

**AGENDA
PLANNING AND ZONING MEETING**

December 8, 2022

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: Consideration of P & Z Commission Minutes from November 10, 2022

III. PUBLIC HEARINGS:

ZOC-310-2022 – Request for a zone change of three (3) lots located at 1231, 1235 and 1241 South Washington Street, from R-2 (One Unit Residential) to R-3 (One to Four Unit Residential). Said properties are more particularly described as Lots 294, 295 and 296 of the Kenwood Addition to the City of Casper. The applicants' stated plans for the property are for the construction of multi-family units (duplex). Applicants: Tim and Cindy Stirrett.

IV. SPECIAL ISSUES:

Recommendation on Proposed Reduction in the Minimum Setback Requirement in the PH (Park Historic) Zoning District

V. COMMUNICATIONS:

A. Commission

B. Community Development Director

C. Council Liaison

D. OYD and Historic Preservation Commission Liaisons

1) **Historic Preservation Commission Meeting** - *(November 14, 2022 Minutes)*

2) **Old Yellowstone Advisory Committee Minutes** – *(October 28, 2022 Minutes)*

E. Other Communications

VI. ADJOURNMENT – *Next Meeting of the Planning and Zoning Commission is scheduled for Thursday, January 12, 2023, at 6:00 P.M.*

**CASPER PLANNING AND ZONING MEETING
THURSDAY November 10, 2022
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 November 10, 2022, in the Council Chambers, City Hall, 200 North David Street, Casper, Wyoming.

Members Present: Maribeth Plocek
 Terry Wingerter
 Travis Van Hecke
 Kenneth Bates
 Michael McIntosh
 Joe Hutchison

Absent Members: Vickery Fales-Hall
 Wallace Trembath, Deputy City Attorney

Others present: Craig Collins, City Planner
 Barb Santmire, Administrative Assistant III
 Bruce Knell, Council Liaison
 Liz Becher, Community Development Director

I. MINUTES OF THE PREVIOUS MEETING

Chairperson Bates asked if there were additions or corrections to the minutes of the October 13, 2022 Planning & Zoning Commission meeting.

Chairperson Bates called for a motion to approve the minutes of the October 13, 2022 Planning & Zoning Commission meeting.

Mr. Wingerter made a motion to approve the minutes of the October 13 meeting. The motion was seconded by Mr. McIntosh.

Chairperson Bates abstained. All others present voted aye. Motion carried.

II. PUBLIC HEARINGS

Our first case this evening:

CUP-284-2022 – Request for a Conditional Use Permit to operate an in-home child care center, with a maximum capacity of up to fifteen (15) unrelated children, at 2936 Ridgecrest Drive, more particularly described as Valley Hills Addition, Lot

25 and a 20' strip ADJ. Applicant: Cristol Lovato dba Comfy Cozy Child Care for Infants and Toddlers.

Craig Collins, City Planner presented the staff report, including four (4) conditions, and entered 5 exhibits into the record for this case.

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

Ms. Cristol Lovato, 2936 Ridgecrest Dr., spoke as representative for this case.

Mr. Wingerter asked the applicant if she is aware of the four (4) conditions included for consideration. The applicant indicated she is aware.

Mr. Wingerter asked about the construction/yellow tape in the front yard of the subject property. The applicant explained that a recent sidewalk replacement had resulted in a "lip". The tape was left up while the trip hazard was addressed.

Chairperson Bates asked if there was anyone in the audience wishing to speak in favor of or opposition to this case?

There being no others to speak, Chairperson Bates closed the public hearing and entertained a motion to approve, approve with conditions, deny, table, or postpone to a date certain CUP-284-2022 regarding the Cozy Comfort Child Care for Infants and Toddlers.

Mr. McIntosh made a motion to approve case CUP-284-2022 with the four (4) conditions listed in the staff report. The motion was seconded by Mr. Wingerter.

All those present voted aye. Motion carried.

Our second case this evening:

CUP-288-2022 – Request for a second amendment to a Conditional Use Permit granted March 25, 2014 to enlarge an existing detached garage by an additional 128 square feet, located at 643 East 17th Street, more particularly described as a portion of Block 37, Butler Heights Addition. Applicant: Emerick Huber.

Craig Collins, City Planner presented the staff report, including one (1) condition, and entered 6 exhibits into the record for this case.

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

Mr. Rob Shively, 301 Thelma, spoke as representative for this case.

Chairperson Bates asked if the applicant is aware of the one (1) condition included for consideration. The applicant's representative indicated he is aware.

Mr. Wingerter referenced a picture of the existing structure asking for clarification on where the addition will be located.

Chairperson Bates asked if there was anyone in the audience wishing to speak in favor of or opposition to this case?

Trent Zempel, 673 E 17th St., spoke in favor of the case.

Houston Hanna, 663 E 17th St., spoke in favor of the case.

There being no others to speak, Chairperson Bates closed the public hearing and entertained a motion to approve, approve with conditions, deny, table, or postpone to a date certain **CUP-288-2022** regarding the second amendment to a Conditional Use Permit granted March 25, 2014.

Having noted that the Planning and Zoning Commission has considered all relevant factors, including, but not limited to, those set forth in Casper Municipal Code Section 17.12.240(H), and finding that the Conditional Use Permit meets the two (2) findings required by Casper Municipal Code Section 17.12.240(G), Ms. Plocek made a motion to approve case **CUP-288-2022** with the one (1) condition listed under the “Recommendation” section of the staff report. The motion was seconded by Mr. McIntosh.

All those present voted aye. Motion carried.

III. SPECIAL ISSUES:

There were none.

IV. COMMUNICATIONS:

A. Commission:

Mr. Wingerter asked if anyone had knowledge of when the road work at 12th & McKinley may be completed. No one had any pertinent information.

Chairperson Bates congratulated winners of the recent election.

B. Community Development Director:

Liz Becher stated that there would be an opportunity for fellowship and celebration of the holidays after the December 8th Planning and Zoning Commission meeting.

C. Council Liaison:

Bruce Knell thanked the Commission members for their service.

D. OYD and Historic Preservation Commission Liaisons:

OYD – There were none.

