

**AGENDA**  
**CITY OF CASPER PLANNING AND ZONING MEETING**

**September 14, 2023**

**6:00 P.M.**

**THE LYRIC (*Temporary City Hall Meeting Space*)**

**230 West Yellowstone Highway, Casper**

Meetings can be viewed online via the City of Casper's YouTube channel.

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PLANNING AND ZONING POLICY

PUBLIC STATEMENTS

1. Use of Cellular telephones is not permitted, and such telephones shall be turned off or otherwise silenced during the Planning and Zoning Meeting.
2. Speaking to the Planning and Zoning Commission (These guidelines are also posted at the podium in the Council Chambers).
  - Clearly state your name and address.
  - Please keep your remarks pertinent to the issue being considered by the Planning and Zoning Commission.
  - Please do not repeat the same statements that were made by a previous speaker.
  - Please speak to the Planning and Zoning Commission as you would like to be spoken to.
  - Please do not address Applicants or other audience members directly.
  - Please make your comments at the podium and directed to the Planning and Zoning Commission.
3. The City of Casper Planning and Zoning Commission is a volunteer body composed of members of the Casper Community, and appointed by the Casper City Council. The Commission acts as a quasi-judicial panel, making final decisions on some specific items, and recommendations to the City Council on others as dictated by law. The Commission may only consider evidence about any case as it relates to existing law. The Commission cannot make or change planning or zoning laws, regulations, policies or guidelines.

## AGENDA

### **I. CALL TO ORDER**

### **II. MINUTES: Consideration of P & Z Commission Minutes from August 10, 2023**

### **III. PUBLIC HEARINGS:**

**ZOC-469-2023** – Request for a zone change of 350 and 410 SE Wyoming Blvd, from PUD (Planned Unit Development) to C-2 (General Business). Said properties are more particularly described as Lots 59 and 60, “Longview Addition No. 2” and Lot 9A of the “Lot 9A & Lot 9B, Luker Addition.” Applicant: Curve TV, LLC.

**CUP-488-2023** – Request for a Conditional Use Permit (CUP) to allow for a second accessory building in excess of the 400 square foot limitation, to allow for the construction of a 1,152 square foot greenhouse, located at 2100 South Cedar Street. Said property is more particularly described as “Community Park Addition”, Block 24, Lots 1-4 Incl ELY PT, Lots 5-8 & Vacated alley traversing Block 24; & Community Park #2 Addition, Block 38, Lot 1 TRI TR in N. PT. Applicant: Shannon Colgan.

**CUP-454-2023** – (*Tabled on August 10, 2023*) Request for a Conditional Use Permit (CUP) to allow a “personal service shop” (nail salon) in an R-3 (One to Four Unit Residential) zoning district, located at 104 North Lennox Street, Butler Addition, Block 106, Lot 8. Applicant: My Hanh Vines.

### **IV. SPECIAL ISSUES:**

### **V. COMMUNICATIONS:**

- A. Commission
- B. Community Development Director
- C. Council Liaison
- D. OYD and Historic Preservation Commission Liaisons
  - 1) Historic Preservation Commission (Minutes from 08.14.2023)
  - 2) Old Yellowstone Advisory Committee (August’s meeting was a tour of 333 W Midwest and The Nolan townhomes)
- E. Other Communications

### **VI. ADJOURNMENT** – *Next Meeting of the Planning and Zoning Commission is scheduled for Thursday, October 12, 2023, at 6:00 P.M., at the LYRIC, 230 West Yellowstone Highway, Casper.*

**CASPER PLANNING AND ZONING MEETING  
THURSDAY AUGUST 10, 2023  
THE LYRIC, 230 W YELLOWSTONE**

These minutes are a summary of the meeting. For full details view online at [www.casperwy.gov](http://www.casperwy.gov) on the Meetings and Agendas web page.

Members Present: Terry Wingerter, Joe Hutchison, Michael McIntosh, Kenneth Bates, Vickery Fales-Hall

Absent Members: Maribeth Plocek, Nic Eskew

Others present: Craig Collins, City Planner  
Barb Santmire, Administrative Assistant III  
Wallace Trembath, Deputy City Attorney

**MINUTES OF THE PREVIOUS MEETING**

Ms. Fales-Hall moved that the minutes of the July 13, 2023 Planning & Zoning Commission meeting be approved as presented. Mr. Bates seconded the motion. With all members present voting aye, the motion carried.

**PUBLIC HEARINGS**

**Case #1: CUP-448-2023** – Request for a Conditional Use Permit (CUP) to rebuild an existing Accessory Dwelling Unit in a R-2 (One Unit Residential) zoning district, located at 645 West 13<sup>th</sup> Street, Casper Addition, Block 161, Lot 5. Applicant: Clayton Alleman.

Craig Collins, City Planner, presented the staff report, entered 5 exhibits into the record, and noted 3 staff recommended conditions. There were no public comments submitted.

Clayton Alleman, 645 West 13<sup>th</sup> Street, spoke as representative for the case. Mr. Alleman reported that he recently purchased this property and is in process of renovating the main house. His intention was to renovate/update the ADU, but due to the condition of the building and its foundation, it was recommended that the building be torn down and rebuilt. With that, he wants to bring everything up to code and ensure the property is in compliance with all City requirements.

There being no others to speak, Chairperson McIntosh closed the public hearing.

Mr. Wingerter noted that the Planning and Zoning Commission has considered all relevant factors (pg 2-3 of the staff report), including, but not limited to, those set forth in Section 17.12.240(H), and finds that:

1. The Conditional Use is consistent with the spirit, purpose, and intent of this Title; will not substantially impair the appropriate use of neighboring property; and will serve the public need, convenience, and welfare;

2. The Conditional Use is designed to be compatible with adjacent land uses and the area of its location.

On this basis, Mr. Wingerter moved to approve **CUP-448-2023** with the 3 conditions noted in the staff report. The motion was seconded by Mr. Bates. With all members present voting aye, the motion carried.

**Case #2: CUP-454-2023** – Request for a Conditional Use Permit (CUP) to allow a “personal service shop” (nail salon) in a R-3 (One to Four Unit Residential) zoning district, located at 104 North Lennox Street, Butler Addition, Block 106, Lot 8. Applicant: My Hanh Vines.

Craig Collins, City Planner, presented the staff report, entered 5 exhibits into the record, and noted 8 staff recommended conditions. There were no public comments submitted.

My Hanh Vines, 104 North Lennox, and Richard Walker spoke as representatives for the case. An engineer is being hired to develop a comprehensive site plan to bring the property into compliance with commercial codes, parking, and paving of the alley.

Concern was expressed that the 1-year time constraint for an approved CUP will not be sufficient to complete the scope of work that needs to be done to bring the property into commercial code compliance. The applicant was informed that the CUP’s conditions must be met within the 1-year time frame or the CUP will be considered VOID. Any work done to that point would be wasted as there are no options for extension or reapplication.

It was strongly recommended that, to provide a better chance of the project being successful, the application be tabled until a complete site plan can be considered.

There being no others to speak, Chairperson McIntosh closed the public hearing.

Based on the discussion, Ms. Fales-Hall moved to table case **CUP-454-2023**. The motion was seconded by Mr. Wingerter. All those present voted aye. Motion carried.

### **COMMUNICATIONS:**

Historic Preservation Commission – The Commission is in process of finalizing and ordering ornaments that will be numbered and sold through Fort Caspar. The 2023 ornament is the first in what will become an annual series. This year the ornament will feature NCHS.

### **ADJOURNMENT**

Chairperson McIntosh adjourned the meeting at 6:37 pm.

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Chairperson

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Secretary

September 8, 2023

MEMO TO: Michael McIntosh, Chairperson  
Members of the Planning and Zoning Commission

FROM: Liz Becher, Community Development Director   
Craig Collins, AICP, City Planner

SUBJECT **ZOC-469-2023** – Request for a zone change of 350 and 410 SE Wyoming Blvd, from PUD (Planned Unit Development) to C-2 (General Business). Said properties are more particularly described as Lots 59 and 60, “Longview Addition No. 2” and Lot 9A of the “Lot 9A & Lot 9B, Luker Addition.” Applicant: Curve TV, LLC.

Recommendation:

The Planning and Zoning Commission may approve a zone change after hearing public testimony, and consideration of the facts of the case, if the proposed zone change meets the requirements of the Casper Municipal Code and is found to be in conformance with the Comprehensive Land Use Plan (Generation Casper).

