



**AGENDA
CITY OF LAUREL
CITY/COUNTY PLANNING BOARD
WEDNESDAY, MARCH 16, 2022
5:35 PM
CITY COUNCIL CHAMBERS**

Public Input: *Citizens may address the committee regarding any item of business that is not on the agenda. The duration for an individual speaking under Public Input is limited to three minutes. While all comments are welcome, the committee will not take action on any item not on the agenda.*

1. Roll Call of Board

General Items

2. Meeting Minutes: February 16, 2022

New Business

3. Special Review Application - Firebox Kitchen & Tap Room
4. Public Hearing on Request for Annexation and Plan of Annexation - Laurel Golf Club

Old Business

Other Items

Announcements

5. Next Meeting: April 20, 2022
6. Adjourn

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.

DATES TO REMEMBER

File Attachments for Item:

2. Meeting Minutes: February 16, 2022



**MINUTES
CITY OF LAUREL
CITY/COUNTY PLANNING BOARD
WEDNESDAY, FEBRUARY 16, 2022
5:35 PM
CITY COUNCIL CHAMBERS**

The Chair called the meeting to order at: 5:35Pm

Present:

Jon Klasna	Gavin Williams	Evan Bruce
Roger Giese	Dan Koch	Judy Goldsby
Karen Courtney (City of Laurel)		

Absent:

Ron Benner

General Items

Meeting Minutes: January 19, 2022

The Members reviewed the meeting minutes from January 19, 2022

Motion to approve: Dan

Second: Gavin

Motion Carried.

New Business

Laurel Golf Course Annexation Request – Withdrawal

Judy: Have board members had an opportunity to review the information that was sent out.

Roger: Do we need to approve the withdrawal?

Karen: You do not have to vote to approve the withdrawal. It is just notifying the board that they have pulled the last annexation request that we had the public hearing on.

Forrest Sanderson Appointment

Question from audience: Has there been any applicants?

Karen: Kurt could you speak on how many applicants we have had?

Kurt Markegard: Had a preliminary interview and have sent him a test consisting of preparing a zone change request, once we receive that information back it will be evaluated before decision is made by Mayor to consider for employment.

Gavin: Did Forrest interview him?

Kurt: Yes

Sign Review – Fiesta Mexicana Cantina

Karen: Fiesta Mexicana is taking over the Laurel Station Casino and Locomotive Bar. They will have entire building, so they are going to be changing out the signing. They are taking what is existing and putting up new ones. Did contact sign company to verify if they were keeping electronic messaging sign and they are keeping that sign as is. Footage of new signs will remain the same as previous business. Refreshing paint, removing rails and refreshing the awning. They currently have signs on the shed and back entrance. Asked if they would be taking those down and the sign company believes they are. If Board wishes to make that a condition of the permit, it can be required.

Judy: The ones that are existing already?

Karen: Yes, when they moved into the back portion of the building.

Motion to Approve: Gavin

Second: Evan

Discussion to clarify location of property.

Motion carries

Sign Review – Patty’s Sparkle Salon

Karen: Patty’s Sparkle Salon has taken over the Elite Salon next to King Koin, the laundromat on West Main Street. She will be placing her signs over where the Elite signs were, and she will be adding two lights up above that will shine only on the signs when it gets dark. Does meet code requirements for the sign permit, it is in entryway zoning.

Evan: Noticed that there were window graphics shown, does that count towards square footage?

Karen: That is not considered a sign as it does not have a logo on it. Can be condition of permit that the window covering cannot have the logo on it,

Motion to approve: Gavin

Second: Roger

Motion carried

Old Business

Other Items

Project Updates: Laurel Golf Course New – Annexation Petition

Karen: Petition has been submitted; it has not been fully processed. We will have a public hearing on it March 16th. We are getting the legal noticed prepared and will have the packet upstairs for public review prior to that time. Forrest is working on the review.

Roger: What changes are there?

Judy: Believes there are some changes regarding our last meeting.

Roger: I believe it pertained to the one lot as the major complaint.

Karen: I have not looked at the petition at this time as I have been working on the Special Review that will also be presented on March 16th for Firebox Kitchen. At this time, it has just been submitted and Forrest is reviewing. He will have everything prepared for review; public notice is prepared we are waiting to put into paper.

Question from audience: When will it be available?

Karen: After the public notice goes out.

Question from audience: When is public notice going to go out?

Karen: Public notice has to go out 15 days prior to public hearing so that will be published on February 25th and another in March.

Question from audience: Where is it published?

Karen: Yellowstone County News

Roger: What other hearing are we having?

Karen: Special review for Firebox Kitchen that is going into the Solberg retail building. Where Jimmy John's is located, since it is a tap room it is required to go through the special review process.

Judy: They will not be brewing there, correct?

Karen: Just serving not brewing. That will also be part of the legal notice that goes out.

Mark Russell – Saddleback Ridge Estates: Does that also get posted on the website? Is the Yellowstone County news the only place that gets published?

Karen: I know that is where they have been published before. Another will be hung in Lobby outside water office as well.

Mark Russell: So as soon as the first notice is out it will be out there?

Karen: Then once it goes out it will also be mailed to adjoining neighbors.

Question from audience: What is happening with Northwest Energy putting in line?

Judy: That is out of our hands and is going through the county commissioners.

Gavin: Don was at rotary yesterday and stated that they are in the process of resubmitting to the county commissioners. Application for going under the river. There will be a public notice going out pertaining to this.

Announcements

Next Meeting: March 16, 2022

Adjourn

Motion to adjourn: Gavin

Second: Roger

Meeting adjourned at 5:52pm.

File Attachments for Item:

3. Special Review Application - Firebox Kitchen & Tap Room

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 Building Official

INTRODUCTION

On Thursday, February 10, 2022, Latitude Hospitalities, LLC dba Firebox Provisions submitted a Special Review Application for onsite sales and consumption of alcohol within the Laurel Highway Commercial (HC) and Community Entryway Zoning District (EZD). The property involved in the request is the Firebox Kitchen and Tap Room, 331 South Washington Avenue, Suite A of the Canyon Creek Station, and is described as Laurel Industrial Park Subdivision, Lot 5A1, Block 2, Section 16, T. 2 S., R. 24 E., P.M.M., City of Laurel, Yellowstone County, Montana.

The project will be presented to the Laurel – Yellowstone City County Planning Board on **March 16, 2022**, with a recommendation to the Laurel City Council for final decision in early April.

PLANNER RESPONSIBILITY

- A. Consult with other departments of the City or County to evaluate the impact of the special review upon public facilities and services; ACCOMPLISHED
- B. Study each application with reference to its appropriateness and effect on existing and proposed land use, and reference to the comprehensive plan; ACCOMPLISHED
- C. Advertise twice in a newspaper of general circulation in the jurisdictional area of the Laurel – Yellowstone City County Planning Board; ACCOMPLISHED
- D. Notify by mail, the applicant or his agent at least five days prior to the date of the public hearing of the date, time and place of such hearing; ACCOMPLISHED
- E. Notify, by mail, all property owners within 300 feet of the exterior boundaries of the property subject to the special review of the date, time and location of the public hearing; ACCOMPLISHED
- F. After the public hearing and as part of the public record, report findings and conclusions and recommendations to the Zoning Commission.

STANDARD OF REVIEW Zoning Commission/City Council

- The request complies with the requirements of §17.68.040 of the City of Laurel Zoning;
- The request is consistent with the objectives and purpose of Title 17 of the Laurel Municipal Code;
- The proposed use is compatible with surrounding land use or is otherwise screened and separated from adjacent land in such a way as to minimize adverse effects;
- The zoning commission shall consider and may impose modification or conditions concerning, but not limited to:

- Street and road capacity,
- Ingress and egress to adjoining streets,
- Off-street parking,
- Fencing, screening and landscaping.
- Building bulk and location,
- Usable open space,
- Signs and lighting,
- Noise, vibration, air pollution and similar environmental influences.

VARIANCES REQUESTED

N/A. None Requested.

CITY HALL
115 W. 1ST ST.
PLANNING: 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 City Planner

Application for Special Review

The undersigned as owner or agent of the following described property requests a Special Review as outlined in Chapter 17 of the Laurel Municipal Code.

Applicant: Owen Yurko, Latitude Hospitalities LLC dba Firebox Provisions
Legal Description: LAUREL INDUSTRIAL PARK S16, T02, S, R24E BLOCK 2 LOT 5A
General Address: 331 S WASHINGTON
Owner of Tract: SAMBERG ENTERPRISES LLC
Mailing Address: 20A S WASHINGTON A4 LAUREL
Phone Number: 406-840-4004
Email Address: stevies@laurelford.net

General Description of the requested Special Review:
COMMERCIAL DEVELOPMENT BUILDING

Timeline for development:
UNDERWAY, scheduled opening late March / Early April

- Attachments:
- Site Map (printed on at least 11"x17" in paper size showing dimensions, acreage and location of tracts in question)
 - Site Plan (printed on at least 11"x17" paper size including: property boundaries and lot line dimensions, the location of proposed/existing structures, off-street parking, site elevations, service and refuse areas, means of ingress and egress, landscaping, screening, signs and open space areas, and latitude and longitude of the site.)
 - Justification letter describing the special review requested and reasoning
 - Map of all properties within 300 feet of the property
 - List of the names and addresses of the property owners and/or agents for all parcels within 300 feet of the parcel under Special Review. (City staff can assist with this process)
- Special Review fee as per Laurel Schedule of Fees.

Applicant Signature: 

Date: 2/11/2022

Latitude Hospitalities LLC

1595 Grand Ave. #240
Billings, MT 59102
406.595.9888
owen.yurko@gmail.com

February 1, 2022

Laurel Office of City Planner
115 W 1st St.
Laurel, MT 59044

To whom it may concern,;

This letter is in reference to Laurel Municipal Code Chapter 17.68, and is a request for a special review for Latitude Hospitalities LLC dba Firebox Provisions to own and operate a full service restaurant, with the service of alcohol, inside the Highway Commercial Zoning Map.

The city of Laurel is severely lacking in its diversity and availability of restaurants and we look forward to providing a family friendly environment for the residents of Laurel and those travelers visiting the area.

Firebox Provisions will seek to be the community's restaurant- a place the sports team and fans can gather to celebrate the win, a stop pre-game or post-game for parents during High School sport seasons, a place to meet for a lunch meeting (we will offer a private dining room with a 16 person seating capacity), a place to stop for a quick bite after work or any celebration (from birthday to anniversary to graduation). We are leaning into the rich railroad history of the town with the name and motif of the restaurant and seek to be a sponsor to many community events, sports teams and look forward to being very active within the community.