HPC – Mr. Wingerter shared the recent loss of Historic Preservation Commissioner Pinky Ellis. He commented on Mr. Ellis’ extensive history in the community and mentioned that he will be greatly missed.

- E. Other Communications:
There were none.

V. **ADJOURNMENT:**

Chairperson Bates adjourned the meeting at 6:35pm.

Chairperson

Secretary

December 2, 2022

MEMO TO: Ken Bates, Chairperson
Members of the Planning and Zoning Commission

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

SUBJECT: **ZOC-310-2022** – Request for a zone change of three (3) lots located at 1231, 1235 and 1241 South Washington Street, from R-2 (One Unit Residential) to R-3 (One to Four Unit Residential). Said properties are more particularly described as Lots 294, 295 and 296 of the Kenwood Addition to the City of Casper. The applicants' stated plans for the property are for the construction of multi-family units (duplex). Applicants: Tim and Cindy Stirrett.

Recommendation:

The Planning and Zoning Commission may approve a zone change after hearing public testimony, and consideration of the facts of the case, if the proposed zone change meets the requirements of the Casper Municipal Code and is found to be in conformance with the Comprehensive Land Use Plan (Generation Casper).

Code Compliance:

Staff has completed 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 a sign on the property, and publishing legal notice in the Casper Star-Tribune. **At the time that the staff report was prepared, staff has received one (1) public comment on this case.**

Applicable City Codes and Adopted Policies/Plans

1. If the Planning and Zoning Commission “approves” the zone change, it will advance to the City Council for their consideration, with a “do-pass” recommendation from the Commission. However, if the zone change is denied by the Commission, the zone change will not progress to City Council unless an appeal is requested, in the manner specified by Code.
2. Imposing conditions of approval is not permissible with zone changes.

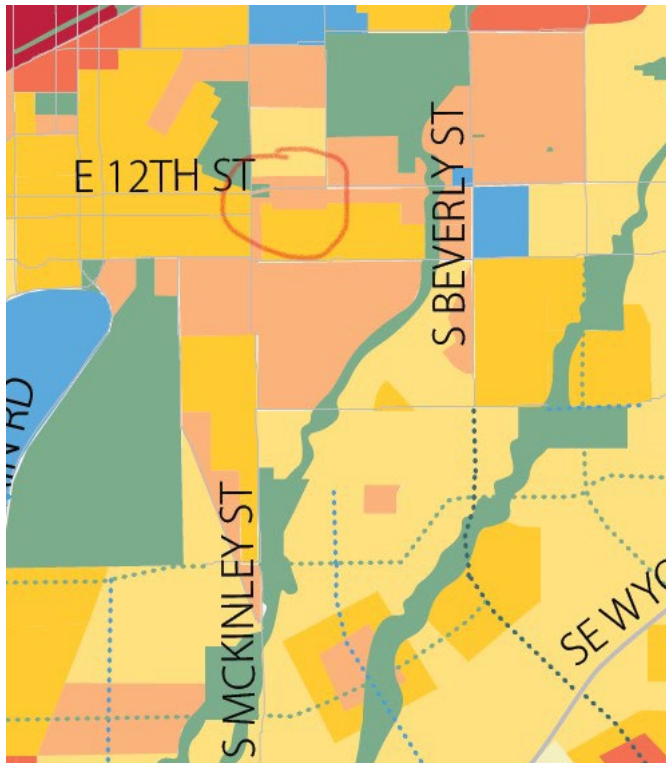
3. 17.36.040(A) – The minimum lot size is 4,000 square feet for one (1) or (2) dwelling units. For three (3) or more units, the minimum lot size is 1,500 square feet per dwelling unit.
4. 17.12.070 – Two (2) off-street parking spaces are required per dwelling unit.
5. 17.36.020 - Permitted uses in the R-3 (One to Four Unit Residential) zoning district are as follows:
 - A. Conventional site-built 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 multi-family 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.
6. 17.36.040(F) – When multi-family developments adjoin single-family residential properties, buffering must be provided per Appendix C of the Municipal Code to reduce noise and increase visual privacy.

7. In that the question of what constitutes “spot zoning” often comes up during discussions about zone changes, the verbiage from Section 17.08.010 of the Casper Municipal Code is being provided. Staff is not making any representation as to whether or not the requested zone change meets or doesn’t meet the definition of spot zoning.

- “Spot Zoning” means the singling out of a particular property or small group of properties for different treatment from that accorded to similar surrounding land; which is contrary to the general pattern of zoning in the surrounding geographic area and is not in accordance with the comprehensive plan; and which is designed solely for the economic benefit of the owner of the property receiving special treatment.”

Perhaps the most important criteria in determining whether a zone change can be considered to be spot zoning is the extent to which the disputed zoning is consistent with the Comprehensive Land Use Plan. If the Commission and/or City Council determine that a zone change request meets the definition of a “spot zone,” then that request should be denied.

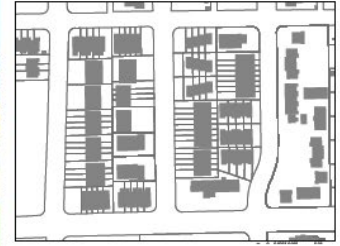
8. Future Land Use Plan information for the subject area (Generation Casper Comprehensive Land Use Plan):



- Neighborhood 1
- Neighborhood 2
- Neighborhood 3
- Neighborhood Centers
- Community Centers
- Employment Mixed Use
- Employment Centers
- Urban Center
- Parks + Open Space



Neighborhood 3



GENERAL CHARACTERISTICS	PRIMARY USES	RES. DENSITY	NON-RES. FAR	BUILDING HEIGHT
<p>Higher density neighborhoods near commercial centers and major corridors. Housing is built adjacent to sidewalks. To meet the needs of people in all stages of life, these neighborhoods are supported by a multimodal network, pocket parks, and public gathering spaces. Small offices, civic uses, and community uses (churches, daycare, etc.), that support the surrounding residential, would be acceptable, as necessary. Neighborhood 3 serves as a transition between Neighborhood 2 and Neighborhood Centers and Mixed Use areas.</p>	<p>Attached, single- and multifamily dwellings, including duplexes, townhomes, and other similar types of dwellings, at higher densities. Small format office and community uses.</p>	<p>8 - 30 DU/Acre</p>	<p>2.0</p>	<p>2 - 8 Stories</p>

