

AGENDA
PLANNING AND ZONING MEETING
July 19, 2018
6:00 P.M.
COUNCIL CHAMBERS
CITY HALL, 200 NORTH DAVID

Meetings can be viewed online at www.casperwy.gov on the Planning Commission web page.

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: March 15, 2018 Meeting**
- III. PUBLIC HEARINGS:**

- A. **PLN-18-011-R** – A vacation and replat of Lots 5-7 of Mesa Addition No. 9, to create a new two-lot Subdivision, preliminarily referred to as Lots 4A and 5A Mesa Addition No. 9, comprising 0.55-acres, more or less, located in the 2900 block, on the west side of Central Drive. Applicant: Wolf Creek Properties, Inc.

- B. **PLN-18-012-Z** – Petition for a Zone Change of Lots 1 through 8 inclusive, Block 1, North Burlington Addition, located at 143, 145, 159, 169 West K Street, from R-3 (One to Four Unit Residential) to R-5 (Mixed Residential). Applicants: Rozanna Jean Weber, Penny Lynn Davenport.

- C. **PLN-18-013-C** – Petition for a Conditional Use Permit for construction of a parking lot in a C-2 (General Business) zoning district, located at 1425 South Poplar Street, more particularly described as Lot 4, Block 166, Casper Addition, Excepting the Southwestern Corner to the City Street. Applicant: M&T Enterprises, LLC.

VI. COUNCIL ACTIONS:

The following item(s) have been approved by the City Council since the last Planning and Zoning Commission meeting.

V. SPECIAL ISSUES:

VI. COMMUNICATIONS:

- A. **Commission**
- B. **Community Development Director**
 - 1) **Old Business Items**
 - 2) **New Business Items**

- C. **Council Liaison**
- D. **Other Communications**

VII. ADJOURNMENT

**PLANNING AND ZONING MEETING
THURSDAY, MARCH 15, 2018
CITY COUNCIL CHAMBERS**

These minutes are a summary of the meeting. For full details view online at www.casperwy.gov on the Meetings and Agendas web page. The Planning and Zoning Commission held a meeting at 6:00 p.m., on Thursday, March 15, 2018, in the Council Chambers, City Hall, 200 North David Street, Casper, Wyoming.

Members Present: Bob King
 Fred Feth
 Randy Hein
 Don Redder
 Ryan Waterbury
 Susan Frank
 Erik Aune

Absent Members: None

Others present: Craig Collins, City Planner
 Dee Hardy, Administrative Support Technician
 John Henley, City Attorney
 Bob Hopkins, Council Liaison

I. MINUTES OF THE PREVIOUS MEETING

Chairman Redder asked if there were additions or corrections to the minutes of the January 18, 2018 Planning & Zoning Commission meeting.

Chairman Redder called for a motion to approve the minutes of the January 18, 2018 Planning & Zoning Commission meeting.

Mr. Feth made a motion to approve the minutes of the January 28, 2018 meeting. The motion was seconded by Mr. Hein. All those present voted aye with the exception of Ms. Frank who abstained. Minutes approved.

II. PUBLIC HEARING

The first case this evening.

An Ordinance Amending Section 17.12.124 – Towers of the Casper Municipal Code; Providing Definitions; Providing for Permitted Locations; Providing for Permits; Providing for Severability; Providing for Repealer; and Providing for an Effective Date.

Craig Collins, City Planner, presented a summary of the staff report which recommends a Municipal Code Text Amendment to Section 17.12.124 of the Casper Municipal Code providing for permitted locations; providing for permits; providing for severability; providing for repealer; and providing for an effective date.

He stated that the demand for good cellular coverage and seamless connection to wireless broadband continues to grow. In response, wireless service providers estimate that next year alone, at least 150,000 new wireless telecommunication facilities will be installed nationwide, and more than 500,000 will be installed the following year to keep up with consumer demand for data and to deploy 5g networks.

The Telecommunications Act of 1996 states that local governments cannot “prohibit or have the effect of prohibiting wireless facilities,” but also preserves local zoning authority over the “placement, construction, and modification of wireless facilities.” Several other layers of law apply, and it appears clear that wireless telecommunication providers may locate in public rights of way.

While these new technologies are valuable to the community, City staff has concerns about preserving the integrity of the community and protecting its valuable property rights in its rights of way. Additionally, several factors make these new mini-towers different from traditional cell towers including: (1) location in City rights of way, instead of on leased or licensed public and private property; (2) the granting of utility status to distributed antenna system (“DAS”) contractors; (3) public safety concerns, and (4) the speed with which deployment is occurring.

City Council previously approved a contract with Thomas F. Duchon & Associates, Inc., d/b/a River Oaks Communications Corporation, to assist the City in updating its telecommunications ordinances and application packets, and allow for the new technology in accordance with federal law, while concurrently balancing the public interests in City rights of way. The consultant worked for several months, with City staff, to tailor the proposed ordinance to the needs of Casper, while being compliant with federal law, rules and regulations.

The Planning and Zoning Commission is required to review all ordinance changes to Title 17 (Zoning Regulations) of the Municipal Code, and to send its recommendation to the City Council for consideration.

Chairman Redder asked if there was anyone in the audience wanting to give comments regarding amending Section 17.12.124 of the Casper Municipal Code. There being none he closed the public hearing and entertained a motion to approve, approve with conditions, deny, or table the Amendments to Section 17.12.124 of the Casper Municipal Code - Towers of the Casper Municipal Code; Providing Definitions; Providing for Permitted Locations; Providing for Permits; Providing for Severability; Providing for Repealer; and Providing for an Effective Date.

For the purposes of discussion Mr. King made a motion to approve Amendments to Section 17.12.124 of the Casper Municipal Code - Towers of the Casper Municipal Code; Providing Definitions; Providing for Permitted Locations; Providing for Permits; Providing for Severability; Providing for Repealer; and Providing for an Effective Date, the motion was seconded by Ms. Frank.

Chairman Redder asked the Commission if there were questions for staff.

Chairman Redder asked if the changes were many or was this a total rewrite.

Craig Collins advised that this was a total rewrite. He advised that there are many wireless regulations that are coming into effect now, as well as those that should have reflected regulations enacted with the 1996 Telecommunication Act, and the City is trying to keep up.

Mr. King stated that it is apparent staff has spent a great deal of time on this rewrite, and asked if they had concerns with anything in the ordinance.

Craig Collins advised that Planning has no concerns, however the Ordinance was done in the attorney's office and is very complex, and deferred the question to the City Attorney.

John Henley, City Attorney, stated that due to the complexity of this contract the City Attorney's office hired a consultant to assist them. With new technology, significant rise in volume, and quality of services provided by wireless carriers it is imperative to have a contract in place. Many service providers are going with smaller distributive systems, and not the tall tower that many of us have seen. The smaller type will not be as big of eye sore, however there will be many more. New Federal Regulations require the use of City rights of way. There will be some specific time frames with this contract in place. New applications and existing towers will have 60 days to approve or disapprove. Collocate applications have a 90 day time frame, and brand new sites have 150 day time frame. That includes submitting the application and getting any other materials needed for review. Erik Aune, Commissioner, came in and expressed some concerns. Mr. Collins passed out copies of the revised Ordinance showing the highlighted concerns. Mr. Aune pointed out that some definitions were ambiguous, an example would be the definition of residential areas, page 3. Continuing on page 5 wireless facilities, didn't include some areas that encompass the sites, fencing and graffiti. The use of different fencing types may prevent graffiti. On page 8 use of faux native trees, changed to one that is generally found growing in Casper. Finally, we talk about site-obscuring fencing. For example, solid or slatted

wood, faux wood, vinyl, masonry or wrought iron fence or a combination thereof, on Page 9. Minitowers can't put up a barbed wire fence for site-obscuring, but may use a wrought iron fence. Hoping some companies select this type of fencing or the planning office could require a particular type of fencing for different areas of town. Mr. Henley thanked Mr. Aune for the great comments.

Mr. Aune stated that Section 2(b) talked about preserving the aesthetic community of Casper, nothing of maintaining it under the Municipal Code. He noted zoning regulations must be adhered to.

Mr. Waterbury advised that he has some experience with these sites. Many are owned by a tower leasing company, with different carriers that lease space on those towers. They typically are housed in a 50 x50 fenced area, and he has observed that many don't do a great job of taking care of their stuff. He stated he did not have any concerns with the Ordinance, however, if they are going to be in a public rights of way there needs to be some teeth to the Ordinance.

Mr. King asked Mr. Aune what language he would add. Mr. Aune deferred the question to staff.

Mr. Henley advised that there is a reference they must comply with the Building Code, which is incorporated into the Municipal Code.

Mr. Collins stated that he understands what Mr. Aune is getting at with aesthetics. Applicants will be required to do a franchise agreement where restrictions may be placed on how the tower will look and be maintained. He advised that all utilities must adhere to a franchise agreement when they want to locate in a City rights of way.

Mr. Henley stated federal regulations come into play to make sure there will be uniformity across all communities.

Mr. Waterbury stated that there are different types of cell towers located in the City. The cell site located at Kelly Walsh High School has a chain link fence around a prefab building. The actual tower is located in the stadium lighting and the district would like to rent some of its tower space. Another example is a tower located on CY Avenue disguised as a tree with a vinyl fence.