Thank you for your consideration in this process

Best regards,



Owen Yurko

Owner, Latitude Hospitalities LLC dba FIREBOX PROVSIONS



CANYON CREEK LAUREL RETAIL CENTER

331 S Washington St, Laurel, MT 59044

RETAIL PROPERTY FOR LEASE

From \$18.50/SF NNN, Est. \$4.00/SF CAM

Multi tenant shops space for restaurants, retail, office

1,200 SF - 4,200 SF available

Shell delivery, can be configured to suit individual needs

Adjacent to the Fairfield Inn & Suites Hotel set to open June 2021

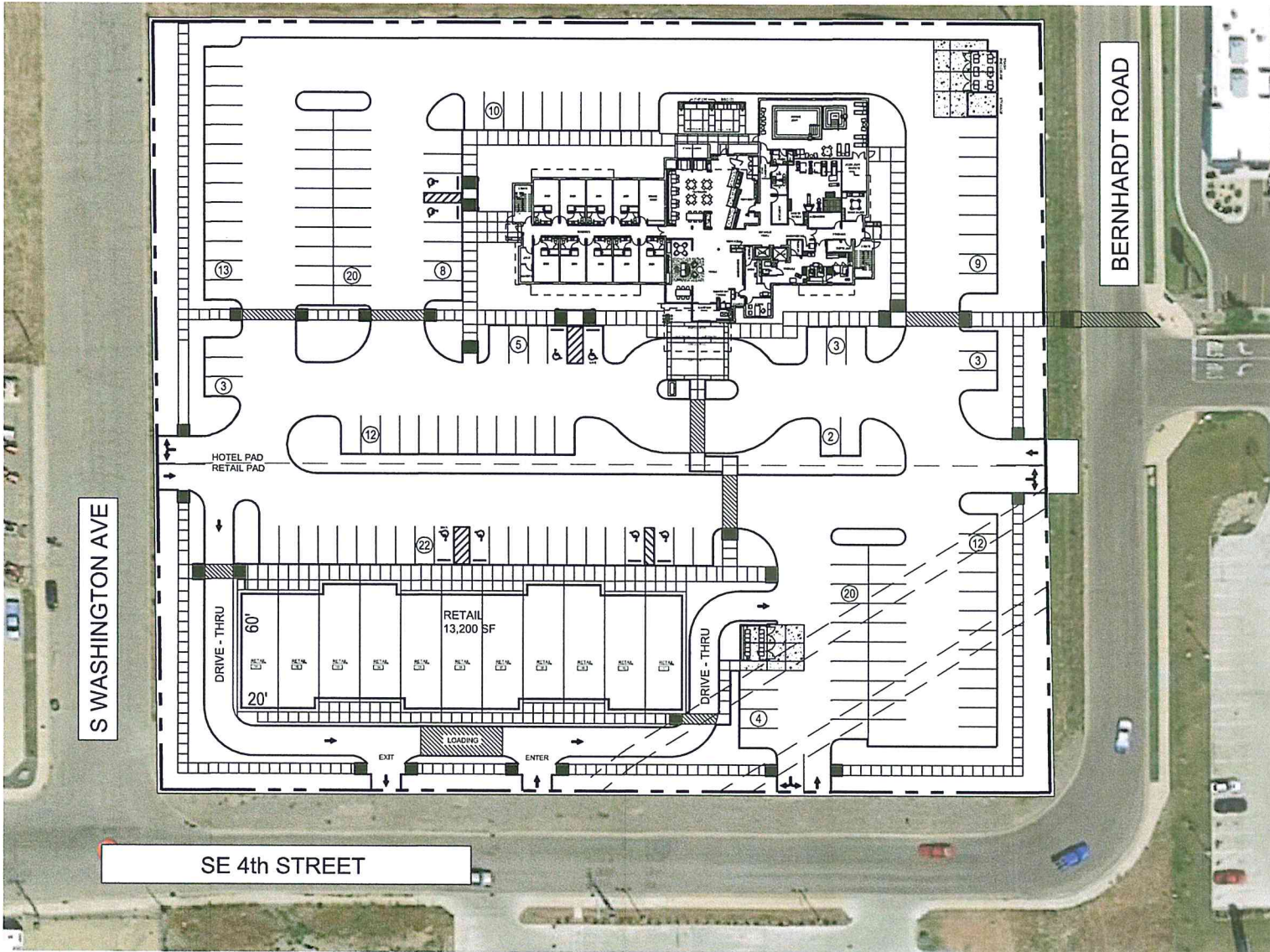
Come join Jimmy John's, SCL Health, The UPS Store, and Canyon Creek Station Tap Room



STEVE ZEIER

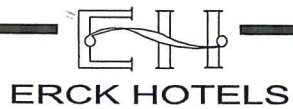
406.670.6969

steve@trinityremt.com



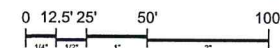
HOTEL PAD	
SITE INFO:	
HOTEL AREA:	+/- 94,328 SF (+/- 2.17 ACRES)
RETAIL AREA:	+/- 69,917 SF (+/- 1.61 ACRES)
TOTAL SITE:	+/- 171,711 SF (+/- 3.77 ACRES)
PARKING:	
REQUIRED:	1 PER GUESTROOM = 78
PROVIDED:	88
BUILDING INFO	
GUEST SUITES =	78
STORIES =	4
AREA	
1st FLR:	12,405 SF
2nd FLR:	10,685 SF
3rd FLR:	10,685 SF
4th FLR:	10,685 SF
TOTAL:	+/- 44,460 SF

RETAIL PAD	
SITE INFO:	
HOTEL AREA:	+/- 94,328 SF (+/- 2.17 ACRES)
RETAIL AREA:	+/- 69,917 SF (+/- 1.61 ACRES)
TOTAL SITE:	+/- 171,711 SF (+/- 3.77 ACRES)
PARKING:	
MERCANTILE:	1 / 200 SF = 12,000 SF
STORAGE:	1 / 500 SF = 1,200 SF
REQUIRED:	63 STALLS
PROVIDED:	58 STALLS
BUILDING INFO	
RETAIL SUITES =	1 to 12
STORIES =	1
AREA	
TOTAL SF:	13,200 SF



LAUREL, MT - RETAIL PAD
SE 4th ST & S WASHINGTON AVE

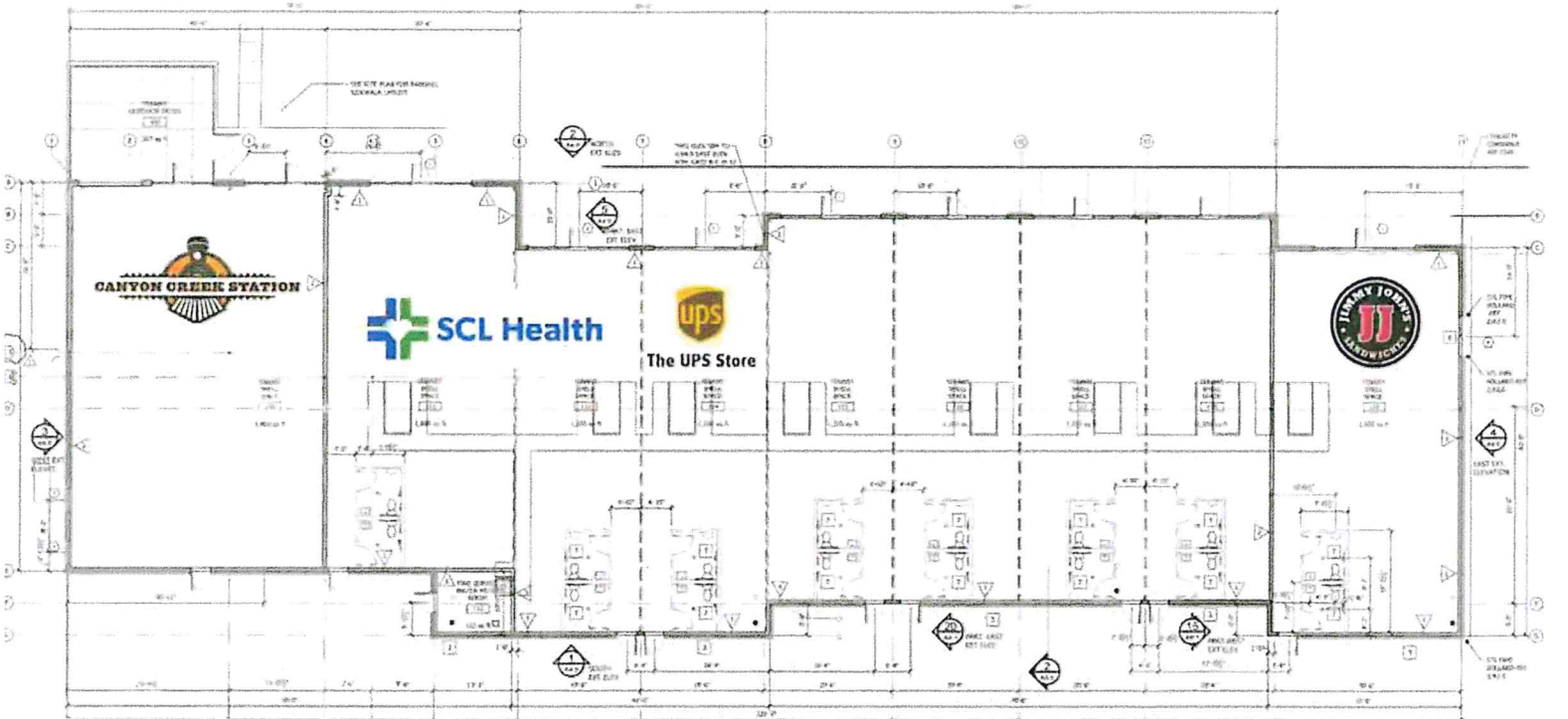
SITE STUDY
SCALE: 1" = 50'
DD 17 A01.1 - 01



