

RESOLUTION NO. R15-27

**A RESOLUTION OF THE CITY COUNCIL APPROVING AN APPLICATION FOR SPECIAL REVIEW SUBMITTED ON BEHALF OF HIGH PLAINS BREWERY.**

WHEREAS, LMC 17.20.020 states "cocktail lounges, restaurants, bars and taverns" are only allowable in the Central Business District by special review; and

WHEREAS, David M. Bequette desires to sell alcohol on property located at 601 East Main Street, which is located in the Central Business District; and

WHEREAS, David M. Bequette submitted an application for special review to the Laurel-Yellowstone City-County Planning Board for review and consideration. The Planning Board recommends the approval of the application for special review, subject to the following conditions:

1. Property shall be kept free of noxious weeds;
2. Any portion of the lot not utilized for the building or hard surfaced parking shall be landscaped;
3. Any off-street parking must be paved;
4. Any patio area serving alcohol must be fenced in an appropriate fashion;
5. All signs shall comply with LMC 15.40.

WHEREAS, the City Council of the City of Laurel hereby finds it is in the best interests of the residents of the City of Laurel to approve the application for special review as articulated in the Staff Report and Findings attached hereto, subject to the above stated conditions.

NOW THEREFORE, BE IT RESOLVED that the owner's request for approval of an application for special review of the sale of alcohol in the Central Business District is hereby approved for the property located at 601 East Main Street.


BE IT FURTHER RESOLVED that the approval of the application for special review is site specific to this address, and the approval granted herein is subject to the five conditions listed herein.

Introduced at a regular meeting of the City Council on April 21, 2015, by Council Member McGee.

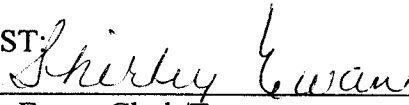
PASSED and APPROVED by the City Council of the City of Laurel, Montana this 21<sup>st</sup> day of April, 2015.

APPROVED BY THE MAYOR this 21<sup>st</sup> day of April, 2015.

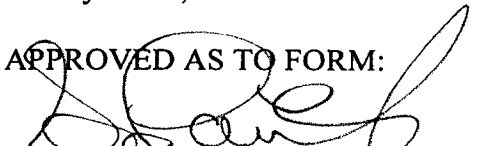
CITY OF LAUREL

  
Mark A. Mace, Mayor

ATTEST:

  
Shirley Ewan, Clerk/Treasurer

APPROVED AS TO FORM:

  
Sam Painter, Civil City Attorney



## LAUREL CITY-COUNTY PLANNING DEPARTMENT

### STAFF REPORT

TO: Laurel City Council  
FROM: Monica Plecker, Planning Director  
RE: Special Review – David M. Bequette

#### DESCRIPTION/LOCATION:

David Bequette of High Plans Brewing has submitted an application for special review. The affected property is located at 601 East Main St. in the City of Laurel. The Parcel is zoned Central Business District. The applicant is requesting a special review for the sale of alcohol. The property is legally described as LAUREL REALTY SECOND SUBD, S09, T02 S, R24 E, BLOCK 14, Lot 7 – 10.

#### STAFF FINDINGS:

##### Applicant Data:

Owner: David M. Bequette  
Legal Description: LAUREL REALTY SECOND SUBD, S09, T02 S, R24 E, BLOCK 14, Lot 7 – 10.  
Address : 601 East Main Street  
Parcel Size: 15,600 Sq. Ft.  
Existing Land Use: Unoccupied Commercial Space  
Proposed Land Use: Brewery  
Existing Zoning: Central Business District

##### Surrounding Land Use and Zoning (See Exhibits A & B)

|                |                        |           |             |
|----------------|------------------------|-----------|-------------|
| North: Zoning: | Central Business Dist. | Land Use: | Residential |
| South: Zoning  | Light Industrial       | Land Use: | Railroad    |
| East: Zoning   | Central Business Dist. | Land Use: | Commercial  |
| West: Zoning:  | Central Business Dist. | Land Use: | Commercial  |