Mr. Collins stated Mr. Waterbury brings up a good point, in the past towers were speculative and there was not any technical expertise on staff to review the need for a tower. Now the applicant will have to prove the service of the tower is needed and the height must be justified.

Mr. Hein asked if part of the work would be to identify a location.

Mr. Henley advised that going forward they must provide a list of locations they have in Casper, and must articulate why they are asking for the deviation.

Ms. Frank asked for an explanation of the zoning classification FC. She noted the table of twelve (12) zoning classifications listed on page 12 of the Ordinance.

Mr. Collins replied that the zoning classification was FC- Flood Channel. He advised that there was one (1) lot in Casper that falls under the FC classification, and it has to do with the 100 year flood zone. This classification is not utilized as a Zoning District.

Mr. King made a motion to amend the motion to approve with amendments shown in the handout. Ms. Frank seconded the motion.

There was discussion on:

- Specifying trees that grow in Casper to blend in surrounding area.
- May be something other than a tree such as a silo, steeple or anything that could and would fit in the neighborhood.
- Balance needed with these restrictive rules.
- Review on a case by case basis with a franchise agreement

Chairman Redder asked members to cast their vote on the motion to amend the original motion. All those present voted aye. Motion carried.

Mr. King made a motion to approve Amendments to Section 17.12.124 of the Casper Municipal Code - Towers of the Casper Municipal Code; Providing Definitions; Providing for Permitted Locations; Providing for Permits; Providing for Severability; Providing for Repealer; and Providing for an Effective Date with the amendments listed in the handout, and forward a “do pass” recommendation to Council. The motion was seconded by Ms. Frank. All those present voted aye. Motion carried.

III. COUNCIL ACTIONS:

Approving an Amendment to the New Delta Addition Subdivision Agreement Dated August 3, 1999.

Approving the Replat Creating Meadow View Estates Addition No. 2, Lots 24 and 25, Block 3.

IV. SPECIAL ISSUES:

None.

V. COMMUNICATIONS:

A. Commission:

Mr. Hein, Ms. Frank, Mr. King, Mr. Waterbury and Mr. Redder expressed an interest in attending the WYOPASS Spring Workshop to be held

Thursday, May 10, 2018 and Friday May 11, 2018, in Riverton, Wyoming. Mr. Collins advised that registration and hotel accommodations would be made through the Planning office. He asked the Commission to let us know as soon as possible if they would like to attend.

Mr. King asked about a tour of the Plains Furniture Building for the Planning Commission.

B. Community Development Director:
There were none.

C. Other Communications:
There were none.

D. Council Liaison:
Bob Hopkins, Council Liaison thanked the commission for passing the Ordinance this evening. Having this in place will enable citizens to use their cell phones anywhere. He advised that the micro cell towers will be less invasive than many of the tall towers. He advised that there would be an RFP (Request for Proposal) process for the remaining property at the Plains Furniture site. He asked the Planning and Zoning Commission to be part of this process.

VI. ADJOURNMENT

Chairman Redder called for a motion for the adjournment of the meeting. A motion was made by Ms. Frank and seconded by Mr. Waterbury to adjourn the meeting. All present voted aye. Motion carried. The meeting was adjourned at 6:49 p.m.

Chairman

Secretary

July 13, 2018

MEMO TO: Don Redder, Chairman
Members of the Planning and Zoning Commission

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

SUBJECT: **PLN-18-011-R** – A vacation and replat of Lots 5-7 of Mesa Addition No. 9, to create a new two-lot Subdivision, “Mesa Addition No. 11, Lots 4A and 5A” comprising 0.55-acres, more or less, located in the 2900 block, on the west side of Central Drive. Applicant: Wolf Creek Properties, Inc.

Recommendation:

If, after the required public hearing, the Planning and Zoning Commission finds that the requested replat meets the minimum requirements of the Casper Municipal Code, it would be staff’s recommendation that the Commission approve the replat and forward it to the City Council with a “do pass” recommendation.

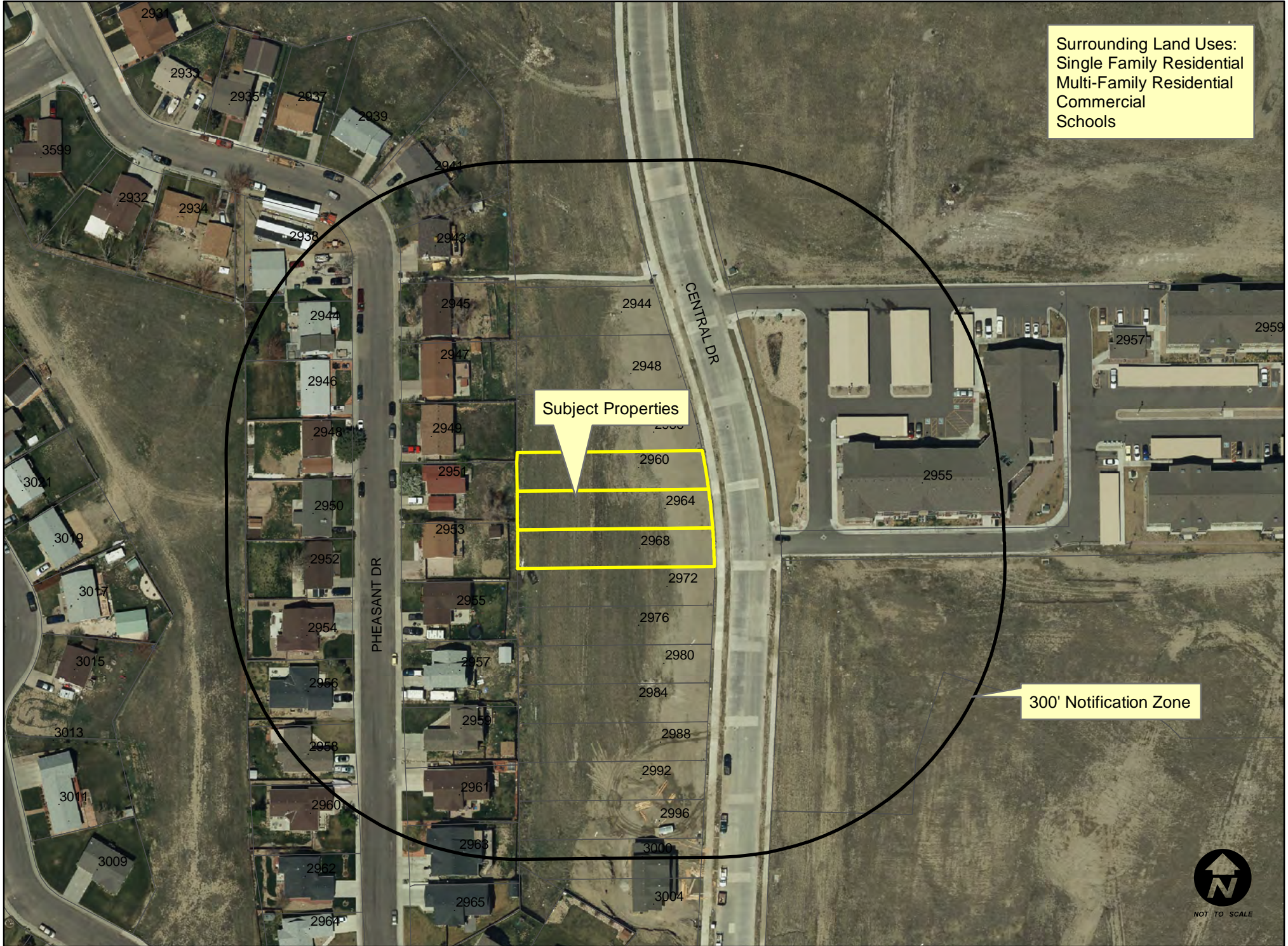
Code Compliance:

Staff has complied with all public notice requirements of Section 16.24 of the Casper Municipal Code pertaining to replats, including notification of property owners within three hundred (300) feet by first class mail, posting of the property, and publishing legal notice in the Casper Star-Tribune. At the time the staff report was prepared, staff had not received any public comments regarding this case. The Commission is responsible for reviewing replats, and making a recommendation to the City Council to approve, approve with conditions, or deny the proposal. Alternatively, if the Planning and Zoning Commission finds it necessary, the replat may also be continued to a date certain, or tabled.

Summary:

Wolf Creek Properties, Inc. is the applicant for the requested replat of three (3) lots to create a new two-lot subdivision. The subject property is zoned C-2 (General Business), and encompasses approximately a half acre in total. There is no minimum lot size in the C-2 zoning district, and the resulting lots are larger than exists under the current configuration. The subject property is being developed as a single-family residential development, which is a conforming and permitted use under C-2 (General Business) zoning.

