

**AGENDA  
PLANNING AND ZONING MEETING**

**April 13, 2023**

**6:00 P.M.**

**COUNCIL CHAMBERS**

**CITY HALL, 200 NORTH DAVID**

Meetings can be viewed online at [www.casperwy.gov](http://www.casperwy.gov) on the Planning Commission web page.

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**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 March 9, 2023**

### **III. PUBLIC HEARINGS:**

**CUP-373-2023 & CUP-351-2023** – Request for two Conditional Use Permits for property located at 1515 S. Elm Street. The first is to allow for wall heights in excess of 12' on an existing detached garage, and the second is to convert said detached garage into an accessory dwelling unit. CUP-351-2023 was continued from the March 9, 2023 Planning and Zoning meeting. The current zoning of the property is R-2 (One Unit Residential), and is more particularly described as Lot 1, Block 3 of the Community Park Addition. Applicants: Pat and Vicki Hughes.

### **IV. SPECIAL ISSUES:**

### **V. COMMUNICATIONS:**

#### **A. Commission**

#### **B. Community Development Director**

#### **C. Council Liaison**

#### **D. OYD and Historic Preservation Commission Liaisons**

##### **1) Historic Preservation Commission Minutes – (Date Minutes)**

##### **2) Old Yellowstone Advisory Committee Minutes – (Date Minutes)**

#### **E. Other Communications**

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

**CASPER PLANNING AND ZONING MEETING  
THURSDAY March 9, 2023  
CITY COUNCIL CHAMBERS**

These minutes are a summary of the meeting. For full details view online at [www.casperwy.gov](http://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 9, 2023, in the Council Chambers, City Hall, 200 North David Street, Casper, Wyoming.

Members Present: Terry Wingerter  
Nic Eskew  
Kenneth Bates  
Vickery Fales-Hall  
Michael McIntosh  
Joe Hutchison

Absent Members: Maribeth Plocek

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

**I. ELECTION OF OFFICERS**

Ken Bates, acting as the temporary presiding officer, called the meeting to order. Deputy City Attorney Trembath explained the election process.

Mr. Bates opened the floor for nominations for the position of Vice-Chairperson. Ms. Fales-Hall nominated Mr. Hutchison for Vice-Chairperson. The nomination was seconded by Mr. McIntosh. With no other nominations, Mr. Bates closed the nominations.

With all members voting aye, Mr. Hutchison was elected Vice-Chairperson for 2023.

Mr. Bates opened the floor for nominations for the position of Chairperson. Mr. Wingerter nominated Mr. McIntosh for Chairperson. The nomination was seconded by Ms. Fales-Hall. With no other nominations, Mr. Bates closed the nominations.

With all members voting aye, Mr. McIntosh was elected Chairperson for 2023.

**II. MINUTES OF THE PREVIOUS MEETING**

Chairperson McIntosh asked if there were additions or corrections to the minutes of the December 8, 2022 Planning & Zoning Commission meeting.

There being no additions or corrections, Chairperson McIntosh called for a motion to approve the minutes of the December 8, 2022 Planning & Zoning Commission meeting.

Ms. Fales-Hall made a motion to approve the minutes of the December 8 meeting. The motion was seconded by Mr. Wingerter. All those present voted aye. Motion carried.

### **III. PUBLIC HEARINGS**

#### **Our first case this evening:**

**CUP-351-2023** – Request for a Conditional Use Permit to convert an existing detached garage, located at 1515 S. Elm Street, into an accessory dwelling unit (ADU). The current zoning of the property is R-2 (One Unit Residential), and is more particularly described as Lot 1, Block 3 of the Community Park Addition. Applicants: Pat and Vicki Hughes.

Craig Collins, City Planner, explained that the application submitted is not sufficient for the work being planned and additional steps will need to be taken by the applicant prior to the case being considered by the Commission. Another notification will be sent out when the case is rescheduled.

With all members voting aye, case **CUP-351-2023** was continued to April 13, 2023.

#### **Our second case this evening:**

**SUB-347-2023** – Request for plat approval creating the Highland Park Tennis Complex Addition to the City of Casper, comprised of a portion of the City of Casper Highland Park Addition and an unplatted parcel located in the SE1/4 NE1/4 of Section 10, T33N., R79W., 6<sup>th</sup> P.M. Natrona County, Wyoming. The proposed Highland Park Tennis Complex Addition encompasses 4.57-acres, more or less, and is located generally south and west of the intersection of South Beverly Street and East 4<sup>th</sup> Street. Applicant: Natrona County School District.

