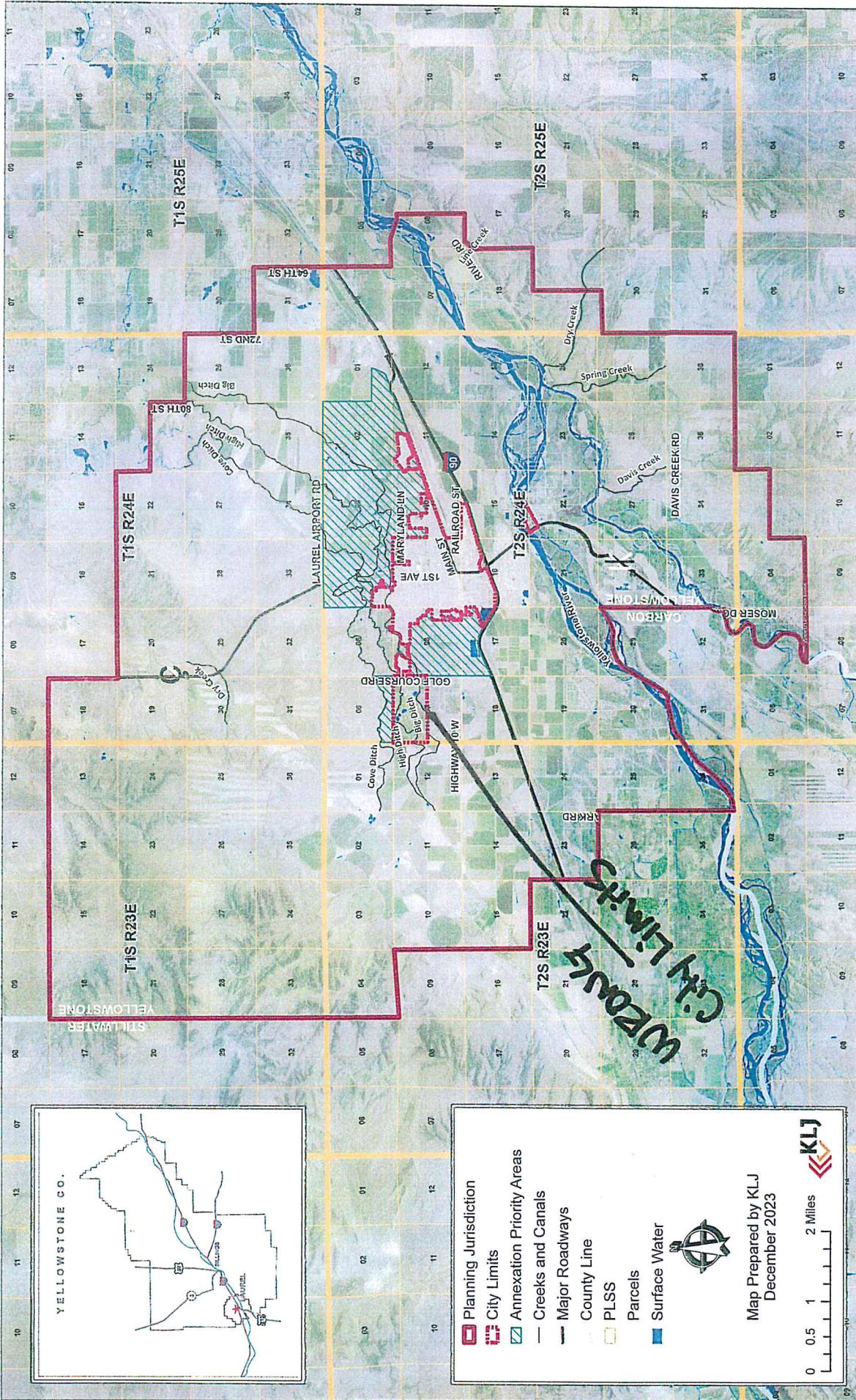


Land use data created from Montana cadastral data and Yellowstone County building address data.

EXISTING LAND USE



MAJOR TRANSPORTATION INFRASTRUCTURE



Document Path: K:\Projects\City\MT\Laurel\1804_Laure Planning\GIS\Laure Planning_Jurisdiction.mxd

PLANNING JURISDICTION

KAREN JUNK
1131 N 32
Billings MT 59101

<https://www.billingsmt.gov/DocumentCenter/View/1956/Yellowstone-County-Subdivision-Regulations?bidId=>

Council points

Here to oppose adoption of growth plan for City and County. I'm a county resident but your adoption of this joint plan with the City forms the basis for planning and zoning actions that will adversely all Yellowstone County inhabitants and so I need to object.

First, since the county did not ever adopt the 2020 growth plan, this may be an "update" for you, but it is not an "update" for the county. It's an original growth plan. And the Planning board should have treated it as such. You can't just review and update the old growth plan from 2020 and put in a few changes reflecting the County's intention to zone the area, you need to comply with Montana law on new growth planning. And saying you're going to plan for the area around Laurel by "giving everyone what they thought they had" is not a proper criteria under Montana law, and it says nothing about the health, safety and welfare of the community and the environment and all the other considerations under MT law. What it did was to allow the County to modify the plan to change NWE's land use to heavy industrial, when it has never been properly vetted for that.

I think that the Planning Board and the City may have been too hasty to disclaim the municipal zoning it exercised in the area out side the city limits in the past, under Montana statutes and Laurel municipal ordinances. This decision was made in consultation with the County Commissioners which are biased and have predeterminations about the outcome of the zoning issue with regard to NWE. One of the Commissioners appeared in a promotional video for the plant on NWE's website. And on two occasions, members of the public were told by 2 different commissioners that the plant is a "done deal" and they better get used to it, and public comments are mandatory procedure but won't make any difference.

by one PB member
none of whom are lawyers
by a new City Atty and

Anyway, the Planning Board and the County agreed that the City lacked jurisdiction because of the County's assertion of subdivision regulations outside the city limits. But the 2019 Subdivision regulations, which were originally adopted in 2006 and carried through to 2019, were not based on any current growth plan since the County's last growth plan was in 2008. And the 2019 subdivision regs specifically say that they do not apply to the Laurel Planning Jurisdiction. And the 2023 Subdivision regulations, which do divide the planning jurisdiction between the City and the County, were just adopted about a month ago. MCA 76-2-311, says that municipal zoning can be enforced "until the county board adopts a growth policy pursuant to chapter 1 and accompanying zoning or subdivision resolutions that include the area." The County just adopted a growth policy on April 2, and new subdivision regulations on April 23, so Laurel's zoning should have remained valid in the mean time.

The reason this is important is because the County residents who were previously protected by valid City zoning in the area outside the city limits have now lost that protection. The County tried to mollify them by saying it wanted to adopt a land use plan reflecting "what everyone thought they had", but the Planning Board changed agricultural land to Highway Commercial, and the first thing the County did was to modify the previous zoning that everyone thought they had to give NWE the land use designation it needs to get zoning as heavy industrial in the future. By doing this it allowed NWE to evade any scrutiny on the impacts of its plant upon the community and the environment, including air quality, as required under new land use planning statutes. I believe the entire course of events was planned with this outcome in mind, due to the bias and predetermination of the County Board referenced above.

Next, The process of developing a new growth plan for the County did not conform to Montana law. There was no data, studies, or other information considered in developing the County's new growth plan, even though things have certainly changed since 2020, when Covid hit, Montana experienced a huge population shift, and NWE started building a toxic methane gas plant in your back yard, which is now operational in "test mode" and is already bothering people in their homes across the river. Population estimates were based on data from 2017-18. The population forecast was based on 2019 data, with no consideration of the 2020 census, as required under 76-25-203. Housing values

and rental affordability was based on 2013-2017 data, with no updating to reflect the increases in housing costs and shortages of housing across the state. In describing industry in Laurel, the Growth Plan refers to CHS and the railroad. No mention of the elephant in the room- the methane plant. No consideration of the impacts on health, safety and welfare of residents or the environment (clean air) from air pollution containing dangerous chemicals well as 24 hour lighting and noise which can already be heard by at least one in District 18 as the plant is now operating in test mode.

And what about the CHS refinery? According to the CHS website, "The CHS Refinery located at the south end of Laurel, MT spans 350 acres and is currently undergoing its second major upgrade in less than a decade. The 75-year-old refinery presently produces 56,000 barrels-per-day. The multimillion dollar project aims to increase production of gasoline and diesel products to 880 million gallons a year." The Growth plan doesn't contain or consider data about the additional impact of the refinery from its past and present upgrades, with data on how much toxic air pollution it creates and how that, combined with NWE's plant, will affect the residents and environment of the City and County. It doesn't evaluate the environmental impacts of the NWE plant along the Yellowstone and how smokestacks and noise and pollution may affect the residential and recreational environment around Laurel

I realize this is not a zoning document, but any growth plan should have memorialized the existing municipal zoning that had been respected by all in the past, and then planned forward based on data, studies, and other information as well as consideration and actual response to public comment. Not just "give everyone what they thought they had" because that creates a loophole a mile wide for then County and NWE to drive through, since they can simply modify the maps to suit their needs, as they did. If the County is going to mention NWE by name in its resolutions and modify growth plan maps to accommodate it, the least you could do is actually consider the many negative impacts of the plant in your growth planning decisions.

The new growth plan is based on a map drawn by a single person one day before a work session on January 31, 2024, and amended at that same work session without any proper analysis and data and consideration of statutory

factors before simply drawing part of the map a different color. The work session was promised to be a collaborative effort with members of the public, and then was changed to be a work session where the public was not allowed to participate unless asked to comment by a member of the Board. This is just one instance where public participation was curtailed, and it was difficult to comment meaningfully anyway because of the haphazard way the maps developed and changed over time with no principled reason or explanation.

The maps were then modified by the County and adopted on April 2, and now we are headed to the enactment of County zoning based on a Growth plan that has absolutely no basis in current data, studies, or other statutorily required factors. The County's approval is now the subject of a lawsuit, because of the County's actions and the Planning Board's failure to abide by Montana law in the process, as well as bias and predetermined outcome on the part of the County.

If you adopt this Growth Plan, you are falling into their strategy by not requiring your own Planning Board to follow the law and develop a growth plan that is dictated by proper considerations, and not the County's and NWE's determination to give NWE heavy industrial zoning.

Thank you for your time and for your service.

Laurel Council Meeting 5.28.2024

Mr. Mayor, Council Members:

Item 2 of MCA 76-2-101 and I quote: "A planning and zoning district may not be created in an area that has been zoned by an incorporated city pursuant to 76-2-310 and 76-2-311". Laurel has clearly created a zoning district out to 1 mile beyond their city limits and the Laurel City Council had been making all the zoning decisions out to 1 mile in the past. But, late in 2014 when a new interlocal agreement was adopted by Laurel and the County, the county began making these decisions.

Thank You Kurt For Maps & Can We have a copy!

The 2014 interlocal agreement gave the CCPB authority to determine which entity, City of Laurel or the County would decide the zoning requests within this 1-mile area, first page of agreement, under Functions section, 3rd sentence, nothing else on authority. I am pretty sure this was not legal and cannot supersede MCA, which still gives this authority to the city of Laurel until the county has created its own Growth Policy for this same area. 2 examples, both CHS properties. One zoned in 2009 by the Laurel City Council, Ordinance No. O09-10, Laurel has a growth policy for the area. The second, CHS 2015, Resolution 15-58, County authorized the zone change even though they lacked a Growth Policy for this area at the time and should not have been making these decisions. Even Fehr's decision required the County to have their own Growth Policy.

To this day the City of Laurel still states zoning authority over the 1 mile area around the city of Laurel per LMC 1.20.010. Laurel has the 2020 Growth Policy that also gives them authority

State Law does

Let County do their own thing

Are different
NOT reference
Joint
GP

to zone in this 1-mile area. Both the city of Laurel and Yellowstone County relied on existing zoning maps of this 1 mile area referencing Residential Manufactured Housing to Light Industrial, Agricultural Open to Heavy Industrial, so yes there is and was maps being used for zoning of the 1 mile area around the city of Laurel.

There is and has been official zoning maps of this area with a future land use plan map as well, all shown in Laurels 2020 growth plan. The City of Laurel used them in 2009 and the County used them in 2015, just 2 examples. As stated in an official document of the city of Laurel, Resolution R21-122; the previous City Planner commenting about the city filing and saving maps with the County GIS office, this one was done approximately 80 years ago, page 4 of document. The city of Laurel has been saving official changes to maps with the Yellowstone County GIS office

Finally, do you realize by protecting NW's illegal building of this plant on Agricultural ground you will be saddling not only yourself but future generations of all Montanans, your children, their children and their children's children with massive annual debt from this plant if it is allowed to go through. In NWE's own application and exhibits to the PSC they identify some of the known annual costs to build, operate, and maintain this plant which will exceed 60 million dollars annually and will be passed on to ratepayers for the next 20 to 30 years. The 60 million does not include other required expenses: 36,000 dekatherms per day methane gas, potential environmental penalties for burning fossil fuels and additional load put on plant as only ~25% plant

capacity is calculated in the original 60 million, all this will cost more money. Will it be another 10, 20 or 30 million per year, who knows but NWE has already signed a 33-year contract for 36,000 dekatherms per day methane and a 20 year contract option to Cat to operate the plant.

All these expenses will go to small business and residential rate payers who are already being hit with higher property taxes and utility expenses. The PSC has already let the big corporations off the hook from paying for this plant. With all this new expensive electricity from this plant, the emergency costs for extreme weather conditions in the past will seem a pittance. But, a big but, these emergency expenses will continue, and add an even greater expense to us all, as NWE is not even close to producing all it's own energy needs, meaning this plant will run much more than a topping plant.

Thank You.

ZONING COMMISSION RECOMMENDATION ZC-24-01
2024 Laurel Zoning Regulations
March 4, 2024

BACKGROUND:

The City of Laurel is an incorporated City within the State of Montana with powers established under the Constitution of Montana XI.4. The power and processes for the City to establish zoning regulations are found in §76-2-301 et. seq. M.C.A.

Starting in early 2023 the City Council charged its Zoning Commission to update the existing zoning regulations to reflect changes to the City Growth Policy and the community in general.

After extensive discussion and consideration, the Zoning Commission drafted revised Zoning Regulations but there were a number of technical issues in need of resolution. To resolve these issues the City applied for and was awarded a Planning Grant to hire a consultant to help the Zoning Commission refine the document resolve the technical issues and prepare the draft regulations and a new zoning map that would implement the Growth Policy. The Zoning Commission will conduct a public hearing on the draft Zoning Regulations and Zoning Map, which is scheduled for Wednesday, December 20, 2023. Following the hearing it is expected that the Zoning Commission will recommend the Zoning Regulations and Map as the prevailing zoning for the City of Laurel.

The draft regulations incorporated the changes made during the 2023 Legislative session, several of which were not viewed favorably by the Zoning Commission but were incorporated as they were passed during the session. On December 29, 2023, Judge Salvagni of the 18th Judicial District (Gallatin County) issued a preliminary injunction on the implementation of Senate Bill 323 and 528 with a provision that communities could unless they were otherwise inclined to implement the changes they could be repealed. SB 245 and 382 were part of the litigation but were not set aside by the injunction but are still subject to potential repeal.

At the January 17, 2024, Zoning Commission meeting, the Zoning Commission recommended that those section of the draft Regulations that were included but had been enjoined, be removed from the document. It was also noted that the revised Growth Policy was nearing completion and a decision on the Northwestern Energy site and zoning authority was approaching. Given this, it was decided to slow down the Zoning adoption until some additional answers were available.

LEGAL DESCRIPTION:

The City of Laurel, Montana, an incorporated City located in Yellowstone County, Montana.

EXISTING CONDITION:

Currently, all property within the City of Laurel is covered by the Laurel Zoning Regulations which date back to the late 1970's with minor revisions and updates over roughly 40 years. The Zoning Regulations were updated and recodified in 1996 via Ordinance 96-5. The zoning code is lacking in several aspects related to compliance with the Growth Policy, statutory changes, and administrative processes. When coupled with the fact that the conditions have radically changed over the past 30 to 40 years, it is time to consider new zoning regulations that are easier to administer, clearly define roles and responsibilities and address new/expanded uses in the city. While State Law speaks to implementation of the Growth Policy via Subdivision Regulations, the city recognizes that the major tool necessary to implement large sections of the Growth Policy is a zoning ordinance.

As discussed in the following sections and in the answers to the Lowe Test, the City Council will see the sections of the Growth Policy that are slated for implementation via the proposed Zoning Regulations and Zoning Map for the City of Laurel.

PROCESS:

- The Zoning Commission with the assistance of City Staff and a Consultant has prepared draft zoning regulations and a zoning map.
- The Zoning Commission conducts a duly noticed Public Hearing on the proposed regulations and map on December 20, 2023.
- The Zoning Commission following the Public Hearing may make changes to both the regulations and map to reflect the comments received on the draft.
- Those changes coupled with findings of fact to support the adoption of the draft regulations and map will need to be submitted to the City Council for consideration.
- The City Council will conduct a duly noticed Public Hearing on the Zoning Commission recommendation and an Ordinance of the City Council on First Reading.
- Should the recommendation or the recommendation with amendments pass on First Reading, another public hearing and Second Reading and adoption will be scheduled.
- If passed on Second Reading, the regulations and map would become effective 30-days post Second Reading.

RECOMMENDED ZONES:

The Zoning Commission is recommending the creation of the following zones:

- R-7500 - Residential 7500 District.
 - The residential-7500 zone is intended to provide an area for low to medium urban-density, single-family residential environment on lots that are served by a public sewer and sewer system.
- R-6000 - Residential 6000 District.

- The residential-6000 zone is intended to promote an area for medium urban-density, duplex residential environment on lots that are usually served by a public water and sewer system.
- RLMF - Residential Light Multifamily District.
 - The residential light multifamily zone is intended to provide a suitable residential environment for medium to high density (up to a fourplex) residential dwellings. The area is usually served by a public water and sewer system.
- RMF – Residential Multifamily District.
 - The residential multifamily zone is intended to provide a suitable residential environment for high density residential dwellings; and to establish, where possible, a buffer between residential and commercial zones.
- RMH - Residential Manufactured Home District
 - The residential manufactured home zone is intended to provide a suitable residential environment for individual manufactured homes, manufactured home parks, and competitive accessory uses.
- RP – Residential Professional District
 - The residential professional zone is intended to permit professional, and semiprofessional uses compatible with surrounding residential development.
- NC – Neighborhood Commercial District.
 - The neighborhood commercial zone is intended to accommodate shopping facilities consisting of convenience retail and personal service establishments which secure their principal trade by supplying the daily needs of the population residing within a one-half mile radius of such neighborhood facilities. The location and quantity of land within the NC zone should be a business island not more than four acres in size and that no business frontage should extend more than six hundred feet along any street.
- CBD – Central Business District.
 - The central business district classification is intended to primarily accommodate stores, hotels, governmental and cultural centers, and service establishments at the central focal point of the city's transportation system.
- CC – Community Commercial District.
 - The community commercial classification is primarily to accommodate community retail, service and office facilities offering a greater variety than would normally be found in a neighborhood or convenience retail development. Facilities within the classification will generally serve an area within a one and one-half mile radius and is commensurate with the purchasing power and needs of the present and potential population within

the trade area. It is intended that these business facilities be provided in business corridors or islands rather than a strip development along arterials.

- HC – Highway Commercial District.
 - The purpose of the highway commercial district is to provide areas for commercial and service enterprises which are intended primarily to serve the needs of the tourist, traveler, recreationist, or the general traveling public. Areas designated as highway commercial should be located in the vicinity of, and accessible from freeway interchanges, intersections in limited access highways, or adjacent to primary or secondary highways. The manner in which the services and commercial activities are offered should be carefully planned in order to minimize the hazard to the safety of the surrounding community and those who use such services; and to prevent long strips of commercially zoned property.

- LI - Light Industrial District.
 - A light industrial classification is intended primarily to accommodate a variety of business warehouse and light industrial uses related to wholesale plus other business and light industries not compatible with other commercial zones, but which need not be restricted in industrial or general commercial zones, and to provide locations directly accessible to arterial and other transportation systems where they can conveniently serve the business and industrial center of the city and surrounding area.

- HI – Heavy Industrial District.
 - A district intended to accommodate manufacturing, processing, fabrication, and assembly of materials and products. Areas designated as heavy industry should have access to two or more major transportation routes, and such sites should have adjacent space for parking and loading facilities.

- P - Public District.
 - The public zone is intended to reserve land exclusively for public and semipublic uses in order to preserve and provide adequate land for a variety of community facilities which serve the public health, safety and general welfare.

- PUD Planned Unit Development.
 - The planned unit development zone is intended to provide a district in which the use of the land is for the development of residential and commercial purposes, as an integrated unit.

RATIONAL BASIS OF ZONING:

In the State of Montana, all jurisdictions proposing to zone or rezone property or to adopt or revise their zoning regulations must issue findings of fact on a twelve-point test that constitute the rational nexus/legal basis for the adoption of a zoning district, zoning

regulations, or changes to zoning or zoning regulations. This rational nexus is called the “Lowe Test”.

I. Is the zoning in accordance with the growth policy;

- The proposed zoning regulations and map are based on the Growth Policy. A simple look at the Growth Policy and future land use map will verify that the zone assignments with few exceptions will verify that the proposed zoning assignments are consistent with the text and mapping components of the Growth Policy.
- Several strategies from the Growth Policy pertaining to the commercial and Business development are met with the new zoning. Most notably, the regulations are designed to provide easier conversion, reuse and restoration of existing structures; The sign code has not been modified in terms of advertising up to the permitted maximum limits but the entryway overlay, multiple categories and tables that existed in previous regulations have been eliminated. Opportunities for internally illuminated signs and signs incorporating neon elements are contemplated in some commercial districts; and the regulations encourage infill development and expanded use opportunities.
- Several strategies from the Growth Policy are implemented in the administrative sections and individual District Standards. The items include but are not limited to walkability, pedestrian sidewalks are required for all new development and major renovations; concerns centered on nuisances and noise, the regulations impose limits on noise and potentially offensive activity in the standards of general applicability; and the regulations address concerns about the pace and quality of development that the citizens of Laurel expect to see as we move forward.
- Several residential neighborhood goals and strategies are implemented. Diversity of Neighborhoods, historic to modern; accommodation of a diverse population both age and economic condition; Creation of zones where manufactured homes and manufactured home parks are contemplated; expansion of non-motorized routes and access to the core of the community. and Residential districts protected from excessive noise and commercial impacts the conversion of structures to new uses is encouraged.
- The concept of residential Planned Unit Developments with increased density, lot coverage and modified use regimens is contemplated in all Zoning Districts.

Finding: The recommended zoning regulations and zoning map is in accordance with the Growth Policy and other adopted rules and regulations of the City of Laurel.

II. Is the zoning designed to lessen congestion in the streets;

- The regulations encourage compact walkable development in most every district as well as expand opportunities for new uses beyond the 1996 code. By following this line of logic residents would be able to walk or bicycle to essential services which would by default reduce the vehicular traffic on the streets.

- The regulations encourage compact urban development as such the need for vehicular travel is limited.
- The expanded use opportunities in many of the commercial and residential districts will encourage compatible higher density residential development near the city core. Implementation of these regulations will further reduce the dependency or need for vehicular travel.
- The zoning regulations in conjunction with the development standards adopted with the Subdivision Regulations will provide for flow through development, logical extension of the gridded infrastructure network, and encourage pedestrian- friendly growth.

Finding: The recommended zone will lessen congestion in the streets by ensuring orderly growth and development of the property that is consistent with the proposed zoning and other regulations adopted by the City of Laurel.

III. Is the zoning designed to secure safety from fire, panic, and other dangers;

- The recommended zoning regulations and zoning map will provide for consistency in development along with provision of police and fire protection.
- The recommended zoning regulations and zoning map will incorporate enforcement of development standards, setbacks and compliance with the other development standards adopted by the City of Laurel.
- The recommended zoning regulations and zoning map have restrictions on lot coverage, grading and development on steep slopes and other areas that are potentially hazardous.

Finding: The recommended zoning will provide safety to residents and visitors to the city from fire, panic and other dangers.

IV. Is the zoning designed to promote health and the general welfare;

- The recommended zoning imposes setbacks, height limits and building restrictions.
- The recommended zoning groups together like and consistent uses within existing neighborhoods.
- The recommended regulations restrict development in hazardous areas.

Finding: The grouping together of like and consistent uses promotes the health and general welfare of all citizens of the City of Laurel. Further, the recommended zoning is substantially consistent with the land use in our existing neighborhoods.

V. Is the zoning designed to provide adequate light and air;

- The recommended zoning imposes building setbacks, height limits, limits on the number of buildings on a single parcel, and reasonable area limits on new development.
- The regulations implement the concept that the City of Laurel was developed historically on a gridded network. The draft zoning requires the perpetuation of this pattern. In doing so as the City plans for growth, the spacing and layout of new development will facilitate provision of light and air to new development.

Finding: The recommended zoning will insure the provision of adequate light and air to residents of the City through various development limitations.

VI. Is the zoning designed to prevent the overcrowding of land;

- The zoning regulations impose minimum lot size, use regulations and other limitations on development.
- While the minimum lot sizes proposed with these regulations remains substantially consistent with the historic pattern of development within the City of Laurel.
 - The major change is in the clarification of additional permitted residential uses in the R-7500 and commercial districts mandated in the 2023 legislative session. These proposed new standards are easy to interpret and by default administer.
 - The range of allowable lot sizes provides for ease of transition from rural to urban development. These standards encourage annexation to the City and development at a scale that justifies the capital extension of water and sewer while spreading the costs out on an equitable basis.

Finding: The existing standards of the recommended zoning will prevent the overcrowding of land.

VII. Is the zoning designed to avoid undue concentration of population;

- The recommended zoning is a holistic approach to land use regulation for the entirety of the City of Laurel and is not focused on any single special interest.
- The recommended zoning establishes areas that are suitable for exclusive residential, commercial, and mixed uses.
- The recommended regulations create four residential zoning districts that provide a continuum of residential densities and manage development to create land use compatibility.
- The recommended zoning imposes minimum lot sizes, maximum number of residences on a single parcel and setback standards.

Finding: The existing standards of the recommended zoning will prevent the undue concentration of population by encouraging the most appropriate use and residential density at any given location within the jurisdiction.

VIII. Is the zoning designed to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements;

- The recommended zoning establishes minimum standards for the provision of infrastructure such as roads, sidewalks, water sewer, wire utilities and storm water management.
- The recommended zoning encourages compact urban scale development and groups together similar uses that will not detract from the quality of life expected in Laurel while providing the economies of scale to extend water, sewer, streets, parks, quality schools and other public requirements.

Finding: The standards of the recommended zoning will insure the adequate provision of transportation, water, sewerage, school, parks, and other public requirements.

