

AGENDA
CITY OF CASPER PLANNING AND ZONING MEETING

August 10, 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.

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 July 13, 2023

III. PUBLIC HEARINGS:

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

CUP-454-2023 – 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**

2) **Old Yellowstone Advisory Committee**

E. Other Communications

VI. ADJOURNMENT – *Next Meeting of the Planning and Zoning Commission is scheduled for Thursday, September 14, 2023, at 6:00 P.M., at the LYRIC, 230 West Yellowstone Highway, Casper.*

**CASPER PLANNING AND ZONING MEETING
THURSDAY JULY 13, 2023
THE LYRIC, 230 W YELLOWSTONE**

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

Members Present: Maribeth Plocek, Terry Wingerter, Joe Hutchison, Vickery Fales-Hall, Nic Eskew

Absent Members: Michael McIntosh, Kenneth Bates

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

I. MINUTES OF THE PREVIOUS MEETING

Mr. Wingerter moved that the minutes of the June 8, 2023 Planning & Zoning Commission meeting be approved as presented. Mr. Eskew seconded the motion. With all members present voting aye, the motion carried.

II. PUBLIC HEARINGS

Case #1: SP-415-2023 – Site plan review for the construction of a 14,395 square foot church, located at 3041 Paradise Drive, Dowler No. 2 Subdivision, Tract 8, and Paradise Acres, Lot 1. Applicant: Paradise Valley Christian School. (Continued from June 8, 2023 meeting).

Craig Collins, City Planner, presented the staff report, entered 5 exhibits into the record, and noted 2 staff recommended conditions. There were no public comments submitted.

Darrin Tromble, WWC Engineering, spoke as representative for the case. PVCC is looking to expand and their current location is insufficient for their needs. This will be a new structure and will consolidate the church and the school. In response to a question by Mr. Wingerter, Mr. Tromble reported that an existing log structure on the property will be demolished.

There being no others to speak, Vice-Chairperson Hutchison closed the public hearing. Ms. Plocek made a motion to approve case **SP-415-2023** with the two conditions noted in the staff report. The motion was seconded by Mr. Wingerter. With all members present voting aye, the motion carried.

Case #2: CUP-426-2023 – Request for a Conditional Use Permit (CUP) to allow a 1,680 square foot oversized, detached garage/shop in a R-1 (Residential Estate) zoning district,

in excess of the 1,500 square foot limitation, located at 6316 White Deer Trail, River Lots Addition, Lot 16. Applicants: William and Sally Jensen.

Craig Collins, City Planner, presented the staff report, entered 6 exhibits into the record, and noted 1 staff recommended conditions. There was one (1) public comment submitted in support of the application.

William Jensen, 6316 White Deer Trail, spoke as representative for the case. Mr. Jensen met with one of his neighbors who expressed concerned about the building's placement creating a partial obstruction of the neighbor's view. They agreed that Mr. Jensen would move the building 6' to the east to lessen the impact. Mr. Jensen provided an updated plot plan, noted as Exhibit G.

There being no others to speak, Vice-Chairperson Hutchison closed the public hearing.

Mr. Wingerter noted that the Planning and Zoning Commission has considered all relevant factors (pg 2 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-426-2023** with the one condition noted in the staff report and the addition of Exhibit G. The motion was seconded by Ms. Fales-Hall. With all members present voting aye, the motion carried.

III. **SPECIAL ISSUES:** There were none.

IV. **COMMUNICATIONS:**

A. Commission: There were none.

B. Community Development Director/City Planner: There were none.

C. Council Liaison: Councilor Cathey reported that two of the items sent as Do Pass to the Council (JTL and Elkhorn subdivision) have been established for Public Hearing on July 18th.

D. OYD and Historic Preservation Commission Liaisons:

OYD – Jeffree Star's Meat & Makeup store will hold its Grand Opening tomorrow, July 14th. It is planned to be an all day event beginning with the ribbon cutting at 10am and ending with a free concert that evening.

HPC – There was none.

E. Other Communications: There were none.

V. ADJOURNMENT

Vice-Chairperson Hutchison adjourned the meeting at 6:30 pm.

Chairperson

Secretary

August 4, 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-448-2023** – Request for a Conditional Use Permit (CUP) to rebuild an existing Accessory Dwelling Unit in an R-2 (One Unit Residential) zoning district, located at 645 West 13th Street, Casper Addition, Block 161, Lot 5. Applicant: Clayton Alleman.

Recommendation

The Planning and Zoning Commission **may** approve the requested Conditional Use Permit to rebuild an accessory dwelling unit (ADU) in an R-2 (One Unit Residential) zoning district 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 pg. 2*), and upon determining that the request is in keeping with the two (2) findings listed in Section 17.12.240(G), (*outlined on pg. 3*).

Should the Planning and Zoning Commission approve the requested Conditional Use Permit, staff recommends that the Commission include the following Municipal Code requirements as conditions:

1. Per Section 17.12.240(I) of the Municipal Code, the Conditional Use Permit must be exercised and the work completed within one (1) year from the date of issuance, or such permit shall be void and have no further force or effect.
2. Per the definition of Accessory Dwelling Units, either the principal dwelling unit or the accessory dwelling unit must be occupied by either the owner of the property or an immediate family member of the property owner. The accessory dwelling unit shall not be subdivided or otherwise segregated in ownership from the principal dwelling unit.
3. The applicant shall provide the minimum number of paved off-street parking spaces required by the Municipal Code (4).

