

**PLANNING AND ZONING MEETING
TUESDAY, AUGUST 26, 2014
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, August 26, 2014, in the Council Chambers, City Hall, 200 North David Street, Casper, Wyoming.

Members Present: Fred Maguire
James Holloway
Monte Henrie
Ryan Waterbury
Mary England
Don Redder
Gary Richards

Absent Members: None

Others Present: Liz Becher, Community Development Director
Craig Collins, City Planner
Aaron Kloke, Planner I
Dee Hardy, Administrative Assistant II
Constance Lake, GIS Specialist
Wallace Trembath, Assistant City Attorney
Jason Knopp, City Engineer
Andrew Beamer, Public Services Director
Bob Hopkins, Council Liaison
Caleb Middleton, 1545 South Wilson Street
Lon Middleton, 21st and South Beverly Streets
Thomas Whitney, 1544 South Fenway Street
William Harlow, 1524 South Wilson Street
Justin Scott, 2031 Brighton
Minda Hazelton, 903 South Jackson Street
Randy Hall, 550 North Poplar Street
Dennis Baker, 550 North Poplar Street
Hal Hutchinson, 1120 East C Street
Joe Vollmer, 990 Magnolia
Christine Knittle, 4090 East Magnolia
Kent Stubbs, 5104 CY Avenue
Shawn Gustafson, 1607 CY Avenue, Suite 102

II. MINUTES OF THE PREVIOUS MEETING

Chairman Maguire asked if there were additions or corrections to the minutes of the July 22, 2014 Planning & Zoning Commission meeting.

There being none, Chairman Maguire called for a motion to approve the minutes of the July 22, 2014 Planning & Zoning Commission.

Mr. Henrie made a motion to approve the minutes of the July 22, 2014 meeting. The motion was seconded by Mr. Waterbury. All those present voted aye. Minutes approved.

Chairman Maguire stated that Liz Becher, Community Development Director had some announcements to make. Ms. Becher advised that there had been some personnel changes. Aaron Kloke, has joined the Planning Department as Planner I; and Constance Lake joined the Metropolitan Planning Organization as a GIS Specialist. She thanked Constance for her service to the Planning Department and the Planning and Zoning Commission. She announced that Andrew Beamer had been promoted as the Public Services Director, and welcomed Jason Knopp, as the new City Engineer.

Chairman Maguire and the Commission thanked Constance Lake for her service and work, and welcomed the new member of the staff.

III. PUBLIC HEARING

The first case this evening:

PLN-14-032-C – *(Continued from July 22, 2014)* Petition for a Conditional Use Permit for a detached garage, with 18' walls, in excess of 12' maximum wall height permitted, and to allow an accessory dwelling unit in an R-2 (One Unit Residential) zoning district; on Lot 228, Fairdale Addition, located at 1545 South Wilson Street. Applicant: Caleb Middleton.

Aaron Kloke, Planner I, presented the staff report which recommends that the Planning and Zoning Commission approve the Conditional Use Permit for an accessory dwelling unit in an R-2 (One Unit Residential) zoning district, located on the subject property, with the following conditions:

1. Either the principal dwelling unit or the accessory dwelling unit shall be occupied by the owner of the property, or an immediate family member of the property owner.
2. A total of four (4) off-street parking spaces shall be provided to meet the Casper Municipal Code's requirement of two (2) parking spaces per dwelling unit.

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

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

Caleb Middleton, 1545 South Wilson Street, spoke in favor of this case.

Mr. Kloke entered the photos submitted by the applicant as "Exhibit I."

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

Lon Middleton, 21st and South Beverly Streets, spoke in favor of this case.

Thomas Whitney, 1544 South Fenway Street, spoke in opposition of this case.

William Harlow, 1524 South Wilson Street, spoke in opposition to this case.

There being no others to speak, Chairman Maguire closed the public hearing and entertained a motion to approve, approve with conditions, deny, or table case PLN-14-032-C.

Mr. Holloway made a motion to approve case PLN-14-032-C, the request for a Conditional Use Permit for an accessory dwelling unit in an R-2 (One Unit Residential) zoning district, located at 1545 Wilson Street, with Conditions #1-2, for the two (2) Reasons and Findings A-F listed in the staff report. The motion was seconded by Mr. Richards. All those present voted nay with the exception of Ms. England who voted aye. Motion failed.