IX. Does the zoning give reasonable consideration to the character of the district and its peculiar suitability for particular uses;

- The recommended zoning creates four residential districts that provide a continuum of residential densities and uses that are compatible with existing neighborhoods and ensures proper transitions between districts. The recommended zoning also creates three commercial zoning districts that are designed to provide for various land uses that are compatible with existing uses and neighborhood characteristics.
- The recommended zones impose setbacks, height limits and building restrictions. These restrictions insure compatible development in the residential, commercial, and industrial zones.
- The recommended zoning creates a new mixed-use district that is specifically intended to ease the transition between residential and commercial uses.
- The recommended zoning groups together like and consistent uses and is consistent with the existing zoning in the neighborhoods.

- The regulations create eight zoning districts each with the opportunity to create overlays in the form of a Planned Unit Development that represent new opportunities for development and redevelopment within the City of Laurel.

Finding: The recommended zoning gives due consideration to the character of the existing neighborhoods, within the city as well as suitability for the particular uses.

X. Does the zoning give reasonable consideration to the peculiar suitability of the property for its particular uses;

- The recommended zoning groups together like and consistent uses and is consistent with the existing zoning in the neighborhood.
- The recommended zoning creates four residential districts that provide a continuum of residential densities and uses that are compatible with existing neighborhoods and ensures proper transitions between districts. The recommended zoning also creates three commercial and one industrial zoning districts that are designed to provide for various land uses that are compatible with existing uses and neighborhood characteristics.
- The recommended zoning creates a new mixed-use district that is specifically intended to ease the transition between residential and commercial uses.
- The recommended zoning implements all of the significant outstanding sections of the Growth Policy. While the Growth Policy ties directly to and values the City's history and existing use of property and structures, the tools used to encourage development of property needed to be designed to reflect this change in direction. The proposed zoning regulations and map reflect this change.

Finding: The recommended zone gives reasonable consideration to the peculiar suitability of the property for its particular uses.

XI. Will the zoning conserve the value of buildings;

- The recommended zone groups together like and consistent uses and is consistent with the existing zoning in the various neighborhoods of the City of Laurel.
- The proposed zoning reinforces that commercial buildings will continue to have commercial potential.
- The proposed zoning reinforces that residential buildings will continue to be used for equal or greater potential residential purposes.
- The proposed zoning recognizes that buildings that are located in transitional areas have options either to remain as they are or to be converted to uses that reflect the highest and best use, in the owner's opinion, for the subject property.

Finding: The recommended zoning will conserve or in many cases enhance the value of buildings.

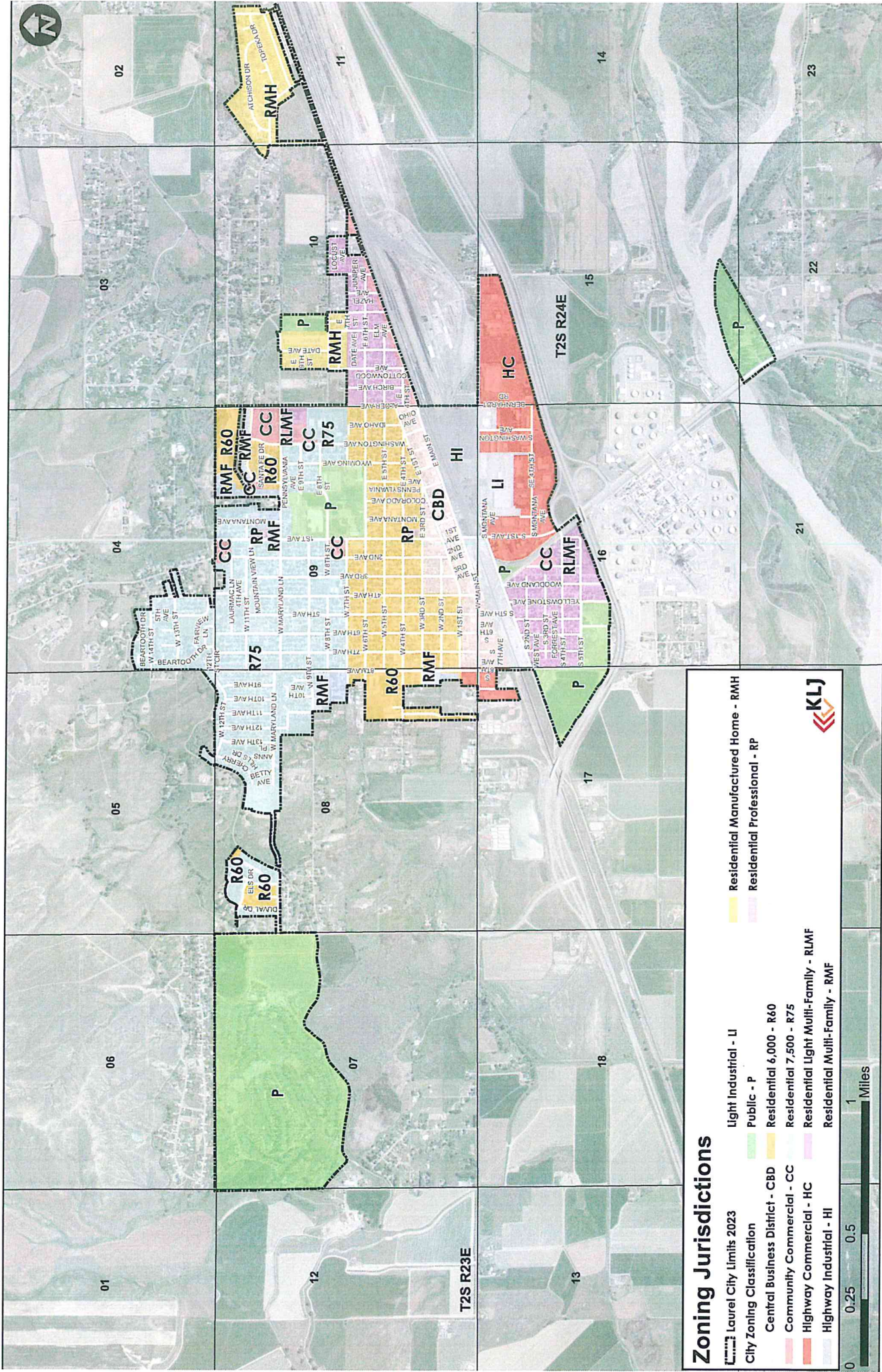
XII. Will the zoning encourage the most appropriate use of land throughout the municipality?

- The proposed zoning and zoning map provide for use districts that group like and compatible uses.
- The proposed zoning and zoning map provide for transitional areas between uses that may be incompatible.
- The recommended zoning creates a new mixed-use district that is specifically intended to ease the transition between residential and commercial uses.
- The recommended zoning is consistent with the type of development that exists and is occurring in the neighborhoods within the City of Laurel.
- The proposed zoning recognizes that buildings that are located in transitional areas have options either to remain as they are or to be converted to uses that reflect the highest and best use, in the owner's opinion, for the subject property.

Finding: The recommended zoning will encourage the most appropriate use of land throughout the municipality.

RECOMMENDATION:

The Zoning Commission find that the proposed 2024 Zoning Regulations and Proposed Official Zoning Map reflects the Growth Policy; that the rational nexus for the adoption of zoning has been met or exceeded by the proposed regulations; and that the citizens of Laurel have participated in the creation of the proposed Zoning Regulations and Zoning Map. Further, that the Zoning Commission recommends that the City Council adopt the 2024 Laurel Zoning Regulations and Official Zoning Map.



Zoning Jurisdictions

- Laurel City Limits 2023
- City Zoning Classification**
- Light Industrial - LI
- Public - P
- Residential 6,000 - R60
- Residential 7,500 - R75
- Highway Commercial - HC
- Highway Industrial - HI
- Central Business District - CBD
- Community Commercial - CC
- Residential Light Multi-Family - RLMF
- Residential Multi-Family - RMF
- Residential Manufactured Home - RMH
- Residential Professional - RP



File Attachments for Item:

2. Resignation from Library Board - Lela Schlitz

May 17, 2024

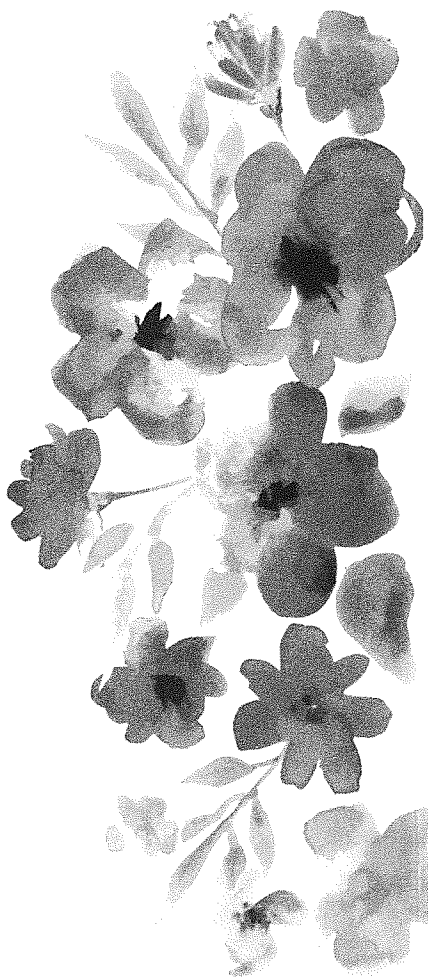
Dear Mayor Miggones,

It has been an honor to serve on the Journal Library Board for the past three years. Board is very fortunate to have such an excellent history and director

I was honored to hear the

Library will help is being helped, thank I understand the words

Thank you



of change are being against
support for our schools and
libraries. I hope there's a turn
soon. I do thank you for your
continued support of the library

I have moved into Billings and
feel it's important for a variety
of reasons to withdraw from
the Laurel Library Board at this time.
I would like to see you at
the annual meeting, held at the
Laurel Library.

File Attachments for Item:

3. Police Monthly Report - May 2024



Laurel Police Department

215 W. 1st Street Laurel, Mt. 59044 ▪ Phone 406-628-8737 ▪ Fax 406-628-4641

Total Calls

Printed on June 2, 2024

[CFS Date/Time] is between '2024-05-01 00:00:00' and '2024-05-31 23:59:59' and

[Primary Incident Code->Code : Description] All

Code : Description	Totals	
10-15 : With Prisoner	0	0
: Abandoned Vehicle	17	17
: Agency Assist	38	38
: Alarm - Burglary	17	17
: Alarm - Fire	6	6
AMB : Ambulance	92	92
: Animal Complaint	7	7
: Area Check	3	3
: Assault	3	3
: Bad Checks	0	0
: Barking Dog	8	8
: Bomb Threat	0	0
: Burglary	1	1
: Child Abuse/Neglect	1	1
: Civil Complaint	16	16
: Code Enforcement Violation	18	18
: Community Integrated Health	22	22

Code : Description	Totals	
: Counterfeiting	1	1
: Criminal Mischief	12	12
: Criminal Trespass	3	3
: Cruelty to Animals	6	6
: Curfew Violation	4	4
: Discharge Firearm	1	1
: Disorderly Conduct	2	2
: Dog at Large	29	29
: Dog Bite	1	1
DUI : DUI Driver	7	7
: Duplicate Call	2	2
: Escape	0	0
: Family Disturbance	9	9
: Fight	1	1
FIRE : Fire or Smoke	12	12
: Fireworks	1	1
: Forgery	0	0
: Found Property	9	9
: Fraud	2	2
: Harassment	5	5
: Hit & Run	5	5

Code : Description	Totals	
: Identity Theft	1	1
: Indecent Exposure	0	0
: Insecure Premises	0	0
: Intoxicated Pedestrian	4	4
: Kidnapping	0	0
: Littering	0	0
: Loitering	1	1
: Lost or Stray Animal	8	8
: Lost Property	3	3
: Mental Health	3	3
: Missing Person	2	2
: Noise Complaint	2	2
: Open Container	0	0
: Order of Protection Violation	1	1
: Parking Complaint	15	15
: Possession of Alcohol	0	0
: Possession of Drugs	0	0
: Possession of Tobacco	1	1
: Privacy in Communications	0	0
: Prowler	2	2
: Public Assist	47	47

Code : Description	Totals	
: Public Safety Complaint	6	6
: Public Works Call	6	6
: Report Not Needed	2	2
: Robbery	0	0
: Runaway Juvenile	4	4
: Sexual Assault	2	2
: Suicide	1	1
: Suicide - Attempt	1	1
: Suicide - Threat	3	3
: Suspicious Activity	71	71
: Suspicious Person	21	21
: Theft	23	23
: Threats	4	4
: Tow Call	0	0
: Traffic Accident	20	20
: Traffic Hazard	7	7
: Traffic Incident	31	31
: TRO Violation	0	0
: Truancy	0	0
T/S : Traffic Stop	67	67
: Unattended Death	0	0

Code : Description	Totals	
: Unknown - Converted	0	0
: Unlawful Transactions w/Minors	0	0
: Unlawful Use of Motor Vehicle	0	0
: Vicious Dog	1	1
: Warrant	18	18
: Welfare Check	13	13
Totals	752	752

File Attachments for Item:

4. Fire Monthly Report - May 2024.



Laurel Fire Department

Report for the Month of May-24

Structure Fires
Wildland Fires
Extrications
Other Rescues
Alarms
Public Assist
Medical Assist.
Ambulance Driver
Fire Prevention
Total Training
Total Maintenance
Community Service

No of Calls	No of Hours
2	
4	
14	
1	
7	
8	
3	
10	
49	
	Totals
	394

Severity Staffing
Total Hours Staffed

N/A

Major Calls

Several MVAs

Total	394
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Announcements:
 Working on getting New City Pumper, preparing for wildland season.

Structure Firefighting
 Conduct all levels of Structure Firefighting to include entry and attack, ventilation, salvage, overhaul, and investigation. A structure fire is a fire involving the structural components of various types of residential, commercial or industrial buildings.

Wildland Firefighting
 Wildfire, brush fire, bush fire, desert fire, forest fire, grass fire, hill fire, peat fire, vegetation fire.

Extrications
 Rescue victims entrapped in automobiles, machinery, farm equipment, buildings, and trenches.

Other Rescues
 Rope Rescue, Water Rescue, Ice Rescue

Alarms
 Any false alarms or malfunctions.

Other Calls
 EMS assist, Industrial or Aircraft firefighting, Vehicle Fire, Hazmat, Spills, Public safety, Investigations, gas leaks, Carbon Monoxide problems, etc.

Severity Staffing- Montana DNRC pays up to 8 firefighters to staff the station each day and respond as a Task Force to wildland fires within Yellowstone, Stillwater and Carbon Counties. They can also be called up to respond to fires anywhere in the Southern Zone areas. The 2 State owned type 5 wildland engines assigned to Laurel is used. This as proved to be beneficial to Laurel as means for quick responses to all incidents.

File Attachments for Item:

5. City/County Planning Board Reappointment - Judy Goldsby

Yellowstone County



COMMISSIONERS
(406) 256-2701
(406) 256-2777 (FAX)

P.O. Box 35000
Billings, MT 59107-5000
bocc@yellowstonecountymt.gov

June 4, 2024

Ms. Judy Goldsby
2741 Alpine View Dr.
Laurel, MT 59044

RE: Re-appointment to Laurel City/County Planning Board

Dear Ms. Goldsby,

The Board of County Commissioners of Yellowstone County has re-appointed you to the above named board. Your term by this appointment will be to June 30, 2026.

We wish to take this opportunity to thank you, in advance, for accepting this community service.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
YELLOWSTONE COUNTY, MONTANA

A handwritten signature in cursive script, appearing to read "John Ostlund", is written over a horizontal line.

John Ostlund, Chair

A handwritten signature in cursive script, appearing to read "Mark Morse", is written over a horizontal line.

Mark Morse, Member

A handwritten signature in cursive script, appearing to read "Donald W. Jones", is written over a horizontal line.

Donald W. Jones, Member

BOCC/eg

c: Board File - Clerk & Recorder
Ms. Brittney Harakal, Po Box 10, Laurel, MT 59044

File Attachments for Item:

10. Budget/Finance Committee Minutes of May 28, 2024.

**Minutes of City of Laurel
Budget/Finance Committee
Tuesday, May 28, 2024**

Members Present: Michelle Mize, Casey Wheeler, Richard Klose, Heidi Sparks

Others Present: Kelly Strecker

The meeting was called to order by the Committee Chair at 5:30 pm.

Public Input: There was no public comment.

General Items –

1. Review and approve May 14, 2024, Budget and Finance Committee meeting minutes. Michelle Mize moved to approve the minutes of May 14, 2024. Heidi Sparks seconded the motion, all in favor, motion passed 4-0.
2. Review and approve purchase requisitions. The fire chief presented a purchase requisition for an emergency tank pump valve replacement. The Chief said that the valve went bad in the fire truck and needed to get it repaired immediately as the truck was out of service. The cost of the valve replacement was \$5426.01.
3. Review and recommend approval to Council; claims entered through May 24, 2024. Casey Wheeler moved to approve the claims and check the register for claims entered through May 24, 2024. Heidi Sparks seconded the motion, all in favor, motion passed 4-0.
4. Review and approve Payroll Register for the pay period ending May 12, 2024, totaling \$239,169.93. Heidi Sparks motioned to approve the payroll register for the pay period ending May 12, 2024, totaling \$239,169.93. Michelle Mize seconded the motion, all in favor, motion passed 4-0.

New Business –None

Old Business – None

Other Items –

1. Review Comp/OT reports for the pay period ending May 12, 2024.
2. Mayor Update – The Mayor stated that the Splash Park is up and running well and it has been full of kids. He also said that Russell Park was tagged again with graffiti. This was twice in just a couple of days. He said that the public works department was there first thing in the morning repainting the bathroom and were able to remove the graffiti from the playground equipment with a graffiti cleaner. The city is looking into putting cameras up in the park, but this will probably have to happen in the next budget cycle.
3. Clerk/Treasurer Financial Update-Kelly stated that she continues to work on the budget. They are also busy inputting new health, dental, and vision rates into the payroll system to get ready for the next fiscal year.

Announcements –

4. The next Budget and Finance Committee meeting will be held on June 11, 2024, at 5:30 pm.
5. Heidi Sparks is scheduled to review claims for the next meeting.

Meeting Adjourned at 6:10 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Kelly Strecker".

Kelly Strecker
Clerk Treasurer

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

File Attachments for Item:

11. Tree Board Minutes of May 9, 2024.

Laurel Tree Board Meeting
Minutes
5-9-24
Council Conference room

Attendance: Matt Wheeler, Tom Canape, LuAnne Engh

1. Public Input
2. General Items.
 - a. April minutes
 - b. Arbor Day – We had to cancel the date of May 7th due to high winds and rain. We are rescheduled for May 21st. We lost two presenters but gained one.
 - c. Future Arbor Days – The suggestion to work on a Fall date for Arbor Day has been discussed for years. Those in the business of landscaping are so busy in the Spring and may have more donations and time in the Fall. If we start in 2025, Lynn said the first week in October would be best. We did it in 2020 because of COVID and it went fine...it was actually a very warm day.
 - d. DNRC – report- since we got the \$850 grant we need to collect volunteer hours, submit photos/media coverage, Trees planted and donations from the community. Michelle will submit the report .
 - e. Tree INVENTORY – The state is organizing a tree inventory for us and is looking for volunteers to help June 26-July 3
 - f. Vendors – LuAnne has 8 Presenters. NOAA, Bees, Weeds, REI, DNRC, Bright n Beautiful and Billings Arboretum, NRCS FWP – fish and USDA couldn't make the new date.
 - g. Shirts –We have distributed the shirts to the teachers, bus drivers and Baptist school/New Life schools. Cost for 49 shirts was \$494.50
 - h. Food – Jim Floketter has donated buns, hot dogs, chips. Edie Armstrong and her crew from SOW will cook and serve. We got \$100 from Albertsons that we will use for the sub sandwich, water and extras. We are getting the ice cream from Wilcoxsons at \$4.50/box (12). Dan will donate. We'll need 14 boxes (\$63) Tom has the freezer and dry ice. SOW has a utility trailer to serve out of.
Students – 114, Homeschool 10, Christian schools 25 Adults 33 Total 185
 - i. Fireman and American Legion – Done by Michelle
 - j. Article with the Outlook – They were notified of the reschedule.
 - k. Program – Lynn, Speaker Mayor will also be attending.
 - l. Bathrooms, tables and chairs and power – Matt Wheeler will deliver 12 tables, 20 chairs and we have only one outlet so we'll be using generators.
 - m. Thank you notes and gifts – LuAnne will get gift bags for the presenters and a gift card at the Yogurt Shop for Quinn
 - n. Accounts – City \$1646 – Sylvan bill should be \$1500
Foundation - \$2725 – (Dynamic \$494, vendor dinner, gift card, gifts, misc)

Old Business

City ordinance – Michelle Braukmann (city Attorney) will continue to review the city ordinance regarding liability to the city on trees on boulevards.

1. Grants for the future
2. MUCFA – Still not a member, but Scott Meyers from Billings Arboretum is now president
3. Board Members – Paul and Walt have terms that are due the end of June.

Meeting Adjourned at 5:10

Next Meeting: June 13th 4:30 Council Conference Room (unless otherwise advised)

File Attachments for Item:

12. Appointment of James Wise to the Laurel Airport Authority for a five-year term ending June 30, 2029.

James Wise
2202 Avalon Rd.
Billings, Mt 59102

Mayor Waggoner,

As to your letter of May 1, 2024 my term on the Laurel Airport Authority expires
June 30, 2024.

I believe my short term on the Laurel Airport Authority has been beneficial, both
to me and the Airport Authority.

Please accept this letter as my letter of interest to be reappointed to a new five year
term, commencing July 1, 2024, to the Laurel Airport Authority.

Thank you for your consideration.

Respectfully,

A handwritten signature in cursive script that reads "James Wise".

James Wise

File Attachments for Item:

13. Appointment of Tom Canape to the Cemetery Commission for a two-year term ending June 30, 2026.

Tom Canape
102 6th Avenue
Laurel, MT 59044
406-861-2400

Dear Mayor Waggoner and City Council Members,

I am currently on the Cemetery Board of the City of Laurel. As my term is expiring, I would like to express my interest in continuing to serve in this capacity. As a junior member of the council, I have learned a lot and look forward to working with the senior members of the committee.

I appreciate the opportunity to have served on the Cemetery Board as well as the City Council and other committees. I look forward to contributing to the success of the City of Laurel.

Sincerely,

Tom Canape, Ward 1

A handwritten signature in black ink that reads "Tom Canape". The signature is written in a cursive style with a long, sweeping underline.

File Attachments for Item:

14. Appointment of Wallace Hall to the Cemetery Commission for a two-year term ending June 30, 2026.

5-9-24

Mayor Waggoner,

I would like to serve
another term on the Cemetery
Commission. I am interested
in being reappointed. I realize
the importance of keeping up our
City Cemetery.

Walter Hall

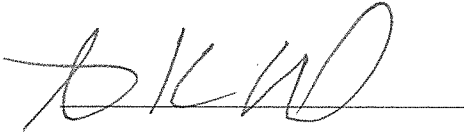
File Attachments for Item:

15. Appointment of Steven Hurd to the Cemetery Commission for a two-year term ending June 30, 2026.

JUNE 1, 2024

Mr. Mayor, please let this letter serve as my intent and interest in being reappointed to the Cemetery Commission to serve the City of Laurel, MT. Thank you for your consideration in this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'SKH', is written over a horizontal line.

Steven K. Hurd

1704 Duval Drive

Laurel, MT 59044

File Attachments for Item:

16. Appointment of Mardie Spalinger to Laurel Urban Renewal Agency for the remainder of a four-year term ending December 31, 2027.

Brittney Harakal

From: MARDIE SPALINGER <mardie@covertcleaning.com>
Sent: Tuesday, May 14, 2024 7:22 PM
To: City Mayor
Cc: Brittney Harakal
Subject: LURA Voting Board Vacancy

To whom it may concern:

Regarding Don Smarsh's resignation from the LURA Voting Board, I would like to volunteer for the opening. I was a member of the voting board in the past, however, I had to resign and join the Advisory board due to health problems. Since then my health has improved and I'd like to volunteer once again.

Thank you,

Mardie Spalinger

File Attachments for Item:

17. Appointment of Richard Klose to the City/County Planning Board for a two-year term ending June 30, 2026.

May 11, 2024

Mayor David Waggoner,

It has been a honor serve on the Laurel City/County board. At this time I wish to be considered for another term.

Respectfully,

Richard A.Klose Sr

File Attachments for Item:

18. Resolution No. R24-43: A Resolution Of The City Council For Annexation Of Property Legally Described As A Portion Of Lot 7a-1, Of The Amended Plat Of Tracts 6a And 7a, Of The Amended Plat Of Tracts 6 And 7, Of Westbrooks Subdivision, Yellowstone County, Montana, According To The Official Plat On File In The Office Of The Clerk And Recorder Of Said County, Under Document No. 1684287. Excepting Therefrom That Portion Granted Unto The State Of Montana By Virtue Of Bargain And Sale Deed Recorded January 25, 1965, Book 807, Under Document No. 747048; And Excepting Therefrom That Portion Granted Unto The Montana Department Of Transportation By Virtue Of Bargain And Sale Deeds Recorded September 13, 2017 Under Document No. 3827294 And 3827295; And Excepting Therefrom That Portion Granted Unto The Montana Department Of Transportation By Virtue Of Warranty Deeds Recorded September 13, 2017 Under Document No. 3827296 And 3827297. Adjacent To The City Of Laurel, As An Addition To The City Of Laurel, Yellowstone County, Montana, With Concurrent Approval Of Zoning Designation Upon Annexation Of The Property.

RESOLUTION NO. R24-43

A RESOLUTION OF THE CITY COUNCIL FOR ANNEXATION OF PROPERTY LEGALLY DESCRIBED AS A PORTION OF LOT 7A-1, OF THE AMENDED PLAT OF TRACTS 6A AND 7A, OF THE AMENDED PLAT OF TRACTS 6 AND 7, OF WESTBROOKS SUBDIVISION, YELLOWSTONE COUNTY, MONTANA, ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE OFFICE OF THE CLERK AND RECORDER OF SAID COUNTY, UNDER DOCUMENT NO. 1684287. EXCEPTING THEREFROM THAT PORTION GRANTED UNTO THE STATE OF MONTANA BY VIRTUE OF BARGAIN AND SALE DEED RECORDED JANUARY 25, 1965, BOOK 807, UNDER DOCUMENT NO. 747048; AND EXCEPTING THEREFROM THAT PORTION GRANTED UNTO THE MONTANA DEPARTMENT OF TRANSPORTATION BY VIRTUE OF BARGAIN AND SALE DEEDS RECORDED SEPTEMBER 13, 2017 UNDER DOCUMENT NO. 3827294 AND 3827295; AND EXCEPTING THEREFROM THAT PORTION GRANTED UNTO THE MONTANA DEPARTMENT OF TRANSPORTATION BY VIRTUE OF WARRANTY DEEDS RECORDED SEPTEMBER 13, 2017 UNDER DOCUMENT NO. 3827296 AND 3827297. ADJACENT TO THE CITY OF LAUREL, AS AN ADDITION TO THE CITY OF LAUREL, YELLOWSTONE COUNTY, MONTANA, WITH CONCURRENT APPROVAL OF ZONING DESIGNATION UPON ANNEXATION OF THE PROPERTY.

