

**PLANNING AND ZONING MEETING
THURSDAY, JANUARY 21, 2016
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 Thursday, January 21, 2016, in the Council Chambers, City Hall, 200 North David Street, Casper, Wyoming.

Members Present: James Holloway
Bob King
Randy Hein
Ryan Waterbury
Susan Frank
Fred Feth

Absent Members: Don Redder

Others present: Liz Becher, Community Development Director
Craig Collins, City Planner
Aaron Kloke, Planner I
Dee Hardy, Administrative Support Technician
Will Chambers, Assistant City Attorney
Jason Knopp, City Engineer
Bob Hopkins, Council Liaison
Arnold Cardenas, 1218 South Jefferson Street
Kris Gaddis, 1011 Goodstein Drive
John Bryson, 1720 South Melrose Street
Kent Ames, 6469 Ridgecrest Drive
Kevin Hawley, 234 South David Street
Brian Scott Gamroth, 222 East 2nd Street
Garry Yake, 340 South Ash Street
Lyle Murtha, 444 South Center Street
Tom Kopitnik, 136 E 6th Street
Genna Jenson, 724 South Beech Street
Renee Hahn, 700 South Beech Street

II. ELECTION OF OFFICERS

Mr. Holloway called the meeting to order. He introduced and welcomed Susan Frank and Fred Feth to the Planning and Zoning Commission.

Mr. Holloway opened the floor for nominations for the position of Chairman. Mr. Holloway nominated himself. Mr. Waterbury nominated Mr. King for Chairman. Mr. Chambers and Ms. Hardy collected the ballots and counted them. Mr. King was elected Chairman for 2016.

Mr. King thanked Mr. Holloway for his service as Chairman.

Mr. King opened the floor for nominations for the position of Vice-Chairman. Mr. King nominated Mr. Holloway for Vice-Chairman. Mr. Chambers and Ms. Hardy collected the ballots and counted them. Mr. Holloway was elected Vice-Chairman for 2016.

III. MINUTES OF THE PREVIOUS MEETING

Chairman King asked if there were additions or corrections to the minutes of the December 10, 2015 Planning & Zoning Commission meeting.

There being none, Chairman King called for a motion to approve the minutes of the December 10, 2015 Planning & Zoning Commission.

Mr. Waterbury made a motion to approve the minutes of the December 10, 2015 meeting. The motion was seconded by Mr. Hein. All those present voted aye with the exception of Ms. Frank and Mr. Feth who abstained. Minutes approved.

III. PUBLIC HEARING

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-16-001-ARZ – Petition to annex and plat a portion of the SW1/4SW1/4, Section 3, T33N, R79W, 6th P.M., Natrona County Wyoming, to create La Hacienda Addition, comprising 0.471-acres, more or less, located at 844 East 1st Street, and establish zoning as City Zoning Classification C-2 (General Business). Applicant: Arnold Cardenas and Haydee Cuevas.

Aaron Kloke, Planner I, presented the staff report and recommended that if, after the public hearing, the Planning and Zoning Commission finds that the requested annexation and plat meet the minimum requirements of the Casper Municipal Code, staff recommends that the Planning and Zoning Commission approve the requested annexation, plat and establish the

requested zoning of C-2 (General Business) and forward it to the City Council with a “do pass” recommendation.

Mr. Kloke entered eight (8) exhibits into the record for this case.

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

Arnold Cardenas, 1218 South Jefferson Street, spoke in favor of this case.

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

There being no one to speak, Chairman King closed the public hearing and entertained a motion to approve, approve with conditions, deny, or table PLN-16-001-ARZ, regarding the annexation.

Mr. Waterbury made a motion to approve case PLN-16-001-ARZ, regarding an annexation creating La Hacienda Addition, for the five (5) reasons listed in the staff report, and forward a “do pass” recommendation to City Council. The motion was seconded by Mr. Holloway. All those present voted aye. Motion carried.

Chairman King entertained a motion to approve, approve with conditions, deny, or table PLN-16-001-ARZ, regarding the plat.

Mr. Holloway made a motion to approve case PLN-16-002-ARZ regarding the plat of the La Hacienda Addition, and forward a “do pass” recommendation to City Council. The motion was seconded by Mr. Waterbury. All those present voted aye. Motion carried.