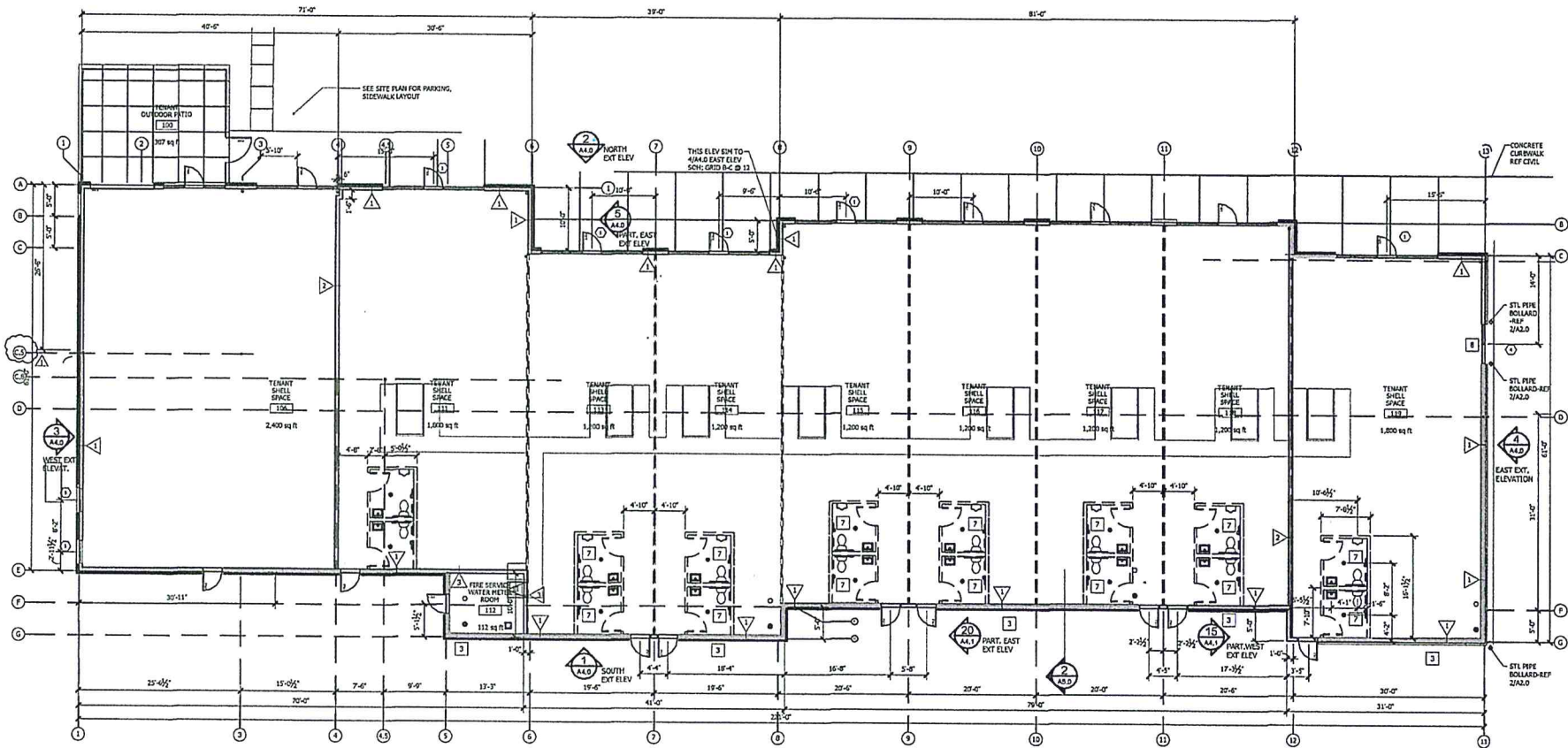
DRAWN BY: WWT
PLOT DATE: 01.02.2020
JOB NUMBER: LMFIS

Retail Property For Lease

ADDITIONAL PHOTOS



STEVE ZEIER
406.670.6969
steve@trinityremt.com



GROUND FLOOR TENANT SPACE PLAN

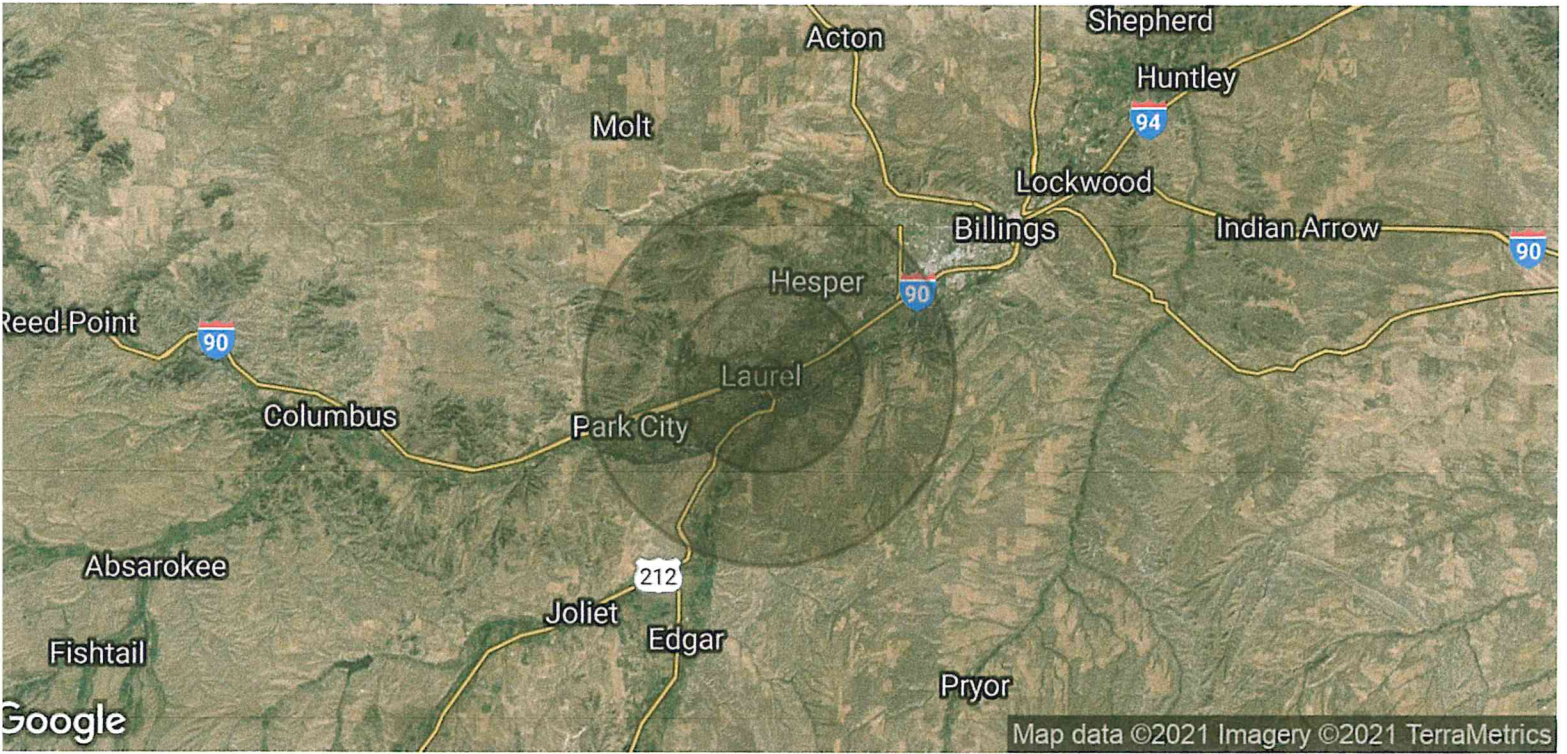
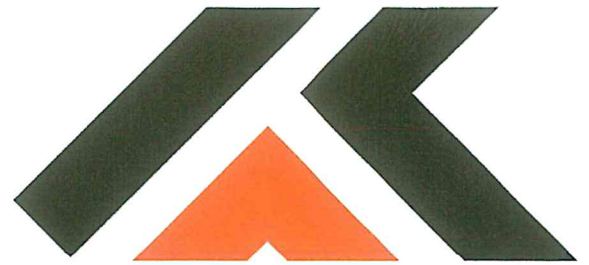


ERIC M. SIMONSEN AIA
 PO BOX 2132
 BILLINGS, MT 59103-2132
 406.256.8060
 406.698.8182

WWW.SIMONSENARCHITECT.COM
 PROJECT BILLING
 DRAWING NO. 2017-001-001
 PROJECT NUMBER 103
 DATE 11/20/17

A2.1

DEMOGRAPHICS MAP & REPORT

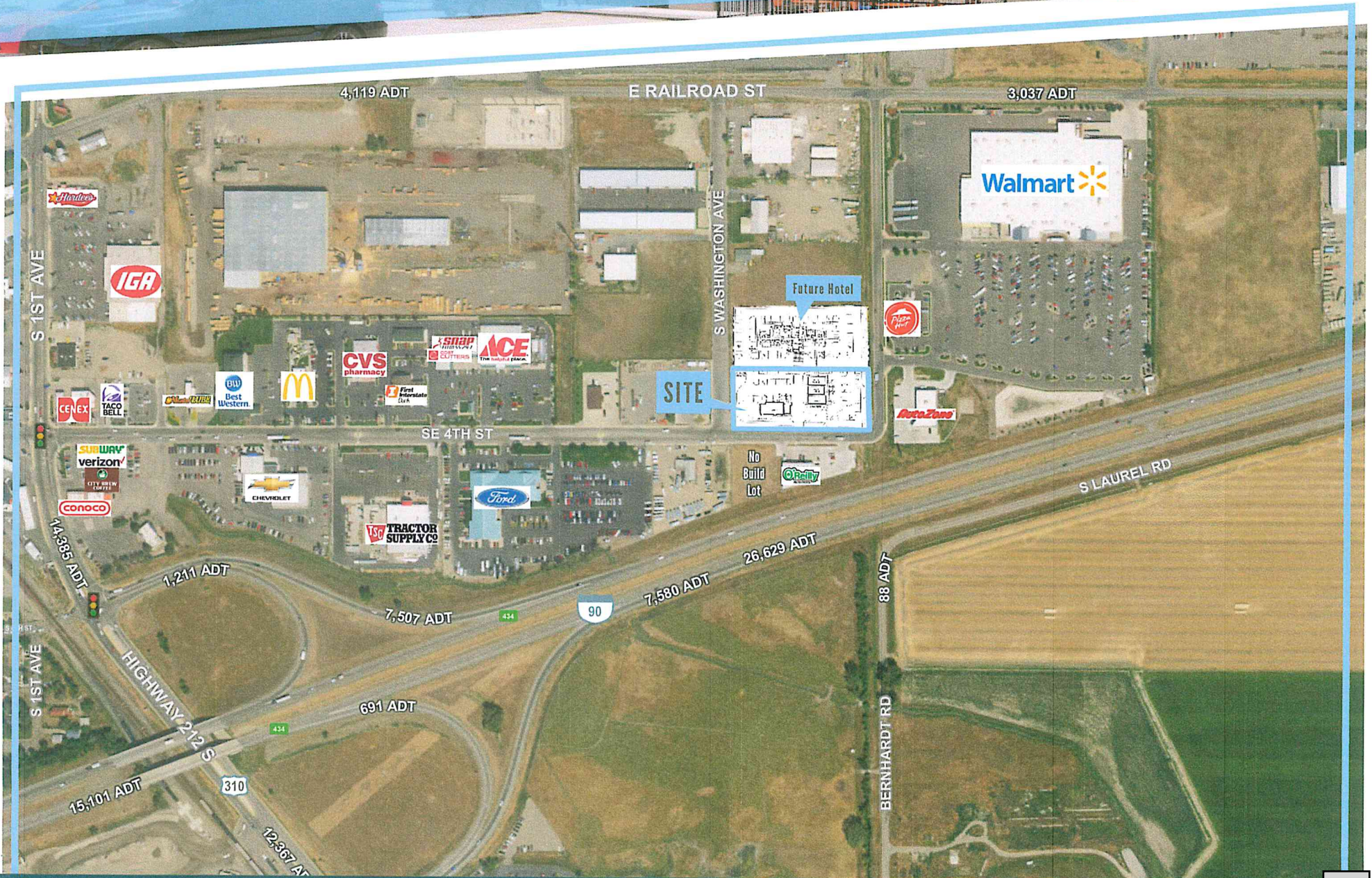


POPULATION	1 MILE	5 MILES	10 MILES
Total Population	159	3,068	10,358
Average age	38.9	38.8	38.9
Average age (Male)	40.0	39.9	40.0
Average age (Female)	37.4	37.4	37.5