WHEREAS, a Petition for Annexation was submitted to the City of Laurel by Michael Stitzinger, Hans Stitzinger, and James F. Stitzinger Jr., who are the property owners (hereinafter “Petitioner”) of certain real property situated in Yellowstone County, Montana;

WHEREAS, the real property is generally described as a portion of The real property is generally reflected on the Exhibits to the Petition for Annexation, which is incorporated by reference herein, and it includes all contiguous roadways and rights-of-way;

WHEREAS, the property is currently unzoned, and Petitioner intends to utilize the property, if annexed, for Highway Commercial purposes;

WHEREAS, the property is currently outside of City of Laurel City limits, and Petitioner seeks annexation of the property and a concurrent Zoning Designation as “Highway Commercial”;

WHEREAS, pursuant to the City of Laurel’s Annexation Policy, the City Council shall consider various criteria when it receives a written Petition for Annexation, which are fully incorporated by reference herein;

WHEREAS, further pursuant to the City of Laurel’s Annexation Policy, the City Council may decide to either condition the approval of the annexation in order to meet the criteria listed in the City of Laurel’s Annexation Policy or require an Annexation Agreement;

WHEREAS, Petitioner currently seeks annexation of its property into the City of Laurel, contingent upon completion of the terms of the Annexation Agreement, attached hereto and fully incorporated herein, which identifies required off-site infrastructure improvements and guarantees of those improvements;

WHEREAS, in addition to annexation contingent upon completion of the terms of the Annexation Agreement, the City of Laurel's Annexation Policies require the mutual-approval of a Development Agreement prior to issuance of a building permit between the City and Petitioner; and

WHEREAS, an amended survey for the portion of the Petitioner's property that will be annexed shall be prepared and filed with Yellowstone County as part of this annexation; and

WHEREAS, the Laurel City-County Planning Board held a duly advertised public hearing on Petitioner's Petition for Zoning Designation on April 17, 2024. At the conclusion of the hearing, the Planning Board voted to recommend approval to the City Council of the Zoning Designation, conditioned upon approval of the proposed annexation; and

WHEREAS, the City Council held a duly advertised public hearing regarding Petitioner's Petition for Annexation and Concurrent Approval of Zoning Designation on June 11, 2024. At the conclusion of the hearing, the City Council determined that approval of the Petition for Annexation and Concurrent Approval of Zoning Designation is in the best interests of the City at this time;

WHEREAS, the annexation of the property and zoning is subject to an Annexation Agreement by and between the City of Laurel and the Petitioner, which will be executed by and between the Petitioner and the City of Laurel and will be attached hereto and fully incorporated as part of this Resolution. In addition, the final annexation of the property and zoning may be subject to Laurel Municipal Code Chapter 12.38 - developer reimbursement of water and wastewater extension costs by and between the City of Laurel and the Petitioner, which will be executed by and between the Petitioner and the City of Laurel and will be attached to all final annexation documents and Resolution(s), once all conditions of approval, including execution and completion of a Late Comers Agreement, are completed by the Petitioner and the City.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Laurel, Montana, as follows:

1. The owner of record of the territory annexed to the City of Laurel has executed a Petition of Annexation.
2. Pursuant to Mont. Code Ann. § 7-2-46, the incorporated boundaries of the City of Laurel shall be and the same hereby is extended and/or expanded to include

the territory described in Petitioner's Petition for Annexation and all attached Exhibits.

3. The following described territory is hereby annexed to the City of Laurel: A PORTION OF LOT 7A-1, OF THE AMENDED PLAT OF TRACTS 6A AND 7A, OF THE AMENDED PLAT OF TRACTS 6 AND 7, OF WESTBROOKS SUBDIVISION, YELLOWSTONE COUNTY, MONTANA, ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE OFFICE OF THE CLERK AND RECORDER OF SAID COUNTY, UNDER DOCUMENT NO. 1684287. EXCEPTING THEREFROM THAT PORTION GRANTED UNTO THE STATE OF MONTANA BY VIRTUE OF BARGAIN AND SALE DEED RECORDED JANUARY 25, 1965, BOOK 807, UNDER DOCUMENT NO. 747048; AND EXCEPTING THEREFROM THAT PORTION GRANTED UNTO THE MONTANA DEPARTMENT OF TRANSPORTATION BY VIRTUE OF BARGAIN AND SALE DEEDS RECORDED SEPTEMBER 13, 2017 UNDER DOCUMENT NO. 3827294 AND 3827295; AND EXCEPTING THEREFROM THAT PORTION GRANTED UNTO THE MONTANA DEPARTMENT OF TRANSPORTATION BY VIRTUE OF WARRANTY DEEDS RECORDED SEPTEMBER 13, 2017 UNDER DOCUMENT NO. 3827296 AND 3827297. ADJACENT TO THE CITY OF LAUREL, AS AN ADDITION TO THE CITY OF LAUREL, YELLOWSTONE COUNTY, MONTANA, WITH CONCURRENT APPROVAL OF ZONING DESIGNATION UPON ANNEXATION OF THE PROPERTY. The real property is generally reflected on the Exhibits to the Petition for Annexation, which is incorporated by reference herein, and it includes all contiguous roadways and rights-of-way.
4. The owner of record of the territory annexed to the City of Laurel and the City of Laurel will execute an Annexation Agreement, which terms and conditions are made a part of this Resolution and the Petition for Annexation.
5. The owner of record of the territory annexed to the City of Laurel and the City of Laurel will execute a Development Agreement prior to the issuance of a building permit.
6. That the approval of the annexation is conditioned as follows:
 - A. On all terms, conditions, and requirements of the Annexation Agreement and between the City of Laurel and Petitioner.
 - B. The Waiver of Right to Protest, a copy of which is attached hereto and incorporated by reference herein, and this Resolution, shall be recorded with the County Clerk and Recorder within ninety (90) days after the adoption of this Resolution.

- C. Connections to the City of Laurel Water and Sewer Systems shall be approved by the City of Laurel’s Public Works Department.
 - D. Any Late Comers Agreement must be agreed upon and approved by the City prior to the water and sewer service lines being put to use and will terminate no sooner than 7 years from the date of any late comers agreement by the developer and the City.
 - E. All improvements and infrastructure connections shall be completed within one calendar year from the date this Resolution is approved, unless an extension is otherwise approved by the City
7. That the approval of the zoning designation is conditioned upon approval of the annexation, and upon approval of the annexation, the property shall be zoned as “Highway Commercial.”
 8. This Resolution shall be incorporated into the official minutes of the City Council, and upon said incorporation, the City Clerk-Treasurer shall file a true and correct certified copy of this Resolution and Meeting Minutes with the Yellowstone County Clerk and Recorder.
 9. From and after the date that the City Clerk-Treasurer files such certified copy of this Resolution and of the City Council Meeting Minutes with the Yellowstone County Clerk and Recorder, this Annexation of the above-described territory to the City of Laurel shall be deemed complete and final.
 10. Annexation and the City's responsibility for providing service to the property shall become null and void upon Petitioner’s failure to satisfy the conditions imposed by the City Council by and through this Resolution, the Petition for Annexation, and the Annexation Agreement by and between the City of Laurel and the Petitioner.

Introduced at a regular meeting of the City Council on the 11th day of June 2024, by Council Member_____.

PASSED and APPROVED by the City Council of the City of Laurel the 11th day of June 2024.

APPROVED by the Mayor the 11th day of June 2024.

CITY OF LAUREL

Dave Waggoner, Mayor

ATTEST:

Kelly Strecker, Clerk-Treasurer

APPROVED AS TO FORM:

Michele L. Braukmann, Civil City Attorney

CITY HALL
115 W. 1ST ST.
PUB. WORKS: 628-4796
WATER OFC.: 628-7431
COURT: 628-1964
FAX 628-2241

City Of Laurel

P.O. Box 10
Laurel, Montana 59044



Office of the Planning Director

PLANNING BOARD AND ZONING COMMISSION
A portion of Westbrook's Subdivision Tract 7A-1 of the
amended plat of Tracts 6A and 7A of the amended plat of tracts 6
and 7 of Westbrook's Subdivision and a portion of Tract 5 of
Westbrook's Subdivision less Highway ROW
Annexation and Initial Zoning

Applicant:

Michael Stitzinger
Hans Stitzinger
James Stitzinger
5931 Ridgeview Dr.
Doylestown, PA 18902-1379

The Stitzinger Family is 100% of the land ownership. Annexation pursuant to §7-2-4601 et. seq. MCA. (Annexation by Petition).

Request:

The applicants representing 100% of the ownership of lands involved, has Petitioned the City of Laurel for Annexation of approximately 23.17 acres of property adjacent to the City of Laurel with an initial Zoning Designation of Highway Commercial for concurrent review.

The subject property is generally described as a Lot 7A1, A portion of Westbrook's Subdivision Tract 7A-1 of the amended plat of Tracts 6A and 7A of the amended plat of tracts 6 and 7 of Westbrook's Subdivision and a portion of Tract 5 of Westbrook's Subdivision less Highway ROW Section 17, Township 2 South, Range 24 East P.M.M., Yellowstone County, Montana, An annexation Exhibit, which is incorporated into this report by reference, has been submitted in support of the Petition and Requested Initial Zoning.

Process:

The annexation petition and requested initial zoning has been scheduled for consideration and a public hearing by the Laurel – Yellowstone City County Planning Board and Zoning Commission for 6 p.m. on Wednesday, April 17, 2024. The City Council will consider the annexation and zoning designation at a future council meeting.

Analysis of the Request

- The Stitzinger Family represents 100% of the land ownership involved in the petition.
- The 2020 Laurel Growth Policy designates the property as a ‘growth area’ of the city.
- The current use of the property is nonproductive agriculture as nothing has been planted on the property since the new highway interchange was constructed.
- The requested zone Laurel “Highway Commercial” provides uses compatible to lands adjacent to roads and is consistent with the requirements of R-08-22 that lands embraced by the city be assigned R-7500 or greater. This property is not conducive to residential development.
- The subject property was presumed to be zoned “Highway Commercial” and is now presumed to be not zoned but Yellowstone County is in the process to zone it “Highway Commercial”.
- **Highway commercial (HC) district - The purpose of this district is to provide areas for commercial and service enterprises which are intended primarily to serve the needs of the tourist, traveler, recreationist, or the general traveling public. Areas designated as highway commercial should be located in the vicinity of, and accessible from freeway interchanges, intersections in limited access highways, or adjacent to primary or secondary highways. The manner in which the services and commercial activities are offered should be carefully planned in order to minimize the hazard to the safety of the surrounding community and those who use such services; and to prevent long strips of commercially zoned property.**
- MCA 76-2-Part 46 annexation requires that the land use designation be ‘consistent with the prevailing use of the property, consistent with the prevailing County Zoning Assignment, and/or consistent with the current growth policy’. All lands outside the City of Laurel were previously thought to have been extraterritorial zoned and Yellowstone County is now exercising zoning authority from 2024 and forward.
- In addition to the extension of urban scale services the City Zoning provides options for development that are not available to rural properties.
- The initial zoning must be considered under City Resolution R-08-22 (Annexation), the Laurel Municipal Code Title 17 (Zoning).
- The question of annexation and initial zoning must be heard by the Laurel – Yellowstone City County Planning Board and Zoning Commission to give a recommendation of the zoning assignment to the City of Laurel City Council.
- Is the requested annexation and initial zoning in the best interest of the City and Citizens of the City of Laurel.
- The property is situated such that street rights-of-way will need to be annexed to the subject property. The highways in the area are under the control of the Montana Department of Transportation.

Findings:

- ✓ The subject property is adjacent to the City of Laurel via a street connection.
- ✓ The City Council is not required to submit the question of annexation to the qualified electors of the area to be annexed as the petition is signed by 100% of the owners.
- ✓ The city may annex the property as 100% of the ownership of same has petitioned the city for annexation.
- ✓ The driver for the annexation request is to develop the property for commercial purposes. The agents working with the property owners want to have city water and sewer services.
- ✓ The property has been identified as a high priority area in Chapter 7.5, Annexation, of the 2020 Growth Policy and is included in the Planning Jurisdiction Map annexation priority boundaries. As such, the requested zoning is consistent with the Laurel Growth Policy.
- ✓ The proposed assignment of “Highway Commercial” meets all the statutory requirements of MCA 76-2-46 annexation and zoning assignment.
- ✓ The Laurel “Highway Commercial” Zone is determined to be a “greater than” R-7500 classification density.
- ✓ The extension of city services will be at the owner’s expense (R-08-22) and in accordance with the Annexation Agreement or a development agreement as approved by the City Council and requirements of the Public Works Department and the Montana Department of Transportation
- ✓ The city can provide services to the property both existing and proposed if extension of water, sewer. Storm water will have to be stored on site.

12 Point Test for Zoning:

- I. Is the zoning in accordance with the growth policy;
 - The Growth Policy identifies all the property proposed for annexation as an annexation priority area.
 - Resolution R-08-22 requires zoning assignment at annexation at R-7500 or greater.
 - The Zone “Highway Commercial” meets the definition as ‘greater than’ R-7500 and is not a residential planned area.

Finding:

The requested zoning is in accordance with the Growth Policy.

- II. Is the zoning designed to lessen congestion in the streets;
 - The proposed zoning along with the annexation agreement will allow development of the property consistent with the adjoining interstate traffic.
 - Proposed development that would potentially impact roads and a traffic impact analysis is being developed for the Montana Department of Transportation.
 - Highways adjacent to this property are all within the Montana Department of Transportation. City streets are not in the area.

Finding:

The requested zoning will have a material impact on the State of Montana Department of Transportation. The City may see increased traffic as with any added development of property.

- III. Is the zoning designed to secure safety from fire, panic, and other dangers;
- Fire hydrants and water supply should be adequate if they meet the requirements from the Public Works Department.

Finding:

The requested zoning will not have an adverse impact on safety from fire, panic, or other dangers.

- IV. Is the zoning designed to promote health and the general welfare;
- The land is adjacent to the interstate highway system and “highway commercial” zoning allows for land uses to provide places for the traveling public to eat, fuel their vehicles, and rest.

Finding:

The requested zoning will promote the public health and the general welfare.

- V. Is the zoning designed to provide adequate light and air;
- The existing zoning imposes building setbacks, height limits, limits on the number of buildings on a single parcel, and reasonable area limits on new development.
 - The proposed “Highway Commercial” zone provides restrictions on structure height, setbacks, lot coverage. These standards exist to provide open spaces and adequate light and air.
 - The existing development has more than adequate separation from surrounding uses.

Finding

The requested zoning will provide adequate light and air.

- VI. Is the zoning designed to prevent the overcrowding of land;
- The existing zoning imposes building setbacks, height limits, limits on the number of buildings on a single parcel, and reasonable area limits on new development.

Finding:

The proposed zoning will prevent the overcrowding of land.

- VII. Is the zoning designed to avoid undue concentration of population;
- The existing zoning imposes building setbacks, height limits, limits on the number of buildings on a single parcel, and reasonable area limits on new development.
 - The subject property is large enough to provide adequate separation from surrounding uses.
 - The property is not going to be used for residential development with the “Highway Commercial” designation.

Finding:

The proposed zoning will prevent the undue concentration of population.

- VIII. Is the zoning designed to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements;
- The requested zoning will allow for transportation services as defined in “Highway Commercial” designation in the Laurel Municipal Code.

Finding:

The requested zoning will facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements.

- IX. Does the zoning give reasonable consideration to the character of the district and its peculiar suitability for particular uses;
- The requested zoning is consistent with the Growth Policy.
 - The property is compatible with surrounding development and had been believe to be previously zoned “Highway Commercial” in the extraterritorial zoning for the City of Laurel.
 - The water and sewer infrastructure with this annexation is for the intended use of the property and will need final approval from the City of Laurel City Council and the Public Works Department as well as the Montana Department of Transportation.

Finding:

The requested zoning is consistent with surrounding uses, the Growth Policy and provides for opportunities with suitable uses.

- X. Does the zoning give reasonable consideration to the peculiar suitability of the property for its particular uses;
- The requested zoning is consistent with the Growth Policy.
 - The property is compatible with surrounding development and is consistent with interstate highways adjacent to the property.
 - The water and sewer infrastructure proposed with the annexation will have to meet infrastructure requirements by the Public Works Department and the Montana Department of Transportation.

Finding:

The requested zoning is in keeping with the character of the development in the area.

- XI. Will the zoning conserve the value of buildings;
- The extension and availability of public water and sewer resultant from annexation and initial zoning will add value to buildings as the proposed use is substantially like or complementary to surrounding buildings and uses.
 - The requested zoning is consistent with the Growth Policy.
 - The proposed zoning is not anticipated that there would be any adverse effect on the value of surrounding buildings or lands.

Finding:

The value of existing buildings both on and adjacent to the requested zone will either be enhanced or not affected by the proposed zoning.

- XII. Will the zoning encourage the most appropriate use of land throughout the municipality?
- The requested zoning is consistent with the Growth Policy.
 - The requested zoning is consistent with the prevailing land uses and zoning surrounding the property.

Finding:

The requested zoning provides for the most appropriate use of land in the municipality which will keep non-residential traffic close to the interstate.

Conclusion:

The petition for annexation into the City of Laurel with the initial zoning assignment of Laurel “Highway Commercial” appears to be consistent with the requirements of City Council Resolution R-08-22. Additionally, the annexation, extension of services, and initial zoning assignment is in the best interest of both the City of Laurel and the property owners.

RECOMMENDATION

The Laurel – Yellowstone City County Planning Board should find that “Highway Commercial” zoning is an appropriate zoning designation and recommend that the Laurel City Council adopt the Findings of Fact outlined in this report. The City Council must annex the lands and can hold a joint Public Hearing allowed for in MCA 76-2-303 3(B)) A joint hearing authorized under this subsection (3) fulfills a municipality's obligation regarding zoning notice and public hearing for a proposed annexation. Laurel Municipal Code chapter 17.12.220(G) The hearing for annexation and zone change may be held at the same time.

- That an Amended Plat or Certificate of Survey suitable for filing with Yellowstone County that describes the tract of land to be annexed be submitted.
- That an Annexation Agreement or development agreement is submitted for acceptance by the City Council.

Map for proposed annexation for a portion of Lot7A1 of the amended plat of Tracts 6 and 7 and a portion of tract 5 of West brook Subdivision and the adjoining highway rights of way.



**CITY OF LAUREL, MONTANA
REQUEST FOR ANNEXATION
AND PLAN OF ANNEXATION**

Applicant is required to meet with the City Planner prior to filling out this application. All blanks of this application are to be filled in with explanation by the applicant. Incomplete applications will not be accepted.

1. Only parcels of land adjacent to the City of Laurel municipal limits will be considered for annexation. “Adjacent to” also includes being across a public right of way. If the parcel to be annexed is smaller than one city block in size (2.06 acres), the city council must approve consideration of the request; the applicant must make a separate written request to the city council stating their wish to annex a parcel of land less than one city block in. Once the council approves the request, the applicant can apply for annexation.

2. Applicant landowner’s name: Michael Stitzinger, Hans Stitzinger, James F. Stitzinger, Jr.
Address: Michael Stitzinger, 5931 Ridgeview Dr, Doylestown, PA 18902-1379
Phone: _____

3. Parcel to be annexed: (If it is not surveyed or of public record, it must be of public record PRIOR to applying for annexation.)
Legal description: WESTBROOKS SUBD, S17, T02 S, R24 E, Lot 7A1, AMND TR 6A & 7A & POR TR 5 LESS HWY ROW (18)
Lot size: +/- 23.17 Acres
Present use: Vacant/Undeveloped
Planned use: HC – Highway Commercial for Love’s Travel Stop Development
Present zoning: HC – Highway Commercial
(Land which is being annexed automatically becomes zoned R-7500 when it is officially annexed [City ordinance 17.12.220])

4. City services: The extension of needed city services shall be at the cost of the applicant after annexation by the city has been approved. As part of the application process, each of the following city services must be addressed with an explanation:

Water Service:

Location of existing main: 8th Avenue & Old Hwy 10 W Intersection
Cost of extension of approved service: \$488,000
How cost determined: Engineer’s estimate of probable cost
Timeframe for installation: Spring 2025

Sewer Service:

Location of existing main: 8th Avenue & Old Hwy 10 W Intersection
Cost of extension of approved service: \$511,800

How cost determined: Engineer's estimate of probable cost
Timeframe for installation: Spring 2025
How financed: Private

Streets:

Is there any adjoining County ROW to the proposed annexation: the site fronts Old Hwy 10 W and 19th Ave W
Location of existing paved access: there are currently no paved accesses
Cost of paving: N/A
How cost determined: N/A
Timeframe for construction: N/A

Other required improvements: Provide above information on attached pages.

5. A map suitable for review of this application of the proposed area to be annexed must be submitted with this application.
6. A written Waive of Protest must accompany this application, suitable for recording and containing a covenant to run with the land to be annexed, waiving all right of protest to the creation by the city of any needed improvement district for construction or maintenance of municipal services. This Waiver of Protest must be signed by the applicant **prior** to annexation by the city.
7. Requests for annexations are referred to the City-County Planning Board for recommendation to the City Council. Within 30 days after receiving the properly filled out application with all required accompaniments and after conducting a duly advertised public hearing, the City-County Planning Board shall make recommendation to the City Council as to this Request for Annexation. If more information is needed from the applicant during the review of the application, such application shall be deemed incomplete and the timeframe for reporting to the City Council extended accordingly, in needed.
8. A **non-refundable** application fee of \$300 + \$25.00 per acre (80 acres or less); \$300 + \$35.00 per acres (81 acres or more) must accompany the submission of this application.

The City Council of the City of Laurel, Montana, after review and consideration of this Application for Annexation, found such to be in the best interest of the City, that it complied with state code, and approved this request at its City Council meeting of _____.

**AFFIDAVIT OF WAIVER OF PROTEST
BEFORE THE CITY COUNCIL
OF THE CITY OF LAUREL, MONTANA**

**FOR THE ANNEXATION OF THE HEREIN DESCRIBED PROPERTY AND CREATION OF
ANY FUTURE SPECIAL IMPROVEMENT DISTRICT**

The undersigned hereby waives protest to the annexation of the property described below by the City of Laurel. Undersigned also waives their right to seek judicial review under M.C.A. § 7-2-4741 (2007), subsequent to the City’s annexation of the below described property.

The undersigned hereby additionally waives protest to the creation of future Special Improvement District(s) created and/or formed for future street improvements including, but not limited to, paving, curb, gutter, sidewalk and storm drainage or any other lawful purpose.

This Affidavit is submitted pursuant to and as a part of the Annexation Agreement and future contemplated Subdivision Improvement Agreement (SIA) with the City of Laurel.

This Affidavit of Waiver shall run with the land and shall forever be binding upon the Grantee, their transferees, successors and assigns.

LEGAL DESCRIPTION OF THE PROPERTY:

“WESTBROOKS SUBD, S17, T02 S, R24 E, Lot 7A1, AMND TR 6A & 7A & POR TR 5 LESS HWY ROW (18)”

DATED this 13th day of March, 20 24.

Hans Stitzinger
Grantee Name: Hans Stitzinger

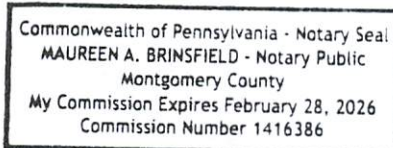
STATE OF Pennsylvania)
) ss.
County of Montgomery)

On this 13 day of MARCH, 2024, personally appeared before me, Hans Stitzinger proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) are subscribed to this instrument, and acknowledged the he/she/they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal on the day and year in this certificate first above written.

(SEAL)

Maureen A. Brinsfield
Notary Public for the State of Pennsylvania
Residing at: Horsham PA
My Commission Expires: 2/28/26



March 6, 2024

Kurt Markegard, Planning Director
City of Laurel
115 West 1st Street
Laurel, MT 59044

Re: Letter of Authorization
Laurel, MT Love's Development Project

Dear Mr. Markegard:

This letter will serve as authorization for Love's Travel Stops and Country Stores, Inc. (Love's), and their Agent, JSA Civil, LLC, to prepare and process the necessary documents relative to the annexation, zoning assignment, utility extensions, and site development permitting for Tract 7A-1 of the Westbrook's Subdivision (Yellowstone County TPN 03082117207010000).

Signed:

Hans Stitzinger *Hans Stitzinger* 3/13/24
Signature Date

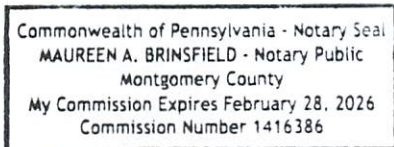
STATE OF Pennsylvania)
) ss.
County of Montgomery)

On this 13 day of March, 2024, personally appeared before me,
Hans Stitzinger proved to me on the basis of satisfactory evidence to be
the person(s) whose name(s) are subscribed to this instrument, and acknowledged the he/she/they executed
the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal on the day and year in
this certificate first above written.

Maureen A. Brinsfield
Notary Public for the State of Pennsylvania
Residing at: Horsham, PA
My Commission Expires: 2/28/26

(SEAL)



March 6, 2024

Kurt Markegard, Planning Director
City of Laurel
115 West 1st Street
Laurel, MT 59044

Re: Letter of Authorization
Laurel, MT Love's Development Project

Dear Mr. Markegard:

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Signed:

James F. Stitzinger, Jr.

James F. Stitzinger Jr.
Signature

3-12-24
Date

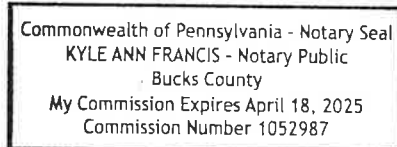
STATE OF Pennsylvania
County of Bucks) ss.
)

On this 12th day of March, 2024, personally appeared before me,
James F. Stitzinger, Jr. proved to me on the basis of satisfactory evidence to be
the person(s) whose name(s) are subscribed to this instrument, and acknowledged the he/she/they executed
the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal on the day and year in
this certificate first above written.

(SEAL)

Kyle Ann Francis
Notary Public for the State of Pennsylvania
Residing at: Willow Grove, PA
My Commission Expires: 4-18-25



**AFFIDAVIT OF WAIVER OF PROTEST
BEFORE THE CITY COUNCIL
OF THE CITY OF LAUREL, MONTANA**

**FOR THE ANNEXATION OF THE HEREIN DESCRIBED PROPERTY AND CREATION OF
ANY FUTURE SPECIAL IMPROVEMENT DISTRICT**

The undersigned hereby waives protest to the annexation of the property described below by the City of Laurel. Undersigned also waives their right to seek judicial review under M.C.A. § 7-2-4741 (2007), subsequent to the City's annexation of the below described property.

The undersigned hereby additionally waives protest to the creation of future Special Improvement District(s) created and/or formed for future street improvements including, but not limited to, paving, curb, gutter, sidewalk and storm drainage or any other lawful purpose.

This Affidavit is submitted pursuant to and as a part of the Annexation Agreement and future contemplated Subdivision Improvement Agreement (SIA) with the City of Laurel.