Chairman King entertained a motion to approve, deny or table PLN-16-001-ARZ, regarding the zoning.

Mr. Holloway made a motion to approve case PLN-16-001-ARZ, regarding the zoning of the La Hacienda Addition to C-2 (General Business), and forward a “do pass” recommendation to City Council. The motion was seconded by Mr. Feth. 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-16-002-R- Petition to vacate and replat Lots 10,11,12,14,15,16 a portion of Hope Street Right of Way, and Tract A of Heritage Hills No. 3, to create Heritage

Hills Addition No. 4, comprising 8.60-acres, more or less, generally located at South Beverly and East 26th Streets. Applicant: Integrity Building Group, LLC.

Aaron Kloke, Planner I, presented the staff report and recommended that if, after the public hearing, the Planning and Zoning Commission finds that the requested replat meets the minimum requirements of the Casper Municipal Codes, staff recommends that the Planning and Zoning Commission approve the requested replat and forward it to the City Council with a “do pass” recommendation with the following ten (10) conditions:

1. Prior to the issuance of building permits within Heritage Hills Addition No. 4, South Beverly Street shall be constructed, to standard City specifications as a collector street, to the south property line of proposed Lot 28.
2. South Beverly Street shall be constructed as a collector street with five (5) foot wide detached sidewalks, with street trees (deciduous, shade) planted at a maximum spacing interval of forty (40) feet on center along the frontage. Said street trees shall be a minimum of two (2) inches caliper at the time of planting, and any trees that die shall be replaced.
3. East 26th Street shall be constructed as a collector street, to standard City specifications. Depending on the paving width and ultimate configuration of the street section, as determined by the City Engineer, five (5) foot wide detached sidewalks are required unless adequate right-of-way width is not available. The City Engineer shall have the final authority to determine the street section and type of sidewalk along East 26th Street.
4. If detached sidewalks are required by the City Engineer, and adequate parkway width exists, the applicant shall plant street trees (large deciduous, shade) in said landscaped parkway at a maximum spacing interval of forty (40) feet on center along the frontage. Trees shall be a minimum of 2” caliper at the time of planting.
5. Prior to the issuance of building permits within the Heritage Hills Addition No. 4 for areas currently located in the Special Flood Hazard Area, the applicant shall complete the Letter of Map Revision (LOMR) process for the realignment of the drainage/floodplain through the subdivision.
6. Prior to the issuance of a Permit to Construct for Heritage Hills Addition No. 4, the applicant/developer shall obtain all required federal permits for the construction of South Beverly Street through the drainage/floodplain and provide copies to the City.
7. The applicant/developer shall construct a ten (10) foot wide, concrete pedestrian/bike pathway, to standard City specifications, through the drainage

easement to connect with the required pathway in the previous phases of Heritage Hills. Said pathway shall be utilized by pedestrians and bicyclists, as well as equipment and vehicles responsible for the maintenance of the drainage way. No fences, structures, or other obstructions shall be permitted within the drainage easement.

8. Pursuant to section 16.16.020(B) of the Casper Municipal Code, the applicant/developer shall construct an eight (8) foot concrete pedestrian way within the fifteen (15) foot wide pedestrian easement in Lot 21.
9. Prior to final approval of the plat by the City Council, the applicant/developer shall vacate the twenty (20) foot wide easement that lays within the new right of way for South Beverly Street and shall provide to the City an executed easement release form from the private utility company.
10. A traffic study shall be completed and the applicant/developer shall enter into a City Subdivision Agreement agreeing to any on or off-site improvements identified by said study and required by the City Engineer.

Mr. Kloke entered six (6) exhibits into the record for this case.

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

Kris Gaddis, 1011 Goodstein Drive, spoke in favor of this case.

Mr. Holloway inquired about the pie shaped wedge with the overhead power on it.

John Bryson, 1720 South Melrose, gave an explanation for the pie shaped wedge on the proposed plat.

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

There being no others to speak, Chairman King closed the public hearing and entertained a motion to approve, approve with conditions, deny, or table PLN-16-002-R, regarding the proposed Heritage Hills Addition No. 4 and forward a “do pass” recommendation to City Council.

Mr. Waterbury made a motion to approve case PLN-16-002-R, replat creating Heritage Hills Addition No. 4, with Conditions #1-10 listed in the staff report and forward a “do pass” recommendation to Council. The motion was seconded by Ms. Frank. All those present voted aye. Motion passed.