Code Compliance:

Staff has completed all public notice requirements of Section 17.12.170 of the Casper Municipal Code pertaining to zone changes, including notification of property owners within 300 feet by first class mail, posting a sign on the property, and publishing legal notice in the Casper Star-Tribune. **At the time that the staff report was prepared, staff had not received any public comments on this case.**

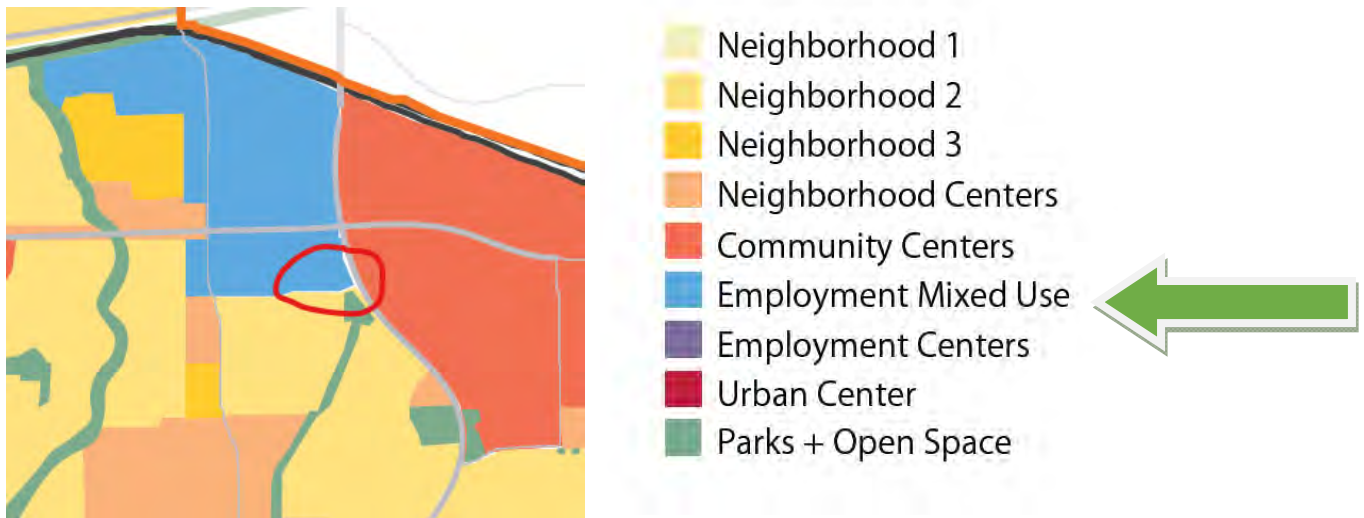
Applicable City Codes and Adopted Policies/Plans

1. If the Planning and Zoning Commission “approves” the zone change, it will advance to the City Council for their consideration, with a “do-pass” recommendation from the Commission. However, if the zone change is denied by the Commission, the zone change will not progress to City Council unless an appeal is requested, in the manner specified by Code.
2. Imposing conditions of approval is not permissible with zone changes.
3. 17.36.020 - Permitted uses in the C-2 (General Business) zoning district are as follows:
  1. Animal clinics and animal treatment centers;
  2. Apartments located within a business structure;

3. Arcades/amusement centers;
4. Assisted living;
5. Automobile park, sales area or service center;
6. Automobile service stations;
7. Banks, savings and loans, and finance companies;
8. Bars, taverns, retail liquor stores, and cocktail lounges;
9. Bed and breakfast;
10. Bed and breakfast homestay;
11. Bed and breakfast inn;
12. Business, general retail;
13. Chapels and mortuaries;
14. Churches;
15. Clubs or lodges;
16. Convenience establishment, medium volume;
17. Dance studios;
18. Day care, adult;
19. Child care center;
20. Family child care center—zoning review;
21. Family child care home;
22. Family child care home—zoning review;
23. Electrical, television, radio repair shops;
24. Gaming/gambling;
25. Grocery stores;
26. Group homes;
27. Homes for the homeless (emergency shelters);
28. Hotels, motels;
29. Neighborhood groceries;
30. Offices, general and professional;
31. Pet shops;
32. Medical laboratories, clinics, health spas, rehabilitation centers, real estate brokers, insurance agents;
33. Parking garages and/or lots;
34. Parks, playgrounds, historical sites, golf courses, and other similar recreational facilities;
35. Pawn shops;
36. Personal service shops;
37. Pharmacies;
38. Printing and newspaper houses;
39. Reception centers;
40. Recreation centers;
41. Restaurants, cafes, and coffee shops;
42. Retail business;
43. Sundry shops and specialty shops;

45. Thrift shops;
46. Vocational centers, medical and professional institutions;
47. Neighborhood assembly uses;
48. Regional assembly uses;
49. Branch community facilities;
50. Neighborhood grocery;
51. Conventional site-built and modular single and **multifamily dwellings** and "manufactured homes" meeting the definition and standards set forth in Section 17.08.010.

4. Future Land Use Plan information for the subject area (Generation Casper Comprehensive Land Use Plan – pg 4-26):



Summary:

Curve TV, LLC has applied for a zone change of three (3) lots, totaling approximately 1.46-acres, located at the northwest corner of Gannett Street and Wyoming Boulevard, from PUD (Planned Unit Development) to C-2 (General Business). The subject properties include a vacant, former bank building, a parking lot, and the former Village Inn restaurant building. The applicants plan to demolish the vacant bank building, in order to facilitate the redevelopment of the site.

Although the PUD (Planned Unit Development) zoning of the property would allow the applicants to redevelop the site, the PUD zoning classification is burdensome with regard to the need to develop development guidelines from the ground up, prior to the consideration of any site/development plans. In addition, the PUD zoning classification requires a set-aside of “usable open space,” as well as an architectural/design review component, that complicate the review of future projects much more than standard zoning regulations do.

open space,” as well as an architectural/design review component, that complicate the review of future projects much more than standard zoning regulations do.

Staff has been systematically recommending the dissolution, and rezoning of many PUDs around the community over the past decade, because the PUD zoning classification has historically been misapplied. Chapter 17.52 of the Casper Municipal Code sets forth the purpose, and desired characteristics of the PUD zoning classification. In short, PUD zoning is meant to be a “flexible” zoning classification that offers developers creativity in design, with the tradeoff that the community receives a higher level of design, and a set-aside of usable open space. Unfortunately, with few exceptions, the application of PUD zoning has had very limited success in its stated purposes, and most, if not all development that has occurred under PUD zoning could have been accommodated, more expeditiously and with similar results, under another, “standard” zoning classification. PUD zoning was generally used, across the country, as Planning’s first attempt at allowing for mixed-uses, reduced setbacks, and shared parking. Now, many years later, standard zoning classifications have been adjusted to increasingly allow the same flexibilities, by right, to include the proposed C-2 (General Business) zoning district.

It is further noted that according to the County Assessor’s office, the existing structures on the subject properties were constructed in 1981 and 1996. The PUD (Planned Unit Development) zoning of the property occurred in the year 2000, via Ordinance number 25-00, after the site was already fully developed at the time. The zoning of the property as PUD was most likely improperly done, in Staff’s opinion, to placate concerns from residential neighbors to the south, who during that time period sued the City about commercial development/traffic impacts to their neighborhood. Given the findings that are necessary for the approval of PUD zoning, it is staff’s contention that the rezone should never have been approved, as the site lacked many of the characteristics inherent in PUD development.

Existing zoning in the immediate area is as follows:

- North – C-4 (Highway Business);
- South – R-1 (Residential Estate) and PH (Park Historic);
- West – PUD (Planned Unit Development) and R-4 (High Density Residential);
- East – C-2 (General Business).

Existing land uses in the surrounding area are a mix of single and multifamily residential, recreational/park, commercial/retail.

Section 17.12.170 of the Casper Municipal Code provides guidance on zone change requests, and requires that the Community Development Director provide a report to the Commission as to the request’s conformance with the Comprehensive Land Use Plan. The Generation Casper Comprehensive Plan also provides a Future Land Use Plan (FLU), which is found in Chapter Four (4), on Page 4-26. The FLU is an illustrative map that identifies the physical distribution of land uses, and forms the basis for future zoning and land use regulations. The FLU designates the



desired future use of the subject property as “Employment Mixed Use Center.” Page 4-34 of the Comprehensive Plan provides the primary uses within areas designated “Employment Mixed Use Centers” as employment, institutional, civic, and limited multifamily housing.