This Affidavit of Waiver shall run with the land and shall forever be binding upon the Grantee, their transferees, successors and assigns.

LEGAL DESCRIPTION OF THE PROPERTY:

"WESTBROOKS SUBD, S17, T02 S, R24 E, Lot 7A1, AMND TR 6A & 7A & POR TR 5 LESS HWY ROW (18)"

DATED this 12 day of March, 2024.

Michael Stitzinger
Grantee Name: Michael Stitzinger

STATE OF Pennsylvania
) ss.
County of Bucks)

On this 12 day of March, 2024, personally appeared before me, Michael Stitzinger proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) are subscribed to this instrument, and acknowledged the he/she/they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal on the day and year in this certificate first above written.

Kyle Ann Francis
Notary Public for the State of Pennsylvania
Residing at: Willow Grove, PA
My Commission Expires: 4-18-25

(SEAL)

Commonwealth of Pennsylvania - Notary Seal
KYLE ANN FRANCIS - Notary Public
Bucks County
My Commission Expires April 18, 2025
Commission Number 1052987

Technical Memorandum

To: City of Laurel
From: Nick Wheeler | JSA Civil, LLC
Date: March 13, 2024
Subject: Annexation Request – Project Narrative
Project: Laurel, MT Love’s Travel Stop

Project Narrative

Annexation Overview:

Love’s Travel Stops & Country Stores, Inc. (Love’s) is requesting the annexation of approximately 23.17 acres into the City of Laurel, Montana city limits as shown on the enclosed preliminary civil engineering plans. The subject site is a portion of Yellowstone County Tax Parcel Number 0382117207010000, legally described as Tract 7A-1 of Westbrook’s Subdivision.

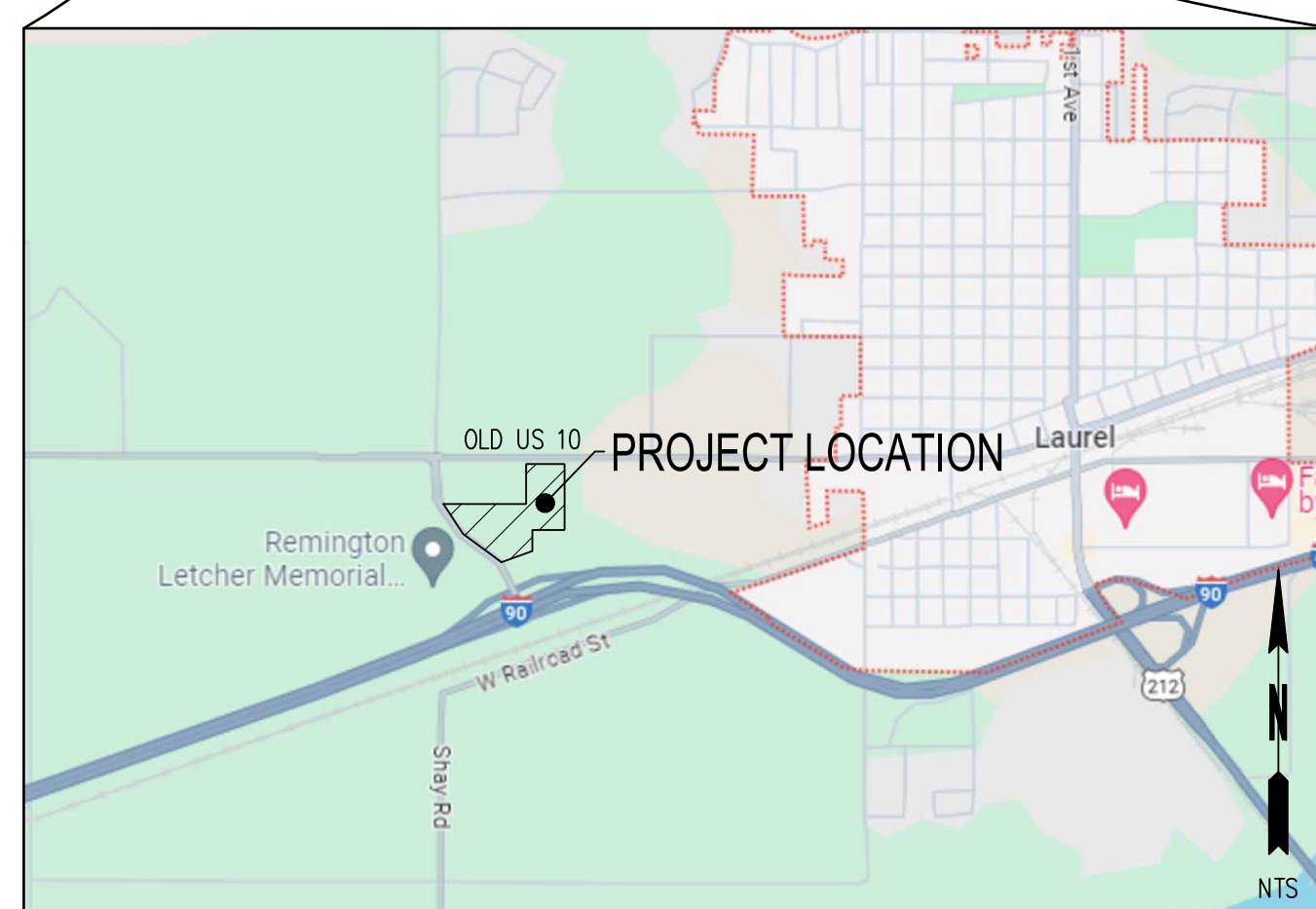
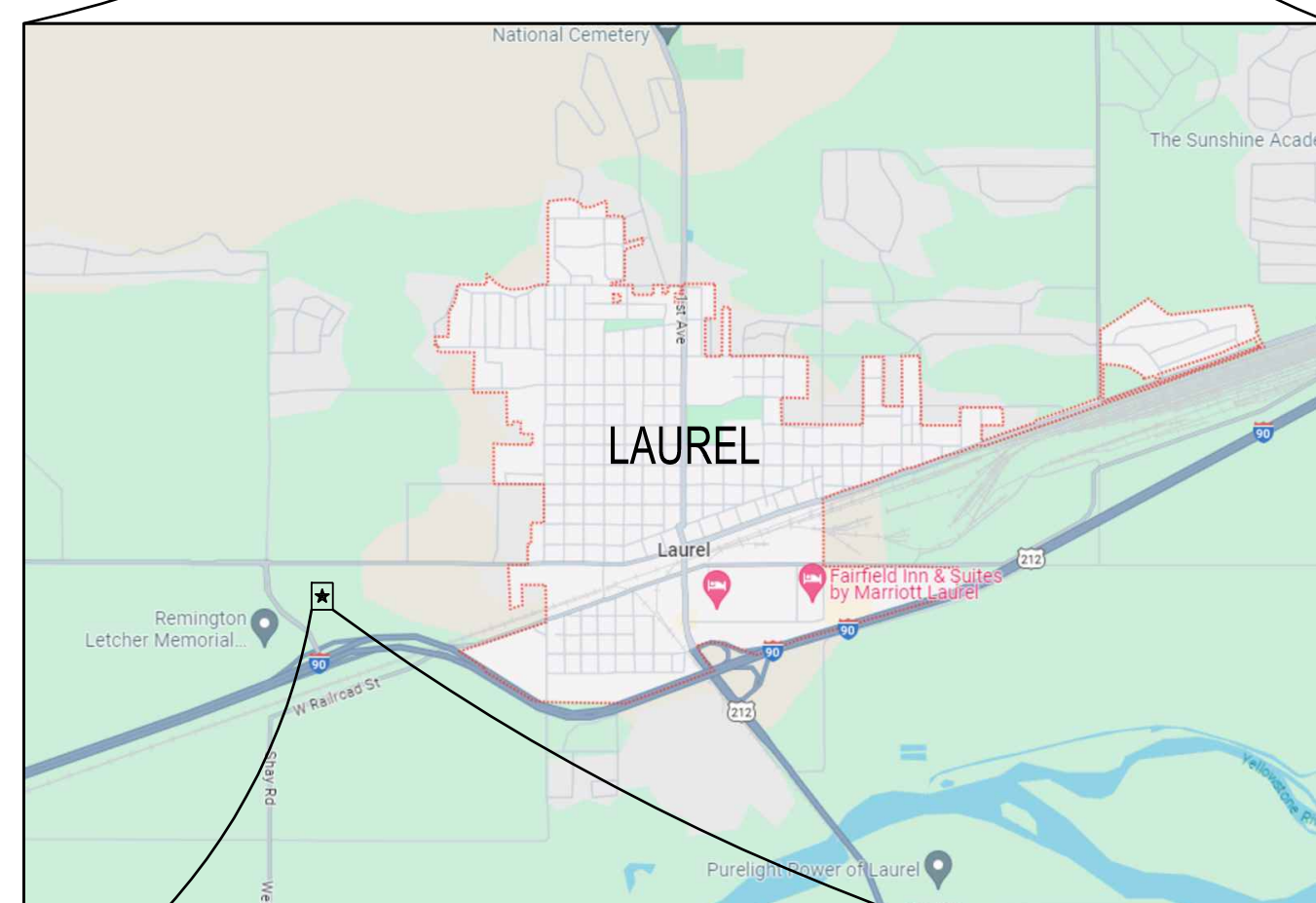
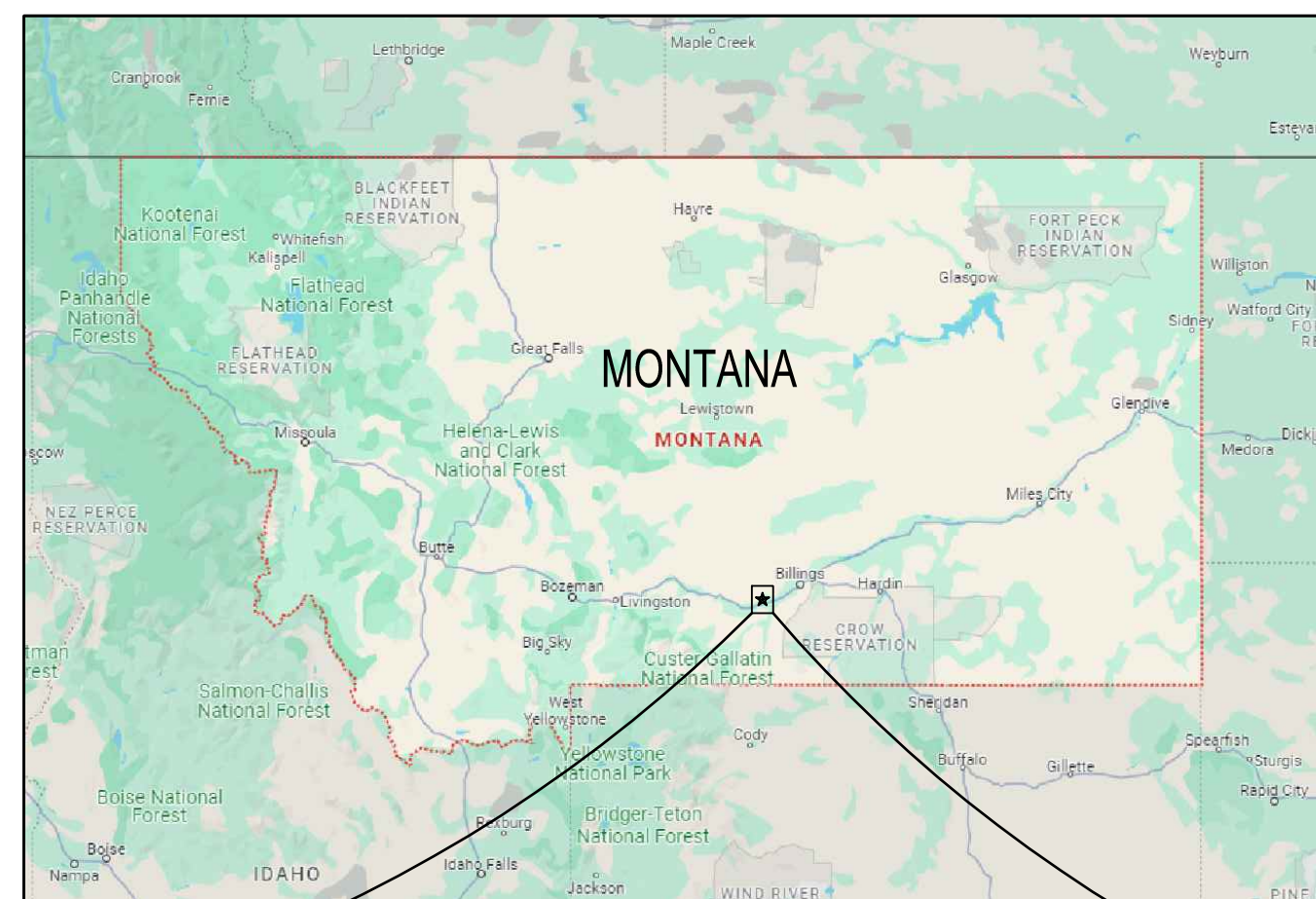
The area to be annexed includes the northern limits of the tax lot, located north of 19th Avenue/I-90 Business. The site is located west of the Laurel city limits, with roadway frontages along Old Hwy 10 to the north and 19th Avenue/I-90 Business to the southwest. The property is currently assigned a zoning designation of HC – Highway Commercial; we are requesting annexation into the Laurel city limits under the City’s HC zoning designation.

Utilities:

Upon annexation, City of Laurel (City) public water and sanitary sewer services will be extended to the site via utility main extensions along Old Hwy 10, within Montana Department of Transportation (MDT) right-of-way. New service connections will be extended to the Love’s property from the new utility mains along Old Hwy 10 to serve the proposed Love’s Travel Stop development. The new utility mains along Old Hwy 10 will be dedicated to the City as public infrastructure following the construction of the improvements within MDT right-of-way. It is understood that right-of-way and utility permit approvals from MDT, and City utility permit approval must be secured before construction of the new utility mains. Please refer to the enclosed preliminary civil engineering plans for additional information.



CIVIL SITE PLAN REVIEW DOCUMENTS LAUREL, MONTANA



APPLICANT
LOVE'S TRAVEL STOP & COUNTRY STORES
10601 N. PENNSYLVANIA AVE
OKLAHOMA CITY, OK
PHONE: 1.800.655.6837
CONTACT: SHAWN BAKER

ENGINEER
JSA CIVIL, LLC
111 TUMWATER BLVD SE, SUITE C210
TUMWATER, WA 98512
PHONE: 360.269.6346
CONTACT: BRANDON JOHNSON, PE

LANDSCAPE ARCHITECT
SCJ ALLIANCE
8730 TALLON LANE NE, SUITE 200
LACEY, WA 98516
PHONE: 360.352.1465
CONTACT: JEFF GLANDER

GEOTECHNICAL
TERRACON CONSULTANTS, INC
2110 OVERLAND AVE, SUITE 124
BILLINGS, MT 59102
PHONE: 406.656.3072
CONTACT: TRAVIS GORACKE

SURVEYOR
FREMONT SURVEYING
427 LINCOLN ST
LANDER, WY 82520
PHONE: 307.206.1007
CONTACT: DAVE FEHRINGER

GOVERNING AGENCY
CITY OF LAUREL
115 W 1ST ST
LAUREL 59044
PHONE: 406.628.4796

UTILITIES
WATER & SEWER
CITY OF LAUREL PUBLIC WORKS
PHONE: 406.628.4796

POWER

NATURAL GAS

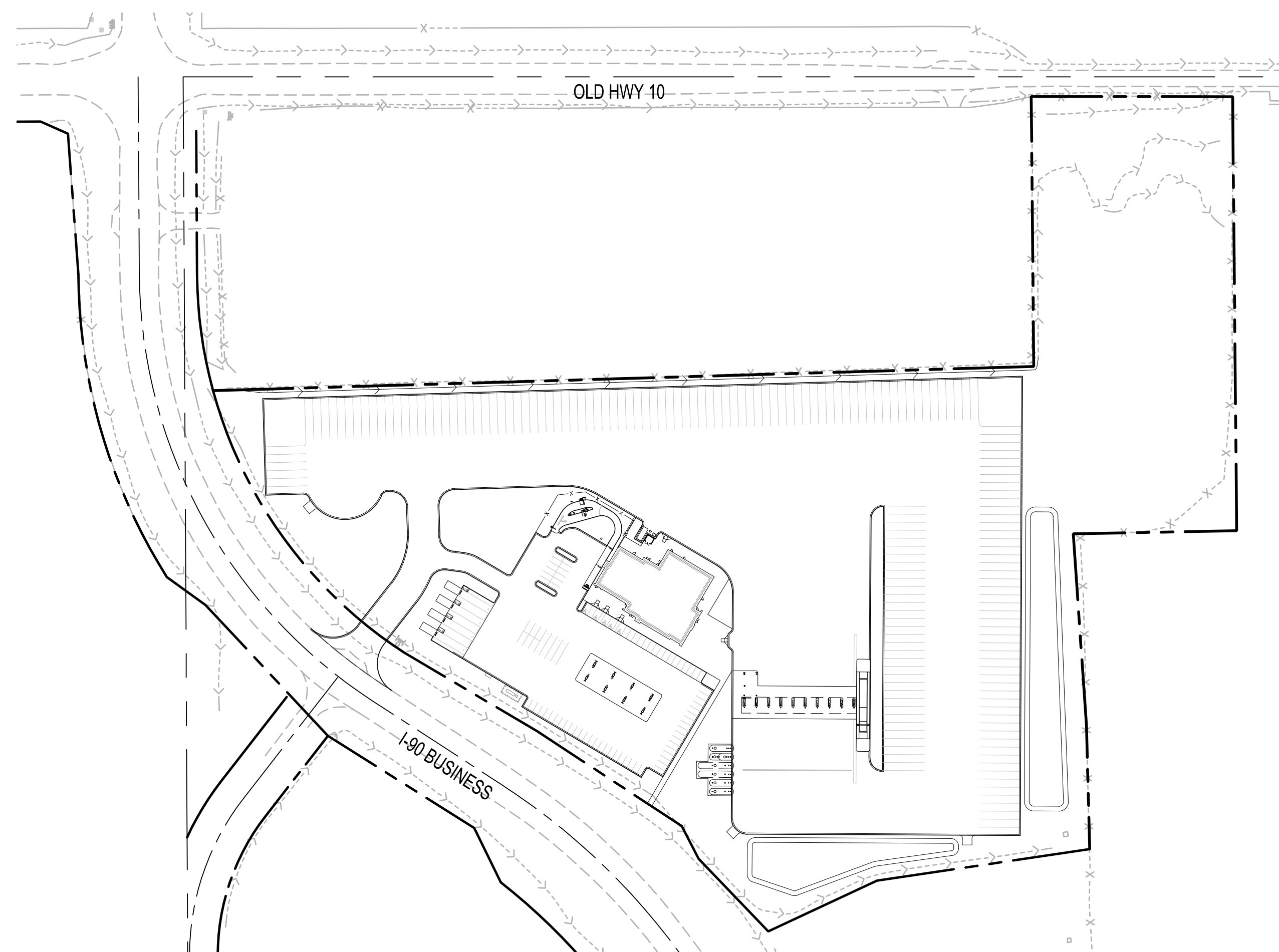
SITE INFORMATION
ADDRESS: ---
PARCEL: 03-0821-17-2-07-01-0000
ACRES: ±23.17
ZONING: ---

LEGAL DESCRIPTION
WESTBROOKS SUBD, S17, T02 S, R24 E, LOT 7A1,
AMND TR 6A & 7A & POR TR 5 LESS HWY ROW (18)

HORIZONTAL DATUM
NAD83 MONTANA 2500

VERTICAL DATUM
NAVD 88

SHEET INDEX	
SHEET	TITLE
C1.0	COVER SHEET
C5.0	PRELIMINARY SITE PLAN
C5.0.1	PRELIMINARY CIRCULATION PLAN
C7.0	PRELIMINARY GRADING PLAN
C7.0.1	PRELIMINARY GRADING HEAT MAP
C8.1	PRELIMINARY STORMWATER PLAN
C8.4	PRELIMINARY WATER PLAN
C8.7	PRELIMINARY SEWER PLAN
U2.0	PRELIMINARY WATER EXTENSION PLAN
U2.0.1	PRELIMINARY WATER EXTENSION PLAN
U3.0	PRELIMINARY SEWER EXTENSION PLAN
U3.0.1	PRELIMINARY SEWER EXTENSION PLAN
L1.0	OVERALL LANDSCAPE PLAN
L1.1	PRELIMINARY LANDSCAPE PLAN
L1.2	PRELIMINARY LANDSCAPE PLAN
L1.3	PRELIMINARY LANDSCAPE PLAN
L1.4	PRELIMINARY LANDSCAPE PLAN
L1.5	PRELIMINARY LANDSCAPE PLAN
L1.6	PRELIMINARY LANDSCAPE PLAN
L1.7	PRELIMINARY LANDSCAPE PLAN
L1.8	PRELIMINARY LANDSCAPE PLAN
L1.9	PRELIMINARY LANDSCAPE PLAN



OVERALL SITE PLAN
1"=150'

DEWATERING NOTE

THE CONTRACTOR SHALL UTILIZE APPROPRIATE DEWATERING SYSTEMS AND TECHNIQUES TO MAINTAIN THE EXCAVATED AREA SUFFICIENTLY DRY FROM GROUNDWATER AND/OR SURFACE RUNOFF SO AS NOT TO ADVERSELY AFFECT CONSTRUCTION PROCEDURES OR CAUSE EXCESSIVE DISTURBANCE OF UNDERLYING NATURAL GROUND. THE CONTRACTOR SHALL REPAIR ANY DAMAGE RESULTING FROM THE FAILURE OF THE DEWATERING OPERATIONS OR FROM A FAILURE TO MAINTAIN ALL THE AREAS OF WORK IN A SUITABLE DRY CONDITION. UNLESS OTHERWISE SPECIFIED, CONTINUE DEWATERING UNINTERRUPTED UNTIL THE STRUCTURES, PIPES, AND APPURTENANCES TO BE BUILT HAVE BEEN PROPERLY INSTALLED, BACKFILLED, AND COMPACTED. WHERE SUBGRADE MATERIALS ARE UNABLE TO MEET THE SUBGRADE DENSITY REQUIREMENTS DUE TO IMPROPER DEWATERING TECHNIQUES, REMOVE AND REPLACE THE MATERIALS AS DIRECTED BY THE ENGINEER.

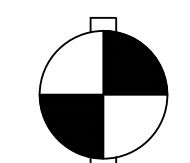
TRAFFIC CONTROL NOTE

THE CONTRACTOR SHALL PROVIDE ALL FLAGGERS, SIGNS, AND OTHER TRAFFIC CONTROL DEVICES AS NECESSARY TO COMPLETE THE WORK. THE CONTRACTOR SHALL ERECT AND MAINTAIN ALL CONSTRUCTION SIGNS, WARNING SIGNS, DETOUR SIGNS, AND OTHER TRAFFIC CONTROL DEVICES NECESSARY TO WARN AND PROTECT THE PUBLIC AT ALL TIMES FROM INJURY OR DAMAGE AS A RESULT OF THE CONTRACTOR'S OPERATIONS THAT MAY OCCUR IN HIGHWAYS, ROADS, OR STREETS. NO WORK SHALL BE DONE ON OR ADJACENT TO THE ROADWAY UNTIL ALL NECESSARY SIGNS AND TRAFFIC CONTROL DEVICES ARE IN-PLACE. THE CONTRACTOR SHALL NOT CLOSE DOWN THROUGH TRAFFIC ON CITY/COUNTY/STATE ROADS. ACCESS FOR BOTH VEHICULAR AND PEDESTRIAN TRAFFIC SHALL BE MAINTAINED AT ALL TIMES, EXCEPT WHERE THE CONTRACTOR OBTAINS PERMISSION TO TEMPORARILY CLOSE A SIDEWALK. THE CONTRACTOR SHALL SUBMIT A TRAFFIC CONTROL PLAN TO THE JURISDICTION FOR REVIEW AND APPROVAL PRIOR TO STARTING ANY WORK IN THE RIGHT-OF-WAY.

MT 04, 2024, L-50, 70'x - User: Whitney
N:\PROJECTS\03 LOVE'S TRAVEL STOPS\03.027 CL.DWG

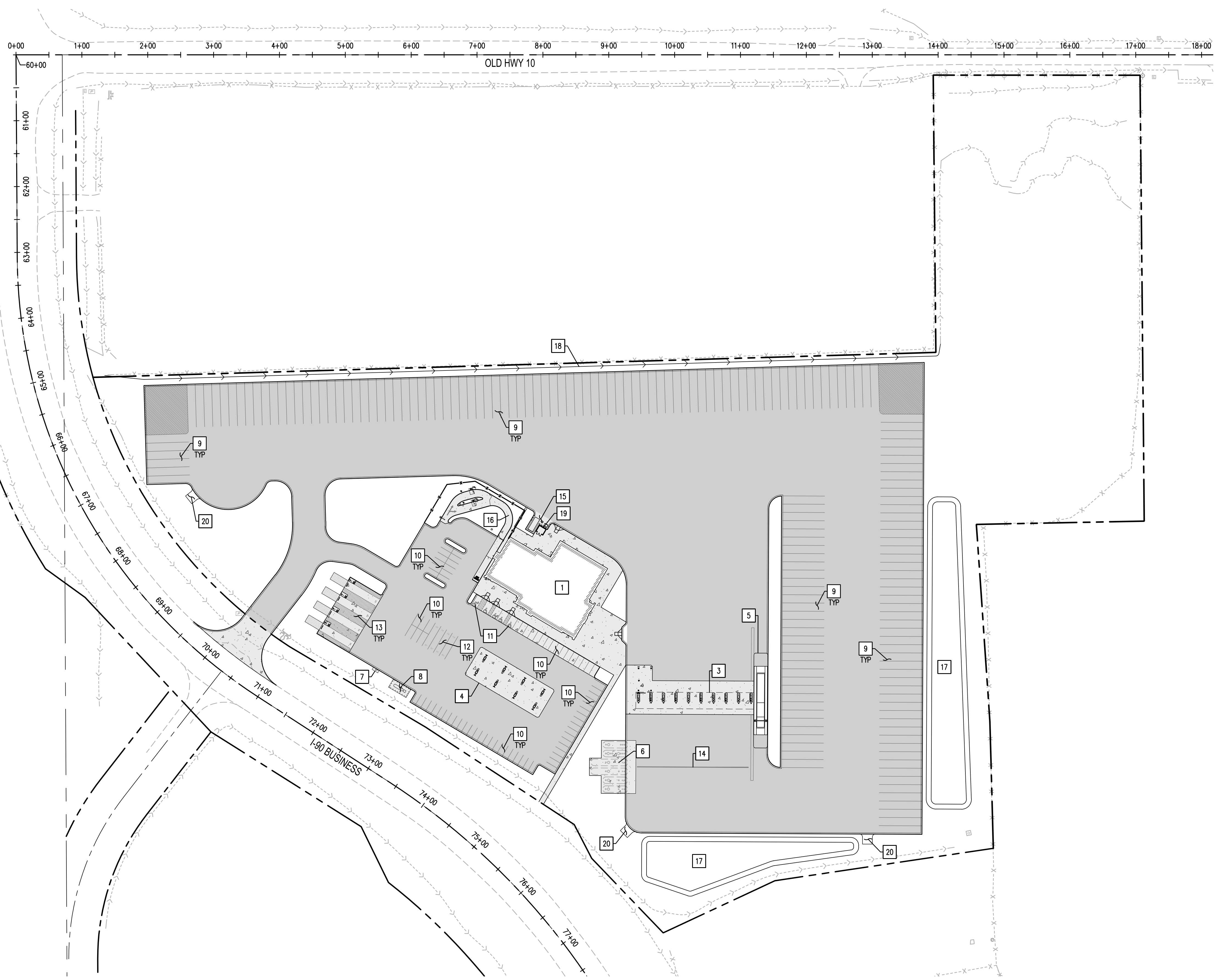
CALL BEFORE YOU DIG

THE CONTRACTOR SHALL BE FULLY RESPONSIBLE FOR THE LOCATION AND PROTECTION OF ALL EXISTING UTILITIES. THE CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS PRIOR TO CONSTRUCTION BY CALLING THE UNDERGROUND LOCATE LINE AT 811 A MINIMUM OF 48 HOURS PRIOR TO ANY EXCAVATION.