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 public comments on this case.**

APPLICABLE REGULATIONS & STANDARDS

- 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 neighbor buildings. Vertical metal siding is expressly prohibited.
- Accessory Dwelling Units – are defined in Chapter 17.08 of the Casper Municipal Code as a “habitable living unit added to, created within, or detached from a single-family dwelling unit that provides basic requirements for living, sleeping, eating, cooking and sanitation. Either the principal dwelling unit or the accessory dwelling unit must be occupied by an owner of the property, or an immediate family member of the property owner. An accessory dwelling unit shall not be subdivided or otherwise segregated in ownership from the principal dwelling unit.”
- Section 17.32.030 lists “accessory dwelling units” as a conditional use in the R-2 district.
- Section 17.12.080 (#39) – Two (2) parking spaces are required, per residential dwelling unit.
- Section 17.12.070(A)(12) – Parking surfaces shall be covered with concrete or asphalt concrete pavement materials in accordance with the City’s standard specifications for street construction.
- 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.
- Section 17.12.070(A)(9) – No tandem parking space shall be counted as more than one off-street parking space except for single-family residential, and home child care facilities.

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 property owner of 645 West 13th Street has applied for a Conditional Use Permit to allow a recently-demolished accessory dwelling unit (ADU) to be rebuilt, in an R-2 (One Unit Residential) zoning district. Section 17.32.030, lists “Accessory Dwelling Units” as requiring the approval of a conditional use in the R-2 district. The applicant recently acquired the property, and is in the process of significant renovations. The previous ADU structure pre-dated the City’s ADU regulations, and was considered to be a legal, non-conforming use. The approval of a Conditional Use Permit would allow the structure to be rebuilt as a conforming use.

Subject Property Information

- Zoning – R-2 (One Unit Residential)
- Lot Size – 8,200 sf, more or less
- Minimum Lot size in an R-2 (One Unit Residential) zoning district – 4,000 sf
- Lot Description – Rectangular, level topography
- Existing Land Uses in Area – Single-unit residential, commercial
- Adjacent Zoning – R-2 (One Unit Residential) on south and east; C-2 (General Business) on the north and west
- Available parking – (5) tandem spaces (100’ long, single-wide, driveway), plus (1) space located in single-car, detached garage

Section 17.12.080 (#39) of the Municipal Code specifies that a minimum of two (2) off-street parking spaces are needed per dwelling unit; therefore, four (4) spaces are required. The property currently has a long, single-car-width driveway, approximately 100-feet in length. Per Section 17.12.070(A)(9), tandem parking spaces can only be counted for single-family residential parking; therefore, the existing driveway only satisfies the parking for a single dwelling unit. The property also has a detached, single-car garage accessed via the alley. Currently, the driveway leading to the garage is unpaved. Provided the driveway/approach is paved, per Section 17.12.070(A)(12), it can be used to satisfy one parking space for the ADU. The applicant will need to provide one additional paved parking space in order to meet the City’s parking requirements.

Accessory Dwelling Units were added to the zoning code in order to address several issues. Primarily, the concept was implemented in recognition of changing demographics, and an aging population. The intent was to allow for the concept known as “aging in place.” Accessory dwelling units are useful for on-site caretakers, or as smaller, “mother-in-law” units, located close to family members. Similarly, another situation that has increased demand for accessory dwelling units is the need to accommodate differently-abled family members. One community benefit of allowing accessory dwelling units, as supported by the Comprehensive Land Use Plan, is increasing the density of development, and better utilizing developable land within the City, in order to discourage sprawl.

The reasoning for requiring the approval of Accessory Dwelling Units in the R-2 (One Unit Residential) zoning district via a Conditional Use Permit is to ensure that the purpose/intent of the

single-family nature of the zoning district is not being circumvented, and to allow for special situations when warranted. Neighborhood compatibility and land use impacts should always be the primary considerations when reviewing Conditional Use requests. The guidance provided by the Municipal Code (*listed under the Code Compliance Section of this staff report*) honors the original expectations of the neighboring property owners, and attempts to balance the property rights and desires of applicants who have unique needs. The Planning and Zoning Commission's task is to allow for neighborhood discourse on the proposal, and to decide based on the guidance provided by the Municipal Code, and adopted plans/policies.

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 Permits state the following:

"I note that the Planning and Zoning Commission has considered all relevant factors (pg. 2-3 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 with the recommended conditions 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 because it does not meet the two (2) findings (pg. 3) necessary for approval under Section 17.12.240(G)."

CUP -448-2023

deadline 7/7

8/10 Meeting



City of Casper Planning Division

Conditional Use Permit Application

OWNER'S INFORMATION:

NAME: Clayton P. AllemanMAILING ADDRESS: 1210 east 22nd stTELEPHONE: 307-262-4846 EMAIL: allemanclayton@gmail.com

LOCATION OF REQUEST:

ADDRESS: 645 west 13th stLEGAL DESCRIPTION: Casper Block 161 Lot 5Number of Lots: 1 Size of Lots: _____Current Zoning: R-2 Current Use: ResidentialPurpose for which the property is proposed to be used: Personal use / family visiting

Prior restrictions placed on the property: _____

Floor area square footage: _____ Number of Occupants or Employees: _____

Building Footprint: _____ Number of off-street parking spaces: _____

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: Clayton P. AllemanDATE: 6/26/23

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 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: _____

CWP-448-2023

deadline 7/7

8/10 Meeting



City of Casper Planning Division

Conditional Use Permit Application

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- 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: _____