# City of Casper Planning Division

## Zoning/Zone Change Application

### OWNER/PETITIONER'S INFORMATION:

NAME: Brent Malili  
ADDRESS: PO Box 526412, Salt Lake City, UT 84152  
TELEPHONE: 801-918-5128 EMAIL: bmalili@forzadevco.com

I/WE, THE UNDERSIGNED, HEREBY PETITION THE CITY TO ZONE/REZONE THE FOLLOWING DESCRIBED REAL PROPERTY:

LEGAL DESCRIPTION: LUKER LOT 9A COMMERCIAL  
STREET ADDRESS: 350 SE WYOMING BLVD, Casper WY APN:33791220801500  
FROM EXISTING ZONING DISTRICT: PUD  
TO PROPOSED ZONING DISTRICT: C-2

UPON THE ZONING/REZONING OF THE ABOVE-DESCRIBED REAL PROPERTY, I (WE) PROPOSE TO USE THE PROPERTY FOR THE FOLLOWING PURPOSES (BRIEF STATEMENT OF FACTS AND JUSTIFICATION FOR REZONING):

Per the recommendation of the planning department, we are proposing a zoning change from PUD to C-2 for the purpose of constructing a commercial retail building. The C-2 zoning will help fullfill parking and landscaping requirments.

The following owners' signatures signify that all information on the application is accurate and correct to the best of the owners' knowledge.

SIGNATURE OF PROPERTY OWNER: *Charles W. Hilde*

SIGNATURE OF PROPERTY OWNER: \_\_\_\_\_

DATE: 7/14/2023

### SUBMIT TO:

Community Development Department  
Planning Division  
200 N David, RM 203  
Casper, WY 82601  
Phone: 307-235-8241  
E-mail: ccollins@casperwy.gov

### A COMPLETE SUBMITTAL MUST INCLUDE:

- COMPLETED APPLICATION, INCLUDING ORIGINAL SIGNATURES OF ALL OWNERS
- PROOF OF OWNERSHIP
- \$750 APPLICATION FEE (NON-REFUNDABLE)

FOR OFFICE USE ONLY:
DATE SUBMITTED:
REC'D BY: _____



# City of Casper Planning Division

## Zoning/Zone Change Application

### OWNER/PETITIONER'S INFORMATION:

NAME: Brent Malili  
ADDRESS: 2180 South 1300 East #240, Salt Lake City UT 84106  
TELEPHONE: 801-918-5128 EMAIL: bmalili@forzadevco.com

I/WE, THE UNDERSIGNED, HEREBY PETITION THE CITY TO ZONE/REZONE THE FOLLOWING DESCRIBED REAL PROPERTY:

LEGAL DESCRIPTION: LOT 60, "LONGVIEW ADDITION NO. 2" TO THE CITY OF CASPER, NATRONA COUNTY, WYOMING ACCORDING TO THE PLAT RECORDED AUGUST 23, 1974 IN BOOK 252 OF DEEDS, PAGE 350.  
STREET ADDRESS: 410 SE WYOMING BLVD CASPER, WY 82609  
FROM EXISTING ZONING DISTRICT: PUD  
TO PROPOSED ZONING DISTRICT: C-2

UPON THE ZONING/REZONING OF THE ABOVE-DESCRIBED REAL PROPERTY, I (WE) PROPOSE TO USE THE PROPERTY FOR THE FOLLOWING PURPOSES (BRIEF STATEMENT OF FACTS AND JUSTIFICATION FOR REZONING):

We are proposing a zone change from PUD to C-2 for the purpose of constructing a commercial retail building.  
After a pre-development meeting with the planning department, it was determined that it is in the best interest of the city and our development to pursue a zone change. A zone change gives us more options of what we can construct on our property.

The following owners' signatures signify that all information on the application is accurate and correct to the best of the owners' knowledge.

SIGNATURE OF PROPERTY OWNER: *Charles W. Hilde*

SIGNATURE OF PROPERTY OWNER: \_\_\_\_\_

DATE: 7/14/2023

### SUBMIT TO:

Community Development Department  
Planning Division  
200 N David, RM 203  
Casper, WY 82601  
Phone: 307-235-8241  
E-mail: [ccollins@casperwy.gov](mailto:ccollins@casperwy.gov)

### A COMPLETE SUBMITTAL MUST INCLUDE:

- COMPLETED APPLICATION, INCLUDING ORIGINAL SIGNATURES OF ALL OWNERS
- PROOF OF OWNERSHIP
- \$750 APPLICATION FEE (NON-REFUNDABLE)

FOR OFFICE USE ONLY:  
DATE SUBMITTED:  
  
REC'D BY: \_\_\_\_\_



# City of Casper Planning Division

## Zoning/Zone Change Application

### OWNER/PETITIONER'S INFORMATION:

NAME: Brent Malili  
ADDRESS: 2180 S. 1300 E. Ste 240, Salt Lake City Ut 84106  
TELEPHONE: 801-918-5128 EMAIL: bmalili@forzadevco.com

I/WE, THE UNDERSIGNED, HEREBY PETITION THE CITY TO ZONE/REZONE THE FOLLOWING DESCRIBED REAL PROPERTY:

LEGAL DESCRIPTION: ; LONGVIEW #2 LOT 59 COMMERCIAL  
STREET ADDRESS: Parcel: 3379-12-20-8-00800; SE WYOMING BLVD, CASPER WY 82609  
FROM EXISTING ZONING DISTRICT: PUD  
TO PROPOSED ZONING DISTRICT: C-2

UPON THE ZONING/REZONING OF THE ABOVE-DESCRIBED REAL PROPERTY, I (WE) PROPOSE TO USE THE PROPERTY FOR THE FOLLOWING PURPOSES (BRIEF STATEMENT OF FACTS AND JUSTIFICATION FOR REZONING):

We are proposing a zone change from PUD to C-2 for the purpose of construction a commercial retail building. After a pre-development meeting with the planning department, it was determined that is in the best interest of the city and our development, to pursue a zone change. A zone change gives us more options of what we can construct on our property.

The following owners' signatures signify that all information on the application is accurate and correct to the best of the owners' knowledge.

SIGNATURE OF PROPERTY OWNER: *Christopher W. Hatch*  
SIGNATURE OF PROPERTY OWNER: Christopher W. Hatch  
DATE: 7/26/2023

### SUBMIT TO:

Community Development Department  
Planning Division  
200 N David, RM 203  
Casper, WY 82601  
Phone: 307-235-8241  
E-mail: ccollins@casperwy.gov

### A COMPLETE SUBMITTAL MUST INCLUDE:

- COMPLETED APPLICATION, INCLUDING ORIGINAL SIGNATURES OF ALL OWNERS
- PROOF OF OWNERSHIP
- \$750 APPLICATION FEE (NON-REFUNDABLE)

### FOR OFFICE USE ONLY:

DATE SUBMITTED:

REC'D BY: \_\_\_\_\_



10/11/2021 8:01:04 AM

NATRONA COUNTY CLERK

Pages: 1

Tracy Good  
Recorded: SA  
Fee: \$12.00  
First American Title Insurance Com

1112812

File No.: 4511-3772341 (JD)

WARRANTY DEED

Falgers Inc., a Kansas corporation, grantor(s) of Natrona County, State of WY, for and in consideration of Ten Dollars and Other Good and Valuable Consideration, in hand paid, receipt whereof is hereby acknowledged, Convey and Warrant To

CURVE TV, LLC, a Utah limited liability company, grantee(s),

whose address is: 2180 South 1300 East, Suite 240, Salt Lake City, UT 84106 of Salt Lake County and State of UT, the following described real estate, situate in Natrona County and State of Wyoming, to wit:

LOT 9A, OF "LOT 9A AND LOT 9B, LUKER ADDITION" TO THE CITY OF CASPER, NATRONA COUNTY, WYOMING ACCORDING TO THE PLAT RECORDED JANUARY 29, 1996 AS INSTRUMENT NO. 573537

AND

LOT 59, "LONGVIEW ADDITION NO. 2" TO THE CITY OF CASPER, NATRONA COUNTY, WYOMING ACCORDING TO THE PLAT RECORDED APRIL 23, 1974 IN BOOK 252 OF DEEDS, PAGE 350

Subject to all covenants, restrictions, reservations, easements, conditions and rights appearing of record.

Hereby releasing and waiving all rights under and by virtue of the homestead exemption laws of the State of Wyoming.

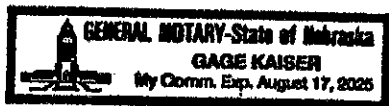
Witness my/our hand(s) this 6<sup>th</sup> day of October, 2021.