VERTICAL DATUM
NAVD 88

REVISIONS	
PROJECT NO:	103.027
DRAWN:	R. SATAK
CHECKED:	W. DUNLAP
SUBMITTAL DATES	
OTB DATE:	-
JSA CIVIL Engineering Planning Management 111 TUMWATER BLVD SE, SUITE C210 TUMWATER, WA 98501	
LOVE'S TRAVEL STOP COMMERCIAL DEVELOPMENT PROJECT LAUREL, MT T 02 S, R 24 E, SEC 17	
SHEET TITLE	COVER SHEET
SHEET	C1.0



N

0 80 160

SCALE IN FEET

LEGEND

- PROPERTY LINE
- - - EXISTING CHANNELIZATION
- CEMENT CONCRETE CURB & GUTTER (SPILL)
- MONOLITHIC CURB
- [Pattern] CEMENT CONCRETE PAVING
- [Pattern] ASPHALT PAVING
- [Pattern] PROPOSED BUILDING
- (XX) STALL COUNT

[X] CONSTRUCTION NOTES

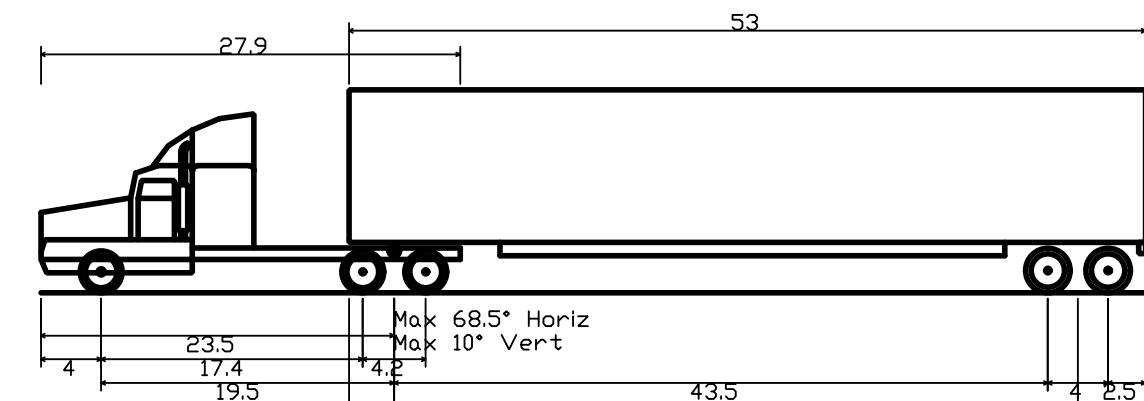
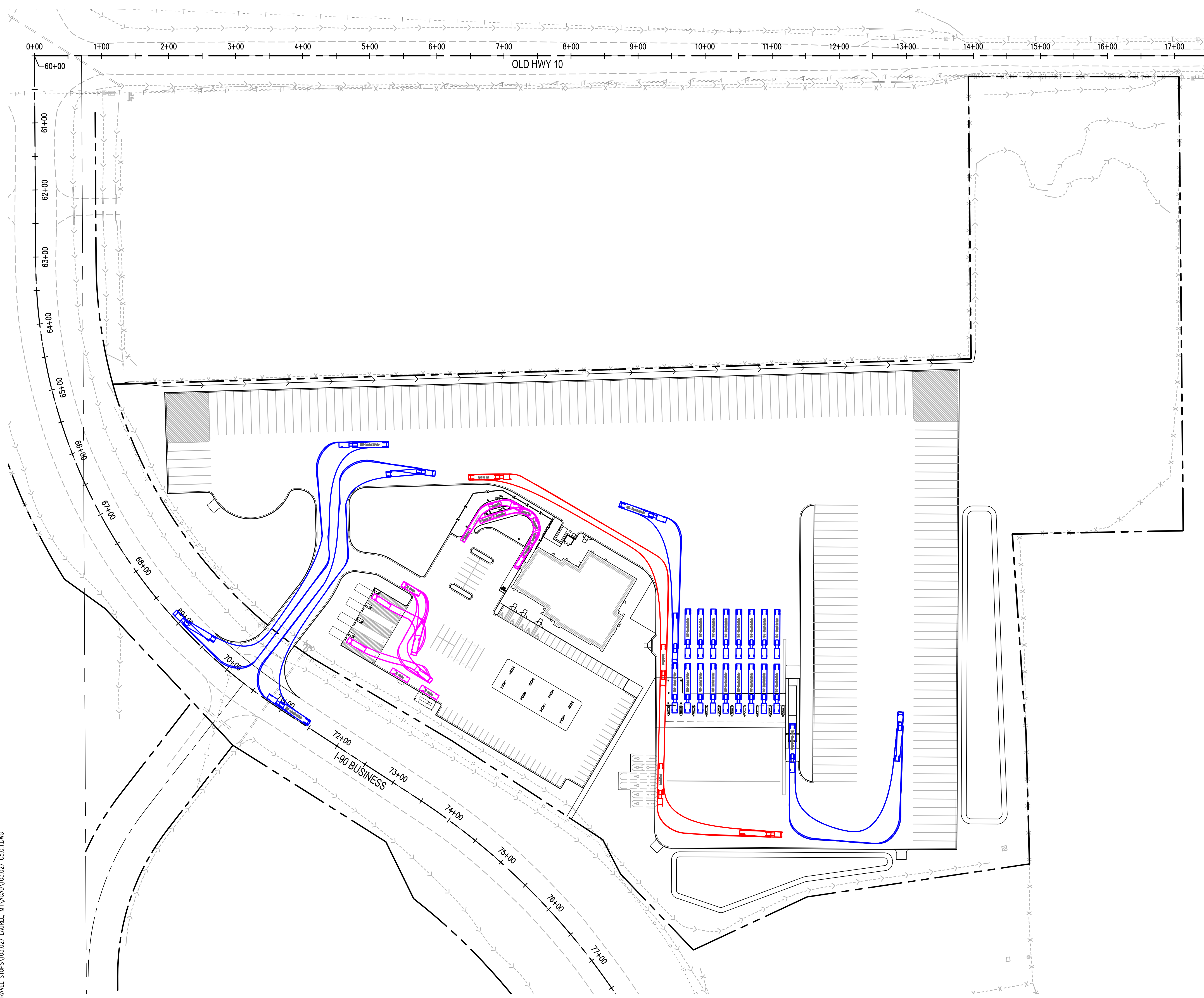
1. LOVES COUNTRY STORE
2. NOT USED
3. DIESEL TRUCK FUELING CANOPY
4. AUTO FUELING CANOPY
5. TRUCK SCALE
6. UNDERGROUND FUEL STORAGE TANKS
7. AIR/WATER ISLAND
8. PROPANE TANK
9. TRUCK PARKING STALL, 12.5'X65'
10. AUTO PARKING STALL, 9'X18'
11. ACCESSIBLE PARKING STALL, 11'X18' W/ ACCESSIBLE AISLE
12. RV PARKING STALL, 10'X40'
13. OVERNIGHT RV STALL
14. 1' PULL FORWARD LINE
15. TRASH ENCLOSURE
16. DRIVE THRU
17. PROPOSED STORMWATER POND
18. PROPOSED DITCH
19. MAINTENANCE SHED
20. SNOW PUSH PAD

May 04, 2024 1:50:45pm User: shihua
 N:\PROJECTS\103 LOVE'S TRAVEL STOPS\103.027 LAUREL, MT\MACAD\103.027 CS.0.DWG

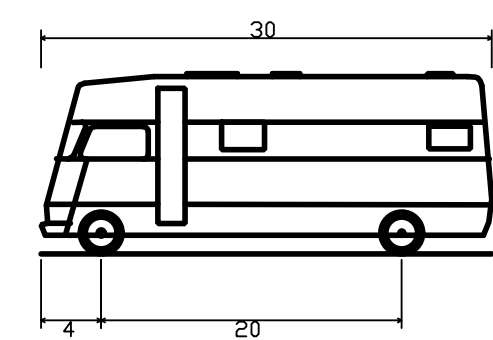
CALL BEFORE YOU DIG
 THE CONTRACTOR SHALL BE FULLY RESPONSIBLE FOR THE LOCATION AND PROTECTION OF ALL EXISTING UTILITIES. THE CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS PRIOR TO CONSTRUCTION BY CALLING THE UNDERGROUND LOCATE LINE AT 811 A MINIMUM OF 48 HOURS PRIOR TO ANY EXCAVATION.

VERTICAL DATUM
 NAVD 88

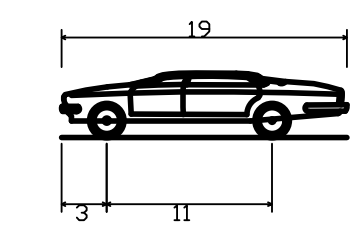
REVISIONS
PROJECT NO: 103.027 DRAWN: R. SATAK CHECKED: W. DUNLAP SUBMITTAL DATES:
OTB DATE:
 JSA CIVIL Engineering Planning Management 111 TUMWATER BLVD SE, SUITE C210 TUMWATER, WA 98501
 BRANDON LEE JOHNSON No. 40858 PE LICENSED PROFESSIONAL ENGINEER 03/04/2024
LOVE'S TRAVEL STOP COMMERCIAL DEVELOPMENT PROJECT LAUREL, MT T 02 S, R 24 E, SEC 17
SHEET TITLE PRELIMINARY SITE PLAN
SHEET C5.0



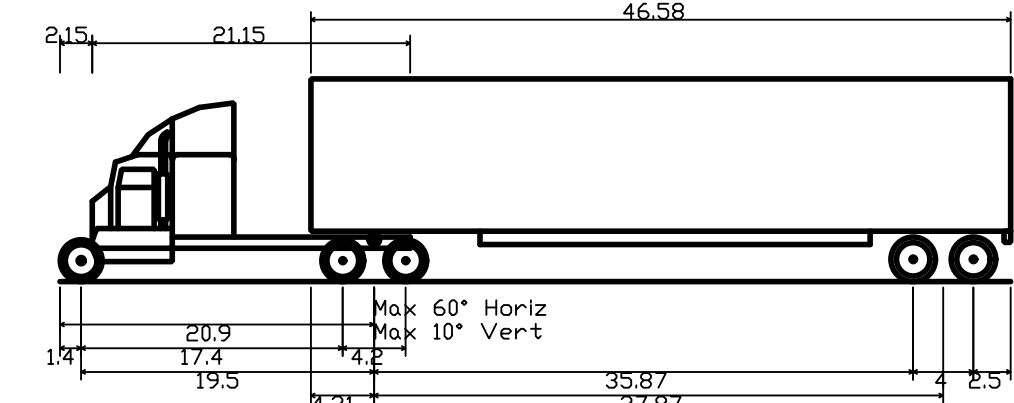
WB-67 - Interstate Semi-Trailer
 Overall Length 73.50ft
 Overall Width 8.50ft
 Overall Body Height 13.50ft
 Min Body Ground Clearance 1.334ft
 Max Track Width 8.50ft
 Lock-to-lock time 6.00s
 Max Steering Angle (Virtual) 28.40°



MH - Motorhome
 Overall Length 30.00ft
 Overall Width 8.00ft
 Overall Body Height 12.00ft
 Min Body Ground Clearance 1.236ft
 Track Width 8.00ft
 Lock-to-lock time 4.00s
 Max Steering Angle (Virtual) 33.80°



P - Passenger Car
 Overall Length 19.00ft
 Overall Width 7.00ft
 Overall Body Height 4.30ft
 Min Body Ground Clearance 1.115ft
 Track Width 6.00ft
 Lock-to-lock time 4.00s
 Max Steering Angle (Virtual) 31.60°

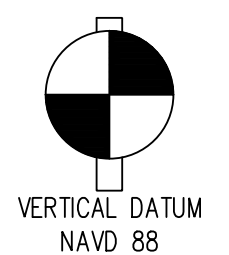


Love's Fuel Truck
 Overall Length 63.27ft
 Overall Width 8.50ft
 Overall Body Height 13.50ft
 Min Body Ground Clearance 1.334ft
 Max Track Width 8.50ft
 Lock-to-lock time 6.00s
 Max Steering Angle (Virtual) 26.00°

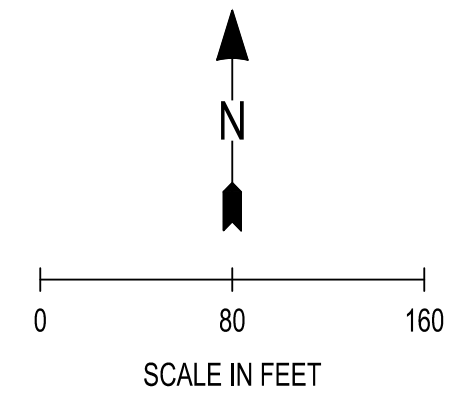
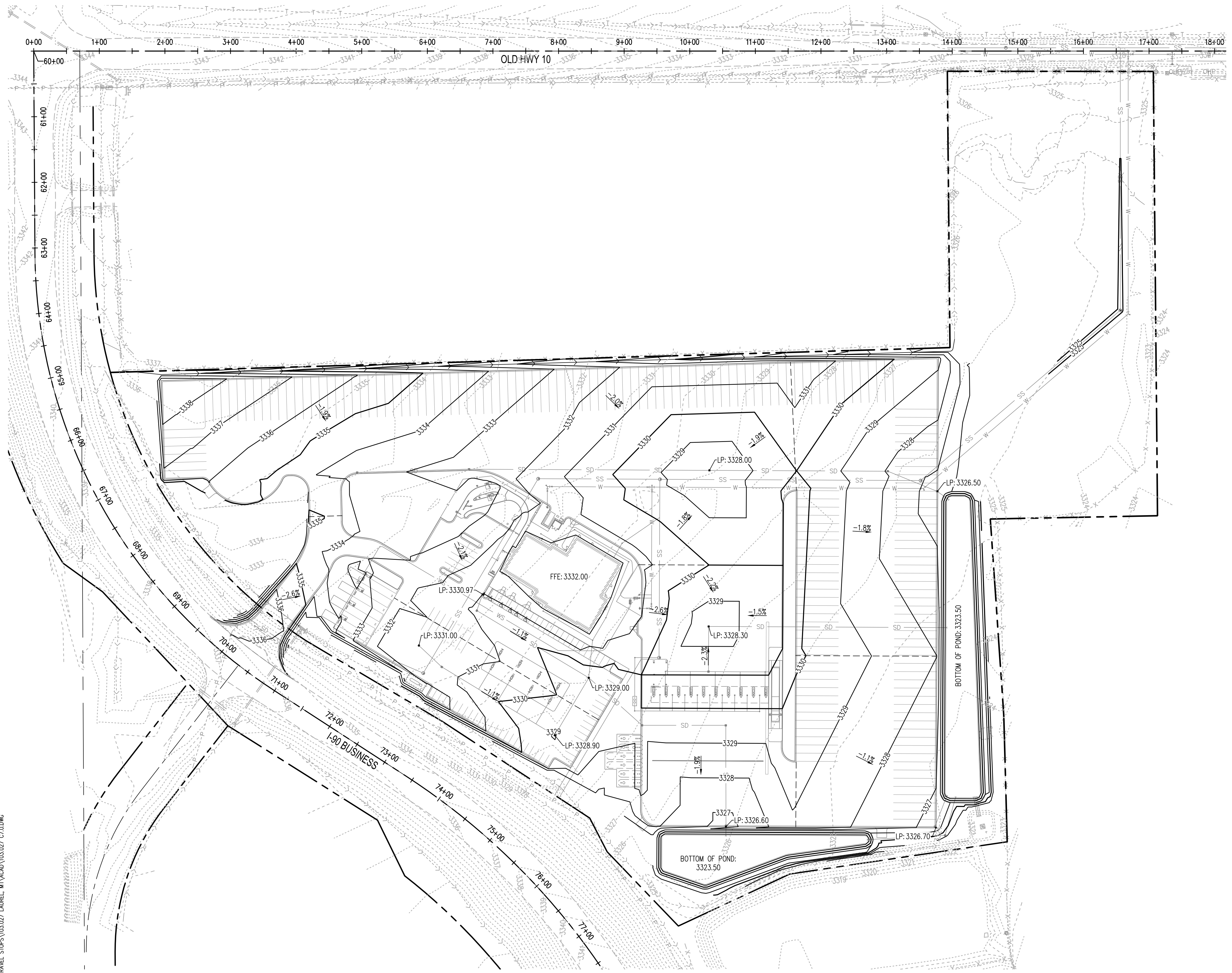
Mar 04, 2024 1:50:55pm User: shihua
 N:\PROJECTS\103 LOVE'S TRAVEL STOPS\103.027 LAUREL, MT\MACAD\103.027 CS.0.1.DWG

CALL BEFORE YOU DIG

THE CONTRACTOR SHALL BE FULLY RESPONSIBLE FOR THE LOCATION AND PROTECTION OF ALL EXISTING UTILITIES. THE CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS PRIOR TO CONSTRUCTION BY CALLING THE UNDERGROUND LOCATE LINE AT 811 A MINIMUM OF 48 HOURS PRIOR TO ANY EXCAVATION.



REVISIONS
PROJECT NO: 103.027 DRAWN: R. SATAK CHECKED: W. DUNLAP SUBMITTAL DATES:
OTB DATE:
JSA CIVIL Engineering Planning Management 111 TUMWATER BLVD SE, SUITE C210 TUMWATER, WA 98501
STAMP 03/04/2024
LOVE'S TRAVEL STOP COMMERCIAL DEVELOPMENT PROJECT LAUREL, MT T 02 S, R 24 E, SEC 17
SHEET TITLE PRELIMINARY CIRCULATION PLAN
SHEET C5.0.1



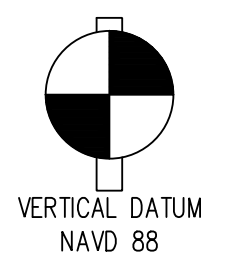
LEGEND

- PROPERTY LINE
- EXISTING CONTOURS
- PROPOSED CONTOURS
- EXISTING CHANNELIZATION
- PROPOSED BUILDING
- STORM LINE
- CATCH BASIN

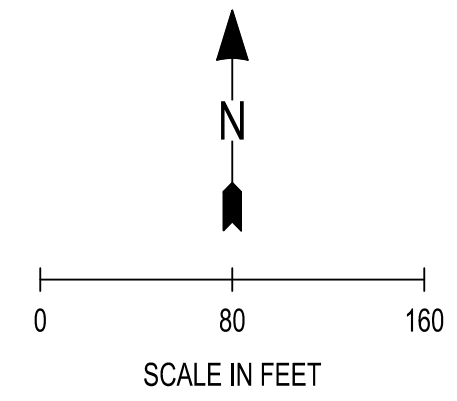
Mar 04, 2024 1:53:56pm User: shihua
 N:\PROJECTS\103 LOVE'S TRAVEL STOPS\103.027 LAUREL, MT\MACAD\103.027 C7.0.DWG

CALL BEFORE YOU DIG

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REVISIONS
PROJECT NO: 103.027 DRAWN: R. SATAK CHECKED: W. DUNLAP SUBMITTAL DATES:
OTB DATE:
JSA CIVIL Engineering Planning Management 111 TUMWATER BLVD SE, SUITE C210 TUMWATER, WA 98501
 03/04/2024
LOVE'S TRAVEL STOP COMMERCIAL DEVELOPMENT PROJECT LAUREL, MT T 02 S, R 24 E, SEC 17
SHEET TITLE PRELIMINARY GRADING PLAN
SHEET C7.0



LEGEND

- PROPERTY LINE
- EXISTING CONTOURS
- PROPOSED CONTOURS
- EXISTING CHANNELIZATION
- PROPOSED BUILDING
- STORM LINE
- CATCH BASIN

GRADING QUANTITIES

CUT: 3,500 CY
 FILL: 38,000 CY

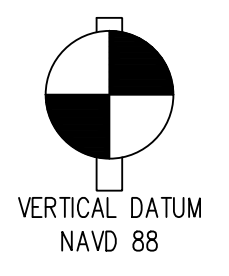
ELEVATIONS TABLE

NUMBER	MINIMUM ELEVATION	MAXIMUM ELEVATION	AREA	COLOR
1	-5.00	-3.00	1097.05	
2	-3.00	-1.00	28822.32	
3	-1.00	1.00	359033.38	
4	1.00	3.00	307050.96	
5	3.00	5.00	233853.43	
6	5.00	7.00	14669.88	
7	7.00	9.00	76.53	

Mar 04, 2024 1:54:56pm User: mthw
 N:\PROJECTS\103 LOVE'S TRAVEL STOPS\103.027 LAUREL, MT\MACAD\103.027 C7.0.DWG

CALL BEFORE YOU DIG

THE CONTRACTOR SHALL BE FULLY RESPONSIBLE FOR THE LOCATION AND PROTECTION OF ALL EXISTING UTILITIES. THE CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS PRIOR TO CONSTRUCTION BY CALLING THE UNDERGROUND LOCATE LINE AT 811 A MINIMUM OF 48 HOURS PRIOR TO ANY EXCAVATION.



REVISIONS

PROJECT NO:
103.027

DRAWN:
R. SATAK

CHECKED:
W. DUNLAP

SUBMITTAL DATES

OTB DATE

JSA CIVIL
 Engineering | Planning | Management
 111 TUMWATER BLVD SE, SUITE C210
 TUMWATER, WA 98501

STAMP

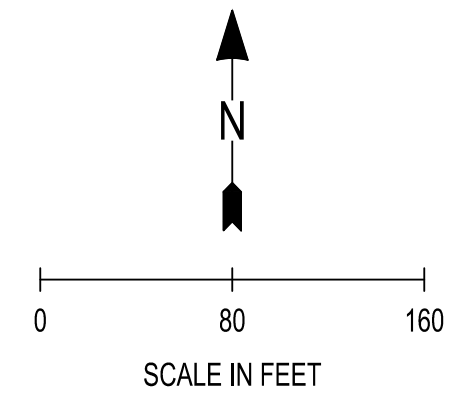
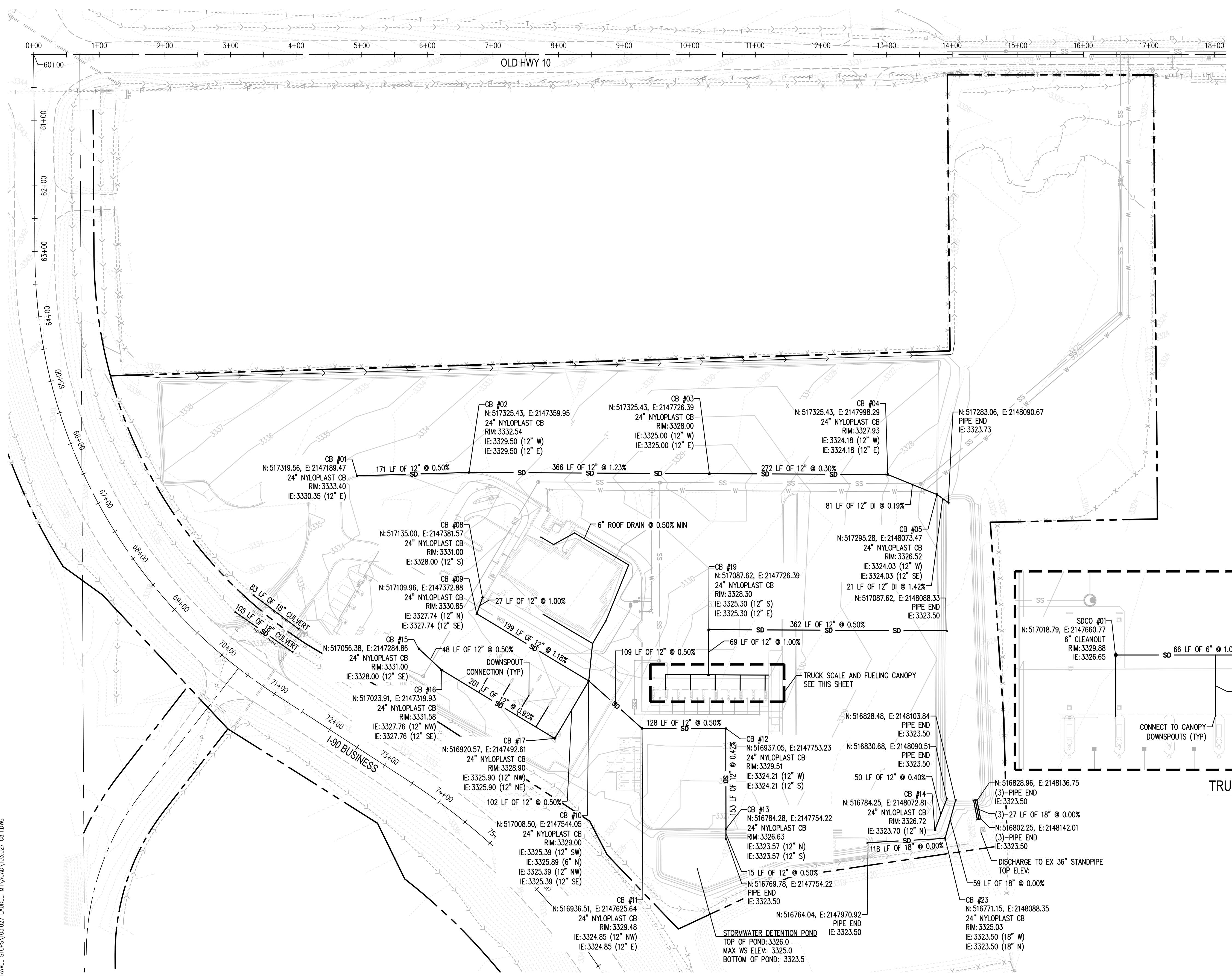
 BRANDON LEE JOHNSON
 No. 40858 PE
 LICENSED PROFESSIONAL ENGINEER
 03/04/2024