Assessor Property Datasheet

6/26/23, 1:47 PM

Page 1 of 1

General Account Information

Property Address

645 W 13TH ST

Owner Name and Mailing Address

ALLEMAN, CLAYTON
1225 S DAVID ST
CASPER, WY 82601-4248

Account Type: Residential

Neigh. Code: 03DA

Account #: R0014963

Parcel #: 33790933800700

LEA #: 0301Res03

LEA Description: PRATT

Sub #: 0420

Sub Name: CASPER

Tax District: 0150

Mill Levy: 72.89

Legal Description

CASPER BLK 161 LOT 5

Land Information

Type	Acres	SF
Residential	0.1928	8,400

Improvement Information

Bldg #	Type	Occupancy
1	Residential	Single Family Residential

HVAC	Exterior
Forced Air	Frame Vinyl

Interior	Roof Type	Roof Cover
Drywall	Gable	Composition Shingle

Rooms	Bedrooms	Baths
8	0	2.00

Built As Desc	SF	Stories	Story Height (Ft)	Year Built
1½ Story Fin	1,598	1.5	8	1923

Basement SF

Total	Finished
742	0

Garages

Descr.	SF
Detached	264

Decks/Porches

Descr.	SF
Open Slab	322
Cvrd Wood Deck	30
Open Slab	64

Fixtures/Rough Ins

Descr.	#
Sink Standard	2
Water Heater	1
Bath 3	2
Laundry Facility (Rough In)	1
Rough In	1

Fireplaces

Descr.	#
FP Sgl 1 Story Mason	1



Alley
24'

17'
offset

480 sq ft

15'
offset

6'
↑

Bath
Shower

Kitchen
Area

2' offset

closet
closet

20'

13'

14' x 11'

3' door

3' door

8' ceilings
nsht

20' —
22' offset

Front

North

48.5'
to house

Crawl space
8" concrete wall,
2x6 mudsill
9 1/2" joist
3/4" sub floor

2x4 walls

17" offset

15' offset

18x18 or Sonotube
FOOTER

2-1 1/8" LVL

9 1/2" LVL
Floor Joist
16" C

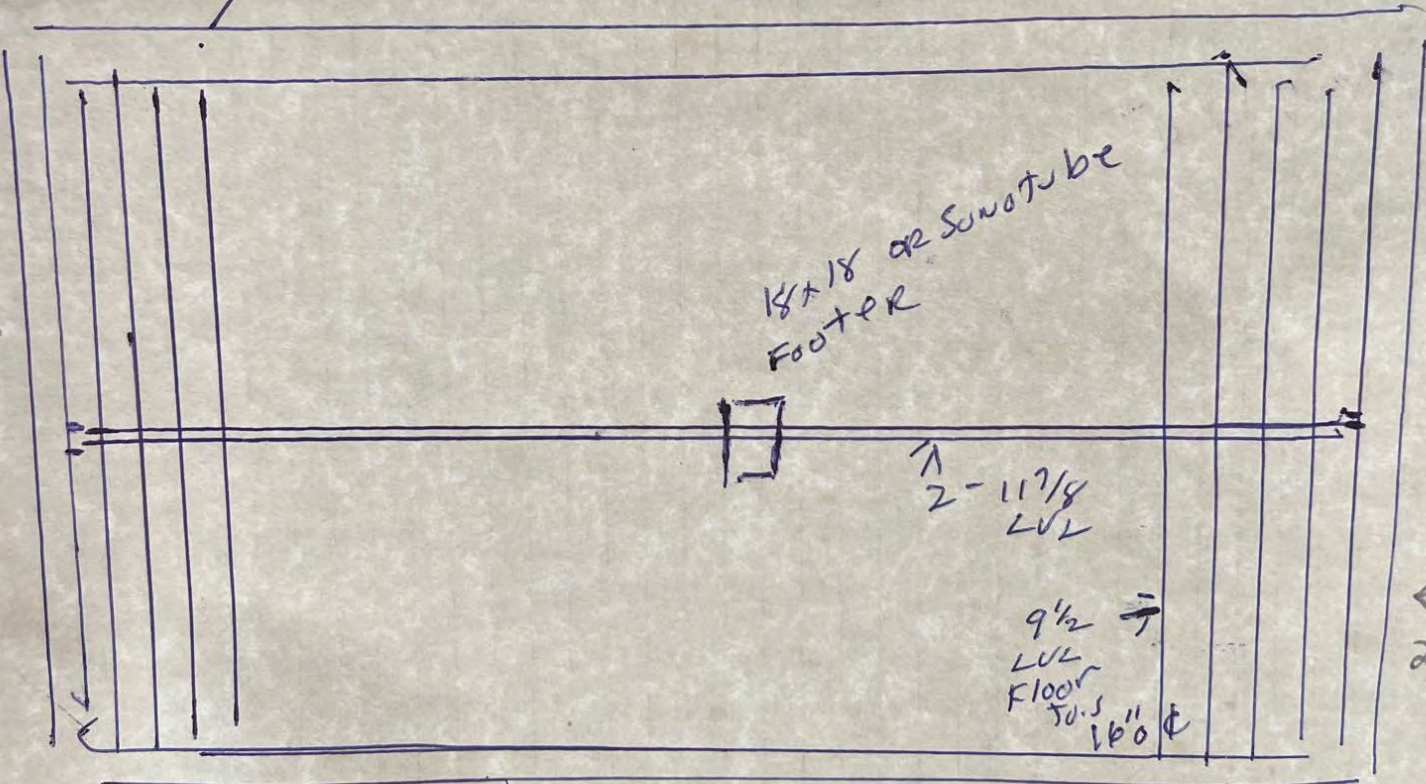
20'