Summary:

A zone change request has been received for three (3) vacant lots on the east side of South Washington Street, located approximately mid-block between East 12th Street and Farnum Street. The subject lots are currently zoned R-2 (One Unit Residential), and the property owners have requested a change to R-3 (One to Four Unit Residential) in order to allow for the construction of multi-family structure(s). Each of the three (3) platted lots is 40'x132' in size, totaling 5,280 square feet in area. Based on the minimum lot size requirement of 1,500 square feet per dwelling unit in the R-3 (One to Four Unit Residential) zoning district, each lot could support a maximum of three (3) units. Under the existing R-2 (One Unit Residential) zoning of the property, a maximum of three (3) dwelling units could be constructed (1 per platted lot).

Existing zoning in the immediate area is as follows:

- North – R-2 (One Unit Residential);
- South – R-2 (One Unit Residential);
- Northeast – C-2 (General Business);
- Northwest – R-4 (High Density Residential).

Existing land uses in the surrounding area, south of East 12th Street, are primarily single-family residential, with the exception of a church and drive through coffee shop located to the northeast and a church located to the northwest.

Section 17.12.170 of the Casper Municipal Code provides guidance on zone change requests, and requires that the Community Development Director provide a report to the Commission as to the request's conformance with the Comprehensive Land Use Plan. The Comprehensive Land Use Plan, also commonly referred to as the "Generation Casper Comprehensive Land Use Plan," was completed and adopted, as official City of Casper policy, in 2017. The Plan was developed over a year and a half long process of gathering public input and direction about how the community wants to develop over the next twenty (20) year period.

Chapter Three (3) of the Plan provides Visions, Principles, Goals and Implementation Strategies. Applicable elements to this zone change request are as follows:

- ECH1-4 – Housing Space: Promote land use patterns that provide adequate housing of all types, supported by integrated parks and services.
- ECH1-5 – Fair Housing: Provide a range of attainable and affordable housing throughout the community with equal access to fair housing.
- ECH2-2 – Downtown Rising: Prioritize infill development within the core of the community, and the transition of vacant, underutilized properties, and buildings to public spaces, residential and commercial development.
- UQL2-4 – Community Housing: Implement land use changes that encourage diverse housing options and affordability by integrating the latest tools, incentives, and code options.

The Generation Casper Comprehensive Plan also 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 FLU designates the desired future use of the subject property as "Neighborhood 3." Page 4-31 of the Plan provides general characteristics of areas designated as a "Neighborhood 3," which are described as higher density neighborhoods near commercial centers and major corridors. Multi-family dwellings, including duplexes, are specifically listed as being appropriate, primary uses; therefore, a rezone of the area to R-3 (One to Four Unit Residential) would be in keeping with the guidance provided by the Future Land Use Plan for the subject area.

When considering zone changes in infill situations, a primary concern should be whether the proposal is compatible with the existing area. Neighborhood concerns often focus on impacts to traffic, parking, and aesthetics. The Municipal Code's requirements pertaining to buffering and off-street parking have been provided in the Code Compliance section of this report, above. With regard to traffic impacts, South Washington Street is designated as a local street and capacity is not currently a concern. Should the zone change be approved, it is staff's opinion that there would be no noticeable effect on traffic or congestion.



City of Casper Planning Division

Zoning/Zone Change Application

OWNER/PETITIONER'S INFORMATION:

NAME: Tim Stirrett
ADDRESS: 2305 S Poplar
TELEPHONE: 307-262-0791 EMAIL: tim.stirrett@reagan.com

I/WE, THE UNDERSIGNED, HEREBY PETITION THE CITY TO ZONE/REZONE THE FOLLOWING DESCRIBED REAL PROPERTY:

LEGAL DESCRIPTION: Kenwood Lots: 294 - 295 - 296
STREET ADDRESS: 1231, 1235, and 1241 S Washington St.
FROM EXISTING ZONING DISTRICT: R 2
TO PROPOSED ZONING DISTRICT: R 3

UPON THE ZONING/REZONING OF THE ABOVE-DESCRIBED REAL PROPERTY, I (WE) PROPOSE TO USE THE PROPERTY FOR THE FOLLOWING PURPOSES (BRIEF STATEMENT OF FACTS AND JUSTIFICATION FOR REZONING):

We plan to use this property in support of the City of Casper's goal to build an inviting economically diverse community, through providing affordable multi-family units (duplex) that maintain that small town feel.

The following owners' signatures signify that all information on the application is accurate and correct to the best of the owners' knowledge.

SIGNATURE OF PROPERTY OWNER: *Timothy S. Collins*

SIGNATURE OF PROPERTY OWNER: *Cindy Stirrett*

DATE: 11/7/2022

SUBMIT TO:

Community Development Department
Planning Division
200 N David, RM 203
Casper, WY 82601
Phone: 307-235-8241
E-mail: ccollins@casperwy.gov