The next case this evening:

PLN-14-039-C – Petition for a Conditional Use Permit to allow an accessory dwelling unit in an R-2 (One Unit Residential) zoning district, on Lot 9, Block 16, Eastgate III Addition, located at 2031 Brighton. Applicant: Justin J. Scott.

Aaron Kloke, Planner I, presented the staff report which recommends that the Planning and Zoning Commission approve the Conditional Use Permit for an accessory dwelling unit in an R-2 (One Unit Residential) zoning district, located on the subject property, with the following conditions:

1. Either the principal dwelling unit or the accessory dwelling unit shall be occupied by the owner of the property, or an immediate family member of the property owner.

Mr. Kloke entered five (5) exhibits into the record for this case.

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

Justin Scott, 2031 Brighton, spoke in favor of this case.

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

There being no one to speak, Chairman Maguire closed the public hearing and entertained a motion to approve, approve with conditions, deny, or table case PLN-14-039-C.

Mr. Henrie made a motion to approve case PLN-14-039-C, the request for a Conditional Use Permit for an accessory dwelling unit in an R-2 (One Unit Residential) zoning district, located at 2031 Brighton, with Condition #1, for the two (2) Reasons and Findings A-F listed in the staff report. The motion was seconded by Ms. England. All those present voted aye. Motion carried.

The next case:

PLN-14-040-C – Petition for a Conditional Use Permit for a “Family Child Care Center-Zoning Review” to allow a childcare facility for up to 15 children, on Lot 139 All & 140 N 35’, Kenwood Addition, located at 903 South Jackson Street. Applicant: David Lake and Minda Hazelton, DBA Building Bridges Child Care.

Aaron Kloke, Planner I, presented the staff report which recommends that the Planning and Zoning Commission approve the Conditional Use Permit to operate a “Family Child Care Center-Zoning Review” for up to fifteen (15) children, located at 903 South Jackson Street, with the following conditions:

1. The applicants shall maintain a minimum of two (2) open off-street parking spaces for use by daycare customers, during the hours when the daycare is in operation.
2. Pursuant to Section 17.12.140(A)(2) of the Municipal Code, signage for all “home occupations” shall be limited to only signage that is non-illuminated, attached flush with the dwelling, and not exceeding one square foot in area.
3. The Family Child Care Center is approved as a secondary, accessory use of the property. The primary use of the property shall remain single-family residential, which is a permitted use in the R-2 (One Unit Residential) zoning district. Therefore, the operator of the Family Child Care Center must live at the subject property. If the operator of the Family Child Care Center is found not to be residing on the premises, the Conditional Use Permit may be

immediately revoked by the City, pursuant to Section 17.12.240(J) of the Casper Municipal Code.

Mr. Kloke entered five (5) exhibits into the record for this case.

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

Minda Hazelton, 903 South Jackson Street, spoke in favor of this case.

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

There being no one to speak, Chairman Maguire closed the public hearing and entertained a motion to approve, approve with conditions, deny, or table case PLN-14-040-C.

Mr. Redder made a motion to approve case PLN-14-040-C, the request to operate a "Family Child Care Center-Zoning Review" for up to fifteen (15) children, R-2 (One Unit Residential) zoning district, located at 903 South Jackson Street, with Conditions #1-3, for the two (2) Reasons and Findings A-F listed in the staff report. The motion was seconded by Mr. Waterbury. All those present voted aye. Motion carried.

The next case:

PLN-14-041-R – Petition to vacate and replat Lots 2 and 3, Blackmore Marketplace Addition No. 8, to create Blackmore Marketplace Addition No. 10, comprising 4.063-acres, more or less, located at the southeast intersection of Pay It Forward Drive and East 2nd Street. Applicant: Blackmore Marketplace Shops, LLC.

Aaron Kloke, Planner I, presented the staff report which recommended that the Planning and Zoning Commission approve the replat creating Blackmore Marketplace Addition No. 10, and forward a "do pass" recommendation to the City Council.

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

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

Randy Hall, 505 North Poplar Street, spoke in favor of this case.