Lots 4A and 5A Mesa Addition No. 9



Surrounding Land Uses:
Single Family Residential
Multi-Family Residential
Commercial
Schools

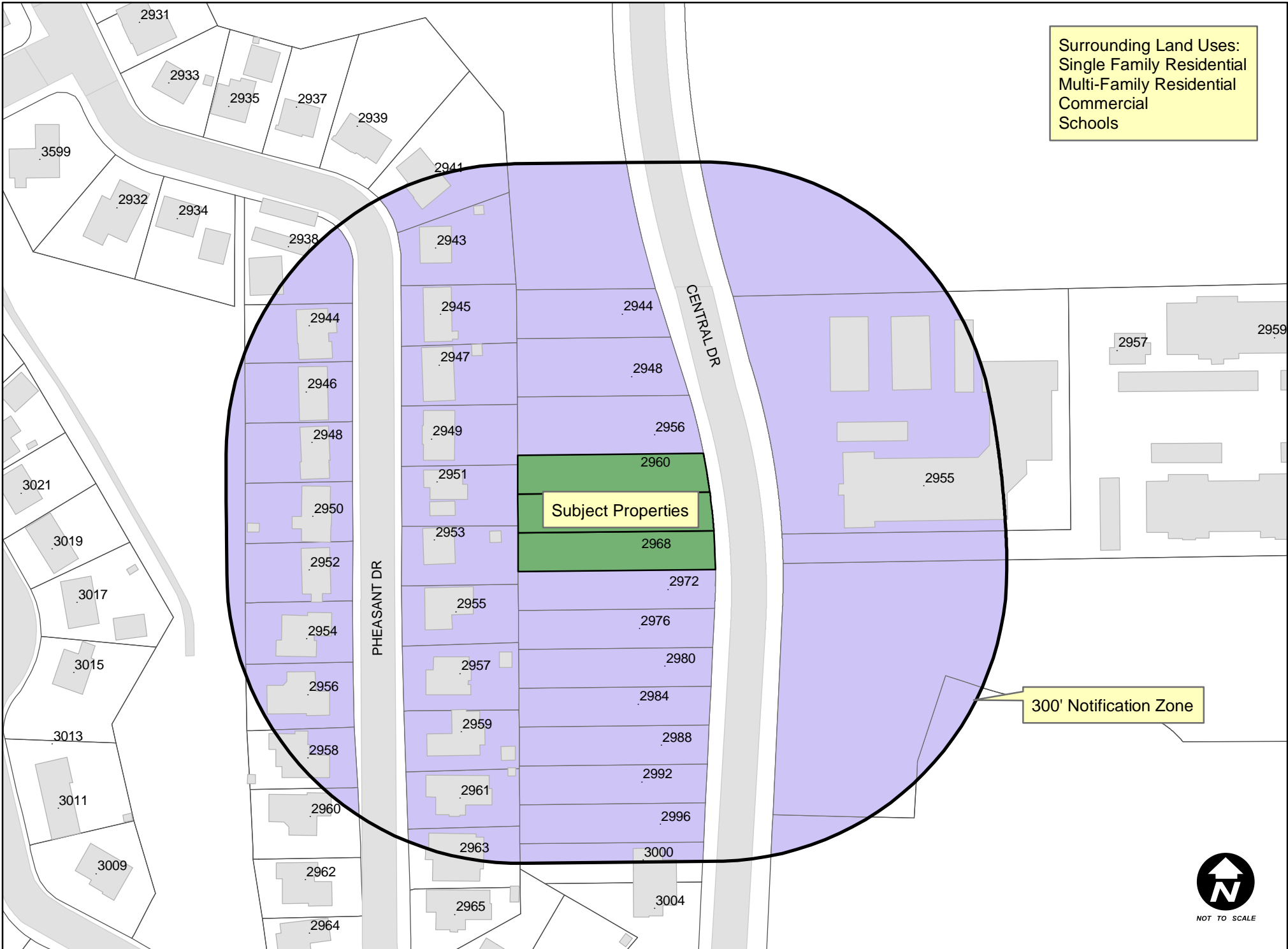
Subject Properties

300' Notification Zone



Lots 4A and 5A Mesa Addition No. 9

Surrounding Land Uses:
Single Family Residential
Multi-Family Residential
Commercial
Schools