Falgers Inc., a Kansas corporation

By: James Hruska  
Name: James Hruska  
Title: President

State of Nebraska )  
)ss.  
County of Lancaster )

This instrument was acknowledged before me on this 6<sup>th</sup> day of October, 2021 by James Hruska, the President of Falgers Inc., a Kansas corporation.



Gage Kaiser  
Notary Public

My commission expires:



*First American*

**The Recorded Document images are displayed in the subsequent pages for following request:**

State  
**WY**

County  
**NATRONA**

Document Number  
**1124151**

**Limitation of Liability for Informational Report**

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5/13/2022 2:50:41 PM

NATRONA COUNTY CLERK

Pages: 1

Tracy Good  
Recorded: SA  
Fee: \$12.00  
First American Title Insurance Com

1124151

File No.: 4511-3895720 (KB)

WARRANTY DEED

**Bonander Properties, LLC, a Wyoming limited liability company**, grantor(s) of **Natrona** County, State of **WY**, for and in consideration of Ten Dollars and Other Good and Valuable Consideration, in hand paid, receipt whereof is hereby acknowledged, Convey and Warrant To

**Curve TV, LLC, a Utah Limited Liability Company**, grantee(s),

whose address is: **410 Southeast Wyoming Boulevard, Casper, WY 82609** of **Natrona** County and State of **WY**, the following described real estate, situate in **Natrona** County and State of **Wyoming**, to wit:

**LOT 60, "LONGVIEW ADDITION NO. 2" TO THE CITY OF CASPER, NATRONA COUNTY, WYOMING ACCORDING TO THE PLAT RECORDED AUGUST 23, 1974 IN BOOK 252 OF DEEDS, PAGE 350.**

Subject to all covenants, restrictions, reservations, easements, conditions and rights appearing of record.

Hereby releasing and waiving all rights under and by virtue of the homestead exemption laws of the State of Wyoming.

Witness my/our hand(s) this 13 day of May, 2022.

Bonander Properties, LLC, a Wyoming limited liability company

By:

Name: Dana Bonander  
Title: Managing Member

By:

Name: Richard A. Bonander  
Title: Managing Member

State of **Wyoming** )  
 )ss.  
County of **Natrona** )

This instrument was acknowledged before me on this 13 day of May, 2022 by **Dana Bonander & Richard A. Bonander**, the **Managing Members** of **Bonander Properties, LLC**.




Notary Public

My commission expires: 10/29/23

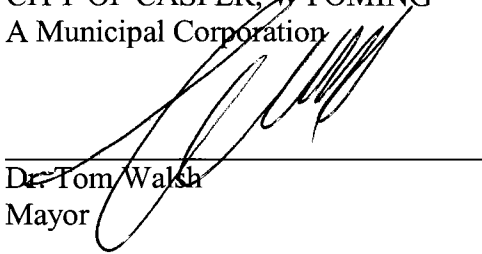
PASSED on second reading this 7th day November, 2000.

PASSED, APPROVED AND ADOPTED on third and final reading this 21st day of November, 2000.

ATTEST:

  
\_\_\_\_\_  
V. H. McDonald  
City Clerk

CITY OF CASPER, WYOMING  
A Municipal Corporation

  
\_\_\_\_\_  
Tom Walsh  
Mayor

ORDINANCE NO. 25-00

AN ORDINANCE APPROVING THE REZONING OF LOTS 9A AND 9B, LUKER ADDITION, AND LOTS 58, 59, AND 60, LONGVIEW ADDITION #2.

WHEREAS, Lot 9B, Luker Addition, is owned by L&L Investments, a Wyoming Limited Partnership. Lot 9A, Luker Addition and Lot 59, Longview Addition #2 are owned by Gulley Brothers, LLC, a Wyoming Limited Liability Company. Luker Realty Company, a Wyoming Corporation, now known as LRC, Inc. owns Lot 58, Longview Addition #2. Lot 60, Longview Addition #2 is owned by Community First Bank of Wyoming; and,

WHEREAS, the owners have made application to rezone Lots 9A and 9B, Luker Addition, and Lots 58, 59, and 60, Longview Addition #2; from R-4 (High Density Residential), C-2 (General Business) and C-4 (Highway Business) to PUD (Planned Unit Development) District; and,

WHEREAS, the City of Casper Planning and Zoning Commission approved the rezoning of Lots 9A and 9B, Luker Addition, and Lots 58, 59, and 60, Longview Addition #2; with a 'do pass' recommendation following a public hearing on September 26, 2000; and,

WHEREAS, it is the desire of the governing body of the City of Casper to approve said rezoning within the City of Casper, Wyoming.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CASPER, WYOMING:

SECTION 1:

That the following standards, as set forth in Casper Municipal Code 17.52.020 are found to be satisfied:

- A. The PUD is compatible with the goals and policies of the City Master Plan and other applicable adopted plans and policies;
- B. The PUD is compatible with the area surrounding the project site and places no greater demand on existing City facilities and services than can be furnished by the City;
- C. The PUD promotes the efficient use of land by means of more economical arrangement of buildings, circulation systems, land uses, densities, and utilities;
- D. The PUD provides for usable and suitably located open space such as, but not limited to, bicycle paths, playground areas, courtyards, tennis courts, swimming pools, planned gardens, outdoor seating areas, outdoor picnic areas, and similar open space;
- E. The PUD demonstrates flexibility and quality in design to permit diversification in the location, type, and uses of structures;



- F. The PUD combines and coordinates architectural styles, building forms, and building relationships within the development and in concert with adjacent and surrounding land and development;
- G. The PUD minimizes impact on adjacent zoning districts by limiting building heights, providing screening and/or other buffers;
- H. The PUD preserves and utilizes where possible, existing landscape features and amenities and encourages the harmonious combination of such features with structures and other improvements;
- I. The PUD is designed and developed as a whole under the control of one (1) owner, partnership, corporation, or agency;
- J. The PUD consists of such a mixture of uses, density, or characteristic or creative design;
- K. The PUD constitutes a buffer zone between existing land uses and existing zones;
- L. The PUD consists of a land area of a minimum of one and one-half (1 ½) acres in size.

SECTION 2:

That over eighteen percent (18%) of the total land area is retained as usable open space.

SECTION 3:

That Lots 9A and 9B, Luker Addition, and Lots 58, 59, and 60, Longview Addition #2; shall be rezoned from R-4 (High Density Residential), C-2 (General Business) and C-4 (Highway Business) to PUD (Planned Unit Development) District; and,

SECTION 4:


This ordinance shall be in full force and effect from and after passage on three readings and publication.

PASSED on 1st reading the 17th day of October, 2000.

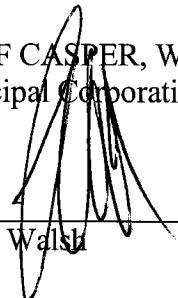
PASSED on second reading this 7th day November, 2000.

PASSED, APPROVED AND ADOPTED on third and final reading this 21st day of November, 2000.

ATTEST:

  
 \_\_\_\_\_  
 V. H. McDonald  
 City Clerk

CITY OF CASPER, WYOMING  
 A Municipal Corporation

  
 \_\_\_\_\_  
 Dr. Tom Walsh  
 Mayor

ORDINANCE NO. 26-00

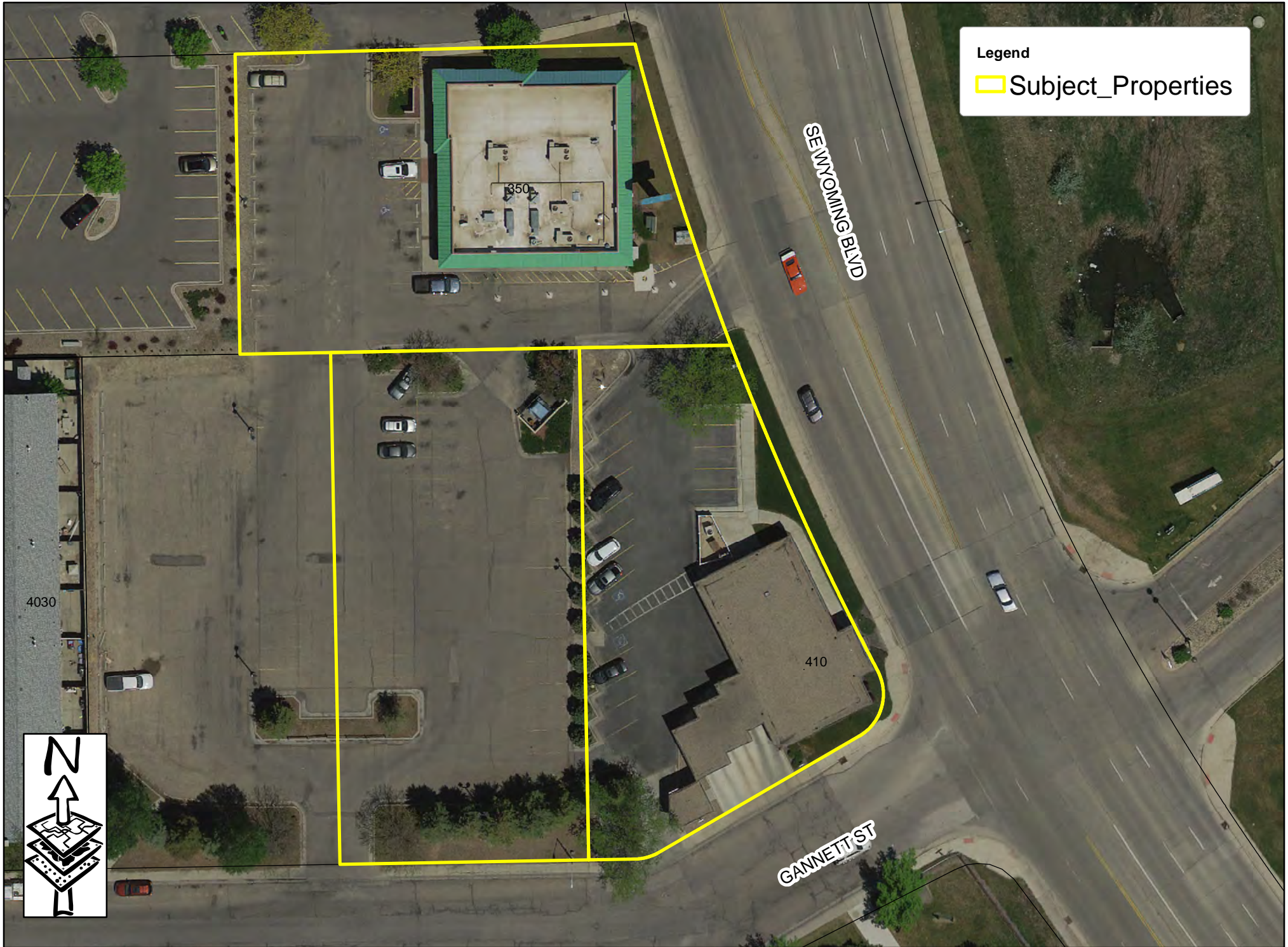
AN ORDINANCE AMENDING CERTAIN SECTIONS  
 OF CHAPTER 1.01 OF THE CASPER MUNICIPAL  
 CODE, PERTAINING TO CODE ADOPTION.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING  
 BODY OF THE CITY OF CASPER, WYOMING:

Section 1:

Section 1.01.010 is hereby amended to read as follows:

# Proposed Rezoning



Legend  
Subject\_Properties



SE WYOMING BLVD

GANNETT ST

350

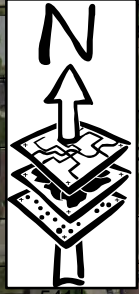
4030

410

# Proposed Rezoning



**Legend**  
Subject\_Properties







**BANK OF THE WEST**

**BANK OF THE WEST**

**WILSON'S**

**WILSON'S**

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Google Earth

[Report a problem](#)

43850°50'11" N, 106816°16'58" W, elev. 5288 ft., eye alt. 5232 ft.



© 2023 Google

Google Earth



Village

Village  
Inn  
Restaurant



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Google Earth

Report a problem



September 8, 2023

MEMO TO: Michael McIntosh, Chairperson  
Members of the Planning and Zoning Commission

FROM: Liz Becher, Community Development Director   
Craig Collins, AICP, City Planner

SUBJECT: **CUP-488-2023** – Request for a Conditional Use Permit (CUP) to allow for a second accessory building in excess of the 400 square foot limitation, to allow for the construction of a 1,152 square foot greenhouse, located at 2100 South Cedar Street. Said property is more particularly described as “Community Park Addition”, Block 24, Lots 1-4 Incl ELY PT, Lots 5-8 & Vacated alley traversing Block 24; & Community Park #2 Addition, Block 38, Lot 1 TRI TR in N. PT. Applicant: Shannon Colgan.

Recommendation:

The Planning and Zoning Commission may approve the requested Conditional Use Permit after consideration of public testimony and the facts of the case as presented during the public hearing:

- If all minimum regulations/standards of the Municipal Code are satisfied; and,
- After consideration of any relevant factors, including, but not limited to those articulated in Section 17.12.240(H) (*outlined on page 2*) and upon finding that the request is in keeping with the two (2) required findings listed in Section 17.12.240(G) (*outlined on pages 2-3*).

*Should the Planning and Zoning Commission vote to approve the requested Conditional Use Permit, staff recommends the inclusion of the condition below to reiterate the time limitation on Conditional Use Permit approvals.*

1. Pursuant to Section 17.12.240(I) of the Casper Municipal Code, the Conditional Use Permit shall be “exercised,” and all conditions shall be met within one (1) year of the date of approval, or the Conditional Use Permit shall become null and void.

Code Compliance:

Staff has completed all public notice requirements of Section 17.12.240 of the Casper Municipal Code pertaining to Conditional Use Permits, including notification of property owners within three hundred (300) feet by first class mail, posting a sign on the property, and publishing legal notice in the Casper Star-Tribune. **Staff has not received any comments on this case.**

## APPLICABLE REGULATIONS & STANDARDS

- Section 17.12.121(F)(4) – Detached garages and/or **accessory buildings** shall not exceed 1,500 square feet, nor cover more than 15% of the total area of the lot or lots associated with the primary residence, whichever is less. **A Conditional Use Permit is required for detached garages and/or accessory buildings that exceed this limitation.**
- Section 17.12.121(F)(6) – Accessory buildings shall be similar in design, exterior residential materials, and roof pitch to the principal and/or surrounding residential neighboring buildings. Vertical metal siding is expressly prohibited.
- Section 17.12.121(I) – A **detached garage** and **two accessory buildings may be allowed** in association with the principal building. The detached garage is limited in size as set forth in subsection (F)(4) (*shown above*), and **the two accessory buildings shall not exceed a combined total of four hundred square feet** in area at the maximum exterior wall dimension.
- Section 17.12.240(I) – In any case in which a Conditional Use Permit has not been exercised and the work completed within one (1) year from the date of issuance, such permit shall be void and have no further force or effect.

## RELEVANT FACTORS

Section 17.12.240(H) - In making its findings, the Commission shall consider any relevant factors, including, but not limited to, the following, if applicable to the proposed use:

- a. Area and height to be occupied by buildings or other structures.
- b. Density of the proposed use in terms of units per acre and the number of offices, employees, occupants, or all three.
- c. Volume of business in terms of the number of customers per day.
- d. Increased traffic congestion or hazard caused by the use which may be over and above normal traffic for the area, as determined by the City Engineer and Community Development Director.
- e. Location of use with respect to the same or similar uses within a three hundred foot (300') radius of the perimeter of the described property.
- f. Any other criteria affecting public health, safety, and welfare, as provided for by written rules of the Commission.

## REQUIRED FINDINGS

Section 17.12.240(G) of the Casper Municipal Code states that no conditional use permit shall be granted unless the Commission finds the following:

1. The Conditional Use is consistent with the spirit, purpose, and intent of this Title; will not substantially impair the appropriate use of neighboring property; and will serve the public need, convenience, and welfare;
2. The Conditional Use is designed to be compatible with adjacent land uses and the area of its location.

## GUIDANCE ON CONDITIONS

Pursuant to Section 17.12.240(I) of the Casper Municipal Code, the Commission may impose reasonable conditions on a Conditional Use Permit, including, but not limited to, time limitations, requirements that one or more things be done before construction is initiated, or conditions of an ongoing nature. By way of illustration, not limitation, the following limitations or modifications can be placed upon a Conditional Use Permit, to the extent that such conditions are necessary to ensure compliance with the criteria of Section 17.12.240(G) and (H):

1. Size and location of site;
2. Street and road capacities in the area;
3. Ingress and egress to adjoining public streets;
4. Location and amount of off-street parking;
5. Internal traffic circulation systems;
6. Fencing, screening, and landscaped separations;
7. Building bulk and location;
8. Usable open space;
9. Signs and lighting; and,
10. Noise, vibration, air pollution and other environmental influences.