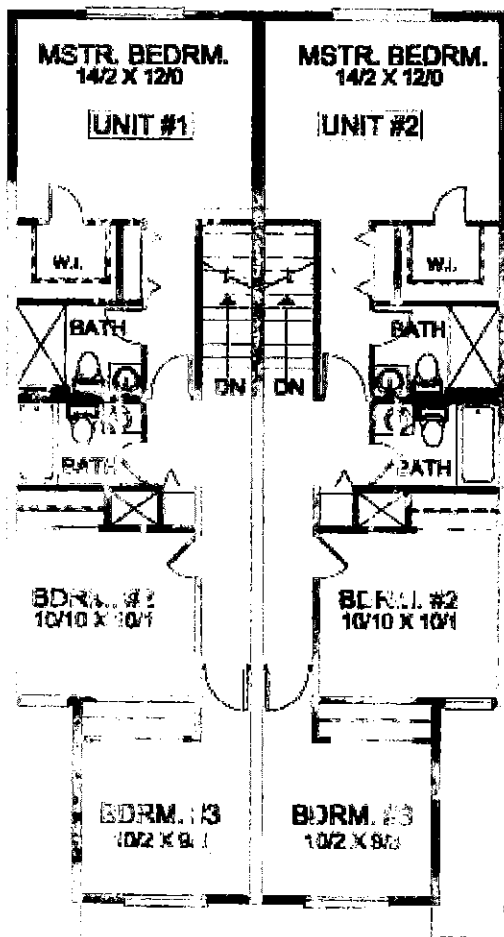
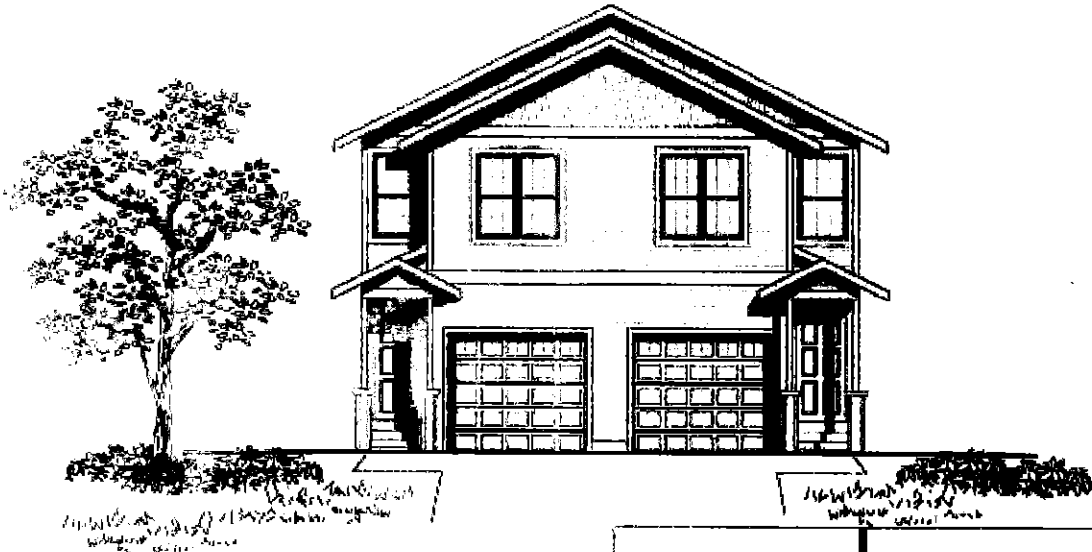
A COMPLETE SUBMITTAL MUST INCLUDE:

- COMPLETED APPLICATION, INCLUDING ORIGINAL SIGNATURES OF ALL OWNERS
- PROOF OF OWNERSHIP
- \$750 APPLICATION FEE (NON-REFUNDABLE)

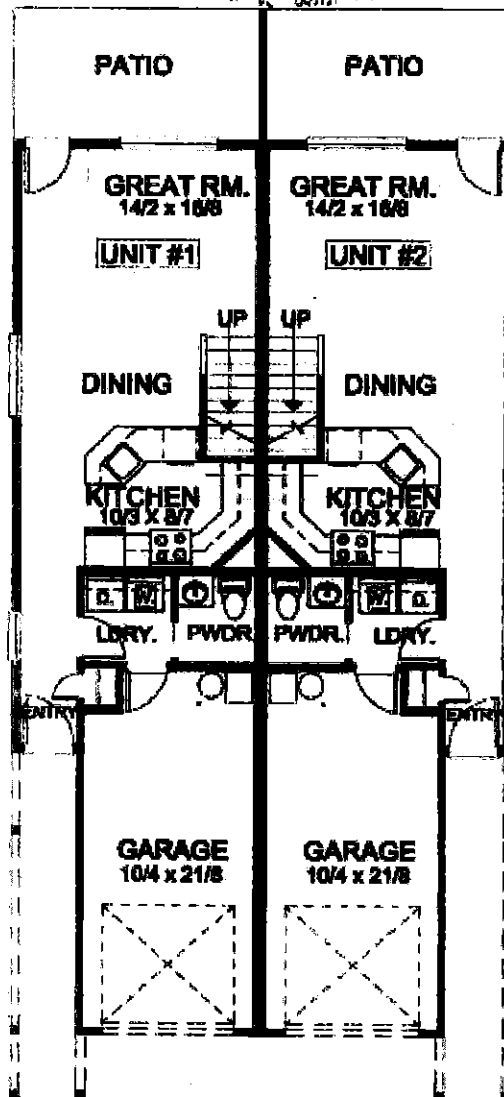
FOR OFFICE USE ONLY:

DATE SUBMITTED:

REC'D BY: _____



UPPER FLOOR PLAN



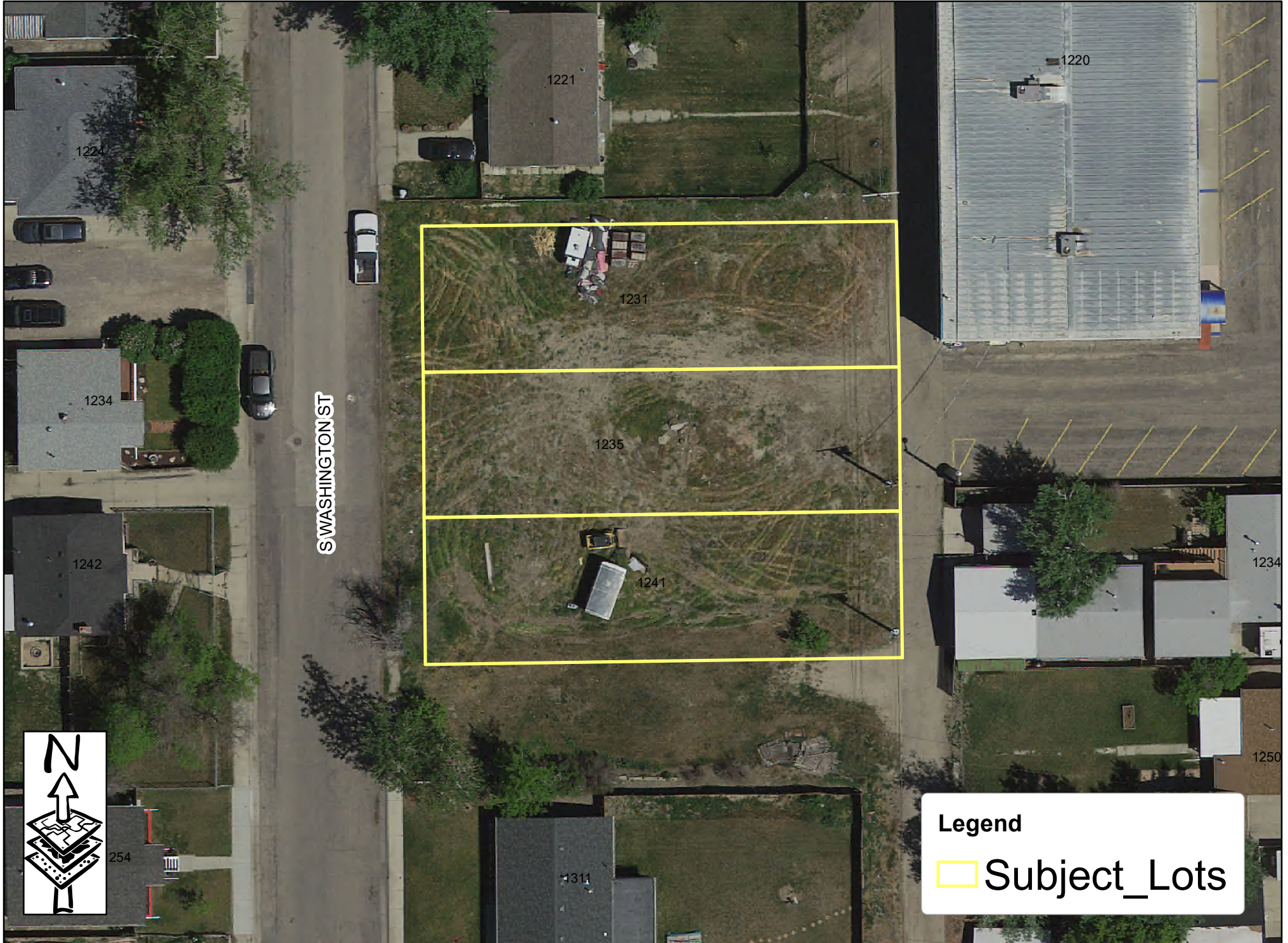
MAIN FLOOR PLAN

Width = 30'-0"
 Depth = 34'-0"
 (inc. porch)
 Total Sq. Ft. = 2,211 / unit
 2 units shown

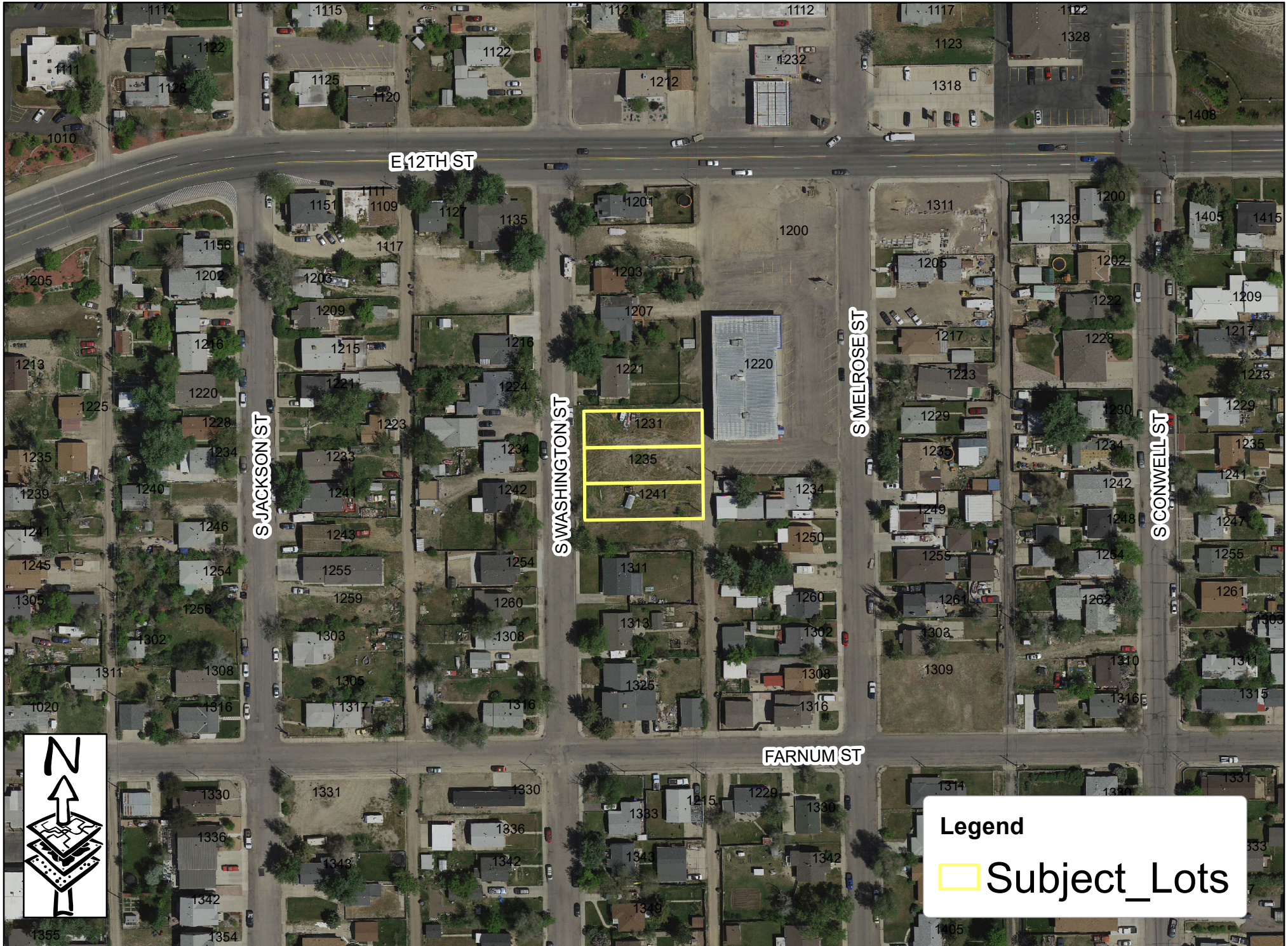
BUILDING DESIGNS BY STOCKTON
 RESIDENTIAL • MULTI-FAMILY • MARKETING
 TEL: 503-524-3118 FAX: 503-524-7381
 E-MAIL: tdm@stocktondesign.com
 web Site: <http://www.stocktondesign.com>