HOUSEHOLDS & INCOME	1 MILE	5 MILES	10 MILES
Total households	58	1,134	3,830
# of persons per HH	2.7	2.7	2.7
Average HH income	\$78,831	\$77,114	\$76,794
Average house value	\$263,868	\$258,308	\$257,021

* Demographic data derived from 2010 US Census

LAUREL RETAIL DEVELOPMENT



COUNTY TAX BILL 2021 REAL ESTATE

Phone: (406) 256-2802 Website: www.yellowstonecountymt.gov/treasurer



Sherry Long
Yellowstone County Treasurer
 P.O. Box 35010
 Billings, MT 59107-5010

IMPORTANT TAX BILL ENCLOSED

48964*96**G50**0.91**3/6*****AUTO5-DIGIT 59001
 SOLBERG ENTERPRISES LLC
 500 SE 4TH ST
 LAUREL MT 59044-3308

TAX CODE: B02320
LEVY DISTRICT: 7 TI: LAUREL URBAN RENEWA TAX I

Property Location: 331 S WASHINGTON AVE
 Legal Description: LAUREL INDUSTRIAL PARK SUBD, S16, T02 S, R24 E, BLOCK 2, Lot 5A1, AMD (21)

Comm

Valuation Type	Market Value	Taxable Value
Real Estate	470,585.00	8,894.00
Improvements	417,250.00	7,886.00
Personal Property	0.00	0.00

DELINQUENT TAXES
 YEAR AMOUNT

GENERAL TAX DETAIL

Levy Description	Amount
CI CITY OF LAUREL	1471.56
CO BRIDGE	31.34
CO EXTENSION SERVICE	5.60
CO GENERAL FUND	293.22
CO LAUREL COUNTY PLANNING	14.84
CO LIABILITY & PROPERTY INSURANCE	14.68
CO MENTAL HEALTH	4.18
CO METRA (CIVIC CENTER)&COUNTY FAIR	41.92
CO METRA ARENA & FACILITY IMPROVEMENT	27.54
CO MUSEUM	15.24
CO PERMISSIVE MEDICAL LEVY	91.24
CO PUBLIC HEALTH	57.30
CO PUBLIC SAFETY - MENTAL HEALTH	25.74
CO PUBLIC SAFETY - SHERIFF	226.06
CO PUBLIC SAFETY- COUNTY ATTORNEY	96.22
CO SENIOR CITIZENS-ELDERLY ACTIVITIES	33.46
CO VETERAN'S CEMETERY	1.66
CO WEED CONTROL	5.36
OT BIG SKY ECONOMIC DEVELOPMENT AUTH	25.96
SC ELEM & HIGH SCH TRANSPORTATION	25.66
SC ELEMENTARY RETIREMENT	192.28
SC HIGH SCHOOL RETIREMENT	100.64
SD #7 (LAUREL) - ELEM BUILDING RESERV	82.80
SD #7 (LAUREL) - ELEM BUS RESERVE	22.74
SD #7 (LAUREL) - ELEM GENERAL	469.94
SD #7 (LAUREL) - ELEM TECHNOLOGY	6.16
SD #7 (LAUREL) - ELEM TRANSPORTATION	93.14
SD #7 (LAUREL) - ELEM TUITION	24.30
SD #7 (LAUREL) - HS ADULT EDUCATION	3.32
SD #7 (LAUREL) - HS BUILDING RESERVE	41.44
SD #7 (LAUREL) - HS BUS RESERVE	11.76
SD #7 (LAUREL) - HS DEBT SERVICE	88.40
SD #7 (LAUREL) - HS GENERAL	255.26
SD #7 (LAUREL) - HS TECHNOLOGY	3.16
SD #7 (LAUREL) - HS TRANSPORTATION	24.38
SD #7 (LAUREL) - HS TUITION	31.58
SD #7 (LAUREL) -ELEM DEBT SERV	109.80
ST ACCREDITED HIGH SCHOOL	173.64

Levy Description (Continued)	Amount
ST GENERAL SCHOOL	260.46
ST STATE EQUALIZATION AID	315.72
ST UNIVERSITY-MILLAGE	47.36
ST VOCATIONAL-TECHNICAL SCHOOLS	11.84
Total General Taxes	4878.90

Please review the back of the tax bill for Dist. Breakdown and further information.

SPECIAL ASSESSMENTS

Description	Code	1st Half	2nd Half
OT #113 LAUREL SID	#113	1,008.63	1,008.62
OT #118 LAUREL SID	#118	579.19	579.18
OT LAUREL URBAN RENEWA A	7T1	2,720.00	2,720.00
OT LSM LAUREL STREET MAINT	LSM	648.15	648.14
OT LSWP LAUREL SWEEPING	LSWP	68.37	68.37
OT NUTTING DRAIN DISTRI	NUDD	5.00	5.00
OT SOIL SOIL CONSERVATION	SOIL	3.61	3.61
OT TIDU TID - UNIVERSITY MILLAGE	TIDU	26.66	26.66

Total Special Assessments 5059.61
Total Taxes Due Current Year 7499.06

*-Voted as a new levy/charge for 2021
 **-Voted to increase the levy/charge for 2020
 ***-Voted to exceed Statutory Authority

Please fold on perforation BEFORE tearing

2021 2ND HALF PAYMENT STUB

Second Half Amount Due: **\$7,499.03**

Remember - Mark this date on your calendar!

Payment Due: 05/31/2022 Tax Code: B02320

NO SECOND HALF NOTICE WILL BE SENT. YOUR CHECK IS YOUR RECEIPT. STUBS MUST ACCOMPANY PAYMENT. FOR A COPY OF YOUR TAX RECEIPT INCLUDE A SELF ADDRESSED STAMPED ENVELOPE.

Property Tax Assistance eligibility reflected in amount due for current tax year

If you are low income, elderly, 100% disabled veteran, or had a large increase in your property taxes due to reappraisal, you may qualify for tax assistance. For more information, contact the Montana Department of Revenue, Billings Office at (406) 896-4000 or email dorprop3a@mt.gov.

RETURN THIS STUB WITH YOUR SECOND HALF PAYMENT TO:

YELLOWSTONE COUNTY TREASURER
 P.O. BOX 35010
 BILLINGS MT 59107-5010

SOLBERG ENTERPRISES LLC
 500 SE 4TH ST
 LAUREL MT 59044-3308

Pd 11-15-21





Yellowstone County, Montana

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Disclaimer: Not all fields are currently maintained. The [accuracy of the data is not guaranteed](#). Please notify the Appraisal/Assessment Office of any inaccuracies.

[Back to Search Form](#)

[Full Orion Detail](#)

Owner Information

***Please Note:** Owner information is supplied by the **Montana Department of Revenue**. To request updates to addresses or other ownership information, please **contact the DOR office at 896-4000**. Records for the current year will **not** be updated after tax bills have been sent out, so changes requested after you receive your bill will appear only on next year's records.

Tax Code: B02320

Primary Party

Primary Owner Name: SOLBERG ENTERPRISES LLC [Ownership History](#)

2022 Mailing Address: SOLBERG ENTERPRISES LLC
500 SE 4TH ST
LAUREL, MT 59044-3308

Property Address: 331 S WASHINGTON AVE

Township: 02 S Range: 24 E Section: 16

Subdivision: LAUREL INDUSTRIAL PARK SUBD Block: 2 Lot: 5A1

Full Legal: LAUREL INDUSTRIAL PARK SUBD, S16, T02 S, R24 E, BLOCK 2, Lot 5A1, AMD (21)

GeoCode: 03-0821-16-1-17-01-0000

[Show on Map](#) *(May not work for some newer properties.)*

Property Assessment Information

Levy District: 7 TI LAUREL URBAN RENEWA TAX I

2021 Assessed Value Summary

Assessed Land Value = \$ 470,585.00

Assessed Building(s) Value = \$ 417,250.00

Total Assessed Value = \$ 887,835.00

Assessed Value Detail Tax Year: 2021

Class Code	Amount
2207 - Commercial City or Town Lots	= \$ 470,585.00
3507 - Improvements on Commercial City or Town Lots	= \$ 417,250.00
Total	= \$ 887,835.00

The values shown for the given tax year are for taxation purposes only. They are supplied by the Department of Revenue. For questions about these values, please contact the Montana Department of Revenue, Appraisal/Assessment Office at [406-896-4000](#).

Rural SID Payoff Information

NONE

Property Tax Billing History

Year	1st Half	2nd Half	Total
2000	384.69 P	384.66 P	769.35
2001	502.11 P	502.11 P	1,004.22
2002	565.42 P	565.40 P	1,130.82
2003	553.66 P	553.65 P	1,107.31

2004	849.43 P	849.41 P	1,698.84
2005	866.05 P	866.04 P	1,732.09
2006	857.91 P	857.90 P	1,715.81
2007	839.94 P	839.93 P	1,679.87
2008	820.30 P	820.30 P	1,640.60
2009	1,319.13 P	1,319.12 P	2,638.25
2010	1,304.33 P	1,304.30 P	2,608.63
2011	2,629.91 P	2,629.88 P	5,259.79
2012	2,607.97 P	2,607.95 P	5,215.92
2013	2,702.05 P	2,702.01 P	5,404.06
2014	2,783.15 P	2,783.13 P	5,566.28
2015	3,636.69 P	3,636.66 P	7,273.35
2016	3,666.24 P	3,666.20 P	7,332.44
2017	4,306.31 P	4,306.25 P	8,612.56
2018	4,724.73 P	4,724.68 P	9,449.41
2019	4,683.10 P	4,683.08 P	9,366.18
2020	4,640.12 P	4,640.10 P	9,280.22
2021	7,499.06 P	7,499.03 P	14,998.09

(P) indicates paid taxes.