### Summary:

The owners of the property located at 2100 South Cedar Street have applied for a Conditional Use Permit) to allow for a second accessory building in excess of the 400 square foot limitation, in order to construct a 1,152 square foot greenhouse.

### Subject Property Information

- Zoning – R-2 (One Unit Residential)
- Lot Size – 0.8547-acres (37,231 sf)
- Minimum Lot size in an R-2 (One Unit Residential) zoning district – 4,000 sf
- Existing Land Uses in Area – Single-Unit Residences.
- Adjacent Zoning – R-2 (One Unit Residential) on north, east and west; R-1 (Residential Estate) on the south.

- Structures currently on site – Single-unit, residence, and a 975 square foot detached garage.

The intent of Section 17.12.121, and the way that it has always been interpreted in the past, is to allow for one (1) large detached garage/accessory building, and up to two (2) smaller “sheds.” The larger, detached garage/accessory building is permitted to be up to 1,500 square feet in size, or 15% of the lot area, whichever is greater. The two (2) “sheds” are limited to a combined 400 square feet in size. The Planning and Zoning Commission has considered numerous Conditional Use Permits for detached garages/accessory buildings larger than 1,500 sf, or 15% of the lot area, pursuant to Section 17.12.121(F)(4).

In that there is an existing, detached garage on the property already, any additional detached structures/sheds are limited to a maximum of 400 square feet (combined). In the past the interpretation of Section 17.12.121(F)(4) has been that the ability to apply for an oversized structure applies ONLY to the main, detached garage/accessory building, and not the smaller “sheds.” However, in plain language, the verbiage of Section 17.12.121(F)(4) is somewhat confusing, and unclear. Given the lack of clarity, the applicants are requesting a Conditional Use Permit to allow for the construction of 1,152 square foot, detached structure (greenhouse), in excess of the 400 square feet permitted.

The Planning and Zoning Commission have never considered a similar request, as far as staff knows. As with all Conditional Use Permit requests, when determining whether to approve or deny the request, the Planning and Zoning Commission should consider each of the relevant factors found in Section 17.12.240(H) (*listed on page 2 of this staff report*).

---

To assist the Commission in making motions for cases that require clearly-articulated legal findings, staff provides the following sample motions:

**To make a motion to APPROVE the Conditional Use Permit, state the following:**

*“I note that the Planning and Zoning Commission has considered all relevant factors (pg. 2 of this staff report), including, but not limited to, those set forth in Section 17.12.240(H), and find that:*

1. *The Conditional Use is consistent with the spirit, purpose, and intent of this Title; will not substantially impair the appropriate use of neighboring property; and will serve the public need, convenience, and welfare;*
2. *The Conditional Use is designed to be compatible with adjacent land uses and the area of its location.*

*On this basis, I move to APPROVE the Conditional Use Permit for (specify which case) with the recommended condition stated in the staff report.”*

**To make a motion to DENY the Conditional Use Permit, state the following:**

*“I move to DENY the Conditional Use Permit for (specify which case) because it does not meet the two (2) findings (pg. 3) necessary for approval under Section 17.12.240(G).”*



# City of Casper Planning Division

## Conditional Use Permit Application

### OWNER'S INFORMATION:

NAME: Shannon Colgan \_\_\_\_\_

MAILING ADDRESS: 2100 S Cedar St, Casper, WY 82601 \_\_\_\_\_

TELEPHONE: 970-698-0046 \_\_\_\_\_ EMAIL: [sacolgan81@gmail.com](mailto:sacolgan81@gmail.com) \_\_\_\_\_

### LOCATION OF REQUEST:

ADDRESS: 2100 S Cedar St, Casper, WY 82601 \_\_\_\_\_

LEGAL DESCRIPTION: COMMUNITY PK BLK 24 LOT 1-4 INCL ELY PT, 5-8 ALL & VAC ALLEY TRAVERSING BLK 24 & COMMUNITY PK #2 BLK 38 LOT 1 TRI TR IN N PT

Number of Lots: 4+ \_\_\_\_\_ Size of Lots: 0.8547 acres/ 37,231 sf \_\_\_\_\_

Current Zoning: Residential \_\_\_\_\_ Current Use: Residential \_\_\_\_\_

Purpose for which the property is proposed to be used: Greenhouse for home business with no farm stand or commercial sales on site. Requesting 2<sup>nd</sup> accessory building over the 400 sf limitation.

Prior restrictions placed on the property: None

Floor area square footage: 3,423 sf \_\_\_\_\_ Number of Occupants or Employees: 2 \_\_\_\_\_


Building Footprint: 2,046 sf \_\_\_\_\_ Number of off-street parking spaces: 6 \_\_\_\_\_

### A PLOT PLAN (Simple Site Plan) IS REQUIRED, SHOWING:

(WHERE APPLICABLE)

- |                               |                                |                                     |
|-------------------------------|--------------------------------|-------------------------------------|
| lot size and dimensions       | size and location of buildings | off-street parking spaces           |
| routes for ingress and egress | internal traffic control       | fencing, screening, and landscaping |
| signs and lighting            | setback distances              |                                     |

The following owner's signature, or agent, signifies that all information on the application is accurate and correct to the best of the owner's knowledge, and that the owner has thoroughly read and understands all application information and requirements.

SIGNATURE OF PROPERTY OWNER:  Shannon A. Colgan \_\_\_\_\_

DATE: August 10, 2023 \_\_\_\_\_

### SUBMIT TO:

Community Development Department  
Planning Division  
200 N David, RM 203  
Casper, WY 82601  
Phone: 307-235-8241  
E-mail: [ccollins@casperwy.gov](mailto:ccollins@casperwy.gov)

### A COMPLETE SUBMITTAL MUST INCLUDE:

- COMPLETED APPLICATION, INCLUDING ORIGINAL SIGNATURES FROM OWNER
- PROOF OF OWNERSHIP
- \$600 APPLICATION FEE (NON-REFUNDABLE)
- PLOT PLAN (Simple Site Plan) OF
- THE PROPERTY

### FOR OFFICE USE ONLY:

DATE SUBMITTED:

REC'D BY: \_\_\_\_\_

lot size and dimensions: 0.8547 acres/ 37,231 sf

Property lines: marked in red on map below

North line 187' Long, East line 205' long, West line 280' long, South line 205' total long

size and location of buildings: See below

off-street parking spaces: N/A

routes for ingress and egress: See driveway marked in orange on map below

internal traffic control : N/A

fencing, screening, and landscaping : See map below

signs and lighting : N/A

setback distances : North fence 25' from street, East fence 13' from street, South fence on property line, West fence 36' from adjoining property



187' Fence setback 25' from street

Fence set back 40'

GH  
24'x48'

Fence set back 13' from street -->

205'

$42^{\circ}49'42''N$

280'

0'12" W

$106^{\circ}20'11''W$

$106^{\circ}20'10''W$

$106^{\circ}20'10''W$

$42^{\circ}49'41''N$

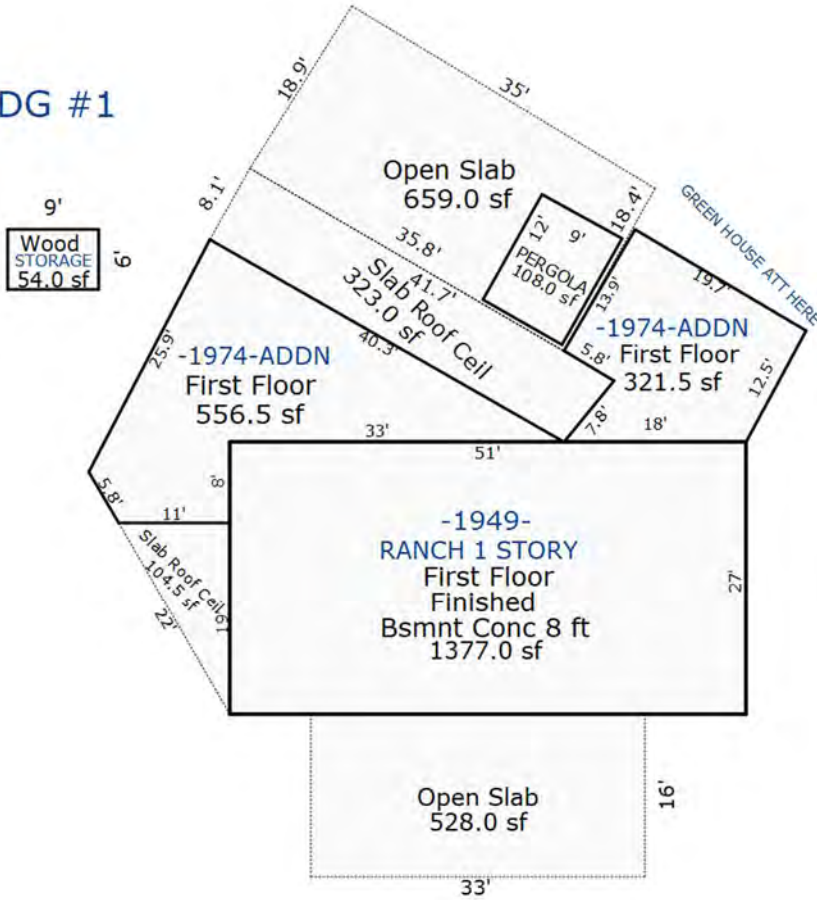
85'