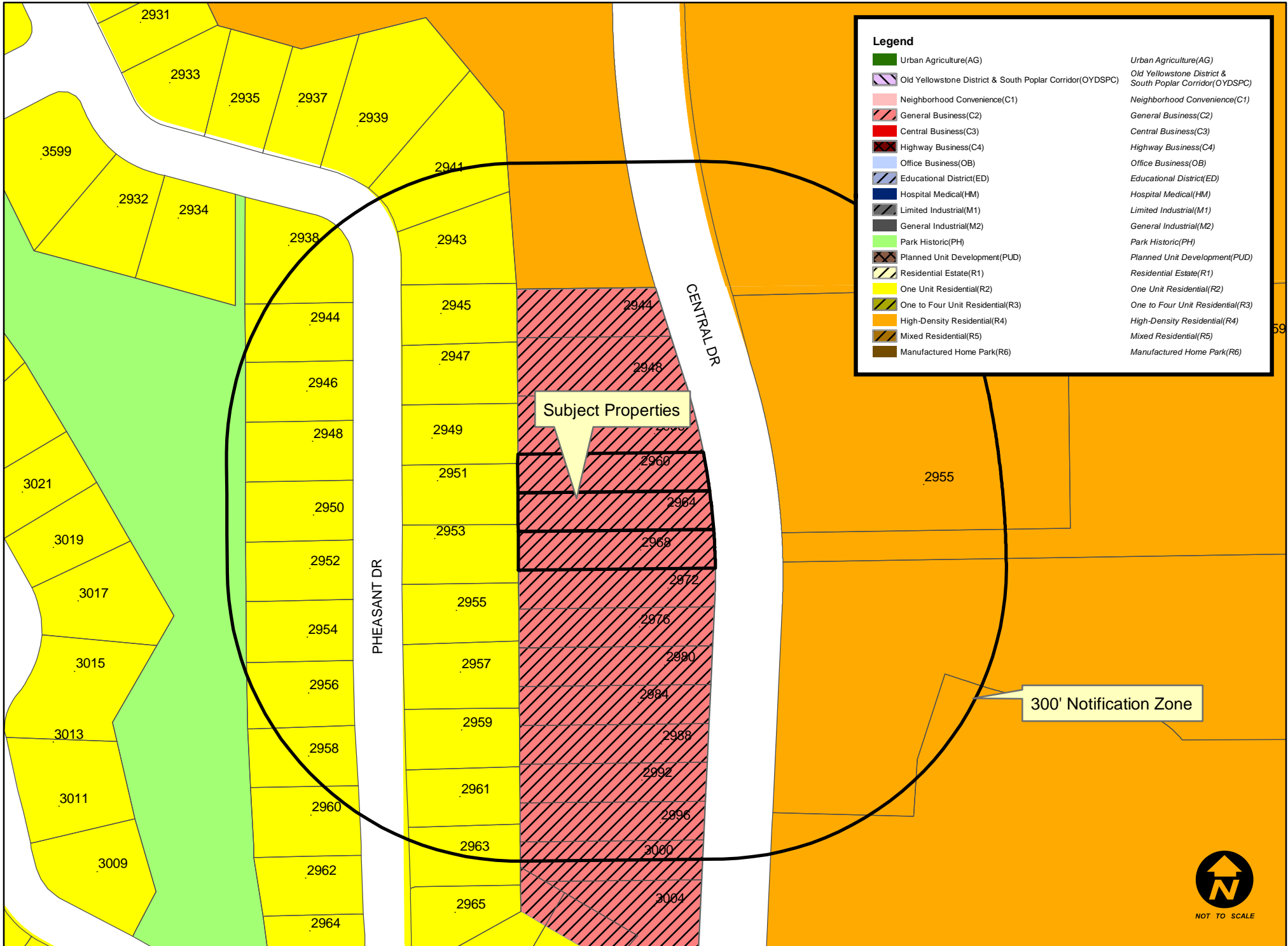
Subject Properties

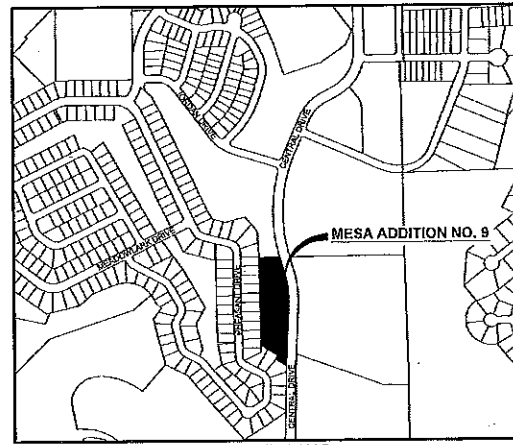
300' Notification Zone



NOT TO SCALE

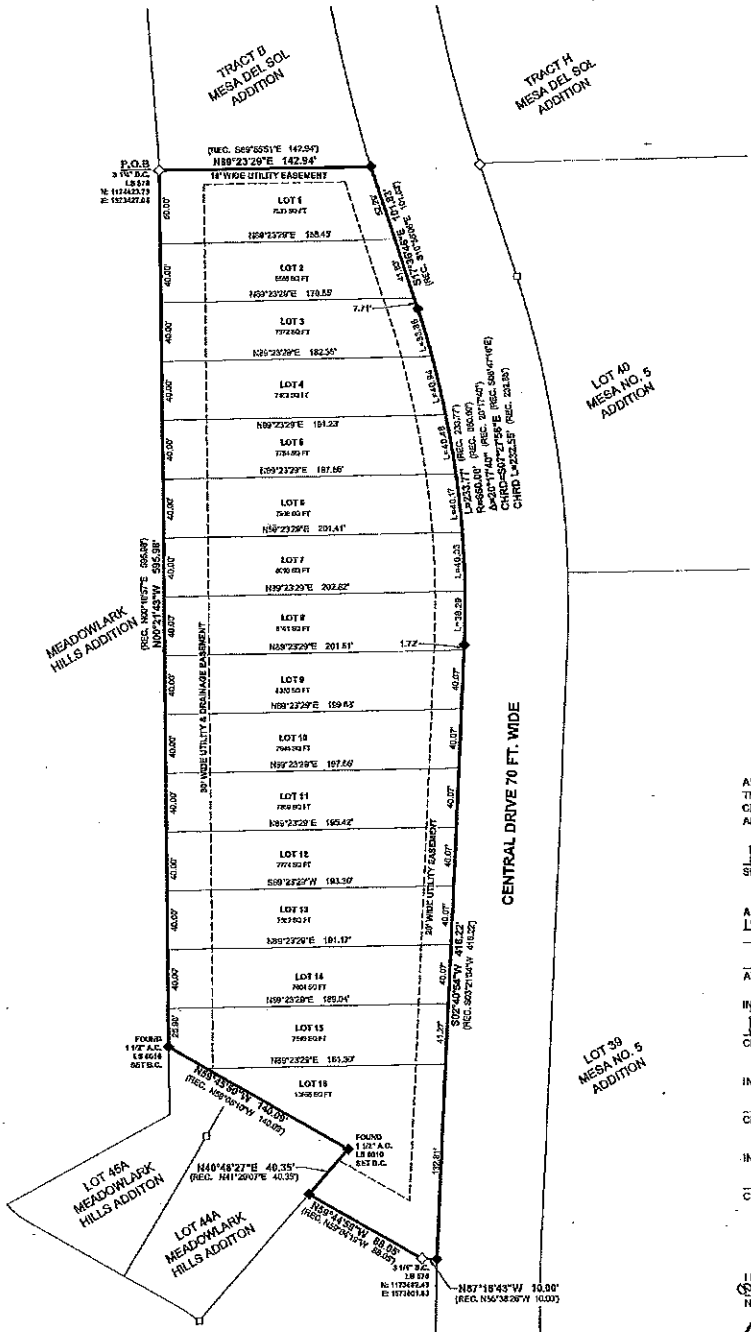
Lots 4A and 5A Mesa Addition No. 9



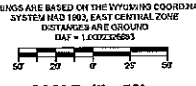


VICINITY MAP
CITY OF CASPER, WYOMING

- NOTES**
1. PUBLISHED COORDINATES REFER TO THE CITY OF CASPER'S GIS DATUM OF WYOMING STATE PLANE COORDINATES, EAST CENTRAL ZONE, NAD 83/86.
 2. ALL INTERIOR LOT CORNERS ARE TO BE SET WITH A DURABLE MONUMENT BY THE OWNER'S DESIGNATED WYOMING PROFESSIONAL LAND SURVEYOR UPON COMPLETION OF THE ROADWAY AND UNDERGROUND UTILITIES.
 3. ERROR OF CLOSURE IS 1:198,633
 4. RECORD CALLS REFER TO THE MINOR BOUNDARY ADJUSTMENT PLAT OF "MESA ADDITION NO. 5, LOT 41B & MEADOWLARK HILLS, LOT 45A, BLOCK 6"



NATRONA COUNTY CLERK, WY
Kenna Vitta
Jul 23, 2014 09:05:03 AM
Page: 1
City of Casper



- SCALE: 1" = 50'**
- = FOUND BRASS CAP
 - = FOUND ALUMINUM CAP
 - ◆ = SET 3 1/4" BRASS CAP, LS 12899, T-POST ALONGSIDE
 - = SET 2" AG, LS 12999 ON 5/8" REBAR
 - = SUBDIVISION BOUNDARY LINE
 - - - = LOT LINE
 - - - = EXTENTS OF EASEMENT
 - - - = ADJONERS PROPERTY LINES FROM RECORD
 - REC. = RECORD CALL

**A VACATION AND REPLAT OF
ALL OF LOT 41B OF MESA ADDITION NO.5,
AN ADDITION TO THE CITY OF CASPER, WYOMING
ACCORDING TO THE MINOR BOUNDARY ADJUSTMENT PLAT
PLAT OF "MESA ADDITION NO. 5, LOT 41B & MEADOWLARK
HILLS, LOT 45A, BLOCK 6", RECORDED AS
INSTRUMENT NUMBER 972548 OF THE
NATRONA COUNTY, WYOMING RECORDS
TO BE KNOWN AS**

MESA ADDITION NO. 9

AN ADDITION TO THE CITY OF CASPER, WYOMING
SITUATED IN
THE NORTHEAST QUARTER (NE1/4)
OF SECTION 19, TOWNSHIP 33 NORTH, RANGE 79 WEST,
6TH PRINCIPAL MERIDIAN, NATRONA COUNTY, WYOMING

CERTIFICATE OF DEDICATION

THE UNDERSIGNED, MESA DEVELOPMENT, INC., RANDALL B. HALL, PRESIDENT, HEREBY CERTIFIES THAT MESA DEVELOPMENT, INC. IS THE OWNER AND PROPRIETOR OF THE FOREGOING "MESA ADDITION NO. 9," ALL OF LOT 41B ACCORDING TO THE MINOR BOUNDARY ADJUSTMENT PLAT OF "MESA ADDITION NO. 5, LOT 41B & MEADOWLARK HILLS, LOT 45A, BLOCK 6" AND BEING A PORTION OF LAND SITUATED IN THE NORTHEAST QUARTER (NE1/4) OF SECTION 19, TOWNSHIP 33 NORTH, RANGE 79 WEST, 6TH P.M., NATRONA COUNTY, WYOMING; SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH-WESTERLY CORNER OF THE PARCEL BEING DESCRIBED AND THE NORTH-WESTERLY CORNER OF SAID LOT 41A OF "MESA ADDITION NO. 5, LOT 41B & MEADOWLARK HILLS, LOT 45A, BLOCK 6" ACCORDING TO THE PLAT THEREOF RECORDED AS INSTRUMENT NUMBER 972548 OF THE NATRONA COUNTY RECORDS, MONUMENTED WITH A 3 1/4" BRASS CAP STAMPED PLS 576;
THENCE NORTH 89°23'23" EAST, 142.84 FEET ALONG THE NORTH LINE OF SAID LOT 41B TO A POINT ON THE WESTERLY R.O.W. LINE OF CENTRAL DRIVE, A 70 FOOT WIDE RIGHT OF WAY AS DEDICATED AND SHOWN ON THE PLAT OF "MESA ADDITION NO. 5" RECORDED AS INSTRUMENT NUMBER 841590 OF THE NATRONA COUNTY RECORDS, MONUMENTED WITH A 3 1/4" BRASS CAP STAMPED PLS 12899;
THENCE SOUTH 17°30'48" EAST, 101.83 FEET ALONG SAID WESTERLY R.O.W. LINE OF CENTRAL DRIVE AND THE EASTERLY BOUNDARY OF SAID LOT 41B TO A 3 1/4" BRASS CAP STAMPED PLS 12899 AND BEING THE BEGINNING OF A TANGENT CIRCULAR CURVE TO THE RIGHT;
THENCE CONTINUING ALONG SAID WESTERLY R.O.W. AND SAID EASTERLY BOUNDARY ON THE ARC OF A CURVE TO THE RIGHT, CONVEX SOUTH-WESTERLY, WITH A CENTRAL ANGLE OF 20°17'41", A RADIUS OF 660.00 FEET, AN ARC LENGTH OF 233.77 FEET, AND A CHORD BEARING SOUTH 07°27'58" EAST, 232.56 FEET TO A 3 1/4" BRASS CAP STAMPED PLS 12899;
THENCE NORTH 87°18'43" WEST, 10.00 FEET ALONG THE SOUTHERLY BOUNDARY OF SAID LOT 41B TO A 3 1/4" BRASS CAP STAMPED PLS 576;
THENCE NORTH 59°44'59" WEST, 80.65 FEET ALONG SAID SOUTHERLY BOUNDARY TO AN 3 1/4" BRASS CAP STAMPED PLS 12899;
THENCE NORTH 40°49'27" EAST, 40.35 FEET ALONG SAID SOUTHERLY BOUNDARY TO AN 3 1/4" BRASS CAP STAMPED PLS 12899;
THENCE NORTH 50°45'58" WEST, 140.89 FEET ALONG SAID SOUTHERLY BOUNDARY TO THE SOUTH-WESTERLY CORNER OF SAID LOT 41B BEING MONUMENTED BY A 3 1/4" BRASS CAP STAMPED PLS 12899;
THENCE NORTH 00°21'43" WEST, 595.88 FEET ALONG THE WESTERLY BOUNDARY OF SAID LOT 41B TO THE POINT OF BEGINNING.
SAID TRACT CONTAINING 2.83 ACRES MORE OR LESS.