22' offset

24'

48.5'
to house

FLOOR



Front (North)

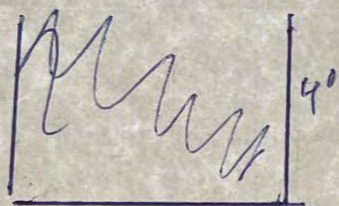
4/12 Pitch

Engineered
Trusses

24"
overhang

8'

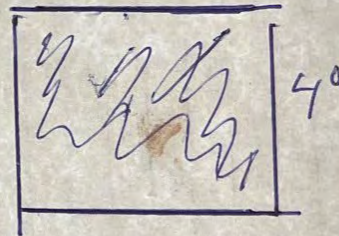
4'



4'

30
door

4'



4'

8'

2x4 ST+DS 925/8

24'

smart siding

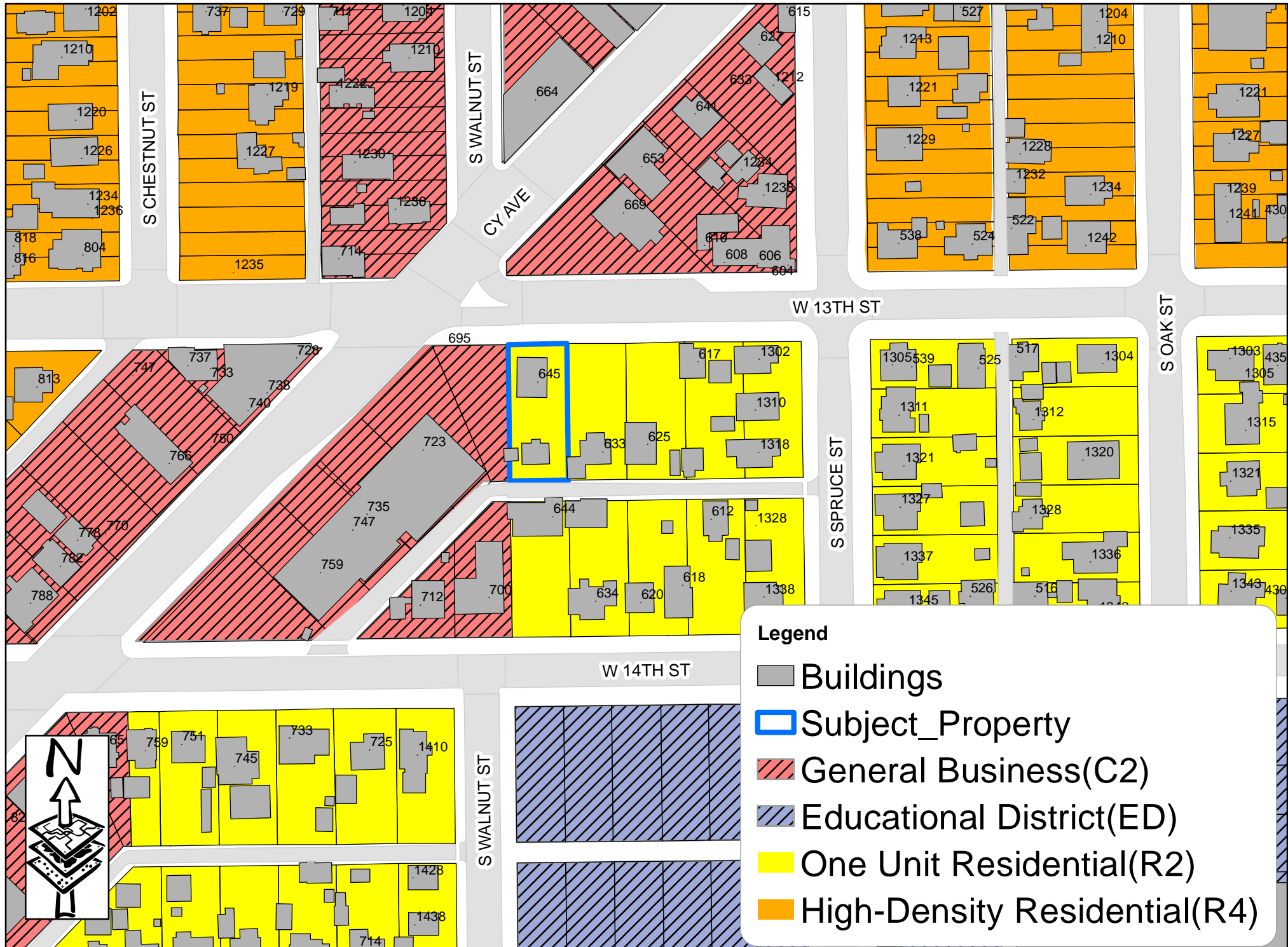
Conditional Use Permit Request - 645 W. 13th Street



Conditional Use Permit Request - 645 W. 13th Street



Conditional Use Permit Request - 645 W. 13th Street











August 4, 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-454-2023** – 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.

Recommendation

The Planning and Zoning Commission **may** approve the requested Conditional Use Permit to allow a personal service shop (nail salon) in an R-3 (One to Four Unit Residential) zoning 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 pg. 2*), and upon determining that the request is in keeping with the two (2) findings listed in Section 17.12.240(G), (*outlined on pg. 3*).