Craig Collins, City Planner, presented the staff report and entered 5 exhibits into the record for this case. It was noted that there were no staff-recommended conditions and there were no public comments submitted.

Doug Tunison, Facilities and Construction Project Manager for the School District, spoke as representative for this case. The purpose of the replat is to build a tennis complex that will be for use by Natrona County School District students, athletes, and PE classes; and, when not in use, be available for use by county residents.

Mr. Bates asked if the parking spaces will be sufficient to accommodate increased traffic during competitions. Mr. Tunison replied that the CCA parking lot (just to the south) will serve as overflow parking.

There being no others to speak, Chairperson McIntosh closed the public hearing and entertained a motion to approve, deny, table, or postpone to a date certain **SUB-347-2023** regarding the request for plat approval creating the Highland Park Tennis Complex Addition to the City of Casper.

Mr. Wingerter made a motion to approve case **SUB-347-2023** to be forwarded to Council for consideration. The motion was seconded by Mr. Bates. All those present voted aye. Motion carried.

**Our third case this evening:**

**ZOC-355-2023** – Request for a vacation and zone change of Lot 1 Majestic Mountain Addition, from Park Historic (PH) to General Business (C-2). Said property is located immediately east of the Paradise Valley Pool and north of the Iris Street cul-de-sac. Applicant: Pat Sullivan/Half Barrel Inc.

Craig Collins, City Planner, presented the staff report and entered 6 exhibits into the record for this case. There was 1 letter of opposition submitted. There are no recommended conditions because conditions are not appropriate with a zone change.

Mr. Wingerter asked Staff if curbs and gutters will be put in. Mr. Collins responded that public improvements are typically addressed when a site plan or building permit is received.

Pat Sullivan, Half-Barrel, Inc., spoke as representative for this case, stating that the rezone to C-2 would be in keeping with the original intent for the property and allow for the building of apartment complexes.

Mike Burstad, 177 Camellia, asked if there will be a through street at the end of Camellia. Mr. Collins reported that it would be a staff recommendation when the area is developed to have Camellia continue thru to Iris to provide a secondary access.

Mr. Burstad expressed concerns about noise created by the emptying of nearby dumpsters, property taxes/values, and drainage issues in the area. It was noted by Commissioner Bates that these are not items for the Commission's consideration. The only item under the Commission's purview is the rezoning from PH (Park Historic) to C-2 (General Business). Mr. Burstad acknowledged that his concerns were not related to the zone change, but wanted to express his hopes that some of these items will be addressed during development.

Mr. Collins stated he would pass the information about drainage issues along to the City engineers and ask that they take a look at the situation.

Steve Johnson, 156 Honeysuckle, indicated he is definitely in favor of the development, believing it will be an improvement to the area.

There being no others to speak, Chairperson McIntosh closed the public hearing and entertained a motion to approve, deny, table, or postpone to a date certain **ZOC-355-2023** regarding the request for a vacation and zone change of Lot 1 Majestic Mountain Addition, from Park Historic (PH) to General Business (C-2).

Mr. Bates made a motion to approve case **ZOC-355-2023** to be forwarded to Council for consideration. The motion was seconded by Mr. Wingerter. All those present voted aye. Motion carried.

**Our fourth case this evening:**

**SUB-356-2023** & **ZOC-357-2023** – Request for approval of a plat creating the Lukasiewicz Subdivision, and zoning said subdivision as AG (Urban Agriculture). The proposed subdivision consists of an unplatted parcel located in the NW1/4 NW1/4 of Section 23, T33N., R80W., 6<sup>th</sup> PM, Natrona County, Wyoming; and a portion of lots 22 and 23 of the Paradise Valley Addition. Said property encompasses 4.6-acres, more or less, and will consist of two (2) Tracts. Applicant: Del Lukasiewicz.

Craig Collins, City Planner, presented the staff report and entered 6 exhibits into the record for this case. Staff has included one (1) recommended condition of approval that requires the property owner to participate in Robertson Road upgrades at some point in the future. There were no public comments submitted.

Del Lukasiewicz, Johnstown, CO, spoke as representative for this case. While he currently resides in Johnstown, plans are to build a family home on the property. The subdivision request will consolidate 3 parcels into 2 larger parcels with the main home and an outbuilding being constructed on the larger of the two. The 2<sup>nd</sup> parcel would be for a guest house which might also be used as a bed/breakfast or vacation rental (Air BnB).