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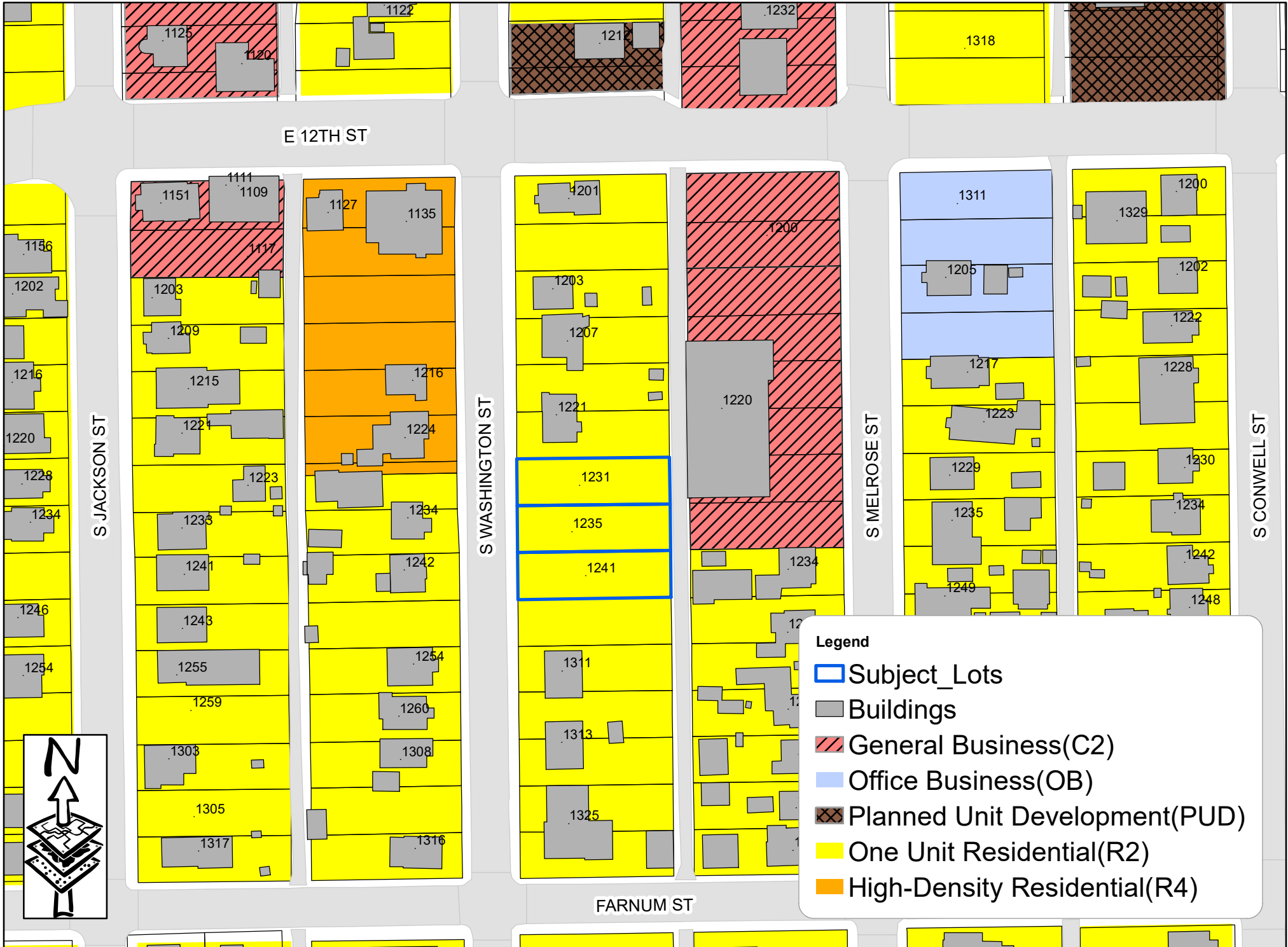
Proposed Zone Change from R-2 to R-3



Proposed Zone Change from R-2 to R-3



Proposed Zone Change from R-2 to R-3



CASPER HISTORIC PRESERVATION COMMISSION
MINUTES OF THE REGULAR MEETING
November 14, 2022

In attendance: Jeff Bond, John Lang, Paul Yurkiewicz, Robin Broumley, Bob King, Connie Hall, Carolyn Buff, Anthony Jacobsen

Absent: Maureen Lee

Staff: Liz Becher, Community Development Director
Craig Collins, City Planning Department
Barb Santmire, Administrative Assistant III

Guests: None

Jeff Bond called the meeting to order at 8:30 a.m.

Approval of Minutes

Mr. Bond asked if everyone had read the minutes of the October 10, 2022, meeting and asked if there were any corrections. Robin Broumley noted that the guest referenced as Mary Bishop (Cadoma Foundation) should be Susan Bishop.

Minutes from October 10, 2022, were approved unanimously, as amended.