Should the Planning and Zoning Commission approve the requested Conditional Use Permit, staff recommends that the Commission include the requirement as conditions:

1. Per Section 17.12.240(I) of the Municipal Code, the Conditional Use Permit must be exercised and the work completed within one (1) year from the date of issuance, or such permit shall be void and have no further force or effect.
2. The applicant shall provide and maintain the minimum number of paved off-street parking spaces required by the Municipal Code for both the residence and the commercial business.
3. The applicant shall submit a formal site plan application to the City for review and approval, prior to the use of the property for commercial purposes.
4. The applicant shall bring the structure into compliance with adopted building, electrical, and Health Department regulations prior to the commercial use of the property.
5. Any signage on the site shall comply with Chapter 17.96 of the Casper Municipal Code.

6. Buffering shall be provided between the property and the residential property to the north, pursuant to Appendix C of Title 17.
7. If the alley is used for primary or secondary ingress or egress for the property, the alley shall be paved to City standards, pursuant to Section 17.12.150(E)(2)(g).
8. Any exterior lighting on the site shall be fully shielded to prevent off-site light trespass.

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 public comments on this case.**

APPLICABLE REGULATIONS & STANDARDS

- Section 17.36.030 lists “personal service shops” as a conditional use in the R-3 district.
- Section 17.12.080 (#39) – Two (2) parking spaces are required, per residential dwelling unit.
- Section 17.12.080(53) – Specialty retail requires 2.41 parking spaces per 1,000 gross square feet leasable area.
- Section 17.12.070(A)(12) – Parking surfaces shall be covered with concrete or asphalt concrete pavement materials in accordance with the City’s standard specifications for street construction.
- Section 17.12.070(B) – Parking spaces are required to be a minimum of 8.5-feet wide, and 20 feet long.
- Section 17.12.070(B) – A minimum of (1) ADA parking space must be provided as close as possible to a major entrance of the building.
- Section 17.12.150(E)(2)(g) – If an alley is used for primary or secondary customer access, the applicant is required to pave the alley from the street to the rear property line, in accordance with City standards set forth in Chapter 16.16.
- Section 17.12.150(F) – A site plan is required for the construction of the required parking area.
- Section 17.12.150(E)(2)(h) – Buffering (Per Appendix C of Title 17) is required between all commercial uses adjacent to single-family dwellings.

- Appendix B of Title 17 – A detailed landscaping plan shall be submitted for approval as a part of all site plan applications.
- 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.
- Section 17.96.110 – Uses permitted by special review are permitted up to 64 square feet of signage on the premises.

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 owner of 104 North Lennox Street has applied for a Conditional Use Permit to allow a “personal service shop” (nail salon) in an R-3 (One to Four Unit Residential) zoning district. Section 17.36.030 lists “personal service shops” as a conditional use in the R-3 district. The property is currently occupied by a single-family home, with a total floor area of approximately 2,064 square feet. The applicant proposes to continue using the basement of the home as a residence, and wishes to convert the main floor into a commercial business. The proposed split-use of the structure does not meet the City’s requirements to be classified as a home occupation because there will be outside employees, and the business exceeds twenty-five percent (25%) of the area of the structure; therefore, a Conditional Use Permit is required.

Subject Property Information

- Zoning – R-3 (One to Four Unit Residential)
- Lot Size – 8,400 sf, more or less
- Lot Description – Rectangular, corner lot, level topography
- Existing Land Uses in Area – Single-unit residential, commercial
- Adjacent Zoning – R-3 (One to Four Unit Residential) on the north, south and west; and C-2 (General Business) on the east
- Available parking – two-car, detached garage, with two-car width driveway that backs out into First Street.
- Alley – unpaved

According to the application, there will be a total of seven (7) occupants on site (residents and employees). Based on the proposed use of the property, and size of the structure, a minimum of five (5) off-street parking spaces are required, (2 for residential plus 3 for commercial), including at least one (1) ADA space. The detached garage and associated driveway can be used to satisfy

the residential requirement; but cannot be utilized for commercial parking because they are configured as to require cars to back out into the street. The construction of a commercial parking lot triggers the need for an approval of a site plan application. In addition, since the structure was designed and constructed as a residence, it will need to be upgraded, and brought into compliance with applicable commercial codes, including, building/electrical, County Health, and ADA accessibility. If the alley is utilized for ingress or egress to the site, Code requires that the applicant pave it. The applicant was informed of the additional requirements, as well as the one (1) year time limitation for the completion of all work and/or conditions of approval.

If the Planning and Zoning Commission is in favor of approving the requested Conditional Use Permit, staff recommends the inclusion of the eight (8) conditions listed under the “recommendation” portion of the 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 Permits state the following:

“I note that the Planning and Zoning Commission has considered all relevant factors (pg. 3 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 with the recommended conditions 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 because it does not meet the two (2) findings (pg. 3) necessary for approval under Section 17.12.240(G).”