Chairperson McIntosh asked if the applicant understands and agrees with the condition attached.

Mr. Lukasiewicz requested clarification regarding his financial responsibility. Mr. Collins explained that Mr. Lukasiewicz would only be responsible for a portion of the initial costs and that it would be the responsibility of the city to provide ongoing maintenance.

Mr. Lukasiewicz stated that, with the clarification, he understands and agrees with the condition.

Shawn Gustafson, ECS Engineers, was present as author of the plat to answer any questions.

Patrick Frenick, 3033 Cabin Creek Pl, asked if the applicant was planning to have livestock on the property if it is rezoned to AG. Mr. Lukasiewicz responded that he has no intent to

own livestock at this time. Mr. Frenick also expressed concerns about increased traffic and potential additional damage to roads that already have potholes.

There being no others to speak, Chairperson McIntosh closed the public hearing and indicated that the plat request and zoning request will be voted on separately.

Mr. Wingerter made a motion to approve, with the one (1) condition specified by Staff, case **SUB-356-2023** to be forwarded to Council for consideration. The motion was seconded by Mr. Hutchison. All those present voted aye. Motion carried.

Mr. Wingerter made a motion to approve case **ZOC-357-2023** to be forwarded to Council for consideration. The motion was seconded by Ms. Fales-Hall. All those present voted aye. Motion carried.

#### **Our fifth case this evening:**

**SP-358-2023** – Site plan review for the construction of a 130,720 square foot, indoor sports facility, located directly north of the Ford Wyoming Center on portions of Lot 3 of North Platte River Park No. 2. Applicant: WYO Complex.

Craig Collins, City Planner, presented the staff report and entered 5 exhibits into the record for this case. It was noted that there were no staff-recommended conditions and there were no public comments submitted.

Mr. Wingerter asked if traffic lights have been considered to help address any potential issues of traffic flow that might arise if both the sports complex and the events center hold events at the same time. Mr. Collins replied that a traffic study was completed and lights are not deemed to be warranted.

Jessica Hastings, 441 Landmark Drive, was present on behalf of WYO Complex to answer any questions the Commission may have.

There being no others to speak, Chairperson McIntosh closed the public hearing and entertained a motion to approve, deny, table, or postpone to a date certain **SP-358-2023** regarding the request for site plan approval for the construction of a 130,720 square foot, indoor sports facility.

Ms. Fales-Hall made a motion to approve case **SP-358-2023** to be forwarded to Council for consideration for approval by Resolution. The motion was seconded by Mr. Wingerter. All those present voted aye. Motion carried.

#### **IV. SPECIAL ISSUES:**

- A. Joe Hutchison and Mike McIntosh volunteered to serve as liaisons to the OYD Advisory Committee.

- B. Mike McIntosh volunteered to serve as liaison to the Historic Preservation Commission.

V. **COMMUNICATIONS:**

A. Commission:

Mr. Wingerter asked if anything could be done about a house near the corner of 13<sup>th</sup> and McKinley that has had political signs on the side of it for an extended period of time. Mr. Collins reported that it is not considered a dangerous structure so the city has little recourse to do anything.

Mr. Bates congratulated Mr. McIntosh and Mr. Hutchison on their election to Chair and Vice-Chair positions, stating that he appreciates their service to the Commission. He also expressed appreciation to Mr. Eskew for volunteering to join the Commission.

Ms. Fales-Hall thanked Mr. Bates for his service as Chair for the last year.

B. Community Development Director:

There were none.

C. Council Liaison:

Steve Cathey congratulated Mr. McIntosh on his election to Chair and stated he wrote down the name of the citizen who expressed concerns about flooding over by the Paradise Valley pool. He will speak with the city manager to see if there is anything they can do.

Mr. Wingerter asked if there was any update to the unfinished dog park on 2<sup>nd</sup> Street. Mr. Cathey reported that the improvements that were done were financed by private donation. When those funds ran out, there were no additional funds available to move forward with completing the project. So, what is there now is all there will be unless other funds are donated.

D. OYD and Historic Preservation Commission Liaisons

There were none.

VI. **ADJOURNMENT:**

Chairperson McIntosh adjourned the meeting at 7:07 pm.