New Business

There was discussion of the following items:

1. Acknowledgement of the loss of Commissioner Pinky Ellis was noted with comments about his contributions to not just the Historic Preservation Commission, but to the community as a whole.
 - a. Commission members will explore parameters for creating an annual Ellis Award. The first recipient will be announced in May during Historic Preservation month.
 - b. There may also be a plaque, or some other form of recognition for Mr. Ellis' contributions, which will be presented to his family.
2. Christmas Parade – the float is in process with a 1904 Convention / Keep Your Eye On Casper theme. The float will be brought into town just before Thanksgiving.
 - a. The HPC business cards with the Historic Walking Tour QR code will be available to hand out during the parade. The Commission requested 2,500 to be printed.
 - b. Discussion was held on how to share the backstory of the float with the community. Paul will add to the Commission's social media.
3. Wallace Trembath, Deputy City Attorney, addressed questions on removing Commissioners for non-attendance and the feasibility of adding Members At-Large.

- a. Currently, the Mayor has the power to remove any Commission member. There may need to be a clarification on what constitutes an excused absence.
 - b. Liaison's can be requested from any organization the Commission feels would create a mutually-beneficial exchange of information, but the Commission can not specify or designate said Liaison.
 - i. Bob King provided a preliminary list of organizations and contacts
 - ii. Is there a good way to share the document so all members have access?
4. Letters of Interest for Reappointment have been received from Anthony, Carolyn, and Paul. Maureen has indicated she is also seeking reappointment, but her letter has not yet been received.
- a. Notice has been published seeking citizens interested in joining the Commission.
 - b. Craig will send a notice to Paul to be added to the Commission's Facebook page.
 - c. All letters of interest will be distributed to the Commission members for discussion at the December Commission meeting.

Old Business

OYD Committee Update – John updated the Commission on several projects that the OYD Committee are discussing and/or working on, including a meeting with the DDA. OYD will be putting up lights on 11/15.

P&Z Commission – The Commission may need to request a change in the P&Z Commission liaison as availability for the current liaison has changed to where he will not be able to attend the meetings.

Demolition Permits – The Commission reviewed the following requests for demolitions that have been received since the last meeting:

- i. 4021 Norwood (garage)
- ii. 315 E 15th (YMCA original structure)
- iii. 1117 S Melrose

Recognition of Local Businesses

- 1. Sherrie's 100th Anniversary – Robin has reached out to Historic Alliance and is waiting to hear back from them with input. Once the Commission has feedback from HA, they will reach out to Sherrie to get her thoughts on how to celebrate.
- 2. Curb Appeal donates painting for 1 historic building per year. They may be a good candidate for the first Ellis Award.

Sub-Committee reports:

- 1. Social Media/Outreach/Education – Paul reported that the membership is now over 500 with an expectation that it will reach 750 by next June and hope that it will be over 1,000 by the end of 2023.
 - a. A copy of Pinky's obituary/bio will be added to the page
 - b. A thank you will be posted to Bar-D Signs for providing reduced pricing on the signage for the float

2. Field Visits/Tours – nothing new will be planned until Spring
3. Ghost Signs – no report

Other Business

1. The Commission's letter opposing the placement of the wind turbine art installation at Fort Caspar has been sent to Council. The subject is on the agenda for the Council pre-meeting on 11/15. Other sites are being considered.
2. Bob King has created a PowerPoint presentation exploring the growth of Casper from 1900 – 1920 utilizing the Sanborn Maps. The Commission requested Bob debut his presentation at the December 12th meeting.
3. It was noted the Cheyenne Historic Preservation Board offers limited edition, numbered ornaments each year. It might be a good fund-raiser for CHPC to consider doing something similar.

The next meeting will be December 12th in the Downstairs Meeting Room at City Hall.

Meeting adjourned at 9:45 a.m.

Respectfully submitted,

Liz Becher
Community Development Director

OLD YELLOWSTONE DISTRICT ADVISORY COMMITTEE MEETING
Monday, November 28, 2002 at 355 S. Ash

The OYD held its monthly meeting at 4:00 p.m. on Monday, November 28, 2022.

Members Present: Kyle Gamroth, Jamie Haigler, Joe Hutchison, Kelly Ivanoff,
Mike McIntosh, Karen Meyer, Amber Pollock, Phillip Rael

Members Absent: Julie Condelario, Carol Martin, Maribeth Plocek

Liaisons Present: Renee Hahn (ARAJPB), Connie Thompson and John Lang (Historic
Preservation)

Guests Present: Jeffree Star, Michael Hirschbine, and Wade Wohl from the Star Yak
Ranch, Pete Maxwell from the Gaslight Social, and Paul Meyer

Staff Present: Liz Becher, Craig Collins, Barb Santmire

CALL TO ORDER:

Chairperson Pollock welcomed everyone and called the meeting to order at 4:05 p.m.

APPROVAL OF THE OCTOBER 24 MINUTES:

Chairperson Pollock asked for approval of the October 24, 2022 meeting minutes. Ms. Meyer moved to approve the minutes. Mr. Hutchison seconded. All members voted aye; minutes were approved.

INTRODUCTION OF GUESTS/PUBLIC COMMENTS:

Chairperson Pollock asked for the members to introduce themselves, including their business/organization affiliation.

Jeffree Star, purchaser of the former Hall on Ash (355 S. Ash) introduced himself and his team and spoke to his vision for the space to be repurposed as a retail opportunity for his Star Yak Ranch meat and his makeup/skincare lines. Mr. Star also talked about his plans for renovating the building and working closely with the community.

Mr. Gamroth asked if the OYD Advisory Committee had a role in the review of the building changes. Ms. Becher said that role is the responsibility of the Architectural Review Committee, by a 2008 Council resolution. Ms. Becher also clarified that minor remodeling, such as painting, can be done on up to 50% of a building without any review. If a remodel will be for 50% or more of a structure, then it would be reviewed by the Architectural Review Committee.

OLD BUSINESS:

Christmas light hanging with Parks department

Mr. Ivanoff reported that five Committee members were able to be present and hung lights on Ash St. and Center St.

Historic Preservation Plaque project/grant application

Ms. Becher stated she would like to have a separate work meeting and inquired about the members availability. Mid-December date options will be sent out via email to get a meeting on the calendar.