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

There being no one to speak, Chairman Maguire closed the public hearing and entertained a motion to approve and forward to City Council with a “do pass” recommendation, deny, or table case PLN-14-041-R regarding the replat.

Mr. Henrie made a motion to approve case PLN-14-041-R regarding the replat and forward a “do pass” recommendation to the City Council. The motion was seconded by Mr. Richards. All those present voted aye. Motion carried.

The next case:

PLN-14-042-R – Petition to vacate and replat Lots 2 and 4, Blackmore Marketplace Addition No. 5, to create Blackmore Marketplace Addition No. 11, comprising 3.838-acres, more or less, located at east of Blackmore Road and south of East Second Street. Applicant: Blackmore Marketplace Shops, LLC.

Aaron Kloke, Planner I, presented the staff report which recommended that the Planning and Zoning Commission acknowledge withdrawal of this case.

Chairman Maguire entertained a motion to acknowledge the withdrawal of case PLN-14-042-R regarding the annexation.

Ms. England made a motion to acknowledge withdrawal of PLN-14-042-R. The motion was seconded by Mr. Waterbury. All those present voted aye. Motion carried.

The next case:

PLN-14-043-RS – Petition to plat a portion of SW1/4 and the SE1/4NW1/4, Section 13, T33N, R79W, 6th P.M., Natrona County Wyoming, to create the Cambridge Addition, comprising 51.80-acres, more or less; and review of the accompanying PUD site plan, located to the north of the SE Wyoming Boulevard and Country Club Road intersection. Applicant: 402, LLC.

Aaron Kloke, Planner I, presented the staff report which recommended that the Planning and Zoning Commission continue Case # PLN-14-043-RS to the September 23, 2014 public hearing.

Chairman Maguire entertained a motion to continue Case # PLN-14-043-RS to the September 23, 2014 public hearing.

Mr. Henrie made a motion to continue Case # PLN-14-043-RS to the September 23, 2014 public hearing. The motion was seconded by Mr. Redder. All those present voted aye. Motion carried.

The next case this evening:

PLN-14-044-ARZ – Petition to annex, vacate and replat Tracts 37 & 38, Dowler No. 3 Subdivision, comprising 5.43-acres, more or less, to create the DMK Subdivision, located at 5300 CY Avenue; and rezoning of said property from Natrona County Classification C (Commercial) to City Zoning Classification C-4 (Highway Business). Applicant: J & J Enterprises.

Aaron Kloke, Planner I, presented the staff report which recommended that the Planning and Zoning Commission approve the request to annex the subject property for the five (5) reasons listed in the staff report; approve the plat creating DMK Subdivision, with the following conditions:

1. South Magnolia (road) shall be constructed to City standard specifications, to the northern extent of the DMK Subdivision, concurrent with the development of proposed Lot 1 and/or Lot 2.
2. A traffic study is in progress, at the request of the Wyoming Department of Transportation. Necessary traffic improvements, if any, will be imposed at the conclusion of the study, and shall be incorporated into the Subdivision Agreement.
3. Grandview Road is a platted, but undeveloped County road located north of the proposed DMK Addition. Until such time as Grandview Road is vacated in the future, the owners of the DMK Addition shall be responsible for half the cost of constructing Grandview Road, for the portion immediately adjacent to Lots 1 and 2. The owners' participation in the construction of Grandview Road shall occur at such time as directed by the City.

And approve the zoning of the DMK Subdivision as C-4 (Highway Business); and forward a “do pass” recommendation to the City Council.

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

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

Dennis Baker, 550 North Poplar Street, spoke in favor of this case.

Hal Hutchinson, 1120 East C Street, spoke in favor of this case.

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

Joe Vollmer, 990 Magnolia, expressed a concern about drainage from these lots once developed, and an increase in traffic.

Christine Knittle, 4090 East Magnolia, stated a concern of being required to pay for half of the road construction, and if would she lose access to her property over the inability to pay her half.

Mr. Collins, stated that the road is currently in the county, and to his knowledge any discussion about constructing it to City standards had not taken place, yet. He advised that property owner would have access.

Kent Stubbs, 5104 CY Avenue, stated he should not be responsible for maintaining and/or paying the cost of a road that he does not need for access.