Click on year for detail. [Pay Taxes Online](#)

Jurisdictional Information

Commissioner Dist: 1 - John Ostlund (R)	School Attendance Areas
Senate: 28 - Brad Molnar (R)	High: LAUREL
House: 55 - Vince Ricci (R)	Middle: LAUREL
Ward: 1 (LAUREL)	Elem: LAUREL

[Emelie Kay Eaton](#)

[Heidi Sparks](#)

Precinct: 55.4

Zoning: HC-Highway Commercial

[Click Here to view Billings](#)

[Regulations](#)

[Click Here to view Laurel](#)

[Regulations](#)

[Click Here to view Broadview](#)

[Regulations](#)

[Click Here to view Yellowstone](#)

[County Regulations](#)

[School District Trustee Links](#)

Any comments or questions regarding the web site may be directed to the [Web Developer](#).

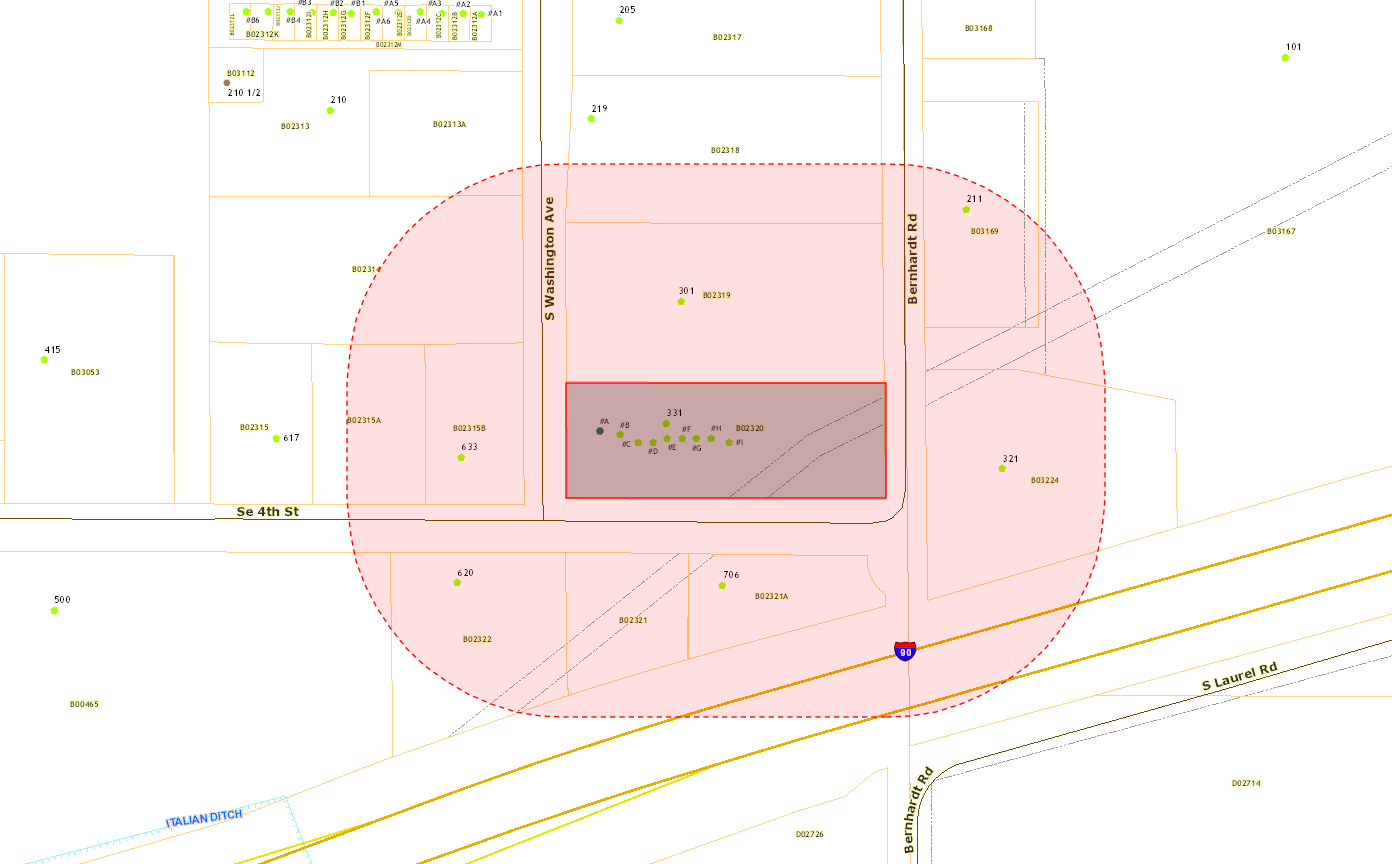


EXHIBIT B

Information Regarding Lots, Tracts and Parcels

TaxID	Owner	Legal	Lot Size (square feet)	Sidewalk (square feet)	Driveway Approach (square feet)	Sidewalk Improvements Assessment	Street Improvements Assessment*	Total Principal Assessment*	Market Value
B02311	SOLBERG ENTERPRISES LLC	LAUREL INDUSTRIAL PARK SUBD, S16, T02 S, R24 E, BLOCK 1, Lot 1	86,815.42			-	\$15,597.26	\$15,597.26	\$422,390.00
B02312A	SOLBERG ENTERPRISES LLC	CANYON CREEK TOWNHOMES (16), S16, T02 S, R24 E, UNIT A1, 4.166% COMMON AREA INT	5,118.55			-	\$919.60	\$919.60	\$132,700.00
B02312B	LAUREL SHOP NORTH LLC	CANYON CREEK TOWNHOMES (16), S16, T02 S, R24 E, UNIT A2, 4.166% COMMON AREA INT	5,118.55			-	\$919.60	\$919.60	\$132,700.00
B02312C	CANYON CREEK STATIONS LLC	CANYON CREEK TOWNHOMES (16), S16, T02 S, R24 E, UNIT A3, 4.166% COMMON AREA INT	5,118.55			-	\$919.60	\$919.60	\$132,700.00
B02312D	SOLBERG ENTERPRISES LLC	CANYON CREEK TOWNHOMES (16), S16, T02 S, R24 E, UNIT A4, 4.166% COMMON AREA INT	5,118.55			-	\$919.60	\$919.60	\$132,700.00
B02312E	CANYON CREEK STATIONS LLC	CANYON CREEK TOWNHOMES (16), S16, T02 S, R24 E, UNIT A5, 4.166% COMMON AREA INT	5,118.55			-	\$919.60	\$919.60	\$132,700.00
B02312F	FICHTNER, KENNETH W	CANYON CREEK TOWNHOMES (16), S16, T02 S, R24 E, UNIT A6, 4.166% COMMON AREA INT	5,118.55			-	\$919.60	\$919.60	\$132,700.00
B02312G	CANYON CREEK STATIONS LLC	CANYON CREEK TOWNHOMES (16), S16, T02 S, R24 E, UNIT D1, 4.166% COMMON AREA INT	5,118.55			-	\$919.60	\$919.60	\$132,700.00
B02312H	KINGFISHER LLC	CANYON CREEK TOWNHOMES (16), S16, T02 S, R24 E, UNIT D2, 4.166% COMMON AREA INT	5,118.55			-	\$919.60	\$919.60	\$132,700.00
B02312I	CANYON CREEK STATIONS LLC	CANYON CREEK TOWNHOMES (16), S16, T02 S, R24 E, UNIT D3, 4.166% COMMON AREA INT	5,118.55			-	\$919.60	\$919.60	\$132,700.00
B02312J	CANYON CREEK STATIONS LLC	CANYON CREEK TOWNHOMES (16), S16, T02 S, R24 E, UNIT D4, 4.166% COMMON AREA INT	5,118.55			-	\$919.60	\$919.60	\$132,700.00
B02312K	CANYON CREEK STATIONS LLC	CANYON CREEK TOWNHOMES (16), S16, T02 S, R24 E, UNIT D5, 4.166% COMMON AREA INT	5,118.55			-	\$919.60	\$919.60	\$132,700.00
B02312L	CANYON CREEK STATIONS LLC	CANYON CREEK TOWNHOMES (16), S16, T02 S, R24 E, UNIT D6, 4.166% COMMON AREA INT	5,118.55			-	\$919.60	\$919.60	\$132,700.00
B02312M	CANYON CREEK STATIONS LLC	CANYON CREEK TOWNHOMES (16), S16, T02 S, R24 E, MASTER CARD LOC @ LT 2, BLK 1 L				-	-	-	\$0.00
B02312N	COX, PAUL L & RACHEL E	CANYON CREEK TOWNHOMES (16), S16, T02 S, R24 E, UNIT B1, 4.166% COMMON AREA INT	5,118.55			-	\$919.60	\$919.60	\$132,700.00