1. The application and zoning map have been attached.
2. The application is requesting a special review from LMC 17.20.020 which states “cocktail lounges, restaurants, bars and taverns” are only allowable by Special Review in properties zoned Central Business District.
3. The sale of alcohol will occur at the proposed High Plains Brewery. LMC 17.20.010 states that alcoholic beverage manufacturing and bottling is allowable in the Central Business District.
4. LMC 17.48.090 states that “No building, structure or premises shall be used for retail alcoholic beverage sales unless:
  1. The lot or parcel of land so to be used has a street frontage of at least 100’ and an average depth of at least 100’
  2. A distance of 600’ between property lines measured in a straight line from any building that is primarily used as a church or school, or from a public park that contains a children’s playground or playfield.
    - a. Properties or establishments which are located in the Central Business District are exempt from [sub)section 2.”This property has a street frontage of at least 100’ of street frontage and is exempt from further provisions in LMC 17.48.090 because it is zoned Central Business District.
5. The application was routed to all City Departments. No comments were received.
6. The advertising requirements of LMC 17.68.030 C-E have been met.

### **ZONING COMMISSION CONSIDERATIONS AND RECOMMENDATION:**

The Zoning Commission shall review and make determinations on the following chapters and sections of the Laurel Municipal Code (LMC):

1. Prior to approving a special review application LMC 17.68.040 states the application:
  1. Complies with all requirements of this section;
  2. Is consistent with the objectives and purposes of this title and the Laurel Comprehensive Planning Process;
  3. Is compatible with surrounding land use or is otherwise screened and separated from adjacent land in such a way as to minimize adverse effects;
  4. Further the zoning commission shall consider and may impose modifications or conditions concerning, but not limited to the following:
    - a. Street and road capacity,
    - b. Ingress and egress to adjoin streets,
    - c. Off-street parking,
    - d. Fencing, screening and landscaping,

- e. Building bulk and location
- f. Usable open space,
- g. Signs and lighting.

2. As per LMC 17.68.040 the Zoning Commission shall make a recommendation to the Governing Body to:

1. Grant the application for special review;
2. Deny the application;
3. Delay action on the application for a period not to exceed thirty days; or
4. Grant the application subject to conditions and recommendations and give the reasons therefor.

#### **STAFF SUGGESTED CONDITIONS:**

If the Planning Board recommends approval of the Special Review, the following conditions are suggested:

1. Property shall be kept free of noxious weeds.
2. Any portion of the lot not utilized for the building or hard surfaced parking shall be landscaped.
3. Any off-street parking must be paved.
4. Any patio area serving alcohol must be fenced in an appropriate fashion.
5. All signs shall comply with LMC 15.40

#### **Action:**

At a regularly scheduled Planning Board meeting on April 2<sup>nd</sup> the Planning Board Recommended approval of the application with the staff suggested conditions above.

**CITY HALL**

115 W. 1st St.

**PUB WORKS: 628-4796**

PWD FAX: 628-2241

**WATER OFFICE: 628-7431**

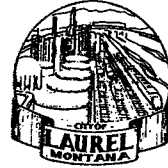
WTR FAX: 628-2289

**MAYOR: 628-8456**

# City Of Laurel

P.O. Box 10

Laurel, Montana 59044



DEPARTMENT

## APPLICATION FORM - SPECIAL REVIEW

The undersigned as owner or agent of the following described property requests a Special Review as outlined in the City Zoning Ordinance:

Legal Description: Laurel Realty Second Subd, 509, T025 R24E, Block 14 Lot 7-10

General Description: (address): 601 East Main

ATTACH MAP SHOWING DIMENSIONS, ACREAGE AND LOCATION OF TRACT: \_\_\_\_\_

Owner of Tract: David M. Bequette

Mailing address: PO Box 1147 Laurel MT 59044

Phone number: 406-698-8654

Attach site plan: Existing building - building w/ Building Official

Time Schedule for development:

Immediately

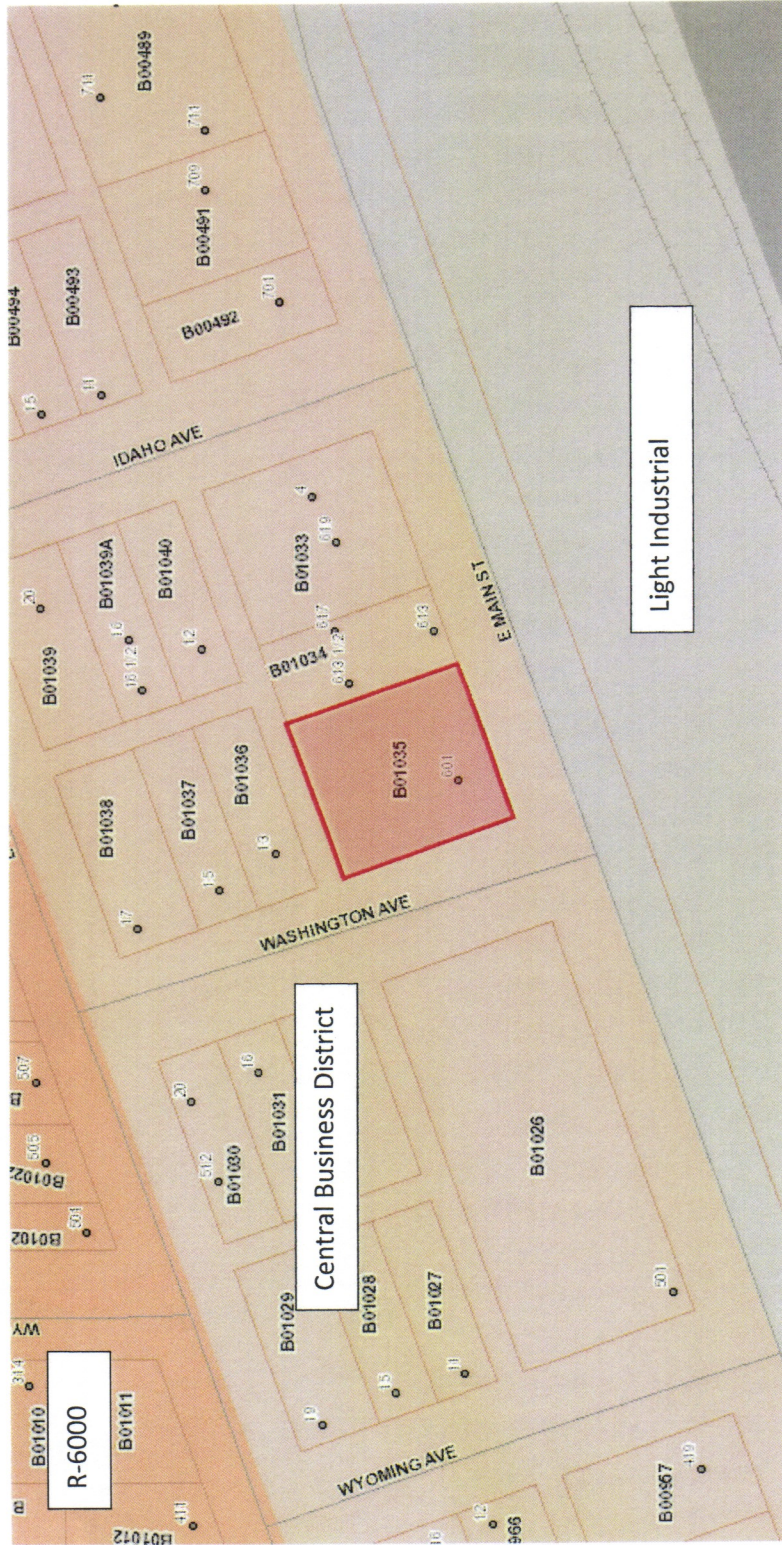
Special Review requested:

Sale of Alcohol in Central Business District

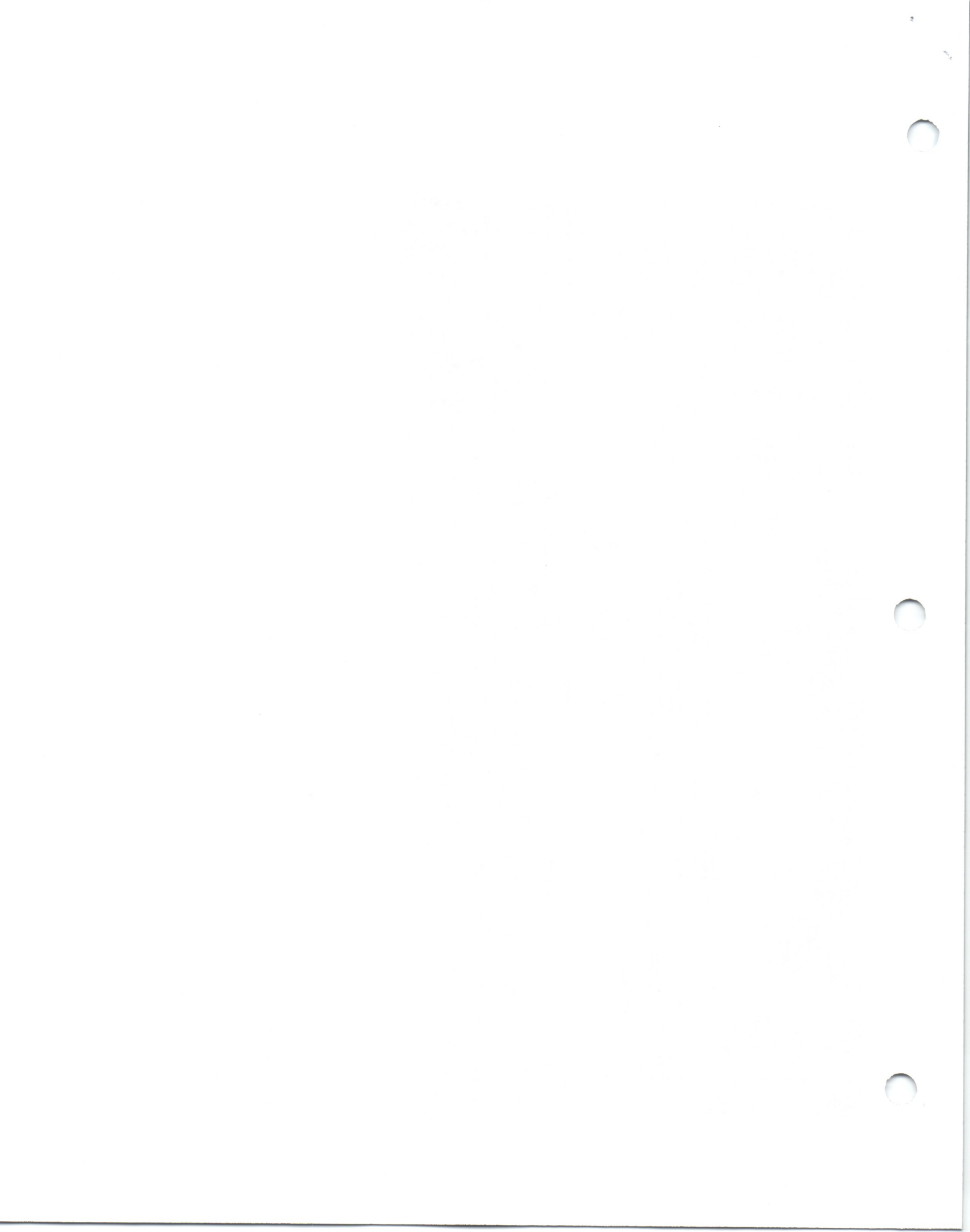
I understand that the filing fee accompanying this application is not refundable and that it pays part of the cost in processing. Also, that all information is true and correct.

Petitioner's Signature:

Fee paid and date: \$325 March 5, 2014



ZONING MAP





Existing Land-Use, Existing Buildings





# HIGH PLAINS BREWING

611 E MAIN ST

MONTANA

LAUREL

**OWNER**

BEQUETTE, DAVID H  
 neophila@earthlink.net  
 8902 TITHE, LAVI  
 406.652.3005  
 highplainsbrewing@yahoo.com

**INDEX OF DRAWINGS**

- T1.0 TITLE PAGE/ SITE PLAN
- A1.0 EXISTING/ PLAN
- ST1.0 FOUNDATION PLAN
- ST2.0 ROOF FRAMING/ SECTIONS

**CONTRACTOR**

HILL EMBLETTI CONSTRUCTION  
 ROS FRICTION  
 406.693.6377

**CONSULTANTS**

**SCOPE OF WORK**

- GRANITE OR USE "4" x 8" x 16"
- ADDITION OF 2 NEW ADA RESTROOMS
- ADDITION OF WALK IN COOLER, FT.
- 821 SQ. FT. ADDITION
- 2775 SQ. FT. EXISTING
- NEW STORMWATER ATTE EXISTING CONC. WALLS
- NEW STORMWATER 3 PHASE ELECTRICAL SERVICE
- NEW STORMWATER GLASSING AND DOORS PER PLAN
- NEW LIGHTING AND ELECTRICAL