“Fall into Fun” event follow up

An event summary was provided. OYD members were asked by the DDA to donate time and/or supplies to support downtown events over the Christmas/New Year timeframe. A list of requested items and times for which in-person support will be needed was passed around so members could sign up for specific items and/or events. It was also proposed that there might be an opportunity for the OYD to host an event or two of their own. Suggestions of possible events included community caroling, having music provided by the Kelly Walsh marching band, and a live Nativity scene. Ms. Becher will follow up with the DDA on available dates.

NEW BUSINESS:

Property Owner – Committee seat openings/renewals

Ms. Becher stated there are four 2-year terms expiring and 1 seat (with 1 year remaining) that is open due to the resignation of Mr. Cessor. Any committee members interested in serving again should submit a letter of interest. A public notice will be published to determine if there is interest from anyone else in the District. It will be forwarded to the Committee.

“Rudolphing” the OYD

Ms. Becher asked the committee members if they were interested in “Rudolphing” again this year. Committee members go into various businesses located in the OYD spreading holiday spirit and handing out gift cards donated by local businesses. This was done last year and was well received in the community. The members agreed they would like to do this again and also suggested that flyers about the OYD be created and left at each place visited. A schedule will be created and sent out with a request for members to sign up for specific dates/locations.

Other Property Activity

There was nothing for discussion.

OTHER BUSINESS:

Historic Preservation Liaison Report

Mr. Lang mentioned that at the last Historic Preservation meeting a moment of silence was held in memory of Pinky Ellis. He further reported that the Commission reviewed a couple of demolition permits and entered a float in the Christmas Parade during which they handed out “business cards” with a QR code link to the Self-Guided Tours brochure previously released. Mr. Lang then passed out cards to each member.

ARAJPB Liaison Report

Ms. Hahn reported that her board is working with DEQ to get Fire Station 1 classified as a commercial property on the Platte River Commons (at Poplar/King) which would allow for a risk assessment report to be done.

NEXT MEETING:

The December meeting is proposed to be cancelled and a New Year's holiday event/meeting would happen in January, as in years past.

ADJOURN:

Chairperson Pollock thanked Mr. Star for hosting the meeting. A motion was made to adjourn. The business meeting adjourned at 5:05 p.m.

(Minutes prepared by Barb Santmire)

Respectfully Submitted,

Amber Pollock
Chairperson

December 2, 2022

MEMO TO: Ken Bates, Chairperson
Members of the Planning and Zoning Commission

FROM: Liz Becher, Community Development Director
Craig Collins, City Planner & Building/Code Enforcement Manager

SUBJECT: Recommendation on Proposed Reduction in the Minimum Setback Requirement in the PH (Park Historic) Zoning District

Action Type:

Special Issue – A Planning and Zoning Commission recommendation to the City Council is requested.

Background:

The City and a private entity are working on preliminary designs for the construction of an indoor sports complex (Wyoming Sports Ranch), to be located north of, and immediately adjacent to the Ford Wyoming Events Center (“Events Center”). The City Council has already approved a lease with the private entity for two (2) parcels located in the undeveloped portion of the Events Center parking lot. During the preliminary design process the applicants discovered that, because of the recently-approved platting of the Events Center property as part of the North Platte River Park No. 2 Subdivision, the newly-established Events Drive right-of-way encroaches fifteen (15) feet into their lease parcel, making it virtually impossible to meet the thirty (30) foot minimum front-yard setback requirement in the PH (Park Historic) zoning district without a major overhaul of the design. Potential solutions were discussed, and one that City staff strongly discouraged was for the developer to apply for a variance to reduce the setback requirement. Variances are very difficult to approve, given the stringent legal findings required. In this case, it is staff’s opinion that the facts do not support the approval of a variance.

Barring a major redesign of the project, City staff’s recommended solution is for the Commission and Council to review, and potentially amend, the setback regulation. The origin of the thirty (30) foot setback in the PH (Park Historic) district is unknown. What is known is that, with the exception of the AG (Urban Agriculture) zoning district, the PH (Park Historic) zoning district has the largest front-yard setback requirement of any of the City’s zoning districts. A summary of front-yard setback requirements in each zoning district is as follows:

- AG (Urban Agriculture) – 30’
- R-1 through R-5 – 15’/18’
- R-6 (Manufacture Home (Mobile) Park – 15’
- PUD (Planned Unit Development) – Flexible, no minimum.
- PH (Park Historic) – 30’
- HM (Hospital Medical) – 15’/18’

- OB (Office Business) – 15’/18’
- C-1 through C-4 – 0’
- M-1 through M-2 – 0’
- ED (Educational District) – 0’
- OYD (Old Yellowstone District) – Variable, no minimum.

Questions about the reasoning behind, and origin of land use regulations often come up, and the City has, many times in the past, reviewed and amended the Municipal Code when warranted. This includes a general reduction in setbacks for most of the City’s zoning districts several years ago. Unfortunately, because of the rarity of construction projects in the PH (Park Historic) zoning district, changes to setbacks were not considered for that district at the time. When the reasoning behind land use regulations cannot be discerned, or tied to a City policy or goal, they should be either amended or removed. In the case of requiring a thirty (30) foot front yard setback requirement in the PH (Park Historic) zoning district, it appears to be just an arbitrary number/requirement.

Parcels zoned PH (Park Historic) are almost exclusively owned by the City, so reducing the setback requirement would not affect private properties. A benefit of reducing the setback requirement would be the added flexibility, and gain in improvable area, on publicly-owned properties. Typically, most properties in Casper are platted with a fifteen (15) foot wide utility easement along their front property lines for dry utilities such as cable, internet, electric, and gas lines. In that the front yard utility easement serves to prevent the construction of permanent structures within that area, staff is recommending that the Planning and Zoning Commission consider a reduction of the minimum setback requirement in the PH (Park Historic) zoning district, for all properties zoned PH (Park Historic), from thirty (30) feet to fifteen (15) feet, to coincide with the typical utility easement configuration along the frontage of most properties.

One of the duties of the Planning and Zoning Commission is to provide official recommendations to the City Council on potential changes to Title 17 (Zoning) of the Municipal Code. Official public notices and solicitation of public input for Municipal Code text amendments occurs at the City Council level.