TaxID	Owner	Legal	Lot Size (square feet)	Sidewalk (square feet)	Driveway Approach (square feet)	Sidewalk Improvements Assessment	Street Improvements Assessment*	Total Principal Assessment*	Market Value
B02312O	CANYON CREEK STATIONS LLC	CANYON CREEK TOWNHOMES (16), S16, T02 S, R24 E, UNIT B2, 4.166% COMMON AREA INT	5,118.55			-	\$919.60	\$919.60	\$132,700.00
B02312P	CANYON CREEK STATIONS LLC	CANYON CREEK TOWNHOMES (16), S16, T02 S, R24 E, UNIT B3, 4.166% COMMON AREA INT	5,118.55			-	\$919.60	\$919.60	\$132,700.00
B02312Q	CANYON CREEK STATIONS LLC	CANYON CREEK TOWNHOMES (16), S16, T02 S, R24 E, UNIT B4, 4.166% COMMON AREA INT	5,118.55			-	\$919.60	\$919.60	\$132,700.00
B02312R	CANYON CREEK STATIONS LLC	CANYON CREEK TOWNHOMES (16), S16, T02 S, R24 E, UNIT B5, 4.166% COMMON AREA INT	5,118.55			-	\$919.60	\$919.60	\$132,700.00
B02312S	FICHTNER, KENNETH W	CANYON CREEK TOWNHOMES (16), S16, T02 S, R24 E, UNIT B6, 4.166% COMMON AREA INT	5,118.55			-	\$919.60	\$919.60	\$132,700.00
B02312T	CANYON CREEK STATIONS LLC	CANYON CREEK TOWNHOMES (16), S16, T02 S, R24 E, UNIT C1, 4.166% COMMON AREA INT	5,118.55			-	\$919.60	\$919.60	\$132,700.00
B02312U	CANYON CREEK STATIONS LLC	CANYON CREEK TOWNHOMES (16), S16, T02 S, R24 E, UNIT C2, 4.166% COMMON AREA INT	5,118.55			-	\$919.60	\$919.60	\$132,700.00
B02312V	CANYON CREEK STATIONS LLC	CANYON CREEK TOWNHOMES (16), S16, T02 S, R24 E, UNIT C3, 4.166% COMMON AREA INT	5,118.55			-	\$919.60	\$919.60	\$132,700.00
B02312W	CANYON CREEK STATIONS LLC	CANYON CREEK TOWNHOMES (16), S16, T02 S, R24 E, UNIT C4, 4.166% COMMON AREA INT	5,118.55			-	\$919.60	\$919.60	\$132,700.00
B02312X	CANYON CREEK STATIONS LLC	CANYON CREEK TOWNHOMES (16), S16, T02 S, R24 E, UNIT C5, 4.166% COMMON AREA INT	5,118.55			-	\$919.60	\$919.60	\$132,700.00
B02312Y	BAUER, STACEY	CANYON CREEK TOWNHOMES (16), S16, T02 S, R24 E, UNIT C6, 4.166% COMMON AREA INT	5,118.55			-	\$919.60	\$919.60	\$132,700.00
B02313	ROCKY MOUNTAIN PROPERTIES INC	LAUREL INDUSTRIAL PARK SUBD, S16, T02 S, R24 E, BLOCK 1, Lot 3A1, AMND 1.03	44,866.98			-	\$8,060.80	\$8,060.80	\$602,200.00
B02313A	CANYON CREEK STATIONS LLC	LAUREL INDUSTRIAL PARK SUBD, S16, T02 S, R24 E, BLOCK 1, Lot 3B, AMD (96)	36,154.94			-	\$6,495.60	\$6,495.60	\$188,045.00
B02314	CANYON CREEK STATIONS LLC	LAUREL INDUSTRIAL PARK SUBD, S16, T02 S, R24 E, BLOCK 1, Lot 4	86,858.98			-	\$15,605.08	\$15,605.08	\$422,591.00
B02315B	KDFJ INC	LAUREL INDUSTRIAL PARK SUBD, S16, T02 S, R24 E, BLOCK 1, Lot 5C, AMD	28,270.55			-	\$5,079.09	\$5,079.09	\$238,100.00
B02316	HARRIS HOLDINGS RAILROAD, LLC	LAUREL INDUSTRIAL PARK SUBD, S16, T02 S, R24 E, BLOCK 2, Lot 1, & COS 941	114,040.53	810.00	360.00	\$13,435.88	\$20,488.52	\$33,924.40	\$1,207,177.00
B02317	ENGH, ROBERT G & LUANNE	LAUREL INDUSTRIAL PARK SUBD, S16, T02 S, R24 E, BLOCK 2, Lot 2	87,817.30	855.00	180.00	\$11,885.59	\$15,777.25	\$27,662.84	\$466,800.00
B02318	GILLIS, NANCY J	LAUREL INDUSTRIAL PARK SUBD, S16, T02 S, R24 E, BLOCK 2, Lot 3	87,860.86	855.00	180.00	\$11,885.59	\$15,785.08	\$27,670.67	\$478,291.00
B02319	SOLBERG ENTERPRISES LLC	LAUREL INDUSTRIAL PARK SUBD, S16, T02 S, R24 E, BLOCK 2, Lot 4	87,947.98			-	\$15,800.73	\$15,800.73	\$427,629.00

B-2

TaxID	Owner	Legal	Lot Size (square feet)	Sidewalk (square feet)	Driveway Approach (square feet)	Sidewalk Improvements Assessment	Street Improvements Assessment*	Total Principal Assessment*	Market Value
B02320	SOLBERG ENTERPRISES LLC	LAUREL INDUSTRIAL PARK SUBD, S16, T02 S, R24 E, BLOCK 2, Lot 5A, AMD	76,360.98		200.00	\$2,296.73	\$13,719.01	\$16,015.74	\$374,030.00
B03112	GTP Acquisition Partners II LLC	LAUREL INDUSTRIAL PARK SUBD, S16, T02 S, R24 E, BLOCK 1 LOT3A2, AMD 1.13 AC	5,663.02			-	\$1,017.42	\$1,017.42	\$186,597.00
			865,502.74			\$39,503.79	\$155,496.21	\$195,000.00	

*All estimated dollar amounts of assessments are total principal amounts of assessments. These dollar amounts will be spread in semiannual installments over a maximum term of 20 years with interest thereon at a rate that is at least 0.50% above the average annual interest rate on the outstanding Bonds.

File Attachments for Item:

4. Public Hearing on Request for Annexation and Plan of Annexation - Laurel Golf Club

STAFF REPORT
LAUREL GOLF CLUB
Annexation and Initial Zoning

Applicant:

Laurel Golf Club
1020 Golf Course Road
Laurel MT 59044

The Laurel Golf Club represents 100% of the land ownership. Annexation pursuant to §7-2-4601 et. seq. MCA. (Annexation by Petition).

Request:

Laurel Golf Club. The Club, representing 100% of the ownership of lands involved, has Petitioned the City of Laurel for Annexation of approximately 270 acres of property adjacent to the City of Laurel with an initial Zoning Designation of Public (P) for concurrent review.

The subject property is generally described as that portion of Section 7, Township 2 South, Range 24 East, P.M.M., Yellowstone County, Montana, generally lying North of the Big Ditch but does not include the Golf Course Maintenance Facility. An annexation Exhibit, which is incorporated into this report by reference, has been submitted in support of the Petition and Requested Initial Zoning.

Process:

An earlier submitted version of this request with a smaller land area being annexed with an initial zoning designation of R-7500 has been withdrawn and will not be considered further as it has been replaced by this petition and initial zoning request.

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 5:35 p.m. on Wednesday, March 16, 2022. Though not yet scheduled the matter could be considered by the Laurel City Council at a Work Session on April 5 and taken up as an action item on April 12, 2022.

Analysis of the Request

- The Laurel Golf Club represents 100% of the land ownership involved in the petition.
- The Laurel Growth Policy does not designate the property as a ‘growth area’ of the city.
- The current use of the property is agricultural, recreational, and has a commercial use (Restaurant, Bar, Clubhouse).
- The requested zone City Public (P) provides for a variety of uses and is consistent with the requirements of R-08-22 that lands embraced by the city be assigned R-7500 or greater.

- The subject property currently is presumed to be zoned County Public or is un-zoned Yellowstone County.
- 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’.
- The annexation by petition thresholds for annexation of Agricultural properties must be adhered to.
- In addition to the recreational and commercial uses of the property, a significant area of the lands would be considered as prime development property with the extension of urban scale services. In addition to the extension of urban scale services the City Zoning provides options for development that are not available to rural properties. These options include but are not limited to Planned Unit Developments
- 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.
- Is the requested annexation and initial zoning in the best interest of the City and Citizens of the City of Laurel.
- Any further development beyond the clubhouse will be required to do an analysis of the ability of the city to supply water and sanitary sewer to the development and pay for any associated costs to expand the city utility infrastructure.
- The city cannot supply irrigation water for the golf course.

Findings:

- ✓ The subject property is adjacent to the City of Laurel.
- ✓ The restrictions imposed on cities related to the annexation of agricultural properties under Part 46 have been met or exceeded.
- ✓ 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 agricultural properties as 100% of the ownership of same has petitioned the city for annexation.
- ✓ The driver for the annexation request is the desire of the Golf Course to construct a new larger Clubhouse. The existing onsite water and sanitary facilities do not meet the minimum requirements of the Montana Department of Environmental Quality for the proposed new clubhouse facility.
- ✓ The clubhouse facility incorporates on premise alcohol consumption and a restaurant the City of Laurel Zoning classifies these uses as ‘Commercial’ and subject to Special Review proceedings. The only district that contemplates the proposed new use as a permitted use is the Public (P) zoning and then only in association with the recreational facilities. It is for that reason that the entirety of the golf course is included in the petition for annexation and initial zoning.
- ✓ The golf course was not included as ‘future growth area’ in the Growth Policy adopted by the City of Laurel because the property has been used for agricultural production or as recreational properties with existing facilities that did not need, want, or desire to be included within the city. This all changed with the proposal to construct the new clubhouse and the DEQ determination that the onsite facilities were not approvable. The decision to not include the golf course and associated operations should not be construed as the city being unwilling to consider annexation,

further development, or growth of the City of Laurel to the west but rather an acknowledged of the restrictions imposed by Montana Law and the rights afforded to landowners or certain classified lands.

- ✓ The golf course itself is not being forced to be annexed into the city. The golf course is required to obtain the benefits of the Public Zoning assignment to provide for the operation of a restaurant/tavern as a permitted use.
- ✓ The proposed assignment of Laurel P meets all the statutory requirements of Part 46 annexation and zoning assignment.
- ✓ The Laurel P Zone is listed along with Commercial and Industrial land use assignments and is therefore determined to be a “greater than” R-7500 classification.
- ✓ The extension of city services will be at the owner’s expense (R-08-22) and in accordance with the Annexation Agreement as approved by the City Council. In this agreement the City Council may waive certain ‘required’ improvements where full-scale development of the properties is not currently being contemplated. Frankly, the requirement of the construction of all the improvements contemplated by R-08-22 is not in the best interests of either the City of Laurel or the Owner at this time.
- ✓ The City Zoning provides options for development that are not available to rural properties. These options include but are not limited to Planned Unit Developments. These options and the exactions of infrastructure are most beneficial to the Owner, the City of Laurel, and all surrounding properties in conjunction with the proposed development of the property in the future.
- ✓ The Laurel Golf Club has existed at this location and ownership since the 1960’s and has grown to be one of the premiere golf venues in the State of Montana. While change is sometimes difficult the City of Laurel and the Ownership of the Golf Club are the best custodians of the current and future growth and development potential of the property.
- ✓ The city has the ability to provide services to the clubhouse both existing and proposed but future development will require additional analysis on the part of the developer to determine what, if any, capital improvements are necessary to accommodate additional development.
- ✓ The City of Laurel does not have the ability to provide irrigation water for the golf course and does not anticipate the ability to provide same in the future.
- ✓ Given the lack of data to support annexation that would provide for significant residential and commercial development and the requirement of the city to guarantee the provision of services a favorable recommendation from Public Works on the request could not be obtained.

12 Point Test for Zoning:

- I. Is the zoning in accordance with the growth policy;
 - The proposed zoning is consistent with the prevailing County zoning on the property.
 - The Growth Policy identifies a portion of the proposed annexation as Public.
 - The golf course itself is classified as open/agricultural.
 - Resolution R-08-22 requires zoning assignment at annexation at R-7500 or greater.
 - The Public Zone being classified with the Commercial and Industrial zones meets the definition as ‘greater than’ R-7500.

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 is consistent with the prevailing County zoning on the property.

- The proposed zoning along with the annexation agreement with the developer will not change the underlying use of the property.
- The Public zone does not allow for additional development of the property.
- Proposed development that would potentially impact roads and streets would require a traffic impact analysis and associated improvements.

Finding:

The requested zoning will not have a material impact on congestion in the streets.

- III. Is the zoning designed to secure safety from fire, panic, and other dangers;
- The proposed zoning is consistent with the prevailing County zoning on the property.
 - The Growth Policy identifies a portion of the proposed annexation as Public.
 - The golf course itself is classified as open/agricultural.
 - The construction of a new clubhouse facility that complies with the current International Commercial Code will unquestionable be safer than the existing facilities.