**CODE ANALYSIS**

\*REQUIREMENT: MINIMUM OCCUPANCY AS A 1<sup>ST</sup> FLOOR, SPRINKLERED  
 CH. 501 (NON-SEPARATED USES AND GOVERNING OCC. SEPARATED 4 SIDES  
 GREATER THAN 30' MAX. OCC. < 100'  
 TOTAL AREA 3994 SQ. FT.  
 ADDITION AREA 821 SQ. FT.  
 TOTAL AREA 4815 SQ. FT.  
 AC. 1115 OCC @ 1265 SF NET = 84 OCC  
 AC. 1500 @ 454 SF NET = 1 OCC  
 AC. 810 @ 1265 SF NET = 4 OCC  
 AC. 810 @ 1265 SF NET = 4 OCC  
 AC. 810 @ 1265 SF NET = 4 OCC  
 AC. 810 @ 1265 SF NET = 4 OCC  
 AC. 810 @ 1265 SF NET = 4 OCC  
 NET FLOOR REQUIREMENTS: LAB  
 42-FEMALE (2) WATER CLOSETS  
 42-HALF (1) URINAL (1) WATER CLOSET

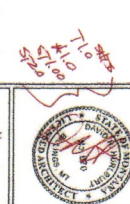
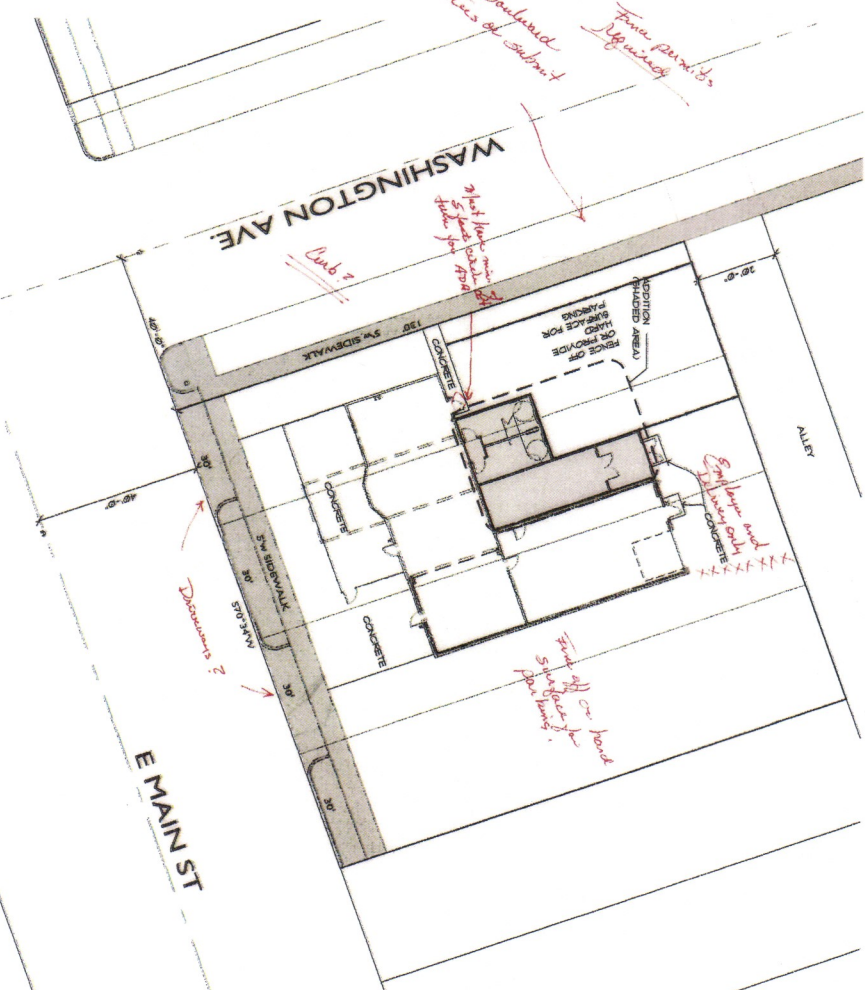
**GENERAL NOTES**

-CONTRACTOR TO VERIFY EXISTING CONDITIONS PRIOR TO CONSTRUCTION

**SITE INFO**

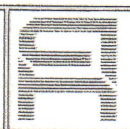
PROPERTY ADDRESS: 611 E MAIN ST  
 TOWNSHIP: 02 S RANGE: 24 E SECTION: 09  
 SUBDIVISION: LAUREL REALTY SECOND SUBD BLOCK: 14 LOT: 7  
 FULL LEGAL LAUREL REALTY SECOND SUBD. 509, 703 S, R24 E, BLOCK 14, LOT 7 - 10  
 LOT SIZE: 16600 SQ. FT.  
 BUILDING COVERAGE: 3775