APPROVALS

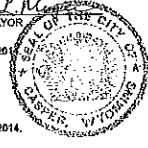
APPROVED: PLANNING AND ZONING COMMISSION CASPER, WYOMING
THIS 27th DAY OF JULY, 2014 AND FORWARDED TO THE
CITY COUNCIL OF CASPER, WYOMING WITH RECOMMENDATION THAT SAID PLAT BE
APPROVED.
Liz Becker SECRETARY
Paul Morgan COMMISSION CHAIRMAN

APPROVED: CITY COUNCIL OF THE CITY OF CASPER, WYOMING BY RESOLUTION NUMBER
14-102 DAILY PASSED, ADOPTED AND APPROVED ON THIS 17th DAY OF
JULY, 2014.
Tom Denny MAYOR
ATTEST: CITY CLERK
Kenna Vitta

INSPECTED AND APPROVED ON THIS 10th DAY OF JULY, 2014
Harold Dennis CITY ENGINEER

INSPECTED AND APPROVED ON THIS 7th DAY OF JULY, 2014
William CITY SURVEYOR

INSPECTED AND APPROVED ON THIS 10th DAY OF JULY, 2014
Liz Becker COMMUNITY DEVELOPMENT DIRECTOR



CERTIFICATE OF RECORDER

I HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE AT
9:05:03 AM ON JULY 23rd DAY OF JULY, 2014 AS INSTRUMENT
NUMBER 972548
Kenna Vitta
NATRONA COUNTY CLERK

CERTIFICATE OF SURVEYOR

I, GEORGE J. DALE, DO HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND
SURVEYOR, LICENSED UNDER THE LAWS OF THE STATE OF WYOMING, THAT THIS PLAT IS A
TRUE, CORRECT AND COMPLETE PLAT OF "MESA ADDITION NO. 9, AS Laid Out, PLatted,
DEDICATED AND SHOWN HEREON, AND THAT THIS PLAT WAS MADE FROM AN ACCURATE
FIELD SURVEY OF SAID PROPERTY CONDUCTED BY, AARON L. MONEY, DURING APRIL 2014,
UNDER MY DIRECT SUPERVISION AND THAT THE PHYSICAL AND MATHEMATICAL DETAILS
SHOWN HEREON ARE CORRECT AT THE TIME OF SAID SURVEY.

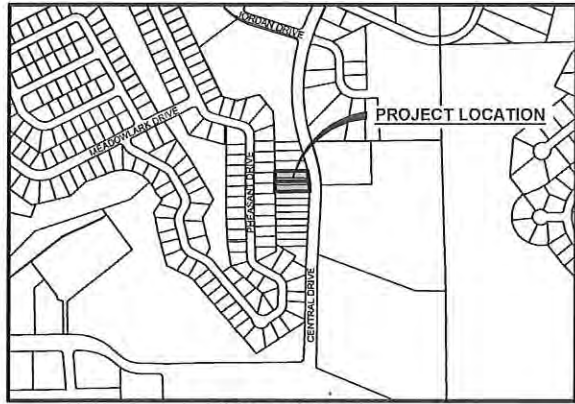
EC
PROFESSIONAL ENGINEERS
& LAND SURVEYORS
Environmental and Civil Solutions, LLC
1507 CY Avenue, Suite 102
Casper, WY 82004
Phone: 307.337.2883
www.ecsengineers.net
PROJECT NO. 140047

OWNER: MESA DEVELOPMENT, INC.
550 N. POPULAR ST.
CASPER, WY 82601

SURVEYOR: FIELD: AARON L. MONEY, LSIT
REVIEW: GEORGE J. DALE, PLS

DATE DRAWN: 05.21.14
BY: ALM



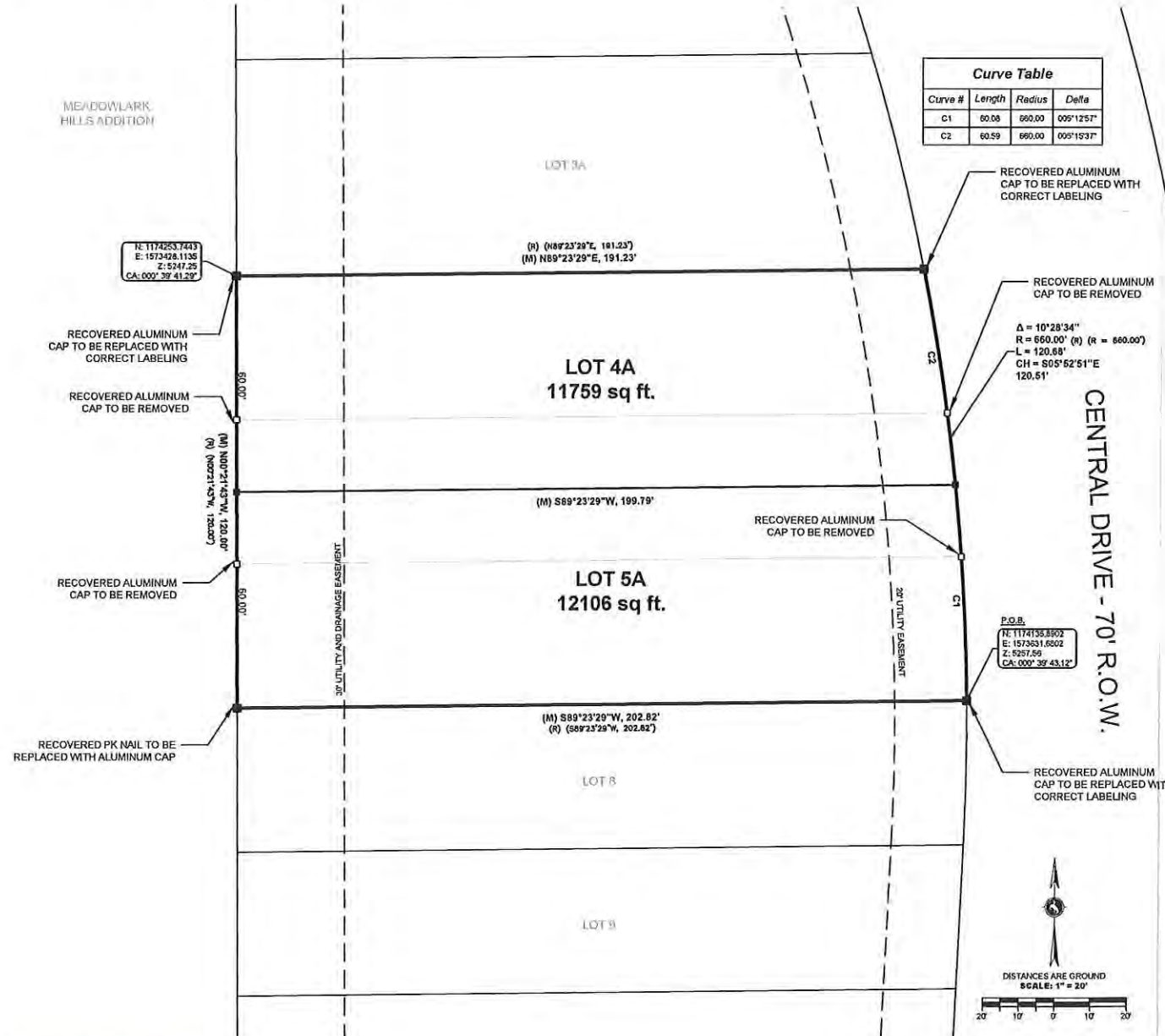


LOCATION MAP
CASPER, WYOMING

PLAT OF MESA ADDITION NO. 11, LOTS 4A AND 5A

TO THE CITY OF CASPER, WYOMING

BEING A VACATION & REPLAT OF MESA ADDITION NO. 9, LOTS 5-7, LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE1/4NE1/4) OF SECTION 19, TOWNSHIP 33 NORTH, RANGE 79 WEST, 6TH PRINCIPAL MERIDIAN, NATRONA COUNTY, WYOMING



CERTIFICATE OF DEDICATION.

THE UNDERSIGNED, RANDALL S. HALL, PRESIDENT OF WOLF CREEK PROPERTIES INC., HEREBY CERTIFIES THAT HE IS THE OWNER AND PROPRIETOR OF THE ABOVE OR FOREGOING LOTS 5-7 OF MESA ADDITION NO. 9, LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE1/4NE1/4) OF SECTION 19, T.33N., R.79W. OF THE 6TH PRINCIPAL MERIDIAN, NATRONA COUNTY, WYOMING; SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE PARCEL BEING DESCRIBED AND THE NORTHEAST CORNER OF LOT 8, MESA ADDITION NO. 9, SAID POINT BEING MONUMENTED WITH AN ALUMINUM CAP; THENCE S.89°23'29"W., 202.82 FEET ALONG THE NORTHERLY LINE OF SAID LOT 8 AND THE SOUTHERLY LINE OF SAID PARCEL TO A POINT MONUMENTED WITH AN ALUMINUM CAP; THENCE N.00°21'43"W., 120.00 FEET ALONG THE WEST LINE OF SAID PARCEL AND THE EAST LINE OF THE MEADOWLARK HILLS ADDITION TO A POINT MONUMENTED WITH AN ALUMINUM CAP; THENCE N.89°23'29"E., 191.23 FEET ALONG THE NORTH LINE OF SAID PARCEL AND THE SOUTHERLY LINE OF LOT 3A OF MESA ADDITION NO. 9 TO A POINT MONUMENTED WITH AN ALUMINUM CAP; THENCE ALONG A CURVE 120.68 FEET, SAID CURVE TURNING TO THE RIGHT THROUGH A CENTRAL ANGLE OF 10°28'34", HAVING A RADIUS OF 660.00 FEET, AND WHOSE LONG CHORD BEARS S.05°52'51"E. FOR A CHORD DISTANCE OF 120.51 FEET ALONG THE EAST LINE OF SAID PARCEL AND THE WESTERLY RIGHT-OF-WAY LINE OF CENTRAL DRIVE TO THE POINT OF BEGINNING.