CWP-454-2023



City of Casper Planning Division

Conditional Use Permit Application

OWNER'S INFORMATION:

NAME: My Hanh Vines
MAILING ADDRESS: 104 n Lennox St Casper WY 82601
TELEPHONE: 3072622822 EMAIL: Emdethuong_08@yahoo.com

emdethuong_08@yahoo.com

LOCATION OF REQUEST:

ADDRESS: 104 n Lennox St Casper WY 82601
LEGAL DESCRIPTION: Butler Block 16106 lots 8 Block 106
Number of Lots: 1 Size of Lots: 8400
Current Zoning: R3 Current Use: Residential
Purpose for which the property is proposed to be used: partial living partial
Salon
Prior restrictions placed on the property: non

Floor area square footage: 2064 Number of Occupants or Employees: 7
Building Footprint: _____ Number of off-street parking spaces: 7

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: _____
DATE: _____

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 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: _____

Lennox St

Stop

Stop

Stop

30' Setback

I Floor 1092 SF Subdiv
Bsmnt 972 SF Living

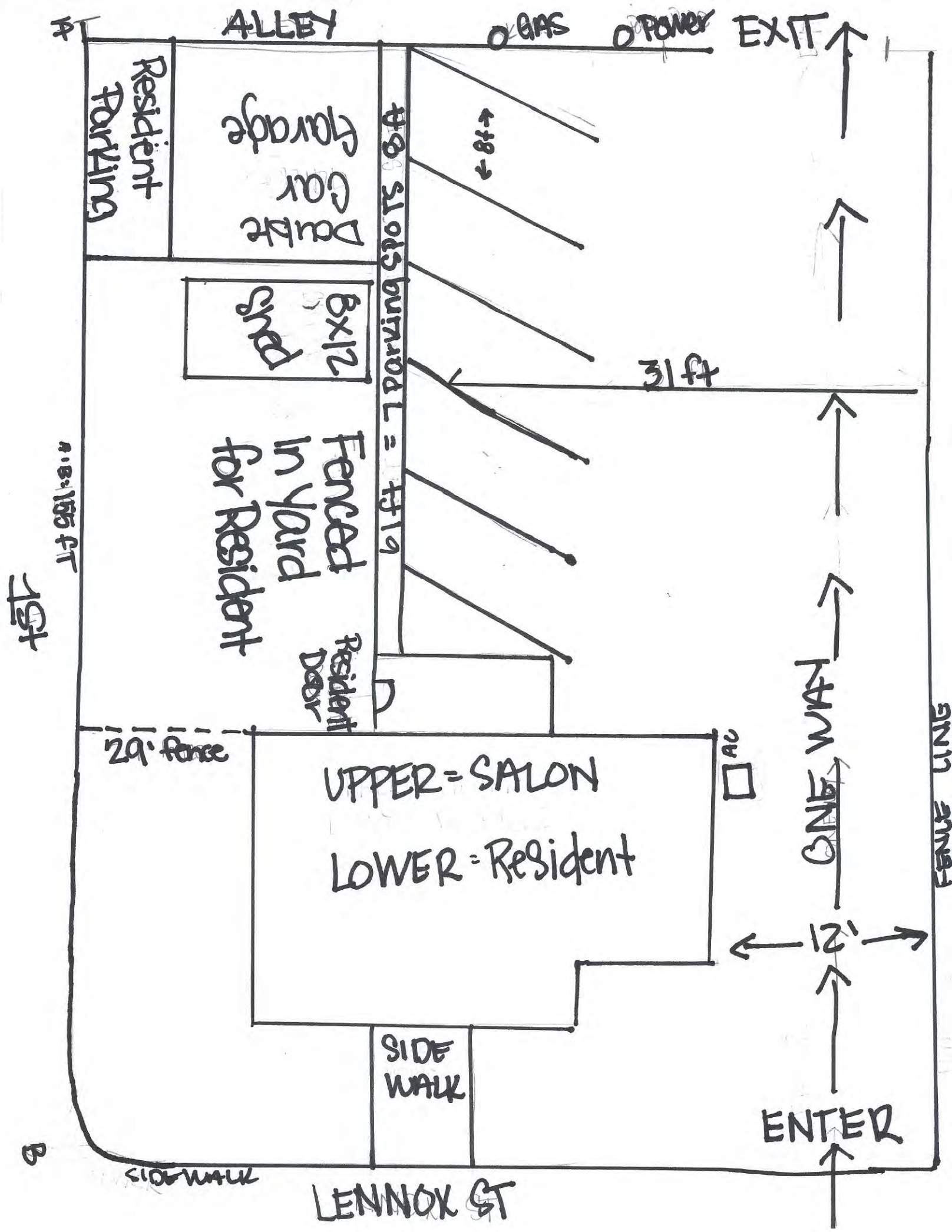
29' Setback

4 parking Spot

Storage
8x12
96 SF

3 parking Spot

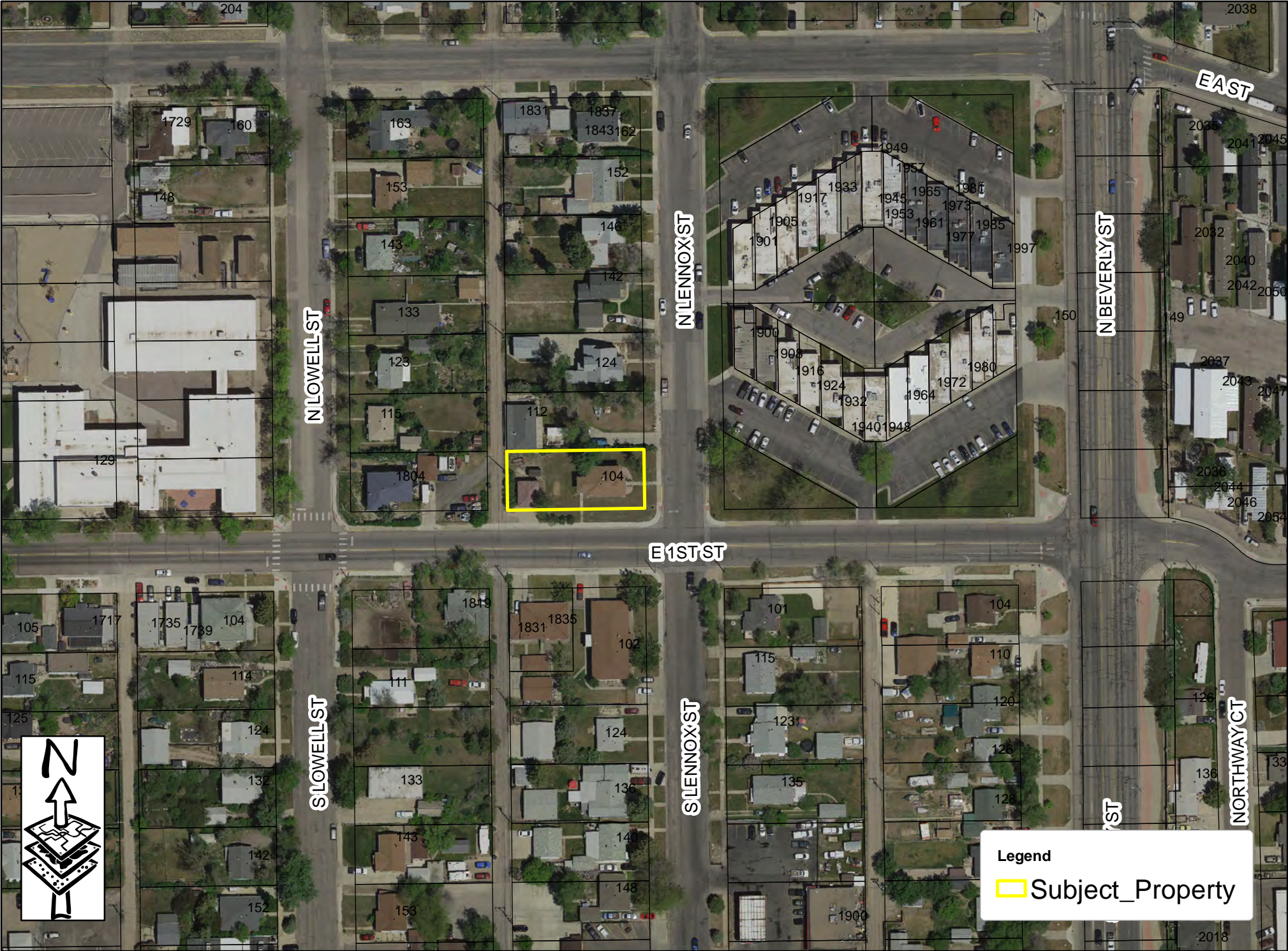
44 St



Conditional Use Permit Request - 104 N. Lennox St.











Conditional Use Permit Request - 104 N. Lennox St.



Legend

- Buildings
- Subject_Property
- Neighborhood Convenience(C1)
- General Business(C2)
- One Unit Residential(R2)
- One to Four Unit Residential(R3)
- High-Density Residential(R4)
- Manufactured Home Park(R6)

-  Buildings
-  Subject_Property
-  Neighborhood Convenience(C1)
-  General Business(C2)
-  One Unit Residential(R2)
-  One to Four Unit Residential(R3)
-  High-Density Residential(R4)
-  Manufactured Home Park(R6)













**CASPER HISTORIC PRESERVATION COMMISSION
MINUTES OF THE REGULAR MEETING
July 10, 2023**

Present: Connie Hall, Jeff Bond, Carolyn Buff, Tammie Chappell, Bob King, John Lang, Maureen Lee