There being no others to speak, Chairman Maguire closed the public hearing and entertained a motion to approve, approve with conditions, deny, or table PLN-14-044-ARZ, regarding the annexation.

Mr. Holloway made a motion to approve case PLN-14-044-ARZ, regarding an annexation creating DMK Subdivision, 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. Waterbury. All those present voted aye. Motion carried.

Chairman Maguire entertained a motion to approve, approve with conditions, deny, or table PLN-14-044-ARZ, regarding the plat.

Mr. Redder made a motion to approve case PLN-14-044-ARZ regarding the plat of the DMK Subdivision, with Conditions #1-3 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 Maguire entertained a motion to approve, deny or table PLN-14-044-ARZ, regarding the zone change.

Mr. Richards made a motion to approve case PLN-14-044-ARZ, regarding the zoning of the DMK Subdivision to C-4 (Highway Business), and forward a “do pass” recommendation to City Council. The motion was seconded by Ms. England. All those present voted aye. Motion carried.

The next case this evening:

PLN-14-045-AZ – Petition to annex Tracts No. 8, 8B, 9, 10, 11 and 12 of Rocky Mountain Packing Subdivision, excepting the north 109.47 feet, of Tracts No. 8 and 9, to the City of Casper, comprising 6.09-acres, more or less, located east of Hereford Lane and south of Bryan Evansville Road; and rezoning said property, from Natrona County Zoning Classifications LI (Light Industrial) and HI (Heavy Industrial), to City Zoning Classification M-2 (General Industrial). Applicant: T/K Investments.

Aaron Kloke, Planner I, presented the staff report which recommended that the Planning and Zoning Commission approve the request to annex the subject property for the five (5) reasons and one (1) Condition listed in the staff report; and approve the zoning of same as M-2 (General Industrial) and forward a “do pass” recommendation to City Council.

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

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

Shawn Gustafson, 2607 CY Avenue, Suite 102, spoke in favor of this case.

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

There being no one to speak, Chairman Maguire closed the public hearing and entertained a motion to approve, approve with conditions, deny, or table PLN-14-045-AZ, regarding the annexation.

Ms. England made a motion to approve case PLN-14-045-AZ, regarding an annexation, for the five (5) Reasons and one (1) Condition 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 Maguire entertained a motion to approve, deny, or table PLN-14-045-RZ, regarding the zoning to M-2 (General Industrial), and forward a “do pass” recommendation to City Council.

Mr. Waterbury made a motion to approve case PLN-14-045-AZ regarding the zoning to M-2 (General Industrial) and forward a “do pass” recommendation to City Council. The motion was seconded by Mr. Redder. All those present voted aye. Motion carried.

The next case this evening:

PLN-14-046-ARZ – Petition to annex the northerly 109.47 feet of Tracts 8 and 9 of Rocky Mountain Packing Subdivision; and a vacation and replat of all of Tract 7B of Shoshone Addition to the City of Casper, to create the Kinco Addition to the City of Casper, comprising 7.84-acres, more or less, located at the southeast intersection of Hereford Lane and Bryan Evansville Road; and rezoning the northerly 109.47 feet of Tracts 8 and 9 of Rocky Mountain Packing Subdivision from County zoning classifications Light Industrial (LI) and Heavy Industrial (HI) to City zoning classification M-2 (General Industrial). Applicant: Kinco Investments, LLC.

Aaron Kloke, Planner I, presented the staff report which recommended that the Planning and Zoning Commission approve the request to annex the subject property for the five (5) reasons listed in the staff report; approve the plat creating Kinco Addition, with the following condition:

1. At such time as directed by the City, the owner(s) shall be required to participate financially in a proportionate share of the cost of constructing, to City standard specifications, the adjacent platted roads (Hereford Lane, Bryan Evansville Road, and Angus Lane), as depicted on the Rocky Mountain Packing Subdivision plat.

And approve the zoning of the Kinco Addition as M-2 (General Industrial); and forward a “do pass” recommendation to the City Council.

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

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

Shawn Gustafson, 1607 CY Avenue, Suite 102, spoke in favor of this case.