SAID TRACT CONTAINING 0.55 ACRES MORE OR LESS.

THE VACATION AND REPLAT OF THE FOREGOING DESCRIBED LANDS IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE ABOVE NAMED OWNERS AND PROPRIETORS. THE NAME OF SAID VACATION AND REPLAT SHALL BE KNOWN AS "MESA ADDITION NO. 11, LOTS 4A AND 5A" TO THE CITY OF CASPER, WYOMING. UTILITY EASEMENTS, AS SHOWN HEREON ARE HEREBY RESERVED FOR THE PURPOSES OF CONSTRUCTION, OPERATION AND MAINTENANCE OF PUBLIC AND PRIVATE UTILITY LINES, CONDUITS, VAULTS, PEDESTALS AND OTHER UTILITY APPURTENANCES.

EXECUTED THIS _____ DAY OF _____, 2018.

BY: _____
RANDALL S. HALL, PRESIDENT, WOLF CREEK PROPERTIES INC.

STATE OF WYOMING)
) SS
COUNTY OF NATRONA)

THIS THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2018, BY RANDALL S. HALL, PRESIDENT, WOLF CREEK PROPERTIES INC.

WITNESS MY HAND AND OFFICIAL SEAL

NOTARY PUBLIC _____ MY COMMISSION EXPIRES _____

APPROVALS

APPROVED: PLANNING AND ZONING COMMISSION CASPER, WYOMING

THIS _____ DAY OF _____, 2018 AND FORWARDED TO THE CITY COUNCIL OF CASPER, WYOMING WITH RECOMMENDATION THAT SAID PLAT BE APPROVED.

COMMISSION CHAIRMAN _____ SECRETARY _____

APPROVED: CITY COUNCIL OF THE CITY OF CASPER, WYOMING BY RESOLUTION NUMBER _____ DULY PASSED, ADOPTED AND APPROVED ON THIS _____ DAY OF _____, 2018.

MAYOR _____ ATTEST: CITY CLERK _____

INSPECTED AND APPROVED ON THIS _____ DAY OF _____, 2018.

CITY ENGINEER _____

INSPECTED AND APPROVED ON THIS _____ DAY OF _____, 2018.

CITY SURVEYOR _____

LEGEND

- RECOVERED ALUMINUM CAP
- RECOVERED BRASS CAP
- SET ALUMINUM CAP (PLS 584)
- SET BRASS CAP (PLS 584)
- (RECOVERED & REPLACED ACCEPTED ALUMINUM CAP)
- SUBDIVISION BOUNDARY
- PROPERTY LINE
- PROPERTY LINE (ADJACENT AND EXISTING)
- - - EASEMENT LINE
- (M) 500° 53' 28"E, 70.02' MEASURED BEARING AND DISTANCE
- (R) (500°12'12"E, 70.00') RECORD BEARING AND DISTANCE

NOTES

1. PLAT CLOSURE RATIO - 1:496,576
2. DISTANCES ARE GROUND (GROUND DISTANCE - U.S. FOOT)
3. BASIS OF BEARING - GEODETIC BASED ON GPS
4. COORDINATES REFER TO CITY OF CASPER GIS DATUM, WYOMING STATE PLANE COORDINATES, EAST CENTRAL ZONE, NAD83/88 AND ELEVATIONS REFER TO NAVD88.
5. ELEVATIONS ARE FOR REFERENCE ONLY AND ARE NOT TO BE USED AS BENCHMARKS.

CERTIFICATE OF SURVEYOR

I, ROBERT L. SL CLAIRE, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, REGISTERED UNDER THE LAWS OF THE STATE OF WYOMING, THAT THIS PLAT IS A TRUE, CORRECT AND COMPLETE PLAT OF "MESA ADDITION NO. 11, LOTS 4A AND 5A" AS LAID OUT, PLATTED, DEDICATED AND SHOWN HEREON, AND THAT THIS PLAT WAS MADE UNDER MY DIRECT SUPERVISION AND THAT THE PHYSICAL AND MATHEMATICAL DETAILS SHOWN HEREON ARE CORRECT AT THE TIME OF SAID SURVEY.

STATE OF WYOMING)
) SS
COUNTY OF NATRONA)

THIS THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2018, BY ROBERT L. SL CLAIRE.

WITNESS MY HAND AND OFFICIAL SEAL

NOTARY PUBLIC _____ MY COMMISSION EXPIRES _____

EC
ENGINEERS
Environmental and Civil Solutions, LLC
111 West 2nd Street, Suite 600
Casper, WY 82601
Phone: 307.337.2883
www.ecsengineers.net
PROJECT NO. 180021

OWNER:
WOLF CREEK PROPERTIES INC.
550 N. POPLAR
CASPER, WY 82601

SURVEYOR:
FIELD: JEFF CONLEY
REVIEW: ROBERT L. SL CLAIRE, P.L.S.

DATE DRAWN:
07.10.2018
DRAWN BY:
CDB

JUL 12 2018

July 13, 2018

MEMO TO: Don Redder, Chairman
Members of the Planning and Zoning Commission

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

SUBJECT: **PLN-18-012-Z** – Petition for a Zone Change of Lots 1 through 8 inclusive, Block 1, North Burlington Addition, located at 143, 145, 159, 169 West K Street, from R-3 (One to Four Unit Residential) to R-5 (Mixed Residential). Applicants: Rozanna Jean Weber, Penny Lynn Davenport.

Recommendation:

If, after the required public hearing, the Planning and Zoning Commission finds that the proposed zone change meets the minimum requirements of the Casper Municipal Code, and is in conformance with the Comprehensive Land Use Plan, staff recommends approval of the zone change with a “do pass” recommendation to the City Council.

Code Compliance:

Staff has complied with all public notice requirements of Section 17.12.170 of the Casper Municipal Code pertaining to zone changes including notification of property owners within 300 feet by first class mail, posting of the property, and publishing legal notice in the Casper Star-Tribune. Staff has not received any comments regarding this case.

Summary:

The applicants in this case have requested a zone change of their properties, Lots 1-8, Block 1, North Burlington Addition, from R-3 (One to Four Unit Residential) to R-5 (Mixed Residential). The area surrounding the subject properties is a mix of zoning districts, including R-3 (One to Four Unit Residential), C-2 (General Business), R-5 (Manufactured (Mobile) Home Park), and R-5 (Mixed Residential). Land uses in the area are a mix of both residential and commercial. The applicants have stated that the reason that they have requested a rezoning of the properties is to increase the variety of land use options. The primary difference between the existing R-3 zoning and the proposed R-5 zoning is that single-wide manufactured homes are permitted in the R-5 zoning district, provided they are on a permanent foundation. The R-5 zoning district also allows several types of small, neighborhood-serving commercial businesses by right, whereas, those same uses require the approval of a Conditional Use Permit under R-3 zoning.

Section 17.12.170 of the Casper Municipal Code requires that staff review zoning applications in the context of the approved Comprehensive Land Use Plan, and provide a recommendation to the Planning and Zoning Commission and City Council as to how the zone change is either supported, or not supported. The Comprehensive Land Use Plan is the City's land use and development policy document that describes the values and ideals expressed by the community for its future during an exhaustive public input process. Chapter Three (3) of the Comprehensive Land Use Plan provides principles and goal. Principles and goals that may be applicable to the requested zone change are as follows:

Principle VUC1-2 – **Neighborhood Services:** Enhance the cohesiveness and identity of residential neighborhoods by encouraging a healthy mixture of commercial, employment, neighborhood services (coffee shops, grocery stores, and restaurants), and cultural uses that support the everyday needs of the residents. (Pg. 3-9)

Goal UQL2-4 – **Community Housing:** Implement land use changes that encourage diverse housing options and affordability by integrating the latest tools, incentives, and code options. (Pg. 3-23)

As was the case with the 2000 Comprehensive Land Use Plan, the Generation Casper Comprehensive Plan provides a Future Land Use Plan (FLU), which is found in Chapter Four (4), on Page 4-26. The FLU is an illustrative map that identifies the physical distribution of land uses, and forms the basis for future zoning and land use regulations. The properties in question are in an area designated by the FLU as “Neighborhood Center.”

The Plan indicates that Neighborhood Centers are areas designated for low-scale commercial uses supporting general neighborhood needs with supporting multifamily residential. Furthermore, Neighborhood Centers typically consist of offices, small grocery, and/ or restaurants. Size, scale, and intensity of uses fit into the context of the neighborhood, and Centers are highly connected and pedestrian and bicycle-friendly. Although primarily residential in character, other uses are focused at intersections and major corridors, to buffer single-family residential neighborhoods.