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-16-003-ARZ – Petition to annex and plat a portion of the NE1/4NE1/4, Section 22, and all of the NW1/4NW1/4, Section 23, T33N, R79W, 6th P.M., Natrona County Wyoming, comprising 41.76-acres, more or less, to create Heritage Hills Addition No. 5, generally located at South Beverly and East 28th Streets, and rezoning of same from Natrona County Zoning Classifications UA (Urban Agriculture) and SR-1 (Suburban Residential) to City Zoning Classifications R-2 (One Unit Residential) and R-3 (One to Four Unit Residential). Applicant: Integrity Building Group, LLC.

Aaron Kloke, Planner I, presented the staff report and recommended that if, after the public hearing, the Planning and Zoning Commission finds that the requested annexation and replat meet the minimum requirements of the Casper Municipal Code, staff recommends that the Planning and Zoning Commission approve the requested annexation, and the plat with the following conditions:

1. No driveways or curb cuts shall be permitted on South Beverly Street. All points of access shall be off the adjacent local streets.
2. South Beverly Street shall be constructed to City standards as a collector street, with five (5) foot detached sidewalks and large, deciduous-type street trees located within a landscaped parkway area between the sidewalk and the back of curb, at a maximum spacing interval of forty (40) feet on center. Said street trees shall be a minimum of two (2) inches caliper at the time of planting, and any trees that die shall be replaced.
3. Interior (local) streets may be constructed with either curbwalk, or with detached sidewalks, at the owner's/developer's discretion.
4. Prior to final City Council approval, a traffic study shall be completed, and the applicant shall enter into a City Subdivision Agreement agreeing to any on or off-site improvements identified by said study and required by the City Engineer.
5. South Beverly Street shall be constructed to the southern-most phase of development as construction occurs. A minimum of two (2) points of access shall be available and fully constructed to City standards for each phase of development.

and if, the Planning and Zoning Commission finds that the requested rezone meets the minimum requirements of the Casper Municipal Code, and is in conformance with the

Comprehensive Land Use Plan, staff recommends that the Planning and Zoning Commission approve the zoning of Heritage Hills Addition No. 5, as follows, and forward a “do pass” recommendation to the City Council:

Lots 26 through 33 – R-3 (One to Four Unit Residential);
Lots 48 through 63 – R-3 (One to Four Unit Residential);
Lots 78 through 93 – R-3 (One to Four Unit Residential);
Lots 108 through 115 – R-3 (One to Four Unit Residential);
All remaining lots in Heritage Hills Addition No. 5 – R-2 (One Unit Residential).

Mr. Kloke entered eight (8) exhibits into the record for this case.

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

Kris Gaddis, 1011 Goodstein Drive, spoke in favor of this case.

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

There being no one to speak, Chairman King closed the public hearing and entertained a motion to approve, approve with conditions, deny, or table PLN-16-003-ARZ, regarding the annexation.

Mr. Waterbury made a motion to approve case PLN-16-003-ARZ, regarding an annexation creating Heritage Hills Addition No. 5, for the five (5) reasons listed in the staff report, and forward a “do pass” recommendation to City Council. The motion was seconded by Mr. Hein. All those present voted aye. Motion carried.

Chairman King entertained a motion to approve, approve with conditions, deny, or table PLN-16-003-ARZ, regarding the plat.

Mr. Holloway made a motion to approve case PLN-16-003-ARZ regarding the plat of the Heritage Hills Addition No. 5, with Conditions #1-5 listed in the staff report, and forward a “do pass” recommendation to City Council. The motion was seconded by Mr. Waterbury. All those present voted aye. Motion carried.

Chairman King entertained a motion to approve, deny or table PLN-16-003-ARZ, regarding the zoning.

Mr. Holloway made a motion to approve case PLN-16-001-ARZ, regarding the zoning of the Heritage Hills Addition No. 5 to R-2 (One Unit Residential) and R-3 (One to Four Unit Residential), for the Lots listed in the staff report, and forward a “do pass” recommendation to City Council. The motion was seconded by Mr. Waterbury. 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-16-004-C – Petition for a Conditional Use Permit for the construction of an automobile repair shop in a C-2 (General Business) zoning district, on Lot 1 and North 20' of Lot 2, Block 24, Park Addition, City of Casper, located at 211 East 5th Street. Applicant: VA Resources, LLC.