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Chairperson


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Secretary



April 7, 2023

MEMO TO: Michael McIntosh, Chairperson  
Members of the Planning and Zoning Commission

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

SUBJECT: **CUP-373-2023** & **CUP-351-2023** – Request for two Conditional Use Permits (CUP's) for property located at 1515 S. Elm Street. The first is to allow for wall heights in excess of 12' on an existing detached garage, and the second is to convert said detached garage into an accessory dwelling unit. CUP-351-2023 was continued from the March 9, 2023 Planning and Zoning meeting. The current zoning of the property is R-2 (One Unit Residential), and is more particularly described as Lot 1, Block 3 of the Community Park Addition. Applicants: Pat and Vicki Hughes.

Recommendation on CUP-373-2023 – request for accessory building wall height in excess of the maximum allowable height of twelve feet (12'):

The Planning and Zoning Commission **may** approve the requested Conditional Use Permit to allow for wall heights in excess of twelve feet (12') after consideration of public testimony and the facts of the case as presented during the public hearing:

- If all minimum regulations/standards of the Municipal Code are satisfied; and,
- After consideration of any relevant factors including, but not limited to, those articulated in Section 17.12.240(H) (*outlined on pg. 3*), and upon determining that the request is in keeping with the two (2) findings listed in Section 17.12.240(G), (*outlined on pg. 3*).

*Should the Planning and Zoning Commission approve the requested Conditional Use Permit, staff recommends that the Commission reiterate the time limitation on Conditional Use Permits by including following condition. The applicant would then acknowledge the condition, in writing, with the execution of the Findings of Fact.*

1. Per Section 17.12.240(I) of the Municipal Code, the Conditional Use Permit must be exercised and the work completed within one (1) year from the date of issuance, or such permit shall be void and have no further force or effect.

Recommendation on CUP-351-2023 – request to allow an Accessory Dwelling Unit (ADU) in an R-2 (One Unit Residential) zone:

The Planning and Zoning Commission **may** approve the requested Conditional Use Permit to allow an accessory dwelling unit in an R-2 (One Unit Residential) zone after consideration of public testimony and the facts of the case as presented during the public hearing:

- If all minimum regulations/standards of the Municipal Code are satisfied; and,
- After consideration of any relevant factors including, but not limited to, those articulated in Section 17.12.240(H) (*outlined on pg. 3*), and upon determining that the request is in keeping with the two (2) findings listed in Section 17.12.240(G), (*outlined on pg. 3*).

*Should the Planning and Zoning Commission approve the requested Conditional Use Permit, staff recommends that the Commission reiterate the following Municipal Code requirements by including them as conditions. The applicant would then acknowledge the conditions, in writing, with the execution of the Findings of Fact.*

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

### Code Compliance:

Staff has completed all public notice requirements of Section 17.12.240 of the Casper Municipal Code pertaining to Conditional Use Permits, including notification of property owners within three hundred (300) feet by first class mail, posting a sign on the property, and publishing legal notice in the Casper Star-Tribune. **Staff has not received any written comments on this case.**

### APPLICABLE REGULATIONS & STANDARDS

- Section 17.12.121(G) – A Conditional Use Permit shall be required for detached garages and/or accessory buildings that exceed twelve feet in exterior wall building height above the finished floor, measured at the primary access to the building.
- Section 17.12.121(F)(6) – Accessory buildings shall be similar in design, exterior residential materials, and roof pitch to the principal and/or surrounding residential neighbor buildings. Vertical metal siding is expressly prohibited.
- Accessory Dwelling Units – are defined in Chapter 17.08 of the Casper Municipal Code as a “habitable living unit added to, created within, or detached from a single-family dwelling unit that provides basic requirements for living, sleeping, eating, cooking and sanitation. Either the principal dwelling unit or the accessory dwelling unit must be occupied by an

owner of the property, or an immediate family member of the property owner. An accessory dwelling unit shall not be subdivided or otherwise segregated in ownership from the principal dwelling unit.”

- Section 17.32.030 lists “accessory dwelling units” as a conditional use in the R-2 district.
- Section 17.12.080 (#39) – Two (2) parking spaces are required, per residential dwelling unit.
- Section 17.12.070(A)(12) – Parking surfaces shall be covered with concrete or asphalt concrete pavement materials in accordance with the City’s standard specifications for street construction.
- Section 17.12.240(I) – In any case in which a Conditional Use Permit has not been exercised and the work completed within one (1) year from the date of issuance, such permit shall be void and have no further force or effect.