LOVE'S TRAVEL STOP
 COMMERCIAL DEVELOPMENT PROJECT
 LAUREL, MT
 T 02 S, R 24 E, SEC 17

Loves

SHEET TITLE
 PRELIMINARY
 GRADING HEAT MAP

SHEET
C7.0.1



LEGEND

	PROPERTY LINE
	EXISTING CONTOURS
	PROPOSED CONTOURS
	EXISTING STORM LINE
	PROPOSED BUILDING
	CEMENT CONCRETE CURB & GUTTER
	STORM LINE
	WATER LINE
	WATER SERVICE LINE
	SEWER LINE
	CATCH BASIN
	STORM CLEANOUT

REVISIONS

PROJECT NO:
103.027

DRAWN:
R. SATAK

CHECKED:
W. DUNLAP

SUBMITTAL DATES:

OTB DATE:

JSA CIVIL
Engineering | Planning | Management
111 TUMWATER BLVD SE, SUITE C210
TUMWATER, WA 98501



STAMP

LOVES TRAVEL STOP
COMMERCIAL DEVELOPMENT PROJECT
LAUREL, MT
T 02, S, R 24 E, SEC 17

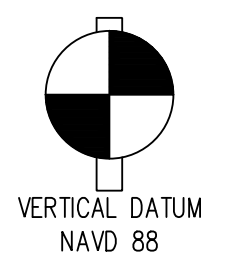
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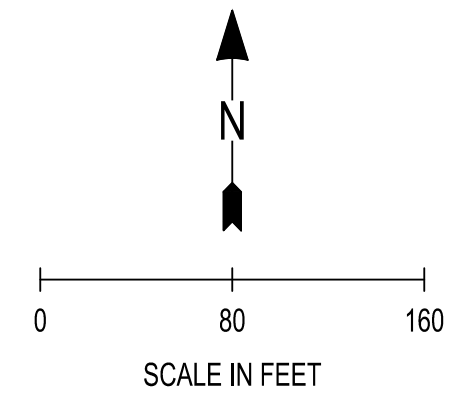
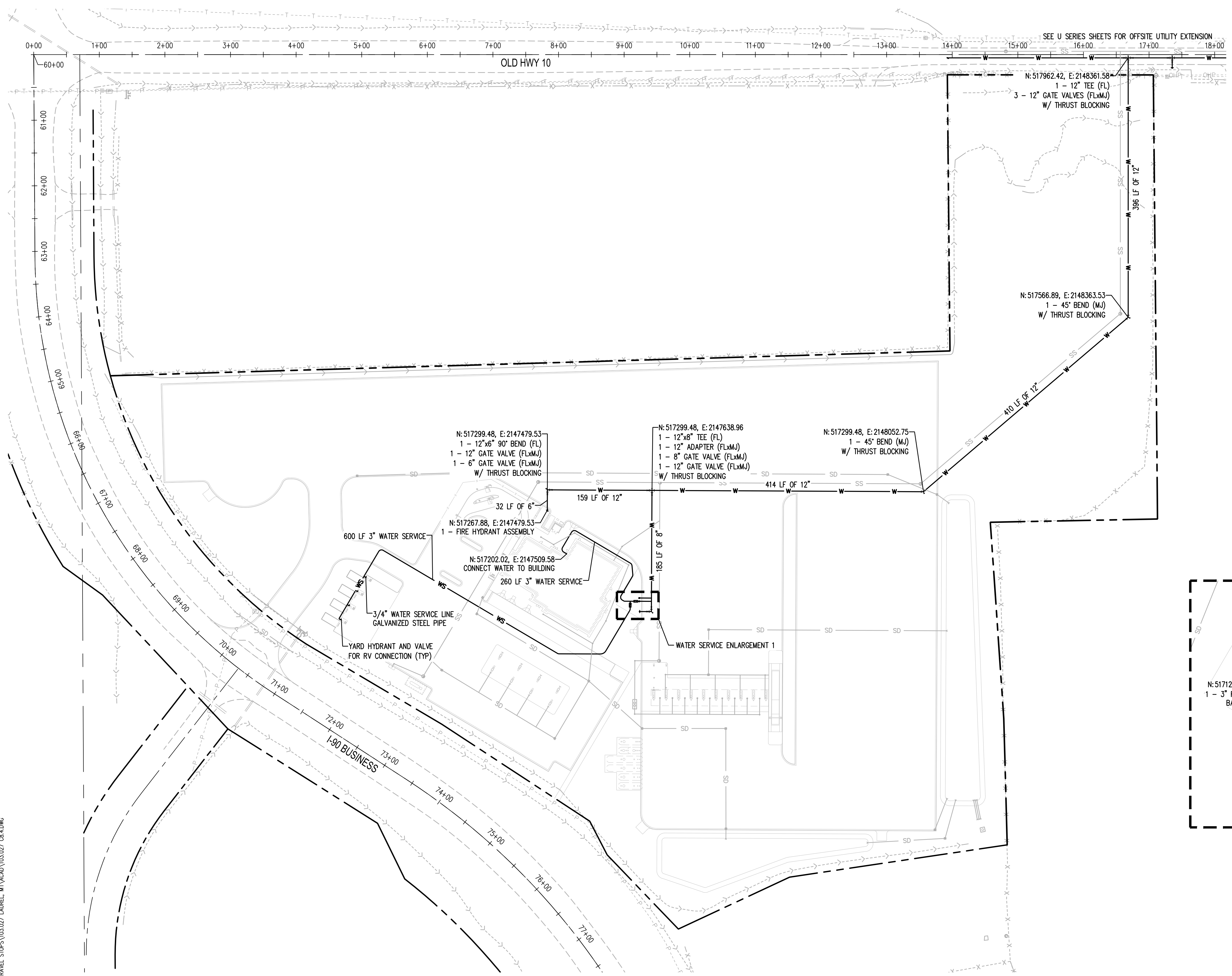
SHEET TITLE
PRELIMINARY
STORMWATER PLAN

SHEET
C8.1

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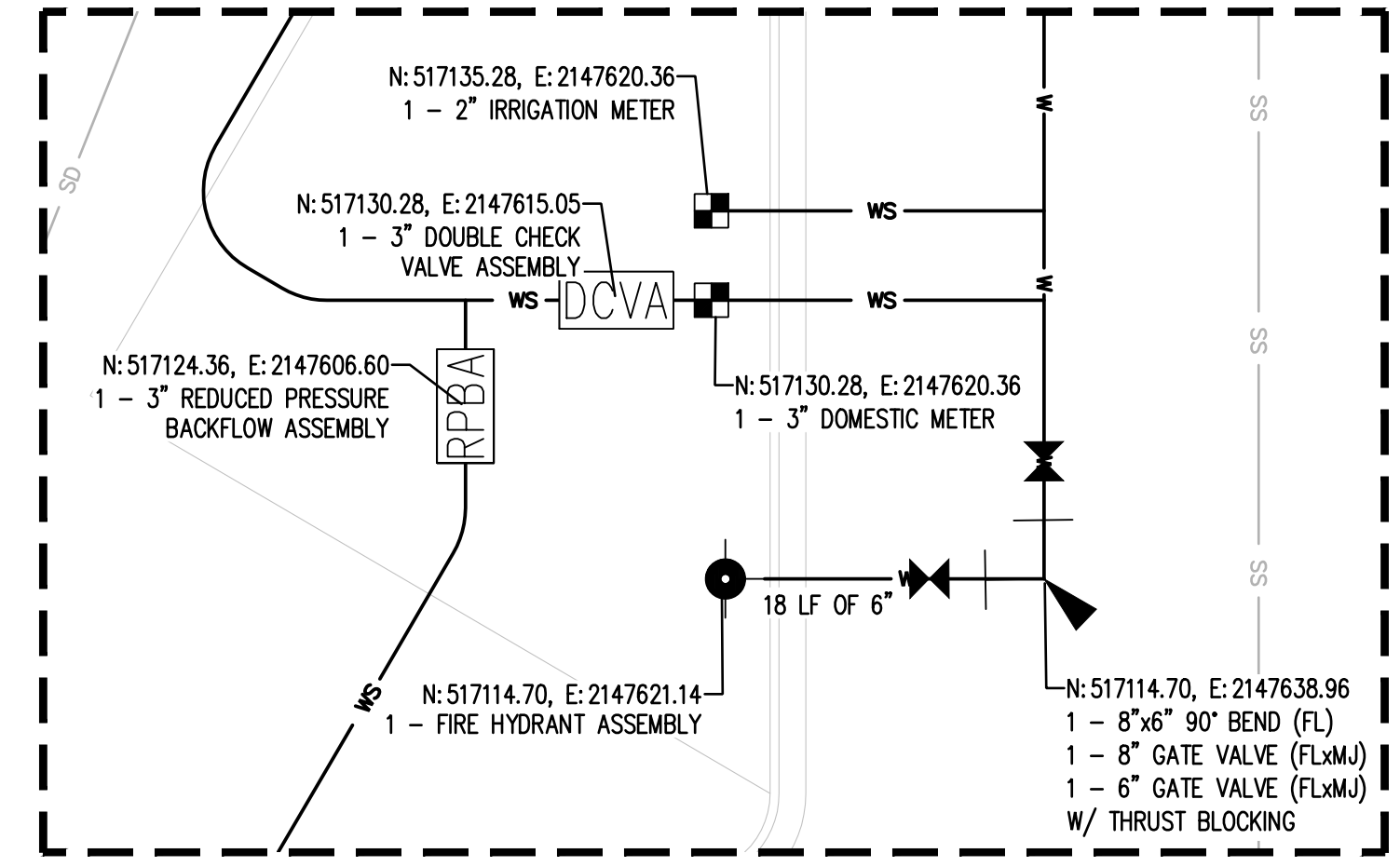
CALL BEFORE YOU DIG
THE CONTRACTOR SHALL BE FULLY RESPONSIBLE FOR THE LOCATION AND PROTECTION OF ALL EXISTING UTILITIES. THE CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS PRIOR TO CONSTRUCTION BY CALLING THE UNDERGROUND LOCATE LINE AT 811 A MINIMUM OF 48 HOURS PRIOR TO ANY EXCAVATION.





LEGEND

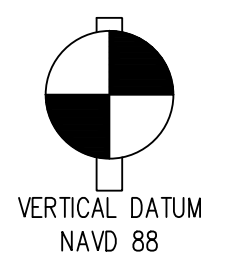
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	EXISTING WATER LINE
	PROPOSED BUILDING
	CEMENT CONCRETE CURB & GUTTER
	STORM LINE
	SEWER LINE
	WATER LINE
	WATER SERVICE LINE



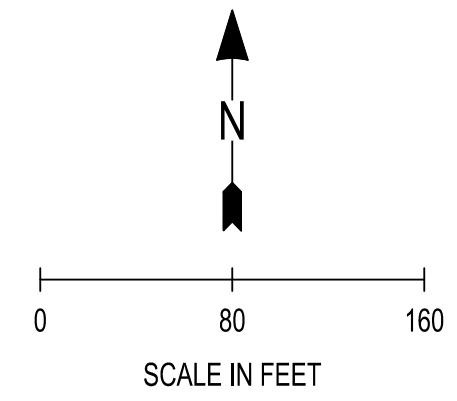
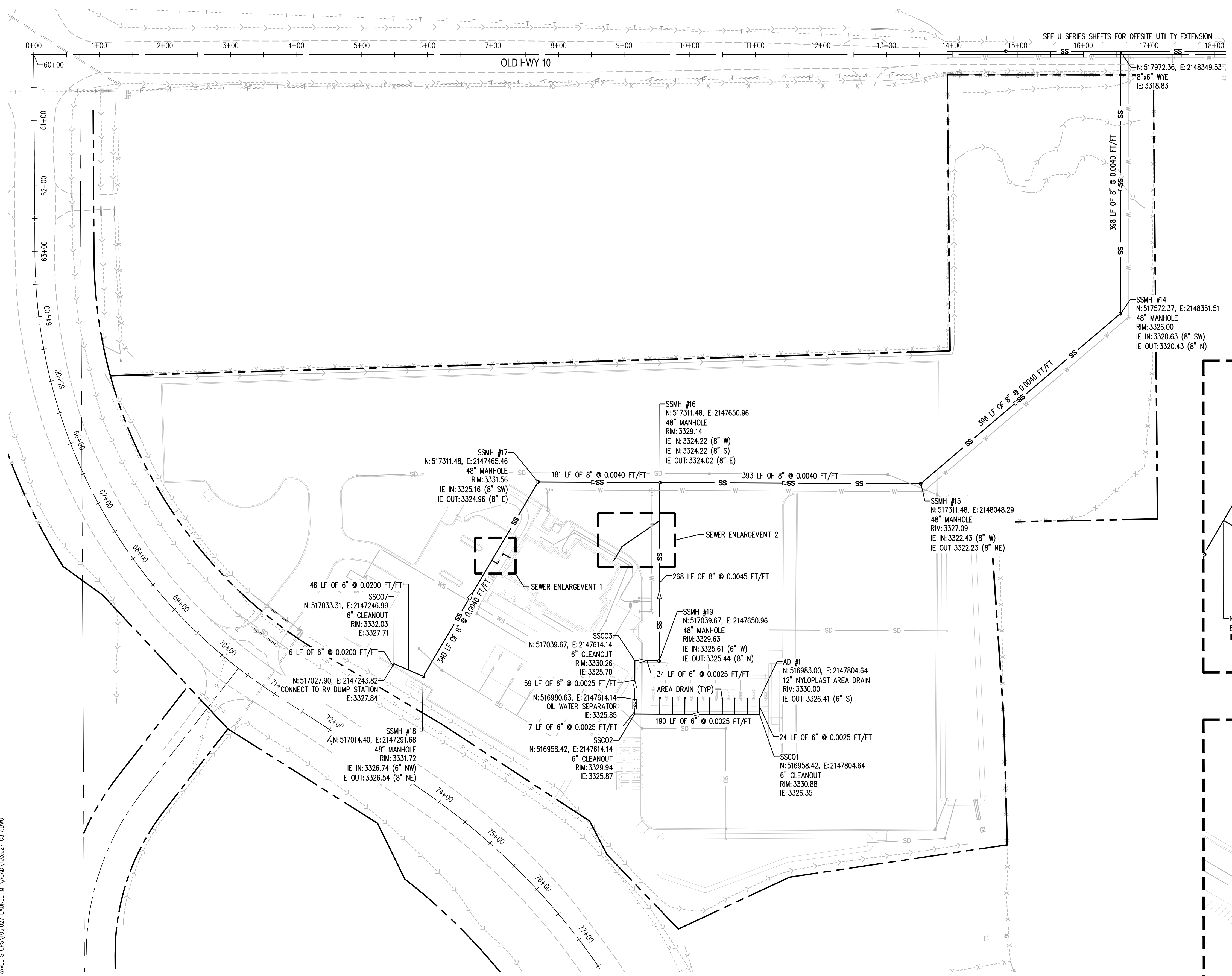
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CALL BEFORE YOU DIG

THE CONTRACTOR SHALL BE FULLY RESPONSIBLE FOR THE LOCATION AND PROTECTION OF ALL EXISTING UTILITIES. THE CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS PRIOR TO CONSTRUCTION BY CALLING THE UNDERGROUND LOCATE LINE AT 811 A MINIMUM OF 48 HOURS PRIOR TO ANY EXCAVATION.

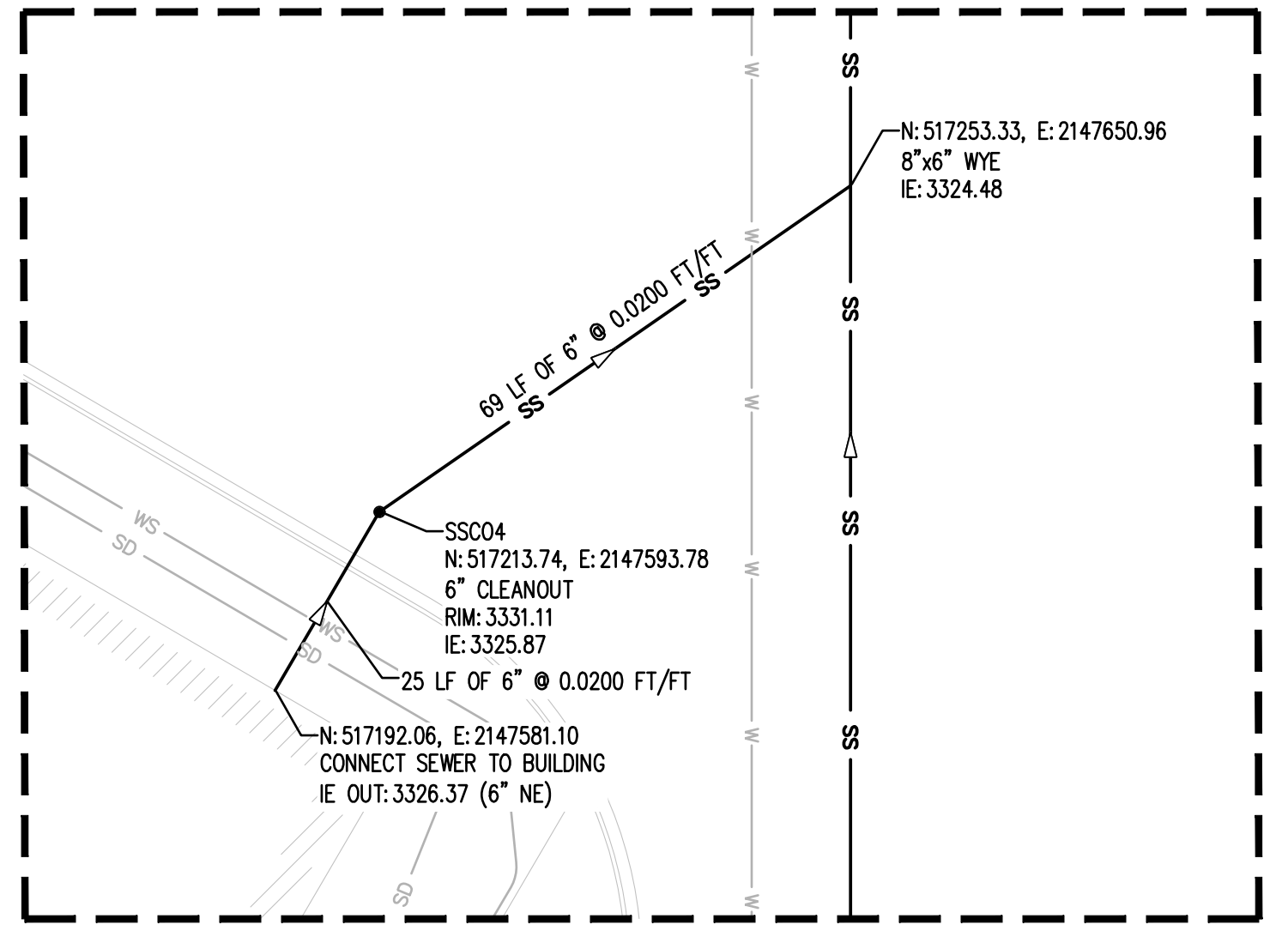
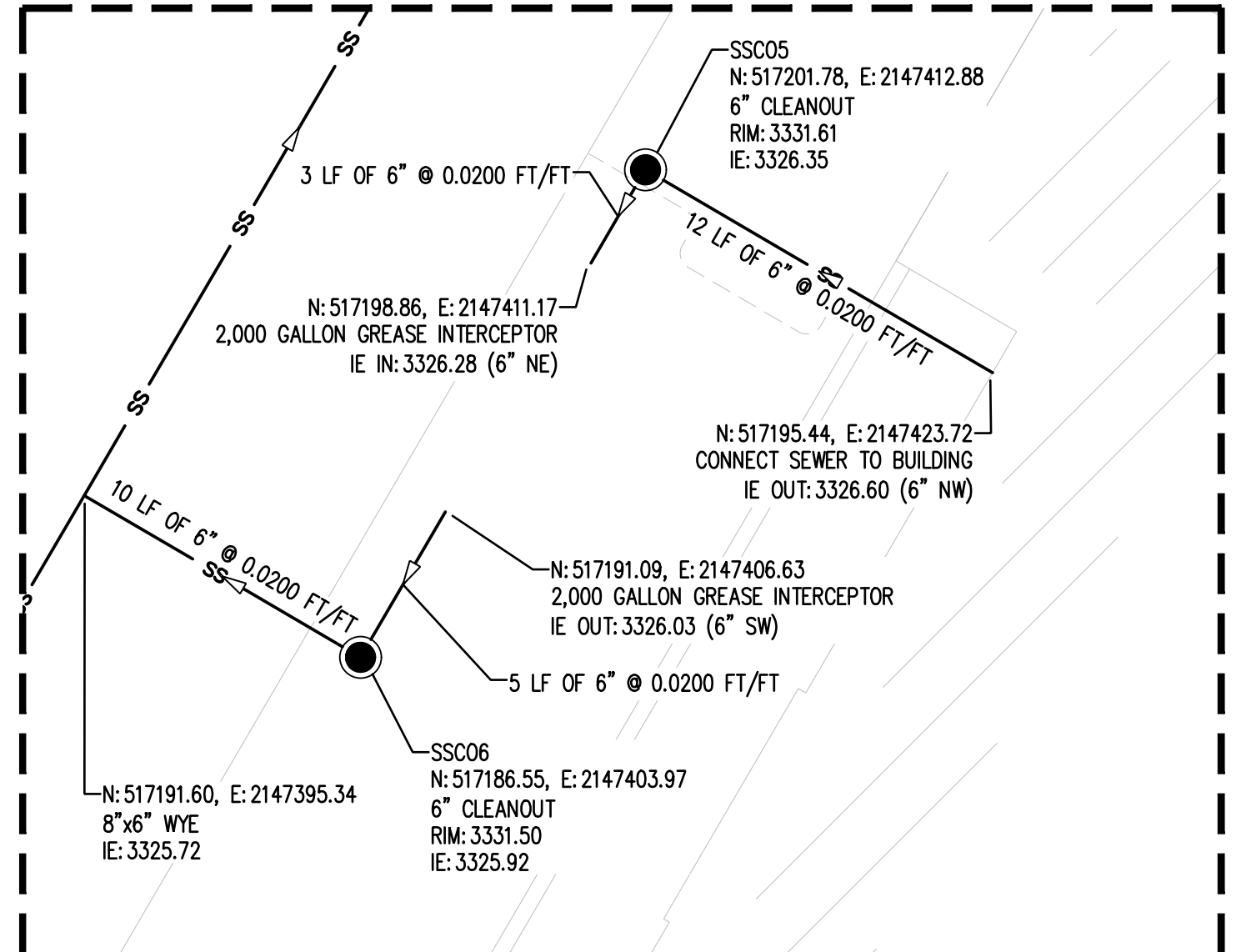


REVISIONS
PROJECT NO: 103.027 DRAWN: R. SATAK CHECKED: W. DUNLAP SUBMITTAL DATES: OTB DATE:
JSA CIVIL Engineering Planning Management 111 TUMWATER BLVD SE, SUITE C210 TUMWATER, WA 98501
 03/04/2024
LOVE'S TRAVEL STOP COMMERCIAL DEVELOPMENT PROJECT LAUREL, MT T 02 S, R 24 E, SEC 17
SHEET TITLE PRELIMINARY WATER PLAN
SHEET C8.4



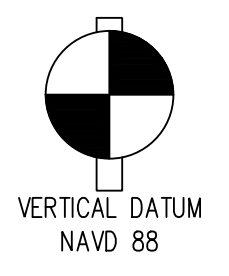
LEGEND

- PROPERTY LINE
- EXISTING SEWER LINE
- PROPOSED BUILDING
- CEMENT CONCRETE CURB & GUTTER
- STORM LINE
- WATER LINE
- WATER SERVICE LINE
- SEWER LINE
- SEWER MANHOLE



CALL BEFORE YOU DIG

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REVISIONS
PROJECT NO: 103.027 DRAWN: R. SATAK CHECKED: W. DUNLAP SUBMITTAL DATES:
OTB DATE:
 Engineering Planning Management 111 TUMWATER BLVD SE, SUITE C210 TUMWATER, WA 98501
 03/04/2024
LOVE'S TRAVEL STOP COMMERCIAL DEVELOPMENT PROJECT LAUREL, MT T 02, S R 24 E, SEC 17
SHEET TITLE PRELIMINARY SEWER PLAN
SHEET C8.7

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REVISIONS	

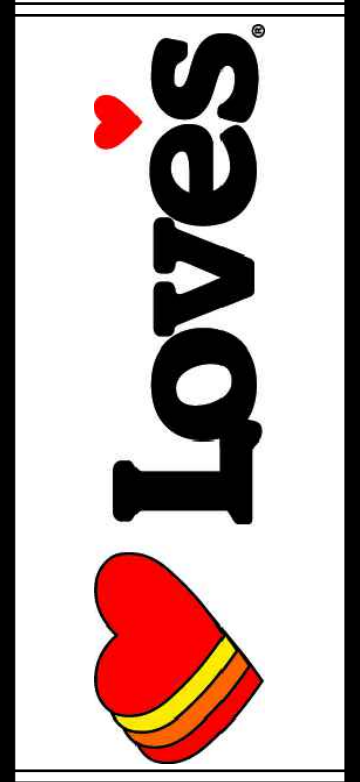
PROJECT NO:
103.027
DRAWN:
R. SATAK
CHECKED:
W. DUNLAP
SUBMITTAL DATES:

OTB DATE:

JSA CIVIL
Engineering | Planning | Management
111 TUMWATER BLVD SE, SUITE C210
TUMWATER, WA 98501

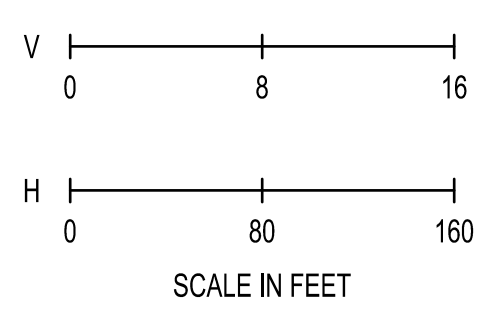
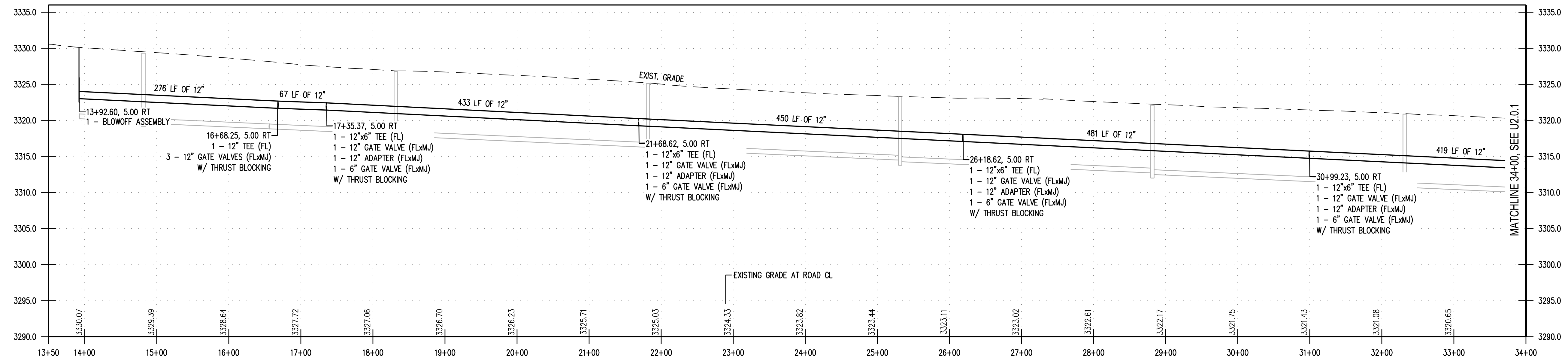
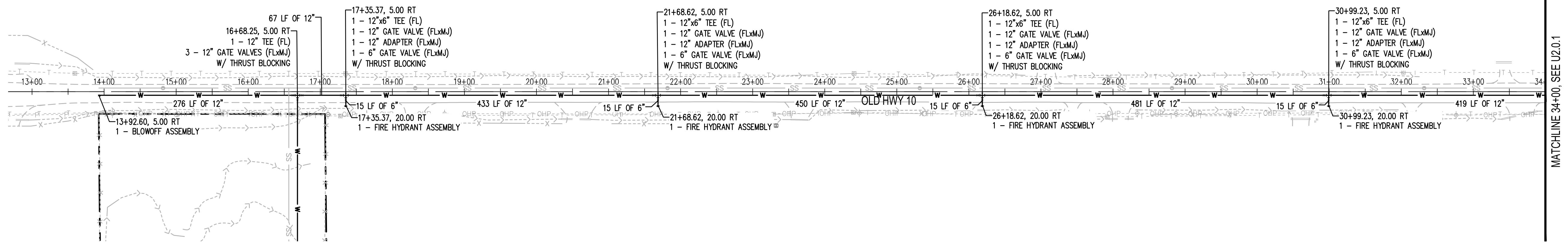
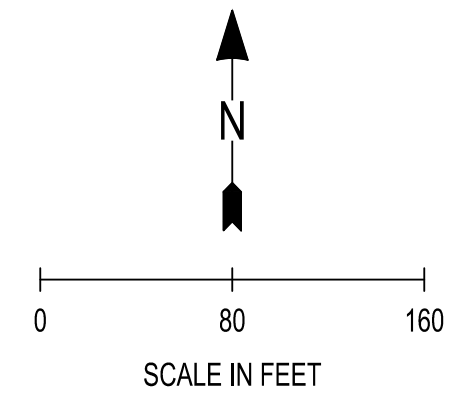


LOVE'S TRAVEL STOP
COMMERCIAL DEVELOPMENT PROJECT
LAUREL, MT
T 02 S, R 24 E, SEC 17



SHEET TITLE
PRELIMINARY
WATER EXTENSION
PLAN

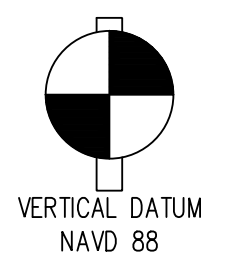
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U2.0



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CALL BEFORE YOU DIG

THE CONTRACTOR SHALL BE FULLY RESPONSIBLE FOR THE LOCATION AND PROTECTION OF ALL EXISTING UTILITIES. THE CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS PRIOR TO CONSTRUCTION BY CALLING THE UNDERGROUND LOCATE LINE AT 811 A MINIMUM OF 48 HOURS PRIOR TO ANY EXCAVATION.