Finding:

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

- IV. Is the zoning designed to promote health and the general welfare;
- The proposed zoning is consistent with the prevailing County zoning on the property.
 - The Growth Policy identifies a portion of the proposed annexation as Public.
 - The golf course itself is classified as open/agricultural.
 - The construction of a new clubhouse facility that complies with the current International Commercial Code will unquestionable be safer than the existing facilities.
 - The connection of the facilities and properties at the time of development to the Laurel municipal water and wastewater systems will have positive impacts to public health and general welfare.

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 current proposal, Public, does not provide for residential or commercial development and tertiary approvals for zoning and subdivision will be necessary.
 - 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.
 - The current proposal, Public, does not provide for residential or commercial development and tertiary approvals for zoning and subdivision will be necessary.
 - The existing development has more than adequate separation from surrounding uses.

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 current proposal, Public, does not provide for residential or commercial development and tertiary approvals for zoning and subdivision will be necessary.
- The existing development has more than adequate separation from surrounding uses.

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 zoning has primarily been requested to facilitate the construction of a new golf club house facility.
- The requested zoning, without some overlay or modification, will not necessitate the installation of new or additional infrastructure.
- It is anticipated that a significant portion of the property being annexed will be further developed. It is at that point the additional infrastructure as well as capacities will be evaluated.
- Where the primarily open space use of the property will not be changed the demands of schools, parks or other public requirements will not be impacted.
- Some of the public duties, such as police, will shift from Yellowstone County to the City of Laurel but the net effect is minimal.

Finding:

The requested zoning will facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements. Additionally, as the uses of the property change and the intensity of development changes, the city will be able to plan for and be prepared for the anticipated increased demands on their public systems.

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

- The requested zoning is essentially a replacement of the existing County Zoning with the closest compatible City Zoning District.
- The property is owned and operated by the Laurel Golf Club and additional development is not anticipated in the near future.
- The water and sewer infrastructure proposed with the annexation is adequate for the new club house facility.

Finding:

The requested zoning is in keeping with the character and historical uses of the property. It also provides for opportunities for additional development 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 essentially a replacement of the existing County Zoning with the closest compatible City Zoning District.
- The property is owned and operated by the Laurel Golf Club and additional development is not anticipated in the near future.
- The water and sewer infrastructure proposed with the annexation is adequate for the new club house facility.

Finding:

The requested zoning is in keeping with the character and historical uses of the property. It also provides for opportunities for additional development with suitable uses.

- 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 they can be expanded replaced and new buildings potentially added in the future.
 - Where the underlying zoning is a replacement of County for like City, it is not anticipated that there would be any 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 effected by the proposed zoning.

- XII. Will the zoning encourage the most appropriate use of land throughout the municipality?
- The requested zoning is essentially a replacement of the existing County Zoning with the closest compatible City Zoning District.
 - The property is owned and operated by the Laurel Golf Club and additional development is not anticipated in the near future but when development is proposed the adequate infrastructure, as well as land uses will be vetted via an open public process.

Finding:

The requested zoning provides for the most appropriate use of land in the municipality. It also provides for a significant amount of flexibility for a mixture of uses as contemplated by the District Regulations.

Conclusion:

The petition for annexation into the City of Laurel with the initial zoning assignment of Public (P) appears to be consistent with the requirements of Part 46 Annexation and City Council Resolution R-08-22. Additionally, the annexation, extension of services, and initial zoning assignment in the best interest of both the City of Laurel and the Laurel Golf Club.

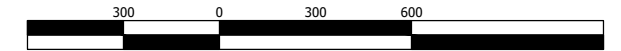
EXHIBIT A

ANNEXATION EXHIBIT

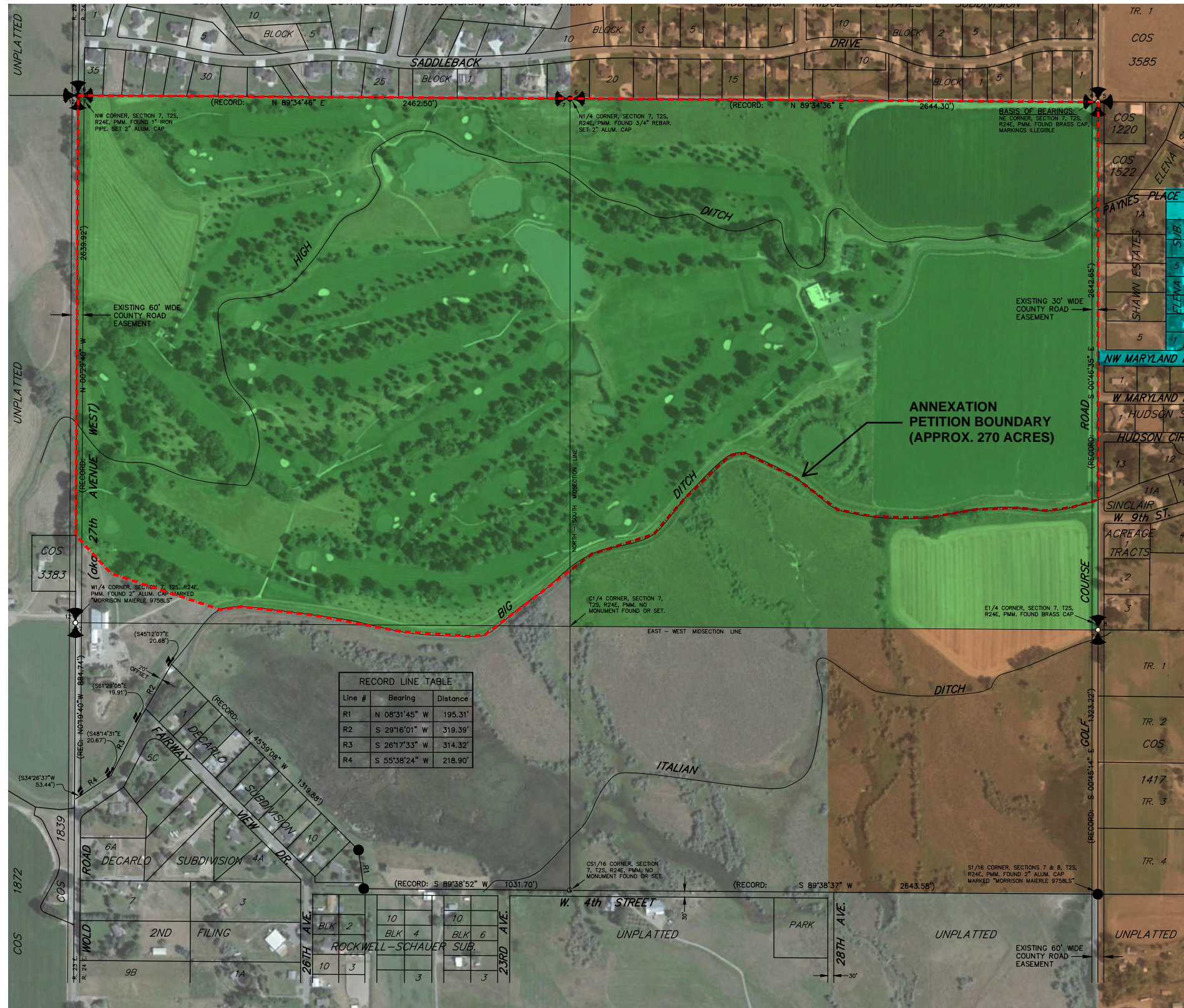
WITHIN
CERTIFICATE OF SURVEY NO. 3055

PREPARED FOR : LAUREL GOLF CLUB
 PREPARED BY : **SANDERSON STEWART**

FEBRUARY, 2022
 BILLINGS, MONTANA



SCALE: 1"=600'



Line #	Bearing	Distance
R1	N 08°31'45" W	195.31'
R2	S 29°16'01" W	319.39'
R3	S 26°17'33" W	314.32'
R4	S 55°38'24" W	218.90'

- R-7500 ZONE
- R-200 ZONE
- PUBLIC ZONE

Return to:
Laurel Golf Club
1020 Golf Course Road
Laurel, Montana 59044

ANNEXATION AGREEMENT

THIS ANNEXATION AGREEMENT is made this ____ day of _____, 2022, by and between the **LAUREL GOLF CLUB**, with a mailing address at 1020 Golf Course Road, Laurel, Montana 59044, (the “Developer”), and the **CITY OF LAUREL, MONTANA**, a municipal corporation, with a mailing address at 115 West 1st Street, Laurel, Montana, 59044 (the “City”).

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

Certificate of Survey No. 3055; according to the official plat on file and of record in the office of the Clerk and Recorder of said County, hereinafter referred to as “Developer Tract” as well as all adjacent public right-of-way.

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. _____ 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 Golf Course Road. No improvements to Golf Course Road will be constructed upon annexation and re-development of the Laurel Golf Club clubhouse. Future development or subdivision of the Developer Tract may require Golf Course Road to be improved to City standard as described 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 Northwest Maryland Lane to provide service to the clubhouse. Plans and specifications shall

be approved by the Public Works Department. A 60-foot-wide public utility easement shall be created for extension of the public water and sewer mains.

3. **Water.** Developer Tract shall be served by the City water system. The Developer shall extend a new water main from the existing 12-inch water main in Northwest Maryland Lane to provide service to the clubhouse. Plans and specifications shall be approved by the Public Works Department. A 60-foot-wide public utility easement shall be created for extension of the public water and sewer mains.

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 and re-development of the clubhouse. Rights-of-way shall be dedicated upon future subdivision of the Developer Tract for Golf Course Road and 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 on an approved traffic impact study (if required).

7. **Late Comers Agreement.** No Late Comers Agreement is made with this annexation.

8. **Zoning.** The Property is to be zoned as Public.

9. **Other Public Improvements.** For any other improvements not specifically listed in this Agreement, the City shall rely on the attached Waiver of Right to Protest the Creation of Special Improvement Districts filed concurrently herewith, to ensure the installation of any or all remaining public improvements. Said improvements shall include, but not be limited to, street construction and paving, curb, gutter, sidewalks, storm drainage, and street lighting. The attached Waiver, waiving the right to protest the creation of one or more Special Improvement Districts, by this reference is expressly incorporated herein and part hereof.

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 a part of this Agreement.

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.

Notary Public in and for the State of Montana
Printed name: _____
Residing at: _____
My commission expires: _____

Approved as to Form:

City Attorney

Return to:
City of Laurel
P.O. Box 10
Laurel, Montana 59044

Waiver of Right to Protest

FOR VALUABLE CONSIDERATION, the undersigned, being the owner and/or subdivider, in addition to all future owners of the hereinafter described real property, do hereby waive the right to protest the formation of one or more special improvement district(s) for the construction of streets, street widening, street maintenance, sidewalks, curb and gutter, sanitary sewer lines, water lines, stormwater and drains (either within or outside the area), street lights, street light maintenance, parks and park maintenance, and other improvements incident to the above which the City of Laurel may require.