The existing R-3 (One to Four Unit Residential) zoning district allows, as permitted uses, by right, any and all of the following:

- A. Conventional site-build single-family dwellings and manufactured homes with siding material consisting of wood or wood products, stucco, brick, rock, or horizontal lap wood, steel or vinyl siding;
- B. Conventional site-built and modular two-family dwellings;
- C. Conventional site-built and modular multifamily dwellings consisting of not over four individual dwelling units;
- D. Conventional site-built and modular condominiums for residential use consisting of not over four individual dwelling units;

- E. Conventional site-built and modular townhomes for residential use consisting of not over four individual dwelling units;
- F. Day-care, adult;
- G. Family child care home;
- H. Reserved;
- I. Parks, playgrounds, historical sites, golf courses, and other similar recreational facilities used during daylight hours;
- J. Schools, public, parochial, and private elementary, junior and senior high;
- K. Neighborhood assembly uses;
- L. Branch community facilities;
- M. Neighborhood grocery;
- N. Group home;
- O. Church.

The proposed R-5 (Mixed Residential) zoning district allows, as permitted uses, by right, any and all of the following:

- A. Single-family dwellings;
- B. Two-family dwellings;
- C. Multifamily dwellings;
- D. Condominiums for residential use;
- E. Manufactured homes (mobile) on a permanent type foundation;
- F. Boarding/rooming houses;
- G. Bed and breakfast;
- H. Bed and breakfast homestay;
- I. Churches;
- J. Day care, adult
- K. Family child care home;
- L. Group homes;
- M. Neighborhood grocery stores;
- N. Nursing Homes;
- O. Parks, playgrounds, historical sites, golf courses, and other similar recreational facilities operated and used during daylight hours;
- P. Townhouses;
- Q. Schools, public, parochial, and private elementary, junior and senior high;
- R. Neighborhood assembly uses;
- S. Branch community facilities;
- T. Neighborhood grocery;
- U. Personal service shops;
- V. Professional offices with fewer than twenty employees;
- W. Coffee shops, cafes and restaurants without drive-up windows;
- X. Sundry shops and specialty shops.

143, 145, 159, 169 West K Street Zone Change

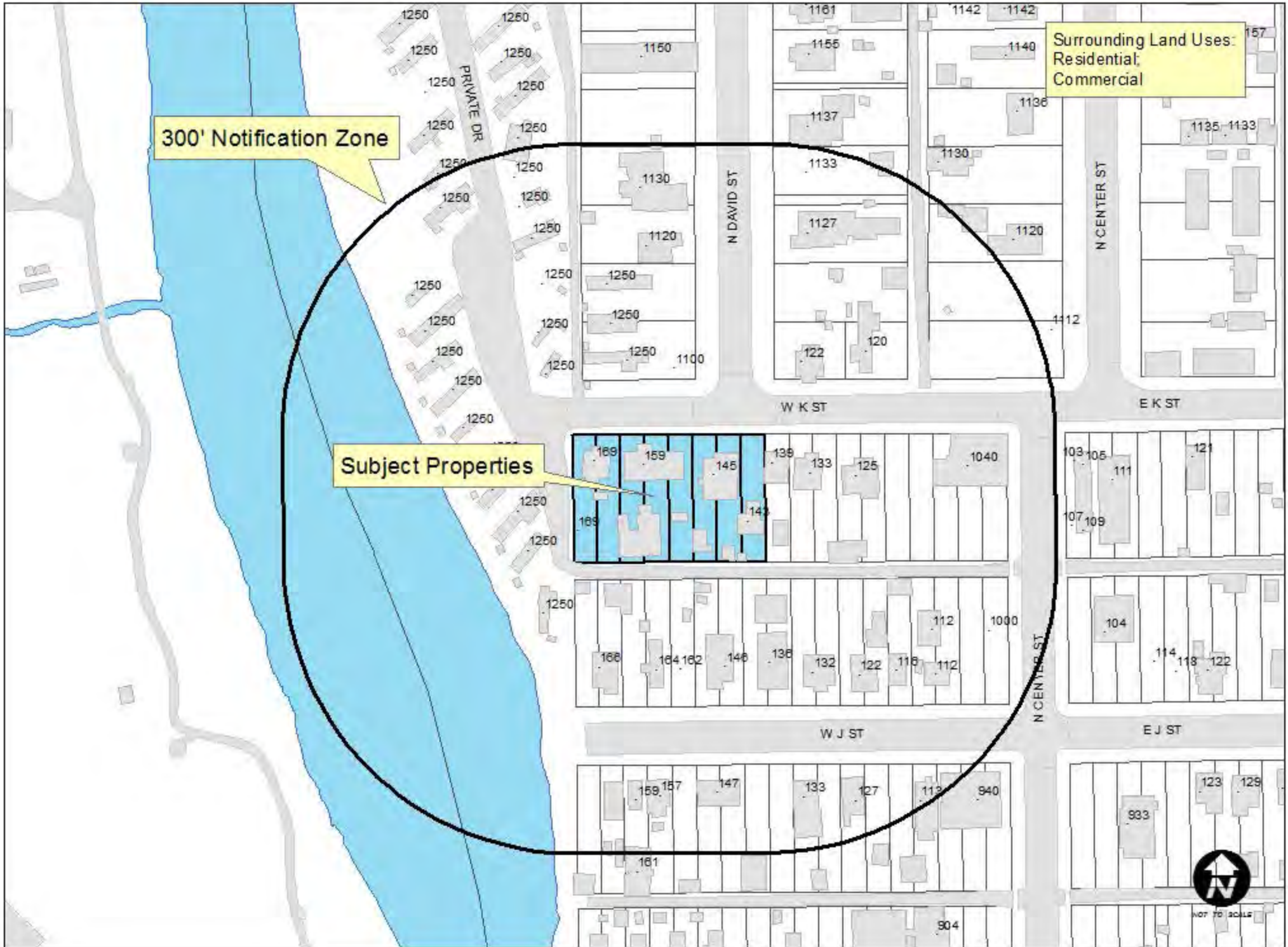


Subject Properties



NOT TO SCALE

143, 145, 159, 169 West K Street Zone Change



143, 145, 159, 169 West K Street Zone Change



July 13, 2018

MEMO TO: Don Redder, Chairman
Members of the Planning and Zoning Commission

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

SUBJECT: **PLN-18-013-C** – Petition for a Conditional Use Permit for construction of a parking lot in a C-2 (General Business) zoning district, located at 1425 South Poplar Street, more particularly described as Lot 4, Block 166, Casper Addition, Excepting the Southwestern Corner to the City Street. Applicant: M&T Enterprises, LLC.

Recommendation:

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, as outlined below under the Code Compliance section of this staff report, it would be staff's recommendation that the Planning and Zoning Commission articulate its findings, and apply, at a minimum, the following conditions of approval:

1. Pursuant to Section 17.12.240(I) of the Casper Municipal Code, the Conditional Use Permit shall be "exercised," and all conditions shall be met within one (1) year of the date of approval, or the Conditional Use Permit shall become null and void.
2. Prior to the construction of the parking lot, the applicant shall obtain approval of a formal site plan application by the Community Development Director.

Code Compliance:

Staff has complied with 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 of the property, and publishing legal notice in the Casper Star-Tribune. Staff has not received any public comments regarding this case.

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.

When making the decision for a Conditional Use Permit, the Commission shall consider the scale of the operation and relationship to other similar issues as expressed in the six (6) considerations outlined in Section 17.12.240 (H) as listed below:

- 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.

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 insure 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:

M&T Enterprises, LLC has applied for a Conditional Use Permit to allow a parking lot in a C-2 (General Business) zoning district, located at 1425 South Poplar Street. The applicants have stated that the purpose of the parking lot will be to provide parking for the commercial office south of

the subject property. The property is located approximately two hundred (200) feet north of the intersection of CY Avenue and South Poplar Street, on the east side of Poplar. The property was formerly occupied by a single-family residential structure, which was recently demolished. Section 17.68.030(F) of the Municipal Code lists “parking lots” as requiring the approval of a Conditional Use Permit in the C-2 (General Business) zoning district. The applicant was previously granted a Conditional Use Permit by the Planning and Zoning Commission in June of 2017. The applicant was unable to complete all the requirements of that Permit within the one year time limit; therefore, the Conditional Use Permit became void. Over the last year, the applicant has worked to complete the Wyoming Department of Transportation (WYDOT) requirements of the State’s access permit. The applicant has submitted a site plan to the Community Development Department for review and approval, pending the decision of the Commission on the Conditional Use Permit.

As was the case in June of 2017, and as with any Conditional Use Permit application, the Planning and Zoning Commission must determine if the proposed use of the property is compatible with the intent of the zoning district, and is compatible with the surrounding area. Section 17.68.010 of the Municipal Code states that the purpose of the C-2 district is to establish, preserve and expand a general business district, providing a wide variety of goods and services for the City.

Recommended Motion:

To assist the Planning and Zoning Commission with making a motion on the Conditional Use Permit, staff has prepared the following motion as an example:

Case number **PLN-18-013-C** – Petition for a Conditional Use Permit for construction of a parking lot in a C-2 (General Business) zoning district, located at 1425 South Poplar Street, should be granted with Conditions 1&2, for the following reasons:

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.