REVISIONS

PROJECT NO:
103.027

DRAWN:
R. SATAK

CHECKED:
W. DUNLAP

SUBMITTAL DATES

OTB DATE

—

JSA CIVIL
Engineering | Planning | Management
111 TUMWATER BLVD SE, SUITE C210
TUMWATER, WA 98501

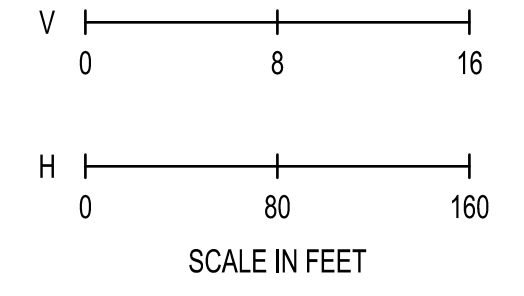
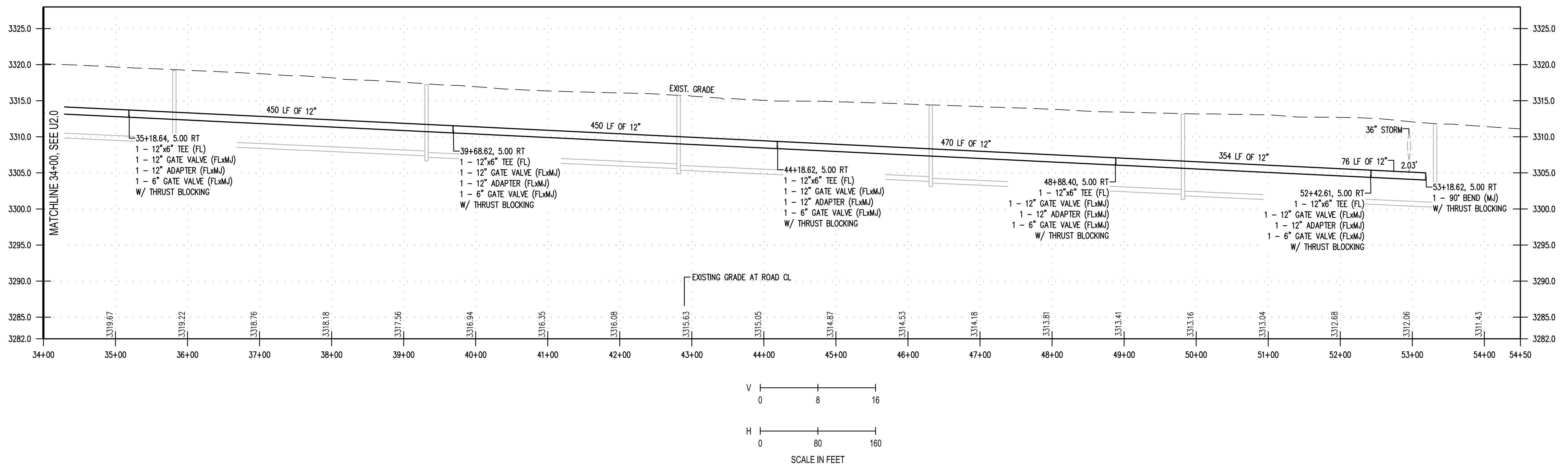
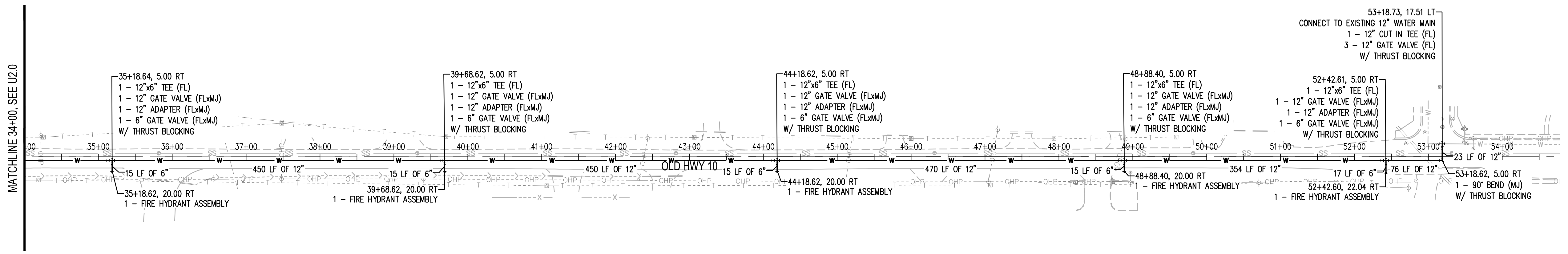
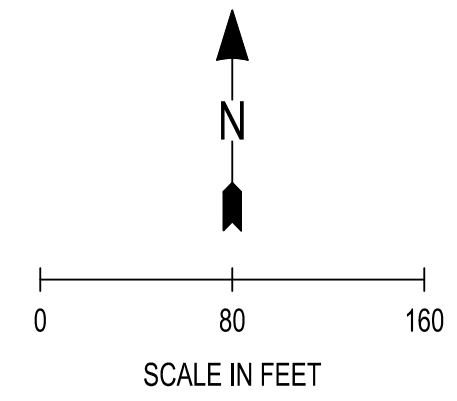
STAMP
MONTANA
BRANDON LEE JOHNSON
No. 40858 PE
LICENSED PROFESSIONAL ENGINEER
03/04/2024

LOVE'S TRAVEL STOP
COMMERCIAL DEVELOPMENT PROJECT
LAUREL, MT
T 02 S, R 24 E, SEC 17

Love's

SHEET TITLE
PRELIMINARY
WATER EXTENSION
PLAN

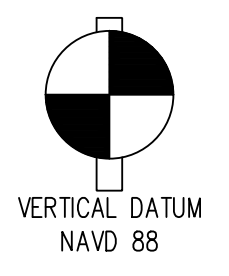
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CALL BEFORE YOU DIG

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REVISIONS

PROJECT NO:
103.027

DRAWN:
R. SATAK

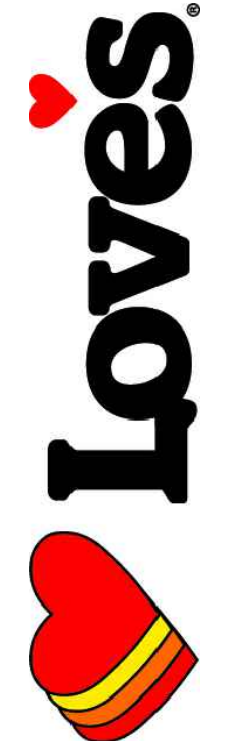
CHECKED:
W. DUNLAP

SUBMITTAL DATES

OTB DATE

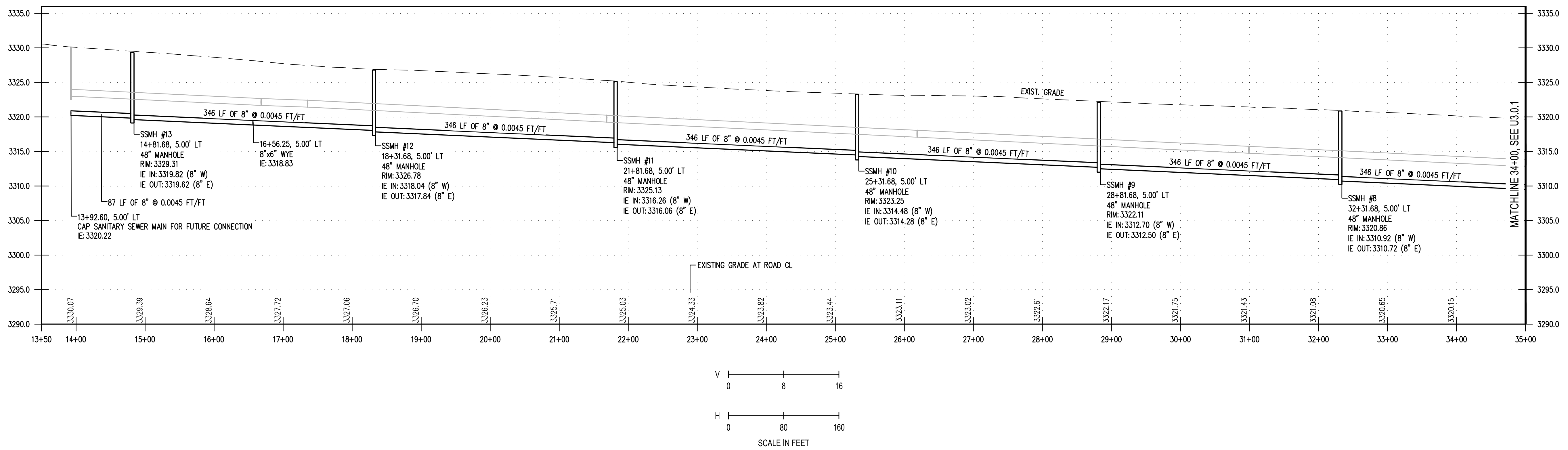
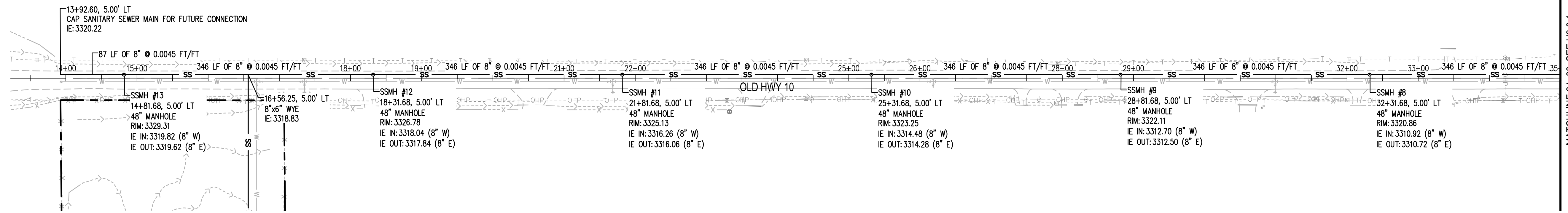
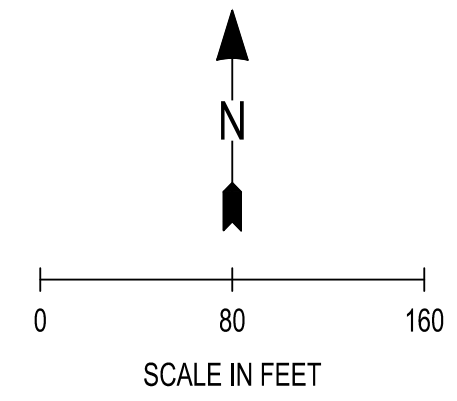
STAMP
MONTANA
BRANDON LEE JOHNSON
No. 40858 PE
LICENSED PROFESSIONAL ENGINEER
03/04/2024

LOVE'S TRAVEL STOP
COMMERCIAL DEVELOPMENT PROJECT
LAUREL, MT
T 02, S, R 24 E, SEC 17



SHEET TITLE
PRELIMINARY
SEWER EXTENSION
PLAN

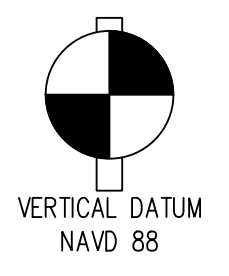
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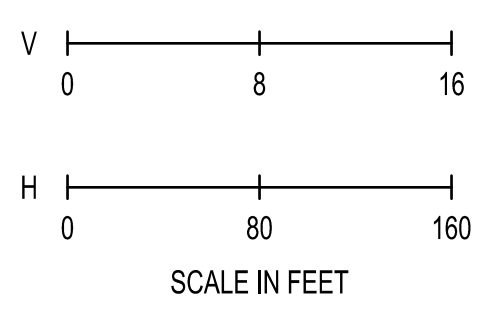
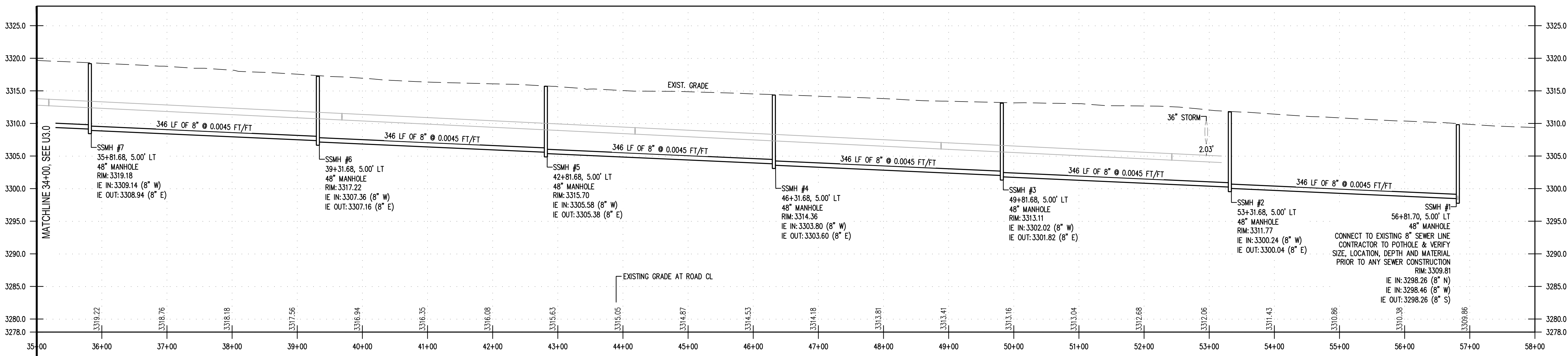
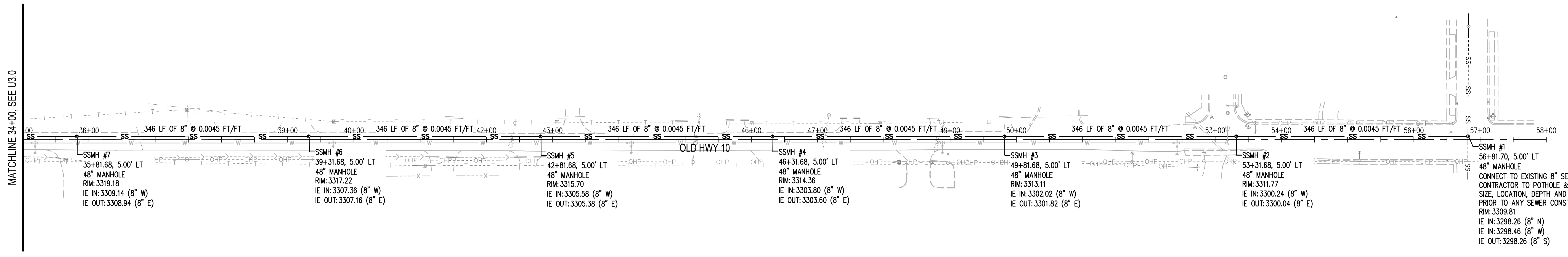
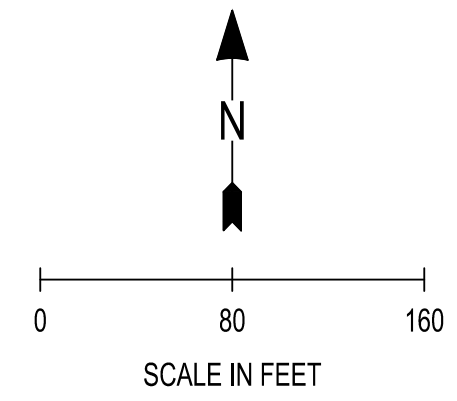


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CALL BEFORE YOU DIG

THE CONTRACTOR SHALL BE FULLY RESPONSIBLE FOR THE LOCATION AND PROTECTION OF ALL EXISTING UTILITIES. THE CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS PRIOR TO CONSTRUCTION BY CALLING THE UNDERGROUND LOCATE LINE AT 811 A MINIMUM OF 48 HOURS PRIOR TO ANY EXCAVATION.

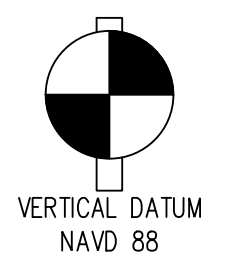




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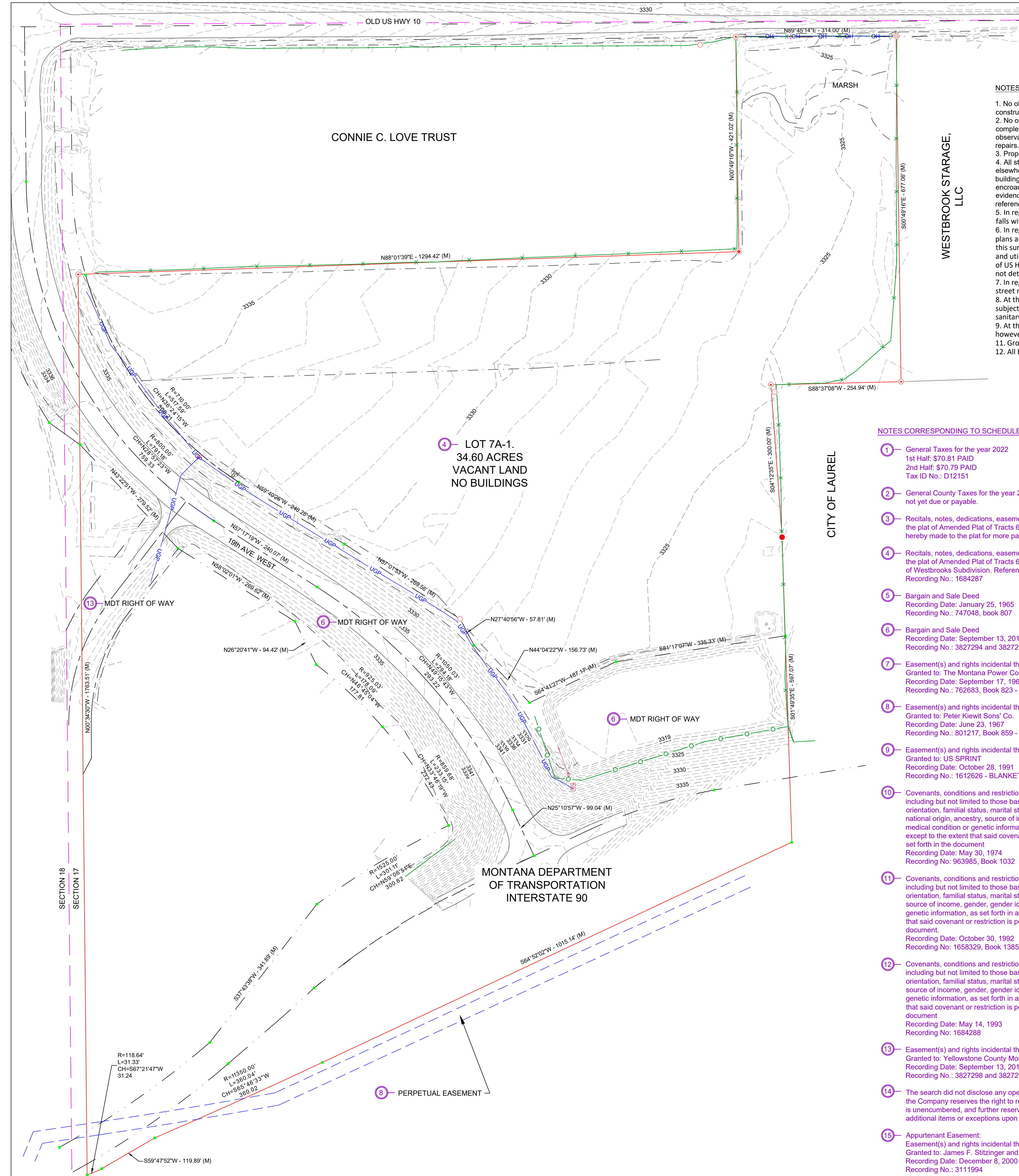
JSA CIVIL

Engineering | Planning | Management

**LOVE'S TRAVEL STOP
LAUREL, MT**

ENGINEER'S ESTIMATE OF PROBABLE CONSTRUCTION COST - FOR WORK IN ROW

#	DESCRIPTION	QUANTITY	UNIT	UNIT COST	EXTENSION
SEWER EXTENSION					
1	PVC SANITARY SEWER PIPE 8 IN. DIAM., LESS THAN 10 FT. BELOW FINISHED GRADE	2855	LF	\$65	\$185,575
2	PVC SANITARY SEWER PIPE 8 IN. DIAM., 10 FT. - 14 FT. BELOW FINISHED GRADE	1,385	LF	\$85	\$117,725
3	SANITARY SEWER MANHOLE, 48 IN. DIAM.	13	EA	\$4,500	\$58,500
4	TRENCH RESTORATION (4" ASPHALT OVER 12" BASE COURSE)	1	LS	\$150,000	\$150,000
SEWER SUBTOTAL					\$511,800
WATER EXTENSION					
5	PVC 900 PIPE FOR WATER MAIN 12 IN. DIAM.	3,950	LF	\$70	\$276,500
6	GATE VALVE AND BLOCKING 12 IN.	15	EA	\$2,000	\$30,000
7	HYDRANT ASSEMBLY	9	EA	\$3,500	\$31,500
8	TRENCH RESTORATION (4" ASPHALT OVER 12" BASE COURSE)	1	LS	\$150,000	\$150,000
WATER SUBTOTAL					\$488,000
TOTAL ESTIMATED CONSTRUCTION COST					\$999,800



NOTES:

- No observable evidence of earth moving work, building construction or building additions within recent months.
- No observable evidence of changes in street right of way lines completed, and available from the controlling jurisdiction and no observable evidence of recent street or sidewalk construction or repairs.
- Property has physical access to 19th Avenue West, a public road.
- All statements within the certification, and other references located elsewhere hereon, related to: utilities, improvements, structures, buildings, party walls, parking, easements, servitudes, and encroachments; are based solely on above ground, visible evidence, unless another source of information is specifically referenced hereon.
- In regards to ALTA Table A Item 3, FEMA has determined the site falls with "ZONE X".
- In regards to ALTA Table A Item 11(a), no underground utility plans and/or reports have been provided by the client at the time this survey was performed and was based upon physical evidence and utility locates. A "GAS" marker was observed on the north side of US Highway 16, however, position of underground pipeline was not determined.
- In regards to ALTA Table A Item no. 17, no proposed changes to street right of way lines.
- At the time of survey, there was no observable evidence of the subject property being used as a solid waste dump, sump or sanitary landfill.
- At the time of survey, no wetland markers were observed, however, a potential wetland area is on site.
- Grass land area equals 34.60 acres.
- All bearings and distances are as measured at the site.