Absent: Robin Broumley, Anthony Jacobsen, Randy Hein, Paul Yurkiewicz

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

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

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

Approval of Minutes

Chairperson Hall asked for approval of the May 8, 2023 meeting minutes (June's meeting was a field trip to 638 S Beech). With no corrections, the minutes were approved.

New Business – There was none.

Old Business

Ornaments for 2023

- The final proof should be available from the designer in the next couple of weeks.
- Numbering will be done by the Commission on the packaging, not on the actual ornament. Maybe create a "Certificate of Authenticity" with the limited edition numbering on it?
- The quantity to produce/sell will be determined once the final cost is confirmed.
- Need to confirm the cost to produce and the turn-around time
- Where to sell
 - Have one or two main locations to manage sales/distribution (Jeff & Randy)
 - Craft fairs or other community events?
 - Allow pre-orders (will need a spreadsheet/database to track)?
 - Accept only cash or check / do we need an order form? No shipping / pick up only.
 - Do we need to charge sales tax (Mike McIntosh)?
 - Look for options to manage the money (CHPC bank account?)
- Marketing
 - Suggestions included the CHPC FB page and a press release to Oil City news

OYD Committee Update

- John reported that the Jeffree Star store will hold its grand opening on 7/14. The details are not complete, but the DDA is asking for volunteers.
- Three Crowns is planning to open the renovated club house on August 1st – it will have a new design and a new menu.
- The Poplar bridge project is on hold as the estimates came in well over budget. Because the project is not moving forward at this time, WyDOT has tabled it and it will not be a viable option for at least 6 years.