Furthermore, the Planning and Zoning Commission finds that:

- a. The area and height of structures is not applicable in this case because no structures are proposed.
- b. The density of the proposed use in terms of units per acre and the number of offices, employees, or occupants is not applicable to a parking lot.
- c. The volume of business in terms of the number of customers per day will be consistent with the C-2 (General Business) zoning of the property.

- d. With the approval of an access permit, and modifications to the Poplar Street access to the property by the Wyoming Department of Transportation, any increase in traffic hazards are adequately mitigated.
- e. Parking lots, associated with the commercial businesses in the area, are common in the surrounding area.
- f. There are no other criteria, affecting public health, safety, and welfare, as provided for by written rules of the Commission.

1425 S Poplar Parking Lot Conditional Use Permit



1425 S Poplar Parking Lot Conditional Use Permit



1425 S Poplar Parking Lot Conditional Use Permit





City of Casper Planning Division

Conditional Use Permit Application

OWNER'S INFORMATION:

NAME: M+T Enterprises LLC Ronald and Norita Trussell
ADDRESS: 2030 Walsh Dr. Casper, WY. 82609
TELEPHONE: 307-265-0320 EMAIL: norclocks@hotmail.com
307-259-8144 or 262-0473

LOCATION OF REQUEST:

ADDRESS: Ronald and Norita Trussell
LEGAL DESCRIPTION: 2030 Walsh Dr. Casper, WY. 82609
Number of Lots: 1 Size of Lots: 4800sqft
Current Zoning: C-2 Current Use: Vacant Lot
Purpose for which the property is proposed to be used: Parking Lot

Prior restrictions placed on the property: _____

Floor area square footage: 4800sqft Number of Occupants or Employees: 0
Building Footprint: N/A Number of off-street parking spaces: 0

A PLOT PLAN IS REQUIRED SHOWING:

(WHERE APPROPRIATE)

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: Ron Russell

DATE: 6/15/18

SUBMIT TO:
Community Development Department
Planning Division
200 N David, RM 203
Casper, WY 82601
Phone: 307-235-8241
Fax: 307-235-8362
www.casperwy.gov
E-mail: dhardy@cityofcasperwy.com

COMPLETE SUBMITTAL NEEDS TO INCLUDE:

- COMPLETED APPLICATION INCLUDING ORIGINAL SIGNATURES
- PROOF OF OWNERSHIP
- \$600 APPLICATION FEE (NON-REFUNDABLE)
- PLOT PLAN

FOR OFFICE USE ONLY:

DATE SUBMITTED:

JUN 15 2018

REC'D BY: dh

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Near Longmont, Colorado**

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Product Description

An open rounded tree with slightly arching branches turning upward at the ends. Rich, green, fern-like foliage turns yellow in fall.

Hardy to -40°F

Maximum Elevation: 6,000 ft.

Click on Image to zoom in.

MORE VIEWS



[Additional Information](#) [Product's Review](#)

Description	An open rounded tree with slightly arching branches turning upward at the ends. Rich, green, fern-like foliage turns yellow in fall. Hardy to -40°F Maximum Elevation: 6,000 ft.
Deciduous Tree Type	Shade Tree
Tree Habit	Spreading
Mature Size (generic)	TREE (30-50' Tall) • Broad Canopy
Fall Color	Subtle
Features	Fragrant Flowers
Flowering Season	Spring
USDA Hardiness Zone	3, 4, 5, 6
Water Needs	Moderate
Growth Rate	Fast
Light Needs	Partial Sun, Full Sun
Mature Height	40-50 Feet
Mature Width	30-40 Feet
Name	Shademaster® Honeylocust

11868 Mineral Rd., Longmont, CO 80504 Take I-25 To Exit 235 Then 5 Miles West on Highway 52

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CITY OF CASPER, WYOMING
PLANNING AND ZONING COMMISSION
PUBLIC HEARING

CONDITIONAL USE PERMIT

JUNE 15, 2017

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Case PLN-17-023-C

The Planning and Zoning Commission of the City of Casper held a public hearing at 6:00 p.m., June 15, 2017, in the City Council Chambers, City Hall, 200 North David, Casper, Wyoming, to consider the following:

PLN-17-025-C – Petition for a Conditional Use Permit for construction of a parking lot in a C-2 (General Business) zoning district, located at 1425 South Poplar Street, more particularly described as Lot 4, Block 166, Casper Addition, Excepting the Southwestern Corner to the City Street. Applicant: M&T Enterprises, LLC.

Having considered the evidence and testimony presented at the hearing, the Planning and Zoning Commission makes the following findings of fact and conclusions of law:

FINDINGS OF FACT:

1. M&T Enterprises, LLC has applied for a Conditional Use Permit for the construction of a parking lot in a C-2 (General Business) zoning district, located at 1425 South Poplar Street.
2. Section 17.68.030(F) of the Municipal Code lists “parking lots” as requiring the approval of a Conditional Use Permit in the C-2 (General Business) zoning district.
3. The petition for the Conditional Use Permit was submitted at least thirty (30) days prior to the Planning and Zoning Commission public hearing, as required by the Casper Municipal Code.
4. Property owners within a three hundred (300) foot radius of the perimeter of the property were notified by first class mail, of the date, time, and place of the public hearing, as required in Section 17.12.240(D) of the Casper Municipal Code.
5. The property was posted, and a public notice was published as required in Section 17.12.240(D) of the Casper Municipal Code.



6. The area and height of structures is not applicable in this case because no structures are proposed.
7. The density of the proposed use in terms of units per acre and the number of offices, employees, or occupants is not applicable to a parking lot.
8. The volume of business in terms of the number of customers per day will be consistent with the C-2 (General Business) zoning of the property.
9. With the approval of an access permit by the Wyoming Department of Transportation, any increase in traffic hazards will be adequately mitigated.
10. Parking lots, associated with the commercial businesses in the area, are common in the surrounding area.
11. There are no other criteria, affecting public health, safety, and welfare, as provided for by written rules of the Commission.
12. 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.
13. The Conditional Use is designed to be compatible with adjacent land uses and the area of its location.

CONCLUSIONS OF LAW:

Based on the foregoing findings, the Commission has jurisdiction over the proposed Conditional Use pursuant to Section 17.12.240 of the Casper Municipal Code Zoning Ordinance of the City of Casper. NOW, THEREFORE, the Planning and Zoning Commission hereby **approves** a Conditional Use Permit for the construction of a parking lot in a C-2 (General Business) zoning district, located at 1425 South Poplar Street, with the following conditions:

CONDITIONS:

1. Pursuant to Section 17.12.240(I) of the Casper Municipal Code, the Conditional Use Permit shall be “exercised,” and all conditions shall be met within one (1) year of the date of approval, or the Conditional Use Permit shall become null and void.
2. Prior to the construction of the parking lot, the applicant shall submit a formal site plan application to the Community Development Department for review and approval.
3. The applicant shall apply for a new access permit from the Wyoming Department of Transportation (WYDOT), prior to the submittal of a site plan to the City. The site plan

shall be designed in keeping with the location and configuration of a single point of access onto South Poplar Street, per WYDOT's requirements.

DATED this 15th day of June, 2017.

APPROVED AS TO FORM:

Walter Tremblay

CITY OF CASPER
PLANNING AND ZONING COMMISSION

By: Bob King
Bob King, Chairman

By: Liz Becher
Liz Becher, Secretary

I, the undersigned, agree to the conditions placed on this Conditional Use Permit.

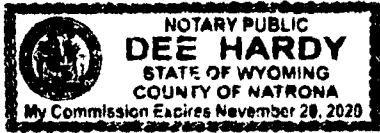
Norita D. Trussell
By: Norita D. Trussell
Print Name
M&T Enterprises, LLC

6/23/17
Date

STATE OF WYOMING)
) ss.
COUNTY OF NATRONA)

This instrument was acknowledged before me on this 20th day of June, 2017 by Bob King as Chairman of the Planning and Zoning Commission of the City of Casper.

(Seal)



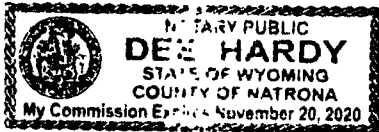
Dee Hardy
(Signature of notarial officer)

Notary
Title (and Rank)

STATE OF WYOMING)
) ss.
COUNTY OF NATRONA)

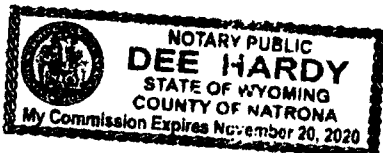
This instrument was acknowledged before me on this 23rd day of June, 2017 by Liz Becher as Secretary of the Planning and Zoning Commission of the City of Casper.

(Seal)



Dee Hardy
(Signature of notarial officer)

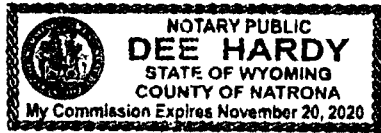
Notary
Title (and Rank)



STATE OF WYOMING)
) ss.
COUNTY OF NATRONA)

This instrument was acknowledged before me on this 23rd day of June, 2017 by Norita D. Trussell, as authorized representative of M&T Enterprises, LLC.

(Seal)



Dee Hardy
(Signature of notarial officer)

Notary
Title (and Rank)