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

There being no one to speak, Chairman Maguire closed the public hearing and entertained a motion to approve, approve with conditions, deny, or table PLN-14-046-ARZ, regarding the annexation.

Mr. Holloway made a motion to approve case PLN-14-046-ARZ, regarding an annexation creating Kinco 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 Ms. England. All those present voted aye. Motion carried.

Chairman Maguire entertained a motion to approve, approve with conditions, deny, or table PLN-14-046-ARZ, regarding the plat.

Mr. Holloway made a motion to approve case PLN-14-046-ARZ regarding the plat of the Kinco Addition, with Condition #1 listed in the staff report, and forward a “do pass” recommendation to City Council. The motion was seconded by Ms. England. All those present voted aye. Motion carried.

Chairman Maguire entertained a motion to approve, deny or table PLN-14-046-ARZ, regarding the zone change.

Mr. Holloway made a motion to approve case PLN-14-046-ARZ, regarding the zoning of the Kinco Addition to M-2 (General Industrial), and forward a “do pass”

recommendation to City Council. The motion was seconded by Mr. Redder. All those present voted aye. Motion carried.

The last case this evening:

PLN-14-038-AZ – Petition to annex the North 703 Feet of Tract 13, of the Rocky Mountain Packing Subdivision, comprising 3.939-acres, more or less, located at 700 Hereford Lane; and rezoning said property from Natrona County Zoning Classification (HI) Heavy Industrial to City Zoning Classification M-2 (General Industrial). Applicant: Kevin Kalies.

Aaron Kloke, Planner I, presented the staff report which recommended that the Planning and Zoning Commission approve the request to annex the subject property for the five (5) reasons and one (1) Condition listed in the staff report; and approve the zoning of same as M-2 (General Industrial) and forward a “do pass” recommendation to City Council.

1. At such time as directed by the City, the owner(s) shall be required to participate financially in a proportionate share of the cost of constructing, to City standard specifications, the adjacent platted road (Hereford Lane), as depicted on the Rocky Mountain Packing Subdivision plat.

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

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

T. Alford, 2930 Zion Lane, spoke in favor of this case.

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

There being no one to speak, Chairman Maguire closed the public hearing and entertained a motion to approve, approve with conditions, deny, or table PLN-14-038-AZ, regarding the annexation.

Mr. Henrie made a motion to approve case PLN-14-038-AZ, regarding an annexation, for the five (5) reasons and one (1) condition listed in the staff report, and forward a “do pass” recommendation to City Council. The motion was seconded by Ms. England. All those present voted aye. Motion carried.

Chairman Maguire entertained a motion to approve, deny, or table PLN-14-038-AZ, regarding the zoning to M-2 (General Industrial), and forward a “do pass” recommendation to City Council.

Mr. Holloway made a motion to approve case PLN-14-038-AZ, regarding the zoning to M-2 (General Industrial), and forward a "do pass" recommendation to City Council. The motion was seconded by Mr. Henrie. All those present voted aye. Motion carried.

IV. COUNCIL ACTIONS:

There were none.

V. SPECIAL ISSUES:

There were none.

VI. COMMUNICATIONS:

A. Commission:

There was discussion on presenting the digital sign standards ordinance amendment to City Council at the work session.

Mr. Richards complimented Ms. Becher and her staff on their work. He noted the complexity of cases on August agenda.

B. Community Development Director:

Liz Becher, Community Development Director, invited the Commissioner's to the Developer Forum Coffee Talk Thursday, August 28, 2014, 7:00 a.m. She advised that on September 24, 2014, a Project for Public Spaces, with the Platte River Trails would take place.

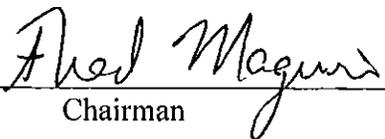
C. Other Communications:

D. Council Liaison:

Bob Hopkins, thanked the Planning and Zoning Commission for their work on the City Ordinance pertaining to Digital Signage.

VII. ADJOURNMENT

Chairman Maguire called for a motion for the adjournment of the meeting. A motion was made by Mr. Waterbury and seconded by Mr. Redder to adjourn the meeting. All present voted aye. Motion carried. The meeting was adjourned at 7:40 p.m.


Chairman


Secretary