

**PLANNING AND ZONING MEETING
TUESDAY, OCTOBER 25, 2011
CITY COUNCIL CHAMBERS**

These minutes are a summary of the meeting. For full details view online at www.casperwy.gov on the Planning Commission web page.

The Planning and Zoning Commission held a meeting at 6:00 p.m., on Tuesday, October 25, 2011, in the Council Chambers, City Hall, 200 North David Street, Casper, Wyoming.

Members Present: Erich Frankland
Fred Maguire
Joel Burdess
C. Paul Stober
Monte Herie
Mary England

Absent Members: Mary England
Jim Saylor

Others present: Craig Collins, Associate Planner
Constance Lake, Planning Technician
Dee Hardy, Administrative Secretary
Wallace Trembath, Assistant City Attorney
Andrew Beamer, City Engineer
Kim Holloway, Council Liaison
Mike Sawyer, 125 College Drive
Randy Hall, 550 North Poplar Street
Anthony Paul Barella 512 East 13th Street
John Drugan, 504 East 13th Street
Jody Hagen, 513 East 12th Street

II. MINUTES OF THE PREVIOUS MEETING

Chairman Frankland asked if there were additions or corrections to the minutes of the

September 27, 2011 Planning & Zoning Commission meeting.

Chairman Frankland called for a motion to approve the minutes of the September 27, 2011 Planning & Zoning Commission.

Mr. Maguire made a motion to approve the minutes of the September 27, 2011 meeting. The motion was seconded by Mr. Henrie. All those present voted aye. Motion carried.

III. PUBLIC HEARINGS

The Chairman advised the applicants that it takes four (4) affirmative votes to carry any motion not just a majority of those commission members present. Anything less than four (4) votes is a denial. Applicants can postpone their public hearing until next month in anticipation of more Planning Commission members being present, if they so desire.

PLN-11-046-ZS – *(Continued from September 27, 2011)* Petition for a zone change of Lot 1, Methodist Church Addition, from zoning classification R-1 (Residential Estate) to PUD (Planned Unit Development), and PUD (Planned Unit Development) site plan review for construction of 46,590 sq ft, 1-story multi-unit storage facility, located at the SW corner of East 15th Street, and SE Wyoming Boulevard. Applicant 4U2C, LLC.

Constance Lake, Planning Technician, presented the staff report and recommended that the Planning and Zoning Commission withdraw Case # PLN-11-046-ZS from further consideration.

Chairman Frankland entertained a motion to withdraw Case # PLN-11-046-ZS.

Mr. Henrie made a motion to withdraw Case # PLN-11-046-ZS. The motion was seconded by Mr. Maguire. All those present voted aye. Motion carried.

The Chairman advised the applicants that it takes four (4) affirmative votes to carry any motion not just a majority of those commission members present. Anything less than four (4) votes is a denial. Applicants can postpone their public hearing until next month in anticipation of more Planning Commission members being present, if they so desire.

PLN-11-052-S – (Continued from September 27, 2011) Site plan review for the construction of 34,500 (footprint), 4-story CC/UW Student Union Building, on a portion of the Casper Community College Addition, located at 125 College Drive. Applicant: Casper College.

Constance Lake, Planning Technician, presented the staff report and recommended that the Planning and Zoning approve the site plan for the construction of the CC/UW Student Union Building, and forward a do-pass recommendation to the City Council with the following conditions:

1. The applicant shall provide a drainage plan to the City Engineer for review and approval prior to the issuance of a building permit for the project.
2. All on-site lighting shall be designed to reduce off-site glare and light pollution. All exterior lighting fixtures, including building, parking lot and pedestrian lighting, shall be shielded (full cutoff). Pursuant to the Municipal Code, no light pole may be taller than 30 feet in height.
3. Prior to the issuance of a Certificate of Occupancy, the applicant shall provide, in a form acceptable to the City, appropriate easements for public water mains.

Ms. Lake entered seven (7) exhibits into the record.

Chairman Frankland opened the public hearing and asked for the person representing the case to come forward and explain the application.

Mike Sawyer, 125 College Drive, spoke in favor of this case.

Chairman Frankland asked for anyone wishing to comment in favor of or opposition to this case.

There being no one to speak, Chairman Frankland closed the public hearing and entertained a motion to approve, approve with conditions, deny, or table PLN-11-052-S.

Mr. Burdess made a motion to approve PLN-11-052-S regarding the site plan for the construction of a CC/UW Student Union with Conditions #1-3 listed in the staff report,

and forward a “do pass” recommendation to City Council. The motion was seconded by Mr. Stober. All those present voted aye. Motion carried.

The Chairman advised the applicants that it takes four (4) affirmative votes to carry any motion not just a majority of those commission members present. Anything less than four (4) votes is a denial. Applicants can postpone their public hearing until next month in anticipation of more Planning Commission members being present, if they so desire.

PLN-11-059-R – A petition to vacate and replat all of Lots 1, 2, 3, 4, 5 & 6, and a portion of American Way, Mesa Addition No. 5, to create Mesa Addition No. 7, generally located at the northeast corner of the intersection of Talon Drive and SW Wyoming Boulevard, comprising 20.60-acres, more or less, creating 5 lots and 1 tract. Applicant: Mesa Development, Inc.