1 SITE PLAN  
 SCALE: 1/8" = 1'-0"



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ACKERLY-HURLBURT AND ASSOCIATES  
 ARCHITECTS  
 406 652-4015  
 BOX 20351, BILLINGS, MONTANA 59104



| REVISIONS |
|-----------|
|           |

DRAWN BY  
 JMW

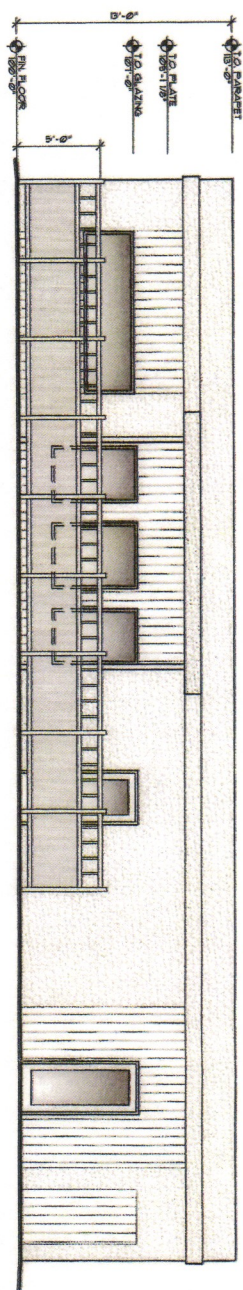
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 DM

JOB NO.  
 0914

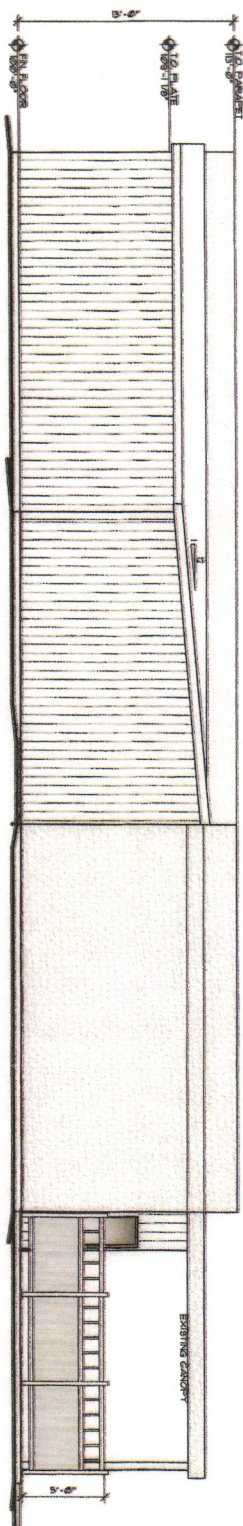
DATE  
 3-2-15

|       |                       |
|-------|-----------------------|
| SHEET | DRAWING TITLE         |
| 1     | T1.0 TITLE/ SITE PLAN |
| OF    | PROJECT TITLE         |
| 4     | HIGH PLAINS BREWERY   |






1 FRONT EXTERIOR ELEVATIONS  
SCALE: 1/4"=1'-0"



1 SIDE EXTERIOR ELEVATIONS  
SCALE: 1/4"=1'-0"

611 E. Main  
City Copy

|                   |   |                  |                 |   |   |   |
|-------------------|---|------------------|-----------------|---|---|---|
| SHEET<br><b>X</b> | DRAWING TITLE<br><b>A2.0 ELEVATIONS</b>     | DRAWN BY<br>JWH  | DESIGNED BY     |  | <b>ACKERLY-HURLBURT AND ASSOCIATES</b><br><b>ARCHITECTS</b><br>406 652-4015<br>BOX 20351, BILLINGS, MONTANA 59104 | <small>THESE ORIGINAL DRAWINGS AND DESIGN OF THIS PROJECT AND THIS THE INTEGRAL PARTS OF IT, ARE SOLE PROPERTY OF THE ARCHITECT. NO SECTION, PART, NOR THE ENTIRETY OF PROJECT MAY NOT BE REPRODUCED OR COPIED WITHOUT THE WRITTEN APPROVAL OF THE ARCHITECT.</small> |
|                   | PROJECT TITLE<br><b>HIGH PLAINS BREWERY</b> | CHECKED BY<br>Dm | JOB NO.<br>5914 |   |   |   |