P&Z Commission – There were 4 cases in June.

Demolition Permits – There was no report.

Social Media/Outreach/Education

- Step 1 – like the page
- Tammi & Maureen to get together to share information and set up/share to Instagram (may already have an account set up by Paul)
- Jeff – Clio / website & app for historical sites (there is YouTube training available)
 - There is no cost, but a CHPC account will have to be created

Field Visits/Tours – Everyone who attended the tour of 638 S Beech was grateful for the amount of time and information shared by John Haass. It was suggested the CHPC send a Thank You card to Mr. Haass expressing appreciation for sharing his beautiful home with the CHPC.

Other Business

- Carolyn shared that an undefined group had approached the Historic Preservation Commission of Natrona County with a proposed feasibility study for trails between Casper/NC and Rawlins. The group had not yet spoken to SHPO and didn't have a clear agenda/plan. The NC Commission chose not to vote on it without additional information.
- It was requested that the HPC google analytics be pulled to see if there was a spike during CNFR.
- It may be time to consider reprinting the Self-Guided Tours Historic Casper, Wyoming brochure. We will need to work with Visit Casper to see if they will print them again. We will also need to make sure they contain the correct panel for Lt. Caspar Collins. QR codes for the CHPC Facebook page and Instagram accounts should be added.

The next meeting will be held August 14th at 8:30 am in Suite 560 (5th Floor Green Room) at 123 W 1st St (Casper Business Center).

(Minutes prepared by Barb Santmire)

Respectfully submitted,

Chairperson

Casper Historic Preservation Commission

OLD YELLOWSTONE DISTRICT ADVISORY COMMITTEE MEETING
Monday, June 26, 2023 at Wyoming Plant Company (358 S. Ash)

The OYD held its monthly meeting at 4:00 p.m. on Monday, June 26, 2023.

Members Present: Kyle Gamroth, Gena Jensen, Michael Hirschbine, Karen Meyer, Phillip Rael, Joe Hutchison, Mike McIntosh

Members Absent: Jamie Haigler, Kelly Ivanoff, Carol Martin, Pete Maxwell,

Liaisons Present: Renee Hahn (ARAJPB), Connie Hall (CHPC), John Lang (CHPC)

Guests Present: Linda Wolcott (proxy for Kelly Ivanoff)

Staff Present: Liz Becher, Barb Santmire

CALL TO ORDER: Chairperson Gamroth welcomed everyone and called the meeting to order at 4:05 p.m.

APPROVAL OF THE APRIL 24, 2023 MINUTES: Chairperson Gamroth asked for approval of the April 24, 2023 meeting minutes. Mr. McIntosh moved to approve the minutes. Ms. Meyer seconded. All members voted aye; minutes were approved.

Note: The May meeting was cancelled due to the City budget hearings.

OLD BUSINESS:

Summer Flower Planter Plans – Ms. Becher thanked everyone who was able to help with planting on May 16th and reported that it was another successful year for this community project.

Midwest Avenue Construction Update – Ms. Becher reported that the project has been delayed slightly and will now be going out for bid in August due to environmental testing with BP and the EPA. It is likely that only the underground utilities will be completed this fall with the remainder of the work being completed in 2024.

Ms. Meyer asked Ms. Becher what businesses are going to be impacted by the staging area for the parade this year. Ms. Becher stated she had not yet received information on the parade route/staging area, but indicated the impact may partially depend on the number of entries. She offered to reach out to the organizers to see if information is available yet.

Goal Subcommittee Work – Ms. Becher stated she is in process of getting subcommittee meetings scheduled.

- For the utility box wraps, Rocky Mountain Power is on board and Art 321 wants to work with the committee as well.

- It was suggested that the Service Projects subcommittee conduct a walking/driving tour to look for graffiti and areas in need of attention/clean up.

NEW BUSINESS:

Jeffree Star's Grand Opening and Concert – Mr. Hirschbine reported that the Grand Opening of Jeffree Star's first retail store has been scheduled for Friday, July 14th in the OYD! A free concert, with a band to be named, will be held at David Street Station in conjunction with the grand opening. Old Yellowstone (from Ash to David) and Ash (from West Yellowstone to Midwest), will be closed to avoid having traffic drive through the anticipated crowds. They have partnered with other OYD businesses – Occasions by Cory and Black Tooth Brewing – to provide food and beverages. Details are being confirmed and additional information will be released as it becomes available.

Ms. Becher shared that the DDA is asking for volunteers to get TIPS certified (via online training) and to be available to work the event (and possibly other future events). Anyone wishing to volunteer should let Liz know by close of business tomorrow, June 26th.

Other Property activity – none.

OTHER BUSINESS:

Historic Preservation Liaison Report – The June meeting was a tour of the Haass house located at 638 Beech.

ARAJPB Liaison Report – Ms. Hahn reported that the renovation of Three Crowns Club House should be completed the first or second week of August. WYDOT has suspended the Poplar St project indefinitely. The bids came in substantially over budget due to the unknown cost of reclamation with the river bridge. The remaining plan is to reconstruct Poplar from Collins to the river.

NEXT MEETING: The next meeting will be Monday, July 24th from 4:00 – 5:00 at a location TBD.

ADJOURN: Ms. Jensen moved to adjourn the meeting. The motion was seconded by Ms. Meyer. The meeting adjourned at 4:40 p.m.

(Minutes prepared by Barb Santmire)
Respectfully Submitted,

Kyle Gamroth
Chairperson