120'

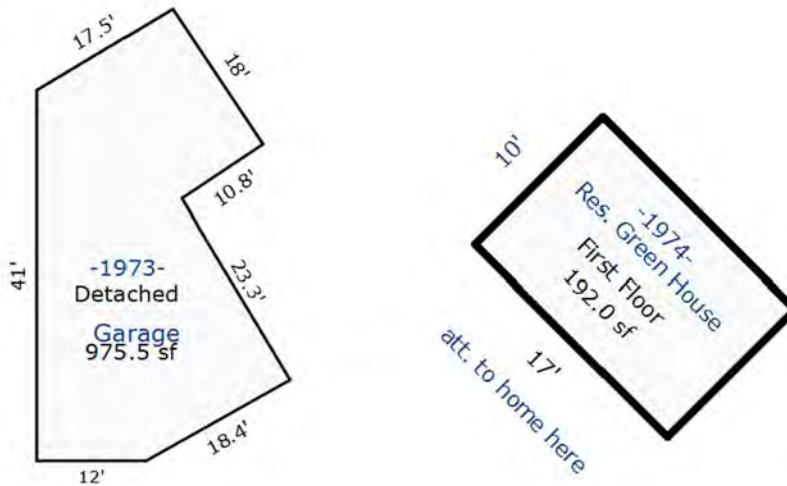


Existing buildings: (photos from assessor website)