- NOTES CORRESPONDING TO SCHEDULE "B":**
- General Taxes for the year 2022
1st Half: \$70.81 PAID
2nd Half: \$70.79 PAID
Tax ID No.: D12151
 - General County Taxes for the year 2023 and subsequent years, which are a lien but not yet due or payable.
 - Recitals, notes, dedications, easements, certificates and covenants as contained on the plat of Amended Plat of Tracts 6 and 7 of Westbrooks Subdivision. Reference is hereby made to the plat for more particulars. Recording No.: 1658328
 - Recitals, notes, dedications, easements, certificates and covenants as contained on the plat of Amended Plat of Tracts 6A and 7A, of the Amended Plat of Tracts 6 and 7, of Westbrooks Subdivision. Reference is hereby made to the plat for more particulars. Recording No.: 1684287
 - Bargain and Sale Deed
Recording Date: January 25, 1965
Recording No.: 747048, book 807
 - Bargain and Sale Deed
Recording Date: September 13, 2017
Recording No.: 3827294 and 3827295 - AS SHOWN
 - Easement(s) and rights incidental thereto, as granted in a document:
Granted to: The Montana Power Company
Recording Date: September 17, 1965
Recording No.: 762683, Book 823 - BLANKET EASEMENT, NOT SHOWN
 - Easement(s) and rights incidental thereto, as granted in a document:
Granted to: Peter Kiewit Sons' Co.
Recording Date: June 23, 1967
Recording No.: 801217, Book 859 - AS SHOWN
 - Easement(s) and rights incidental thereto, as granted in a document:
Granted to: US SPRINT
Recording Date: October 28, 1991
Recording No.: 1612626 - BLANKET EASEMENT, NOT SHOWN
 - Covenants, conditions and restrictions but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth in the document
Recording Date: May 30, 1974
Recording No.: 963985, Book 1032
 - Covenants, conditions and restrictions but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth in the document.
Recording Date: October 30, 1992
Recording No.: 1658329, Book 1385
 - Covenants, conditions and restrictions but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth in the document
Recording Date: May 14, 1993
Recording No.: 1684288
 - Easement(s) and rights incidental thereto, as granted in a document:
Granted to: Yellowstone County Montana
Recording Date: September 13, 2017
Recording No.: 3827298 and 3827299
 - The search did not disclose any open mortgages or deeds of trust of record, therefore the Company reserves the right to require further evidence to confirm that the property is unencumbered, and further reserves the right to make additional requirements or add additional items or exceptions upon receipt of the requested evidence.
 - Appurtenant Easement:
Easement(s) and rights incidental thereto, as granted in a document:
Granted to: James F. Siltzinger and Elizabeth B. Siltzinger
Recording Date: December 8, 2000
Recording No.: 3111994

LEGEND

- FOUND PIPE 1.5" PIPE FOR CORNER
- FOUND MDOT RIGHT-OF-WAY MONUMENT
- FOUND 3/8" REBAR
- FOUND PLASTIC CAP PLS5157S ON REBAR
- SET 1.5" ALUMINUM CAP ON 24" REBAR THIS SURVEY INSCRIBED "PELS 31093"
- CORNER - NOTHING FOUND NOTHING SET
- POWER POLE
- GUY WIRE
- STORM SEWER MANHOLE
- TELEPHONE / FIBER PEDESTAL OR VAULT
- ELECTRICAL PEDESTAL
- XX INDICATES AN ITEM NUMBER WITHIN THE SCHEDULE B TITLE COMMITMENT NOTES
- MEASURED PROPERTY BOUNDARY
- BARBED WIRE FENCE
- CHAINLINK FENCE
- COMM UNDERGROUND FIBER
- SAN STORM SEWER
- OH OH OH OVERHEAD POWER
- UGP UNDERGROUND POWER
- CENTERLINE ROAD / DITCH
- TYPICAL UTILITY & ACCESS EASEMENT
- CENTERLINE DITCH
- CONTOUR

THE LAND REFERRED TO HEREON AND IS DESCRIBED AS FOLLOWS:

LOT 7A-1, OF THE AMENDED PLAT OF TRACTS 6A AND 7A, OF THE AMENDED PLAT OF TRACTS 6 AND 7, OF WESTBROOKS SUBDIVISION, YELLOWSTONE COUNTY, MONTANA, ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE OFFICE OF THE CLERK AND RECORDER OF SAID COUNTY, UNDER DOCUMENT NO. 1684287.

EXCEPTING THEREFROM THAT PORTION GRANTED UNTO THE STATE OF MONTANA BY VIRTUE OF BARGAIN AND SALE DEED RECORDED JANUARY 25, 1965, BOOK 807, UNDER DOCUMENT NO. 747048; AND

EXCEPTING THEREFROM THAT PORTION GRANTED UNTO THE MONTANA DEPARTMENT OF TRANSPORTATION BY VIRTUE OF BARGAIN AND SALE DEEDS RECORDED SEPTEMBER 13, 2017 UNDER DOCUMENT NO. 3827294 AND 3827295; AND

EXCEPTING THEREFROM THAT PORTION GRANTED UNTO THE MONTANA DEPARTMENT OF TRANSPORTATION BY VIRTUE OF WARRANTY DEEDS RECORDED SEPTEMBER 13, 2017 UNDER DOCUMENT NO. 3827296 AND 3827297.

THE LAND SHOWN IN THIS SURVEY IS THE SAME AS THAT DESCRIBED IN CHICAGO TITLE INSURANCE COMPANY, COMMITMENT NUMBER 00500616 / 3523230535 WITH AN EFFECTIVE DATE OF AUGUST 3, 2023 AT 8:00 AM

SURVEY CERTIFICATE:

The undersigned, DAVID A. FEHRINGER (the "Surveyor"), a registered land surveyor in the state of WYOMING identified below Surveyor's signature, has prepared this map or plat of survey (the "Survey") referring to:

- Real property as Tract 7A-1 in the Westbrooks's Subdivision in Section 17, Township 2 South, Range 24 East, PMM, Yellowstone County, MT (the "Property"); and
- Chicago Title Insurance Company, Commitment Number 00500616 / 3523230535 with an effective date of August 3, 2023 at 8:00 AM, for the Property.

Surveyor certifies to Love's Travel Stops & Country Stores, Inc., Title Company, and their respective successors and assigns, that:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS and includes Items 1, 3, 4, 5, 6(a), 6(b), 7(a), 8, 11, 13, 14, 16, 17, 18, 19 of Table A thereof. The fieldwork was completed on October 12, 2023. The Property contains 34.60 acres.

Date of Plat or Map: NOVEMBER 10, 2023
Surveyor's Signature:
Printed Name: David A. Fehringer
State of MONTANA:
Registration Number: PELS 31093

SHEET
1 of 1

LOVES TRUCK STOPS
TRACT 7A-1
WESTBROOK'S SUBDIVISION
SECTION 17, T2S, R24E, PMM
YELLOWSTONE COUNTY, MT

0 100' 200'
SCALE: 1" = 100'

IF BAR LENGTH DOES NOT EQUAL 1" (ONE INCH), THIS PAGE WAS NOT PLOTTED TO THE INTENDED SCALE.

DRAWN BY: DAF
DATE: 11-03-2023
JOB #: 23-067
REVISION:
DATE:
EXPLANATION:

427 LINCOLN ST., STE 1
LANDER, WY 82520
307.206.0007 | FREMONTSURVEYING.COM

Tasks

Results

Result layer name
Parcels_Query result

Displayed features:
41/41

Taxcode: D02587
Geocode: 03082108301180000
Recording number:
Property owner: ALLWIN, DENNIS D & GLORIA
A
Subdivision: UNPLATTED
Block number:
Lot number:
Certificate of Survey:
Tract number:

[Click for property tax detail](#)

Taxcode: C12668
Geocode: 03082108360010000
Recording number: 3061180
Property owner: MILLER TROIS LLC
Subdivision: ROSSMOOR SUB
Block number: 1
Lot number: 2
Certificate of Survey:
Tract number:

[Click for property tax detail](#)

Taxcode: C12667
Geocode: 03082108390010000
Recording number: 3061180
Property owner: MILLER TROIS LLC
Subdivision: ROSSMOOR SUB
Block number: 1
Lot number: 1
Certificate of Survey:
Tract number:

[Click for property tax detail](#)

Taxcode: D02622
Geocode: 03082108402010000
Recording number:
Property owner: KNOP, KENNETH R &
DEBORAH A
Subdivision: UNPLATTED
Block number:
Lot number:
Certificate of Survey:
Tract number:

[Click for property tax detail](#)

Taxcode: D02621

Geocode: 03082108402060000
Recording number:
Property owner: BECKER, WILLIAM THOMAS
SR & MILA PODINO
Subdivision: UNPLATTED
Block number:
Lot number:
Certificate of Survey:
Tract number:

[Click for property tax detail](#)

Taxcode: B01744
Geocode: 03082108403030000
Recording number:
Property owner: WHITE, LYNET & CHARLES R
Subdivision: VANBUREN SUB
Block number: 2
Lot number: 1
Certificate of Survey:
Tract number:

[Click for property tax detail](#)

Taxcode: B01746
Geocode: 03082108403080000
Recording number: 3669831
Property owner: KNUTSON, CHRIS
Subdivision: VANBUREN SUB
Block number: 2
Lot number: 13
Certificate of Survey:
Tract number:

[Click for property tax detail](#)

Taxcode: B01746B
Geocode: 03082108403120000
Recording number: 3669831
Property owner: COMMERCIAL BUILDING
DEVELOPMENT LLC
Subdivision: VANBUREN SUB
Block number: 2
Lot number: 17
Certificate of Survey:
Tract number:

[Click for property tax detail](#)

Taxcode: B01746A
Geocode: 03082108403150000
Recording number:
Property owner: HEALEY, JERRY J
Subdivision: VANBUREN SUB
Block number: 2
Lot number: 20
Certificate of Survey:
Tract number:

[Click for property tax detail](#)

Taxcode: B01740
Geocode: 03082108404030000
Recording number:
Property owner: PARKS, LYLE F & LAURA GC
Subdivision: VANBUREN SUB
Block number: 1
Lot number: 2
Certificate of Survey:
Tract number:

[Click for property tax detail](#)

Taxcode: B01740A
Geocode: 03082108404040000
Recording number: 3848196
Property owner: BECKER, WILLIAM THOMAS
SR & MILA PODINO
Subdivision: VANBUREN SUB
Block number: 1
Lot number: 20
Certificate of Survey:
Tract number:

[Click for property tax detail](#)

Taxcode: B01743
Geocode: 03082108404060000
Recording number:
Property owner: PARKS, LYLE F & LAURA GC
Subdivision: VANBUREN SUB
Block number: 1
Lot number: 19
Certificate of Survey:
Tract number:

[Click for property tax detail](#)

Taxcode: D12865
Geocode: 03082108405060000
Recording number: AB26
Property owner: BECKER, WARREN J &
MARCHETA M
Subdivision: UNPLATTED
Block number:
Lot number:
Certificate of Survey:
Tract number:

[Click for property tax detail](#)

Taxcode: D02617
Geocode: 03082108405090000
Recording number:
Property owner: HERMAN, MICHAEL A
Subdivision:
Block number:
Lot number:
Certificate of Survey: CS 416 AM
Tract number: TR 1

[Click for property tax detail](#)

Taxcode: D02618
Geocode: 03082108405130000
Recording number:
Property owner: KRENELKA, PETER E & DORIS
D
Subdivision:
Block number:
Lot number:
Certificate of Survey: CS 416 AM
Tract number: TR 2

[Click for property tax detail](#)

Taxcode: D02616A
Geocode: 03082108405150000
Recording number: 3743789
Property owner: TOWN AND COUNTRY
SUPPLY ASSOCIATION
Subdivision:
Block number:
Lot number:
Certificate of Survey: CS 3590
Tract number: TR 1

[Click for property tax detail](#)

Taxcode: C14948
Geocode: 03082108410010000
Recording number: 3329877
Property owner: CITY OF LAUREL MONTANA
Subdivision: SOLID FOUNDATIONS SUB
Block number: 3
Lot number: 1
Certificate of Survey:
Tract number:

[Click for property tax detail](#)

Taxcode: C12669
Geocode: 03082108490010000
Recording number: 3061180
Property owner: MILLER TROIS LLC
Subdivision: ROSSMOOR SUB
Block number: 1
Lot number: 3
Certificate of Survey:
Tract number:

[Click for property tax detail](#)

Taxcode: D02801
Geocode: 03082117109010000
Recording number:
Property owner: WOOD'S POWR-GRIP CO INC
Subdivision: WESTBROOKS SUB
Block number: NONE
Lot number: 2

Certificate of Survey:
Tract number:

[Click for property tax detail](#)

Taxcode: D02800
Geocode: 03082117109050000
Recording number:
Property owner: HORTON STORAGE LLC
Subdivision: WESTBROOKS SUB
Block number: NONE
Lot number: 1
Certificate of Survey:
Tract number:

[Click for property tax detail](#)

Taxcode: D02799
Geocode: 03082117109100000
Recording number:
Property owner: WOOD'S POWR- GRIP CO INC
Subdivision: WESTBROOKS SUB
Block number: NONE
Lot number: 1
Certificate of Survey:
Tract number:

[Click for property tax detail](#)

Taxcode: B01738
Geocode: 03082117112010000
Recording number:
Property owner: WOOD'S POWR-GRIP CO
Subdivision: STOUFFER SUB
Block number: 2
Lot number: 12
Certificate of Survey:
Tract number:

[Click for property tax detail](#)

Taxcode: B01736
Geocode: 03082117114010000
Recording number: AB26
**Property owner: FISCHER, CLAYTON &
DWIGHT**
Subdivision: STOUFFER SUB
Block number: 1
Lot number: 11
Certificate of Survey:
Tract number:

[Click for property tax detail](#)

Taxcode: B03040
Geocode: 03082117190010000
Recording number:
**Property owner: EVERGREEN INVESTMENT
PROPERTIES LLC**
Subdivision: FIGGINS SUB

Block number: 1
Lot number: 2
Certificate of Survey:
Tract number:

[Click for property tax detail](#)

Taxcode: B03046
Geocode: 03082117190040000
Recording number:
Property owner: KASTELITZ, TOM & ROSINA
Subdivision: FIGGINS SUB AM L:1
Block number: 1
Lot number: 1B
Certificate of Survey:
Tract number:

[Click for property tax detail](#)

Taxcode: B03047
Geocode: 03082117190060000
Recording number:
Property owner: ZIMMERER, STEVE
Subdivision: FIGGINS SUB AM L:1
Block number: 1
Lot number: 1C
Certificate of Survey:
Tract number:

[Click for property tax detail](#)

Taxcode: B03048
Geocode: 03082117190080000
Recording number:
Property owner: TORRES, JOAN
Subdivision: FIGGINS SUB AM L:1
Block number: 1
Lot number: 1D
Certificate of Survey:
Tract number:

[Click for property tax detail](#)

Taxcode: B03041A
Geocode: 03082117190400000
Recording number: 3129124
Property owner: PETERSON FAMILY
PROPERTIES LLC
Subdivision: FIGGINS SUB AM L:1A
Block number: 1
Lot number: 1A2
Certificate of Survey:
Tract number:

[Click for property tax detail](#)

Taxcode: B03042
Geocode: 03082117190500000
Recording number:
Property owner: MATRIARCH CONSTRUCTION

INC
Subdivision: FIGGINS SUB
Block number: 1
Lot number: 3
Certificate of Survey:
Tract number:

[Click for property tax detail](#)

Taxcode: D02802A
Geocode: 03082117190700000
Recording number:
Property owner: HUTSELL, WILLIARD E &
PATSY A
Subdivision: WESTBROOKS SUB AM TR 2&3
Block number: NONE
Lot number: 3B
Certificate of Survey:
Tract number:

[Click for property tax detail](#)

Taxcode: D12151
Geocode: 03082117207010000
Recording number:
Property owner: STITZINGER, MICHAEL (50%)
Subdivision: WESTBROOKS SUB AM TR 6A,7A
& PORTION 5
Block number: NONE
Lot number: 7A1
Certificate of Survey:
Tract number:

[Click for property tax detail](#)

Taxcode: D02804
Geocode: 03082117207200000
Recording number:
Property owner: CITY OF LAUREL
Subdivision:
Block number:
Lot number:
Certificate of Survey: CS 1055
Tract number: TR 1

[Click for property tax detail](#)

Taxcode: D12152
Geocode: 03082117207340000
Recording number:
Property owner: ROCK CREEK VENTURES LLC
Subdivision: WESTBROOKS SUB
Block number: NONE
Lot number: 3
Certificate of Survey:
Tract number:

[Click for property tax detail](#)

Taxcode: D12152A

Geocode: 03082117207360000
Recording number: AB-26
Property owner: ROBERTUS, TIMOTHY D (50%)
Subdivision: WESTBROOKS SUB
Block number: NONE
Lot number: 4
Certificate of Survey:
Tract number:

[Click for property tax detail](#)

Taxcode: D02805
Geocode: 03082117207370000
Recording number: 3998692
Property owner: WESTBROOK STORAGE LLC
Subdivision: WESTBROOKS SUB AM L: 4-5
Block number: NONE
Lot number: 5A
Certificate of Survey:
Tract number:

[Click for property tax detail](#)

Taxcode: D02805A
Geocode: 03082117207470000
Recording number: 3998692
Property owner: GROSHELLE, RUDY R &
Subdivision: WESTBROOKS SUB AM L: 4-5
Block number: NONE
Lot number: 4A
Certificate of Survey:
Tract number:

[Click for property tax detail](#)

Taxcode: C12592
Geocode: 03082117290010000
Recording number:
Property owner: CONNIE C LOVE TRUST
Subdivision: STITZINGER-SMITH SUB
Block number: 1
Lot number: 1
Certificate of Survey:
Tract number:

[Click for property tax detail](#)

Taxcode: D02830
Geocode: 03082118101010000
Recording number: 3812272
Property owner: CASE, KRISTINE M &
Subdivision: UNPLATTED
Block number:
Lot number:
Certificate of Survey:
Tract number:

[Click for property tax detail](#)

Taxcode: D02830B

Geocode: 03082118105010000
Recording number: 1297698
Property owner: BICKFORD, SARAH D &
Subdivision:
Block number:
Lot number:
Certificate of Survey: CS 2091 AM
Tract number: TR B

[Click for property tax detail](#)

Taxcode: D02830A
Geocode: 03082118105070000
Recording number: 1297698
Property owner: KOCHER, MICHAEL
Subdivision:
Block number:
Lot number:
Certificate of Survey: CS 2091 AM
Tract number: TR A

[Click for property tax detail](#)

Taxcode: D02830E
Geocode: 03082118110010000
Recording number:
Property owner: VAR DEVELOPMENT LLP
Subdivision:
Block number:
Lot number:
Certificate of Survey: CS 2361
Tract number: TR C

[Click for property tax detail](#)

PUBLIC HEARING NOTICE

The Laurel-Yellowstone City-County Planning Board and Laurel's Zoning Commission will conduct a public hearing on April 17, 2024.

Public Hearing for the annexation into the City of Laurel and assignment of zoning "Highway Commercial" for the property described as Westbrook Subdivision Lot 7A1 of the amended plat of Tracts 6 and 7 of Westbrook's Subdivision and a portion of Tract 5 of Westbrook's Subdivision. The property is located approximately 3,000 feet west of Laurel City Limits on Old Highway 10 West.

The hearing is scheduled for **6 P.M., in the Laurel City Council Chambers at City Hall, 115 West 1st Street, Laurel, Montana, on Wednesday, April 17th, 2024.**

Public comment is encouraged and can be provided in person at the public hearing on April 17, 2024. Public comments can also be made via email to the Planning Director, or via letter to the Planning Department office at 115 West 1st Street Laurel, MT 59044. **Emails or letters of comments should be received by 2pm MST April 11, 2024, so they can be transmitted to the Planning Board members prior to the meeting.** Copies of the documentation are available for review upon request at the Planning Department office. Questions regarding this public hearing may be directed to the Planning Director at 406-628-4796 ext. 5305, or via email at cityplanner@laurel.mt.gov

Map for proposed annexation for a portion of Lot7A1 of the amended plat of Tracts 6 and 7 and a portion of tract 5 of West brook Subdivision and the adjoining highway rights of way.

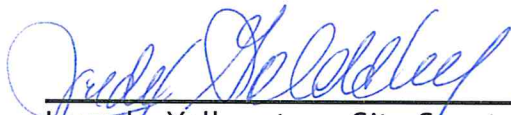


Recommendation for Zoning “Highway Commercial”

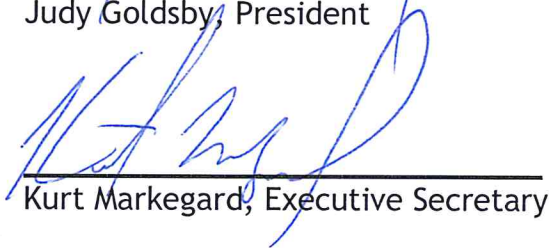
LAUREL - YELLOWSTONE CITY-COUNTY PLANNING BOARD

The Laurel- Yellowstone City - County Planning Board voted unanimously on April 17th, 2024, to recommend the assignment for zoning of “Highway Commercial” for property described as a Portion of Westbrook’s Subdivision Tract 7A-1 of the amended plat of Tracts 6A and 7A of the amended plat of tracts 6 and 7 of Westbrook’s Subdivision and a portion of Tract 5 of Westbrook’s Subdivision less Highway ROW and adjacent right of way. The planning board moved, seconded, allowed for public comment, and then voted unanimously to recommend to the Laurel City Council to approve the zoning designation for the above-described property if the City Council approves of the annexation request.

Dated this 17th day of April 2024.



Laurel - Yellowstone City County Planning Board
Judy Goldsby, President



Kurt Markegard, Executive Secretary

Return to:
Love's Travel Stops & Country Stores, Inc.
10601 N Pennsylvania Avenue
Oklahoma City, OK 73120

ANNEXATION AGREEMENT

THIS ANNEXATION AGREEMENT is made this ____ day of _____, 2024, by and between **LOVE'S TRAVEL STOPS & COUNTRY STORES, INC.**, with a mailing address at 10601 N Pennsylvania Avenue, Oklahoma City, OK 73120, (the "Developer"), and the **CITY OF LAUREL, MONTANA**, a municipal corporation with a mailing address at 115 West 1st Street, Laurel, MT, 59044 (the "City").

WHEREAS, the Developer is the owner of certain real property situated in Yellowstone County, Montana, more particularly described as follows:

A portion of Lot 7A-1, of the Amended Plat of Tracts 6A and 7A, of the Amended Plat of Tracts 6 and 7, of Westbrooks Subdivision, Yellowstone County, Montana, according to the official plat on file in the office of the Clerk and Recorder of said County, under Document No. 1684287.

EXCEPTING THEREFROM that portion granted unto The State of Montana by virtue of Bargain and Sale Deed recorded January 25, 1965, Book 807, Under Document No. 747048; and EXCEPTING THEREFROM that portion granted unto The Montana Department of Transportation by virtue of Bargain and Sale Deeds recorded September 13, 2017 Under Document No. 3827294 and 3827295; and EXCEPTING THEREFROM that portion granted unto The Montana Department of Transportation by virtue of Warranty Deeds recorded September 13, 2017 Under Document No. 3827296 and 3827297.

WHEREAS, the Developer has submitted to the City a Petition for Annexation to the City for Developer Tract; and

WHEREAS, the Developer desires to annex Developer Tract to the City; and

WHEREAS, the City has approved the Petition for Annexation by Resolution No. R24-43 for the Developer Tract contingent that a Development Agreement, be executed between the City and the Developer to identify required off-site infrastructure improvements and guarantees of those improvements.

NOW THEREFORE, in consideration of the mutual promises and covenants contained herein, the parties do hereby agree as follows:

1. **Roads and Access.** The Developer Tract shall be accessible by 19th Avenue (I-90 Business) and Old HWY 10. No improvements to 19th Avenue (I-90 Business) or Old HWY 10 will be constructed upon annexation. Future development or subdivision of the Developer Tract may require 19th Avenue (I-90 Business) and/or Old HWY 10 to be improved to Montana Department of Transportation standards in a Subdivision Improvements Agreement or Development Agreement at the time of subdivision or lot development.
2. **Sanitary Sewer.** Developer Tract shall be served by the City wastewater system. The Developer shall extend a new main from the existing 8-inch sanitary sewer main in Old HWY 10 at 8th Street. Plans and specifications shall be approved by the Public Works Department.
3. **Water.** Developer Tract shall be served by the City water system. The Developer shall extend a new water main from the existing 12” water main in Old HWY 10 at 8th Street. Plans and specifications shall be approved by the Public Works Department.
4. **Storm Drain.** The property shall tie into the stormwater drainage system wherever possible. If a connection is not possible, the property shall manage stormwater on the property.
5. **Right-of-Way.** No right-of-way is to be dedicated upon annexation. Rights-of-way shall be dedicated upon future subdivision of the Developer Tract for any proposed public streets.
6. **Future Intersection Contributions.** No intersection contributions are required upon annexation. Future development or subdivision of the Developer Tract may require intersection contributions that shall be defined in a Subdivision Improvements Agreement or Development Agreement based on the recommendations of an approved traffic impact study (if required).
7. **Late Comers Agreement.** To be determined separately from this agreement but consistent with Laurel Municipal Code Chapter 12.38
- DEVELOPER REIMBURSEMENT OF WATER AND WASTEWATER EXTENSION COSTS. Developer retains the option to utilize this late comers agreement until the final acceptance of the water and sewer extensions to developers property.
8. **Land Survey Amendment.** Developer will prepare an amended survey indicating the portion of the property to be annexed in an approved form that is recordable with Yellowstone County.

9. **Zoning.** The Property is to be zoned as Highway Commercial.
10. **Compliance.** Nothing herein shall be deemed to exempt the Developer Tract from compliance with any current or future City laws, rules, regulations, or policies that are applicable to the development, redevelopment, or use of the subject property.
11. **Runs with Land.** The covenants, agreements, and all statements in this Agreement and in the incorporated and attached Waiver shall run with the land and shall be binding on the heirs, personal representatives, successors, and assigns of the respective parties.
12. **Attorney's Fees.** In the event it becomes necessary for either party to this Agreement to retain an attorney to enforce any of the terms or conditions of this Agreement or to give any notice required herein, then the prevailing party or the party giving notice shall be entitled to reasonable attorney fees and costs, including those fees and costs of in-house counsel.
13. **Amendments and Modifications.** Any amendments or modifications of this Agreement shall be made in writing and executed in the same manner as this original document and shall after execution become part of this Agreement.

IN WITNESS HEREOF, the parties have executed this Agreement as of the day and year first above written.

LOVE’S TRAVEL STOPS & COUNTRY STORES, INC.

By: _____

Title: _____

“Developer”

STATE OF OKLAHOMA)
) ss.
COUNTY OF OKLAHOMA)

On this _____ day of _____, 20____, personally appeared before me, _____ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) are subscribed to this instrument, and acknowledged the he/she/they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal on the day and year in this certificate first above written.

(SEAL)

Notary Public for the State of _____
My Commission Expires: _____

This Agreement is hereby approved and accepted by the City of Laurel, this ____ day of _____, 20__.

CITY OF LAUREL, MONTANA

By: _____
Mayor

Attest: _____
City Clerk

“City”

STATE OF MONTANA)
) ss.
County of Yellowstone)

On this _____ day of _____, 20__, before me, a Notary Public for the State of Montana, personally appeared _____, and _____, known to me to be the Mayor and City Clerk, respectively, of the City of Laurel, Montana, whose names are subscribed to the foregoing instrument in such capacity and acknowledged to me that they executed the same on behalf of the City of Laurel, Montana.

(SEAL)

Notary Public for the State of _____
Residing at: _____
My Commission Expires: _____

Approved as to Form:

City Attorney