Aaron Kloke, Planner I, presented the staff report and recommended that if, after the public hearing, the Planning and Zoning Commission finds that the requested Conditional Use Permit meets the two (2) reasons and six (6) findings necessary for the approval of a Conditional Use Permit found in Section 17.12.240 (G) and (H) of the Casper Municipal Code, staff recommends that the Planning and Zoning Commission articulate its findings, and further recommends that the Planning and Zoning Commission include, conditions of approval that ensure that the automobile repair shop is compatible with the neighborhood and surrounding area. Conditions should be explicit, and should address details such as, but not limited to:

1. Orientation of the structure on the lot;
2. Building architectural enhancements/features;
3. Building materials;
4. Outside storage and screening;
5. Landscaping and buffering;
6. Fencing;
7. Exterior lighting;
8. Hours of operation, as a way to mitigate noise or other disturbing influences to the neighborhood;
9. Points of access;
10. Size of structure, to include maximum or minimum floor area and/or height;
11. Signage.

Mr. Kloke entered seven (7) exhibits into the record for this case.

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

Kent Ames, 6469 Ridgecrest Drive, spoke in favor of this case.

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

Kevin Hawley, 234 South David Street, spoke in favor of this case and provided photos to the Commission.

Mr. Kloke entered photos of subject property and adjacent property as exhibit "H."

Brian Scott Gamroth, 222 East 2nd Street, spoke in favor of this case.

Garry Yake, 340 South Ash Street, spoke in favor of this case.

Lyle Murtha, 444 South Center Street, spoke in favor of this case.

Tom Kopitnik, 136 East 6th Street, spoke in opposition of this case.

Gena Jenson, 724 South Beech Street, spoke in opposition of this case.

Renee Hahn, 700 South Beech Street, spoke in opposition of this case.

Mr. Ames, 6469 Ridgecrest Drive, provided some photos.

Mr. Kloke entered photos of provided by Mr. Ames as exhibit "I."

There being no others to speak, Chairman King closed the public hearing and entertained a motion to approve, approve with conditions, deny, or table PLN-16-004-C, Conditional Use Permit for an automobile repair shop in a C-2 (General Business) zoning district, on Lot 1 and North 20' of Lot 2, Block 24, Park Addition, City of Casper, located at 211 East 5th Street.

Mr. Holloway made a motion to approve case PLN-16-004-C with Conditions to be developed. The motion was seconded by Ms. Frank.

There was discussion on:

- In-fill is good for the City,
- Eleven items listed in the staff report that should be taken into consideration for Conditions.
- Orientation of the structure on the lot,
- Imposing certain types of conditions on a private business,
- Screening and buffering of the business,
- Better renderings,
- Not enough information to place conditions on the application,
- Suggestions for the applicant regarding the provision of renderings, landscaping, and screening.
- Commission members were not comfortable deciding this case with the limited information.

Mr. Holloway made a motion to withdraw the motion to approve case PLN-16-004-C. The motion was seconded by Ms. Frank. All those present voted aye. Motion carried.

Ms. Frank made a motion to table case PLN-16-004-C. The motion was seconded by Mr. Waterbury. All those present voted aye. Motion carried.

COUNCIL ACTIONS:

There were none.

V. SPECIAL ISSUES:

There were none.

VI. COMMUNICATIONS:

A. Commission:

There were none.

B. Community Development Director:

Liz Becher, Community Development Director, informed the Commission about the Growth Boundary Agreement between the City of Casper and Bar Nunn. She stated that once this was in place the RFP to update the Comprehensive Land Use Plan could be issued.

Other Communications:

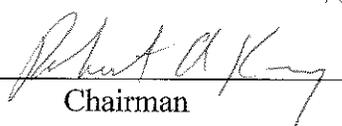
C. There were none.

D. Council Liaison:

Bob Hopkins, welcomed the new members to the Commission, and on behalf of Council thanked them for their efforts.

VII. ADJOURNMENT

Chairman King called for a motion for the adjournment of the meeting. A motion was made by Mr. Waterbury and seconded by Mr. Hein to adjourn the meeting. All present voted aye. Motion carried. The meeting was adjourned at 8:28 p.m.



Chairman



Secretary