Constance Lake, Planning Technician, presented the staff report and recommended that the Planning and Zoning Commission approve the plat creating the Mesa Addition No. 7, and forward a “do pass” recommendation to the City Council with the following condition that the applicant shall submit a revised drainage study to the City Engineer for review and approval prior to the issuance of a building permit for any of the lots in Mesa Addition No. 7. The applicant, at its cost, shall re-route the storm sewer pipe based on the approved drainage study.

Ms. Lake entered six (6) exhibits into the record.

Chairman Frankland opened the public hearing and asked for the person representing the case to come forward and explain the application.

Randy Hall, 550 North Poplar Street, spoke in favor of this case.

Chairman Frankland asked for anyone wishing to comment in favor of or opposition to this case.

There being no one to speak, Chairman Frankland closed the public hearing and entertained a motion to approve, approve with conditions, deny, or table PLN-11-059-R.

Mr. Maguire made a motion to approve case PLN-11-059-R, the plat creating the Mesa Addition No. 7, with the Condition listed in the staff report and forward a “do pass” recommendation to the City Council. The motion was seconded by Mr. Stober. All those present voted aye. Motion carried.

The Chairman advised the applicants that it takes four (4) affirmative votes to carry any motion not just a majority of those commission members present. Anything less than four (4) votes is a denial. Applicants can postpone their public hearing until next month in anticipation of more Planning Commission members being present, if they so desire.

PLN-11-060-C – Petition for a Conditional Use Permit for garage walls in excess of 12' (17') and an accessory dwelling unit in an R-2 (One Unit Residential) zoning district, on Lot 8, Block 3, Butlers Addition, located at 512 East 13th Street. Applicant: Anthony Paul Barella.

Constance Lake, Planning Technician, presented the staff report and recommended that the Planning and Zoning Commission approve the request for a Conditional Use Permit for the construction of a garage with walls in excess of 12' (up to 17'), and an accessory dwelling unit in an R-2 (One Unit Residential) zoning district, located at 512 East 13th Street, with the following conditions:

1. The applicant shall remove the non-compliant addition to the northwest corner of the home prior to the issuance of a Certificate of Occupancy for the proposed detached garage structure.
2. Pursuant to the Municipal Code's accessory dwelling unit regulations, either the principal dwelling or the accessory dwelling unit must be occupied by the property owner, or an immediate family member.
3. The accessory dwelling unit shall not be segregated in ownership, or sold separately from the principal dwelling unit on the property.

Ms. Lake entered seven (7) exhibits into the record.

Chairman Frankland opened the public hearing and asked for the person representing the case to come forward and explain the application.

Anthony Paul Barella, 512 East 13th Street, spoke in favor of this case.

Chairman Frankland asked for anyone wishing to comment in favor of or opposition to this case.

John Drugan, 504 East 13th Street, spoke in favor of this case.

Jody Hagen, 513 East 12th Street, spoke of concerns of the height of the structure, drainage during construction, and parking.

Mr. Stober asked the applicant to address Ms. Hagen's concerns.

Mr. Barella, advised that there are several drivers and vehicles in the immediate family, and he would address the parking. He stated that all of the lots on the southern side of the alley slope in the same direction, and construction will be done to keep erosion, dust, and trash to a minimum. He indicated that the height of the structure would be the same as the existing home.

Joel Burdess, asked if the current garage could be used to house a vehicle.

Mr. Barella, stated the current garage was not large enough to park a car in it.

Mr. Maguire, asked if the new residence would be occupied by family members or additional occupants.

Mr. Barella, advised that the living quarters would be occupied by immediate family members.

Mr. Stober asked the applicant if the height of the structure could keep the peak the same or lower than the existing structure and whether the applicant had any concerns.

Mr. Barella, stated that his only concern would be with the snow load.

There being no others to speak, Chairman Frankland closed the public hearing and entertained a motion to approve, approve with conditions, deny, or table PLN-11-060-C.

Mr. Maguire made a motion to approve case PLN-11-060-C, to approve the request for a Conditional Use Permit for the construction of a garage with walls in excess of 12' (up to 17'), and an accessory dwelling unit in an R-2 (One Unit Residential) zoning district, located at 512 East 13th Street, for the two (2) Reasons, Findings A through F, and with Conditions #1-3 listed in the staff report. The motion was seconded by Mr. Stober. All those present voted aye. Motion carried.

IV. COUNCIL ACTIONS:

V. SPECIAL ISSUES:

VI. COMMUNICATIONS

- A. Commission.
There were none.

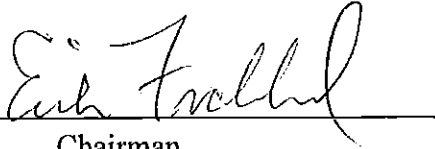
- B. Community Development Director.
There were none.


C. Other Communications.
There were none.

D. Council Liaison.
There were none.

VII. ADJOURNMENT

Chairman Frankland called for a motion for the adjournment of the meeting. A motion was made by Mr. Henrie and seconded by Mr. Maguire to adjourn the meeting. All present voted aye. Motion carried. The meeting was adjourned at 7:19 p.m.


Chairman


Secretary