This Waiver and Agreement is independent from all other agreements and is supported with sufficient independent consideration to which the undersigned are parties, and shall run with the land and shall be binding upon the undersigned, their successors and assigns, and the same shall be recorded in the office of the County Clerk and Recorder of Yellowstone County, Montana. Pursuant to *MCA §76-3-608(7)*, this Waiver and Agreement shall expire 20 years after the final subdivision plat is recorded with the Yellowstone County Clerk and Recorder.

The real property hereinabove mentioned is more particularly described as follows:

Certificate of Survey No. 3055

Signed and dated this _____ day of _____, 20__.

LAUREL GOLF CLUB

By: _____

Its: _____

“Subdivider/Owner”

STATE OF MONTANA)

: ss

County of Yellowstone)

On this ____ day of _____, 20__, before me, a Notary Public in and for the State of Montana, personally appeared _____, known to me to be the _____ of LAUREL GOLF CLUB, the person who executed the forgoing instrument and acknowledged to me that he/she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year hereinabove written.

Notary Public in and for the State of Montana
Printed name: _____
Residing at: _____
My commission expires: _____

Project Narrative

Overview

Laurel Golf Club is requesting annexation of approximately 270 acres into the City of Laurel, Montana as shown on the attached Exhibit A. The portion of Laurel Golf Club property looking to be annexed is located just outside the northwest boundary of the Laurel city limits, along the west side of Golf Course Road in Yellowstone County, Montana. The property is legally described as: **S07, T02 S, R24 E, C.O.S. 3055, (Less Decarlo Sub).**

The area to be annexed include the golf course, clubhouse, and agricultural land.

The property lies adjacent to Laurel's Elena Subdivision that defines the western-most boundary of Laurel's city limits, as well as directly adjacent to the northern boundary of the City of Laurel's western Annexation Priority Area that is defined in Laurel's 2020 Growth Policy. The property is currently zoned as Public within Laurel's zoning jurisdiction and will remain Public when annexation occurs.

Utility Extensions

Upon annexation of the property, City of Laurel public water and sanitary sewer services will be extended to the Laurel Golf Club building. The intent is that new public water and sewer mains will be extended directly west from NW Maryland Avenue within a new public utility easement. From there, new service lines will be extended on the property to the building. The new public water and sewer mains will become part of the City of Laurel system and will be located within public right-of-way when future development occurs.

RESOLUTION NO. R08-22

**A RESOLUTION TO ADOPT THE
CITY OF LAUREL ANNEXATION POLICY**

WHEREAS, it is necessary for the City of Laurel to properly guide and monitor growth that is in the best interests of the City and its citizens; and

WHEREAS, it is appropriate for the City Council to adopt an Annexation Policy that governs proposed annexations to the City in accordance with Ordinance No. O08-02 § 16.12.020; and

WHEREAS, the City Council has reviewed and accepted the attached Annexation Policy for the City of Laurel.

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

The Council hereby adopts the City of Laurel Annexation Policy in its current form and content. All resolutions adopting any other annexation policies that conflict or are inconsistent with these policies are hereby repealed, voided and of no further effect.

BE IT FURTHER RESOLVED that this Resolution shall be enforceable on the effective date of Ordinance No. O08-02.

Introduced at a regular meeting of the City Council on March 4, 2008, by Council Member
Hart.


PASSED and APPROVED by the City Council of the City of Laurel this 4th day of March, 2008.

APPROVED by the Mayor this 4th day of March, 2008.

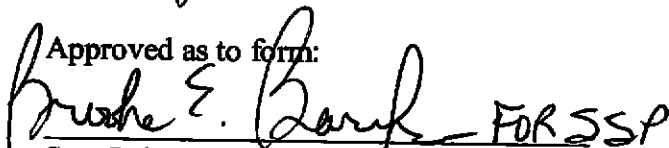
CITY OF LAUREL


Kenneth E. Olson, Jr., Mayor

ATTEST:


Mary K. Embleton, Clerk-Treasurer

Approved as to form:


FOR SSP
Sam Painter, Legal Counsel
Elk River Law Office, P.L.L.P.

CITY OF LAUREL ANNEXATION POLICY

Service outside city limits—Conditions. No water or sewer services shall be extended outside of the incorporated city limits without meeting the following conditions:

- A. The property and improvements are in the same condition as is required for properties and improvements within the city's corporate limits;
- B. The city system is capable of serving the area;
- C. The extension is in the best interest of the city;
- D. The cost of the extension shall be at the expense of the requesting party;
- E. The city council has granted its approval. (Prior code § 18.76.010(A)); and
- F. The property is annexed.

Consent to Annexation and/or Waiver of Protest.

- A. Any property owner requesting or receiving city water or sewer service outside of the incorporated city limits shall, as a condition of initiating or continuing city services, consent to annexation of the property beneficially receiving services. The consent to annexation may be limited to the property that will benefit or is benefiting from the provision of city services.
- B. Whenever annexation is sought pursuant to a petition submitted to the city by a property owner requesting annexation, the property owner shall execute a written waiver of protest in a form approved by city staff for purposes of recording. The waiver of protest constitutes a covenant that will run with the land to be annexed and shall waive all right of protest and judicial review to the creation of any future special improvement district. (Prior code § 18.76.010(B))

Annexation Fee.

Property owner shall pay the city's applicable annexation fee prior to the city's consideration of the annexation request.

Annexation Criteria and Requirements.

- A. The City Council shall consider the following criteria when it receives a written petition for annexation:
 - The property must be located within an area identified by city staff as a location for future city annexation or annexation of the property will promote orderly growth of the city to protect the health, safety and welfare in areas intensely utilized for residential, commercial, institutional and governmental purposes;
 - The city must be able to provide adequate city services within a time period mutually agreed to by the property owner requesting annexation and the city;
 - Existing or proposed public improvements within the area to be annexed must meet all city standards. If the public improvements are not constructed at the time of annexation, the property owner shall provide the city a bond or letter of credit that equals 125% of the estimated engineering costs for the construction of improvements. If the property owner fails to construct the improvements or to obtain the agreed upon engineering, the city shall utilize the bond or letter of

credit to pay for the construction, including engineering; In accordance with GASB-34, the Developer or Landowner shall provide the city the total cost and/or value of the improvements including, but not limited to, parks, sidewalks, curb and gutter, lift stations, and sewer and water lines, that are conveyed to the city.

- All property owners within the area to be annexed must sign a Waiver of Right to Protest the creation of Special Improvement Districts for engineering and construction of improvements including, but not limited to, streets, sidewalks, curb and gutter and the creation of a Park Maintenance District, in a form acceptable and approved by the city;
- All residential property owners must execute a Waiver of Right-to-Protest the creation of Special Improvement Districts for engineering and construction of improvements including, but not limited to, streets, sidewalks, curb and gutter and the creation of a Park Maintenance District, in a form acceptable and approved by the city;
- Residential densities within the area to be annexed must be rezoned at a minimum density of R-7500 or greater; and
- The proposed land use within the area to be annexed must conform to the goals of the Laurel-Yellowstone City-County Planning Board Growth Policy.

B. The City Council may decide to either condition the approval of the annexation in order to meet the criteria listed in Section A herein or require an annexation agreement. The conditions of approval must be clearly stated in the resolution of annexation or if required, the annexation agreement. If the property to be annexed is not developed, the conditions of approval or annexation agreement shall include a requirement for:

1. A development agreement prior to the issuance of a building permit;
2. A subdivision improvements agreement at the time of final subdivision plat approval, if applicable and
3. An executed Waiver of Right-to-Protest creation of Special Improvement Districts for engineering and construction of improvements including, but not limited to, streets, sidewalks, curb and gutter and the creation of a Park Maintenance District, in a form acceptable and approved by the city.

If the property is developed and contains public improvements that are not constructed to city standards, the city shall require an annexation agreement. The annexation agreement shall specify that the public improvements must be upgraded and/or installed to city standards, as well as a time period and mechanism to finance the construction and installation of those improvements. All construction or installation of improvements must be completed within two years of annexation.

In any case, all public improvements, whether existing or proposed, shall meet city standards.

**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: Laurel Golf Club
Address: 1020 Golf Course Road, Laurel, MT 59044
Phone: 406.628.4504

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: Certificate of Survey No. 3055

Lot size: ~443 acres (annexation area ~270 acres)

Present use: Agricultural land and golf course

Planned use: Golf course

Present zoning: P - Public

(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: NW Maryland Lane at Golf Course Road

Cost of extension of approved service: \$72,000

How cost determined: Engineer's opinion of probable cost (attached)

Timeframe for installation: Spring 2022

Sewer Service:

Location of existing main: NW Maryland Lane west of Duval Drive

Cost of extension of approved service: \$92,000

How cost determined: Engineer's opinion of probable cost (attached)

Timeframe for installation: Spring 2022

How financed: Private

Streets:

Is there any adjoining County ROW to the proposed annexation: Yes, Golf Course Road

Location of existing paved access: West from Golf Course Road at Paynes Pl

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 _____

ORDINANCE NO. 008-02

ORDINANCE ADOPTING ANNEXATION REGULATIONS FOR
THE CITY OF LAUREL FOR INCORPORATION IN CHAPTER 16
OF THE LAUREL MUNICIPAL CODE.

WHEREAS, Ordinance No. O07-01 adopted April 3, 2007 repealed Chapter 16 of the Laurel Municipal Code in its entirety in order to comply with changes adopted by the State of Montana Legislature; and

WHEREAS, the repealed Chapter 16 of the Laurel Municipal Code provided for annexation regulations while the newly adopted Chapter 16 of the Laurel Municipal Code did not contain specific annexation procedures; and

WHEREAS, annexation regulations are necessary for the City of Laurel to properly guide and monitor growth that is in the best interest of the City and its citizens;

IT IS HEREBY ORDAINED by the City Council of the City of Laurel, Montana, that the following chapter is hereby adopted into the LAUREL MUNICIPAL CODE as set forth below.

Chapter 16.12

ANNEXATIONS

Sections:

16.12.010 Annexation.

16.12.020 Annexation Policy.

16.12.030 Annexation Fee Schedule.

16.12.010 Annexation.

The City may annex property in accordance with the methods and procedures prescribed in MCA Title 7, Chapter 2 Parts 42, 43, 44, 45, 46 or 47, as amended.

16.12.020 Annexation Policy.

The City Council shall adopt rules and regulations that govern proposed annexations to the City by Council Resolution.

16.12.030 Annexation Fee Schedule

The City Council shall adopt an annexation fee schedule by annual Resolution after a public hearing in accordance with Section 2.72.060. (Ord. 06-04 (part), 2006: prior code § 18.76.010(D))

This Ordinance becomes effective thirty (30) days after final passage by the City Council and approval by the Mayor.