### BLDG #1



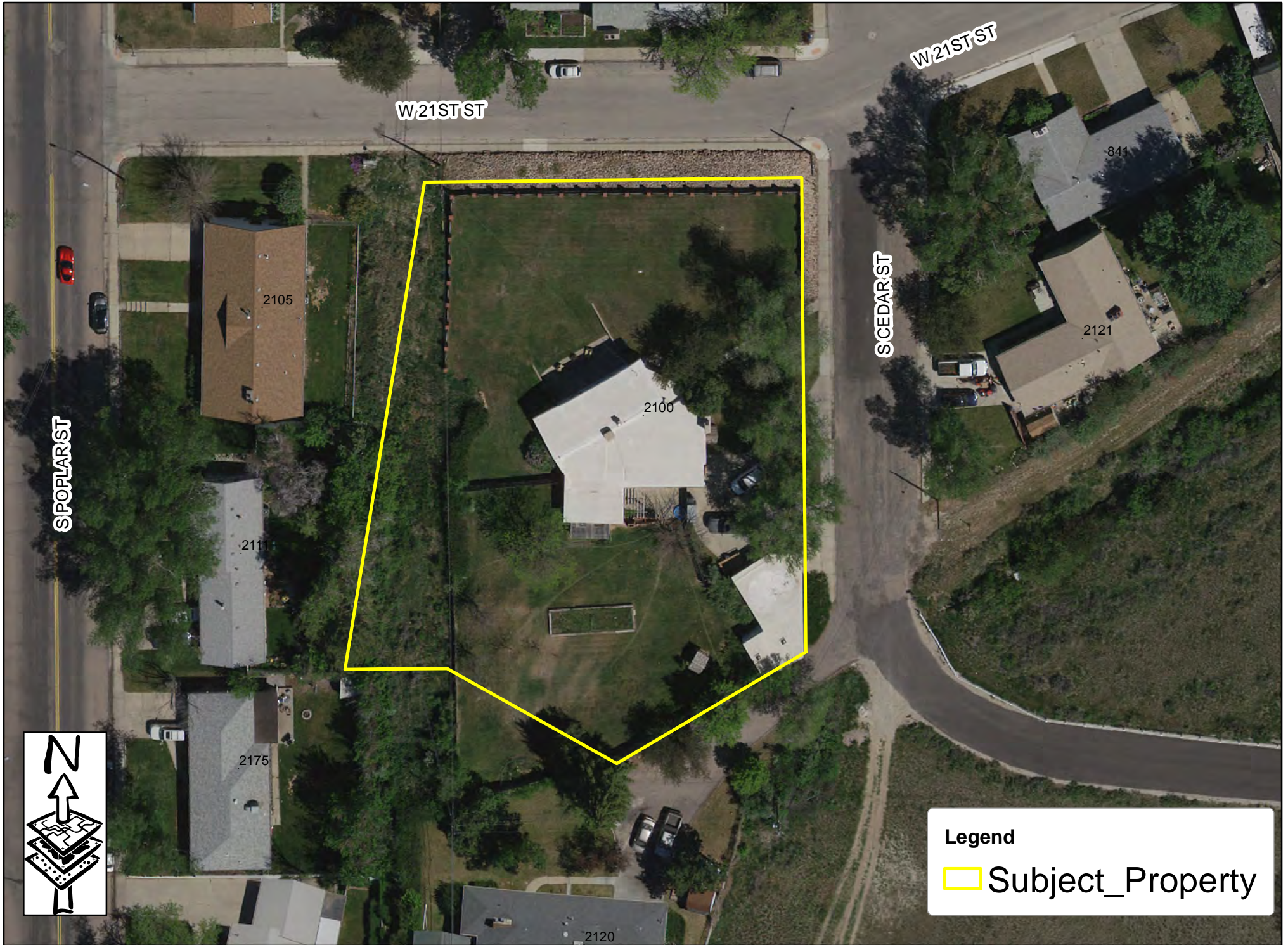
### BLDG. #2



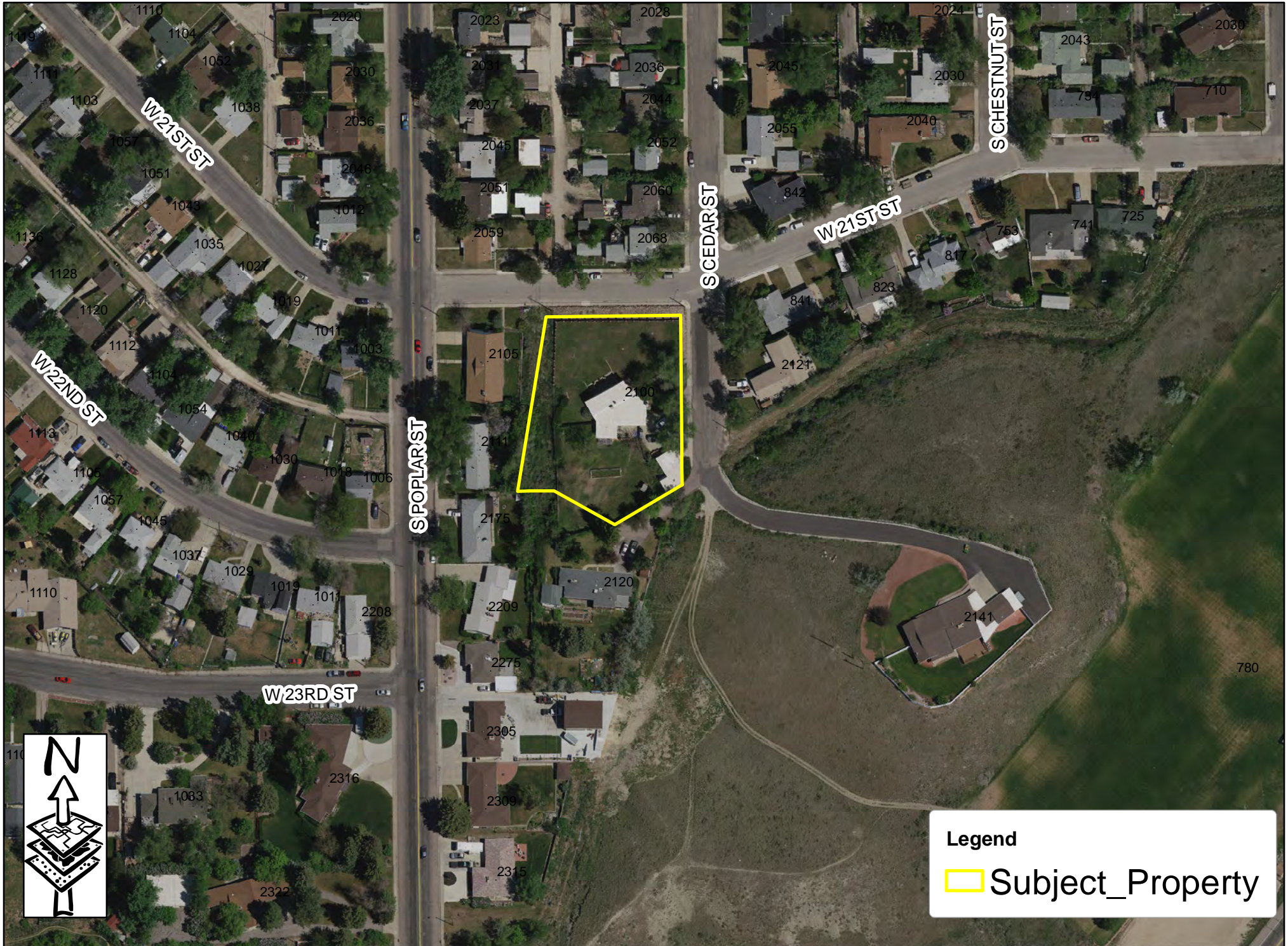




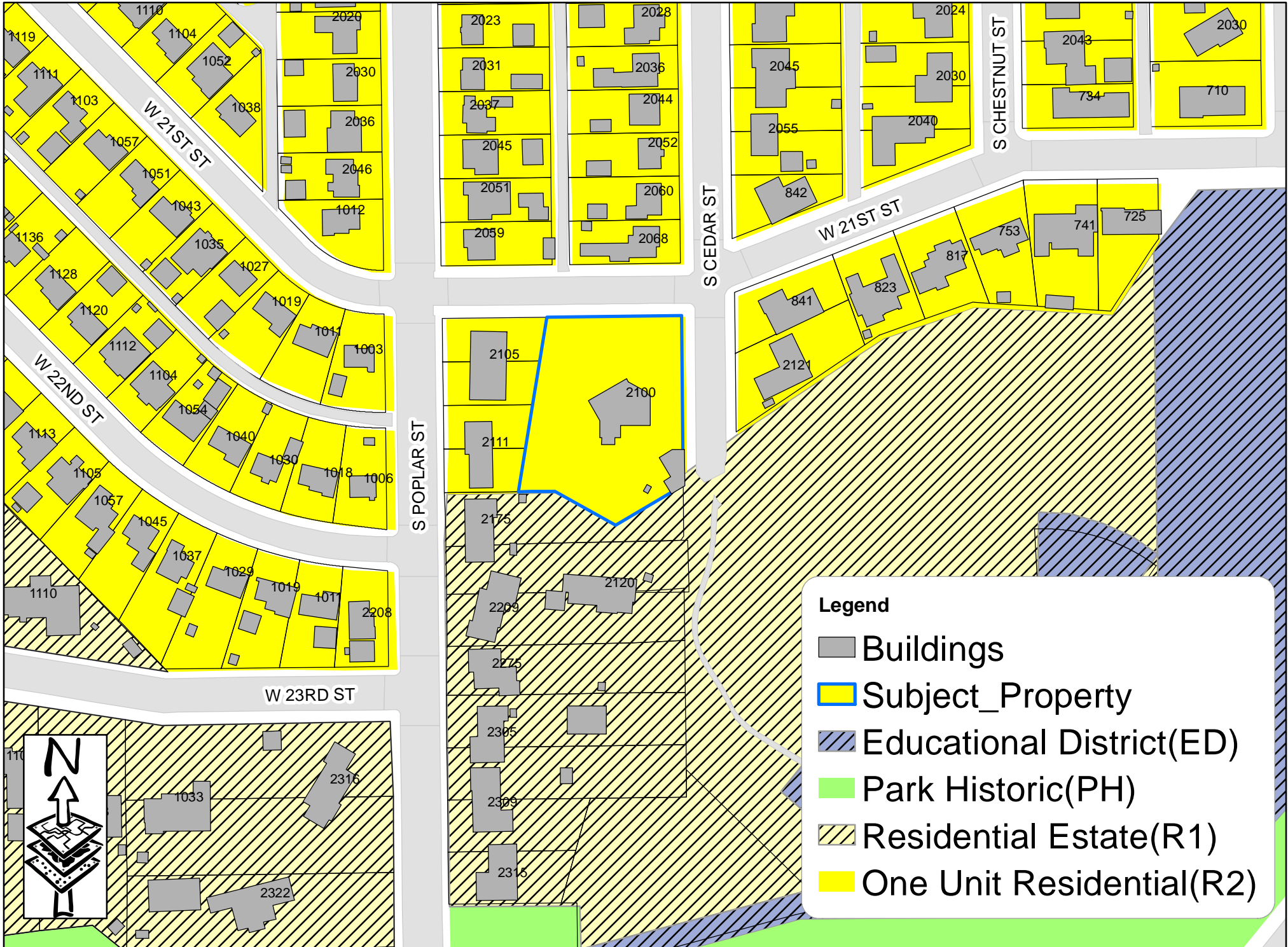
# 2100 S. Cedar - Conditional Use Permit Request



# 2100 S. Cedar - Conditional Use Permit Request



# 2100 S. Cedar - Conditional Use Permit Request











NO  
OUTLET



CASPER HISTORIC PRESERVATION COMMISSION  
MINUTES OF THE REGULAR MEETING  
**August 14, 2023**

Present: Connie Hall, Jeff Bond, Robin Broumley, Carolyn Buff, Randy Hein, Anthony Jacobsen, Bob King, John Lang

Absent: Tammie Chappell, Maureen Lee, Paul Yurkiewicz

Staff: Craig Collins, City Planning Department  
Barb Santmire, Administrative Assistant III

Guests: Michael McIntosh, Planning & Zoning Commission Liaison  
Katelynn Larsen  
Laurie Rigg

*Chairperson Connie Hall called the meeting to order at 8:30 a.m.*

### **Approval of Minutes**

Chairperson Hall asked for approval of the July 10, 2023 meeting minutes. With no corrections, the minutes were approved.

### **New Business**

Thank you card for Haass house visit – A card was signed by all members present and will be mailed out shortly.

### **Old Business**

#### **Ornaments for 2023**

- Craig and Barb are working with the City Finance Department to determine how to manage funds (and inventory). It appears the most efficient way is going to be to have all sales managed by Fort Caspar.
- Ornaments should be ready 6-8 weeks from date of order and will be ordered this week
- Final sale price will be \$20+tax per ornament; all ornaments must be purchased and picked up at Fort Caspar (there will be no shipping)

- Each box will have a short summary of NCHS and will be individually numbered as x/500
- Marketing
  - City Staff
    - Press Release – general media, City website, Fort Caspar website (?)
  - Commission
    - Facebook
    - In person / Events (maybe have flyers to hand out?)

OYD Committee Update - There was no June meeting, but the Utility Box Wrap Sub Committee met with a representative of Rocky Mountain Power and reviewed areas where wraps might be completed. There are 3 utility boxes behind Black Tooth that will be done. Wraps must ensure the official warning stickers remain visible. The wraps will feature old photos of Casper.

P&Z Commission – There were 2 cases in August. The first is the rebuild of a ADU at the corner of CY and 13<sup>th</sup> which is part of a complete renovation of that property. The second was a request to build a nail salon in a residential dwelling which was tabled due to the applicant needing a complete site plan completed.

Demolition Permits – There was no report.

Social Media/Outreach/Education – There was no report

Field Visits/Tours – New potential tour opportunities include Old Yellowstone Garage and the Marathon Building. These will be added to the list and the owners contacted to see if they would be open to having the Commission tour the building.

### **Other Business**

- City Staff has been in contact with the Pathways National Heritage Area group. They have offered to come present to the Commission. Commission members requested City Staff arrange for a presentation.
- Visit Casper prints the Historic Tours brochure. Jeff will reach out to them to ensure any new printings include the correct verbiage for Caspar Collins as well as adding a link to the CHPC Facebook page and the QR code to access the online brochure.

The next meeting will be held September 11<sup>th</sup> at 8:30 am in Suite 560 (5<sup>th</sup> Floor Green Room) at 123 W 1<sup>st</sup> St (Casper Business Center).

(Minutes prepared by Barb Santmire)

Respectfully submitted,

Chairperson  
Casper Historic Preservation Commission