#### RELEVANT FACTORS

Section 17.12.240(H) - In making its findings, the Commission shall consider any relevant factors, including, but not limited to, the following, if applicable to the proposed use:

- a. Area and height to be occupied by buildings or other structures.
- b. Density of the proposed use in terms of units per acre and the number of offices, employees, occupants, or all three.
- c. Volume of business in terms of the number of customers per day.
- d. Increased traffic congestion or hazard caused by the use which may be over and above normal traffic for the area, as determined by the City Engineer and Community Development Director.
- e. Location of use with respect to the same or similar uses within a three hundred foot (300’) radius of the perimeter of the described property.
- f. Any other criteria affecting public health, safety, and welfare, as provided for by written rules of the Commission.

#### REQUIRED FINDINGS

Section 17.12.240(G) of the Casper Municipal Code states that no conditional use permit shall be granted unless the Commission finds the following:

1. The Conditional Use is consistent with the spirit, purpose, and intent of this Title; will not substantially impair the appropriate use of neighboring property; and will serve the public need, convenience, and welfare;
2. The Conditional Use is designed to be compatible with adjacent land uses and the area of its location.

### GUIDANCE ON CONDITIONS

Pursuant to Section 17.12.240(I) of the Casper Municipal Code, the Commission may impose reasonable conditions on a Conditional Use Permit, including, but not limited to, time limitations, requirements that one or more things be done before construction is initiated, or conditions of an ongoing nature. By way of illustration, not limitation, the following limitations or modifications can be placed upon a Conditional Use Permit, to the extent that such conditions are necessary to ensure compliance with the criteria of Section 17.12.240(G) and (H):

1. Size and location of site;
2. Street and road capacities in the area;
3. Ingress and egress to adjoining public streets;
4. Location and amount of off-street parking;
5. Internal traffic circulation systems;
6. Fencing, screening, and landscaped separations;
7. Building bulk and location;
8. Usable open space;
9. Signs and lighting; and,
10. Noise, vibration, air pollution and other environmental influences.

### Summary:

Pat and Vicki Hughes have applied for two (2) Conditional Use Permits for their property located at 1515 South Elm Street. The first Conditional Use Permit is a request to construct an accessory structure with an exterior wall height greater than twelve feet (12') tall. The second Conditional Use Permit is a request to allow an accessory dwelling unit (second dwelling unit) in an R-2 (One Unit Residential) zoning district. Each Conditional Use Permit should be analyzed, and voted on independently.

### Subject Property Information

- Zoning – R-2 (One Unit Residential)
- Lot Size – 7,800 sf, more or less
- Minimum Lot size in an R-2 (One Unit Residential) zoning district – 4,000 sf
- Lot Description – Rectangular shaped, located on east side of South Elm Street. Second house from the corner.
- Existing Land Uses in Area – Single-Unit Residences, Dean Morgan School.
- Adjacent Zoning – R-2 (One Unit Residential) on all four (4) sides.

## Conditional Use Permit Request For CUP-373-2023 – Wall Height

According to the application, the roof on the existing detached garage is proposed to be removed, and the height of the building increased to accommodate a second-floor apartment. The existing garage is a single-story structure. The applicants are proposing that the modified structure be constructed with a sloped, shed roof, with a maximum wall height of twenty-five feet (25'). Per Section 17.12.121(G) of the Casper Municipal Code, a Conditional Use Permit is required for any structure with a wall height exceeding twelve feet (12'). Further, Section 17.12.121(F)(6) requires that accessory buildings must be similar in design, exterior residential materials, and roof pitch to the principal and/or surrounding residential neighbor buildings. Vertical metal siding is expressly prohibited. No information has been provided by the applicant as to the proposed exterior materials.

In a review of the City's records, only one (1), similar Conditional Use Permit has been granted within three hundred feet (300') of the subject property. In 2009, a Conditional Use Permit was granted for an accessory building with an exterior wall height of fourteen feet (14'), located at 1512 South Ash Street (immediately behind/east of the subject property). In reviewing aerial photographs, there are no structures with sloped "shed" roofs apparent in the immediate area.

## Conditional Use Permit Request For CUP-351-2023 – Accessory Dwelling Unit

In a companion request, the applicants are requesting approval of a Conditional Use Permit to allow an Accessory Dwelling Unit (ADU) in an R-2 (One Unit Residential) zoning district. Section 17.32.030, lists "Accessory Dwelling Units" as requiring a conditional use in the R-2 district. According to the application, the property has five (5) off-street parking spaces available. A minimum of two (2) per dwelling unit is required by Code.

Accessory Dwelling Units were added to the zoning code in the recent past in order to address several issues. Primarily, the concept was implemented in recognition of changing demographics, and an aging population. The intent was to allow for the concept known as "aging in place." Aging in place often requires the services of on-site caretakers, or semi-independent "mother-in-law" units. Another situation that has warranted an accessory dwelling unit previously is to accommodate disabled family members that wish to live somewhat independently, but require occasional care. A secondary benefit of allowing accessory dwelling units, as supported by the Comprehensive Land Use Plan, is increasing the density of development, and better utilizing developable land within the City, in order to discourage sprawl. Any zoning district that allows multi-unit residential, also allows accessory dwelling units by right, without the need for a Conditional Use Permit. The City has two (2) single-unit only zoning districts, R-1 and R-2. R-1 (Residential Estate) does not allow ADU's as either permitted or conditional uses. R-2 (One Unit Residential) is the only single-unit zoning district that offers the possibility of constructing an ADU.

Section 17.32.010 of the Municipal Code provides the intent/purpose of the R-2 (One Unit Residential) zoning district:

“The purpose of the R-2 district is to establish and maintain a conventional, site-built single-family and manufactured housing residential neighborhood characterized by moderate-sized lots with adequate space provided for openness, landscaping and play. The district shall be free from other uses except those which are compatible with this purpose.”

The reasoning for requiring the approval of Accessory Dwelling Units in the R-2 (One Unit Residential) zoning district via a Conditional Use Permit is to ensure that the purpose/intent of the district is not being circumvented, and to allow for special situations when warranted. Neighborhood compatibility and land use impacts should always be the primary considerations when reviewing Conditional Use requests. The guidance provided by the Municipal Code (*listed under the Code Compliance Section of this staff report*) honors the expectations of the neighboring property owners, and attempts to balance the property rights and desires of applicants who have unique needs. The Planning and Zoning Commission’s task is to allow for neighborhood discourse on the proposal, and to make a decision based on the guidance provided by the Municipal Code and adopted plans/policies.

### Analysis/Decision

Both requested Conditional Uses require their own analysis and legal findings. The relevant factors for making a decision, and the required findings, are found under the Code Compliance section of this staff report (Page 3).

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To assist the Commission in making motions for cases that require clearly articulated legal findings, staff provides the following sample motions:

**To make a motion to APPROVE the Conditional Use Permits, state the following:**

*“I note that the Planning and Zoning Commission has considered all relevant factors (pg. 3 of this staff report), including, but not limited to, those set forth in Section 17.12.240(H), and find that:*

- 1. The Conditional Use is consistent with the spirit, purpose, and intent of this Title; will not substantially impair the appropriate use of neighboring property; and will serve the public need, convenience, and welfare;*
- 2. The Conditional Use is designed to be compatible with adjacent land uses and the area of its location.*

*On this basis, I move to APPROVE the Conditional Use Permit for (specify which case) with the recommended conditions stated in the staff report.”*

**To make a motion to DENY the Conditional Use Permit, state the following:**

*“I move to DENY the Conditional Use Permit for (specify which case) because it does not meet the two (2) findings (pg. 3) necessary for approval under Section 17.12.240(G).”*



# City of Casper Planning Division

## Conditional Use Permit Application

### OWNER'S INFORMATION:

NAME: PAT & VICKI HUGHES  
MAILING ADDRESS: 1515 S. ELM ST  
TELEPHONE: 259-4400 EMAIL: PAT & VICKI HUGHES @ GMAIL.COM

### LOCATION OF REQUEST:

ADDRESS: 1515 S. ELM ST  
LEGAL DESCRIPTION: LOT 1, BLK 3, COMMUNITY PARK ADDITION  
Number of Lots: 1 Size of Lots: 57 x 140  
Current Zoning: R-2 Current Use: HOME WITH DETACHED GARAGE  
Purpose for which the property is proposed to be used: \_\_\_\_\_

Prior restrictions placed on the property: WALL HEIGHT IN EXCESS OF 12'

Floor area square footage: 660 Number of Occupants or Employees: 2  
Building Footprint: 660 Number of off-street parking spaces: 5

A PLOT PLAN (Simple Site Plan) IS REQUIRED, SHOWING:

(WHERE APPLICABLE)

lot size and dimensions	size and location of buildings	off-street parking spaces
routes for ingress and egress	internal traffic control	fencing, screening, and landscaping
signs and lighting	setback distances	

The following owner's signature, or agent, signifies that all information on the application is accurate and correct to the best of the owner's knowledge, and that the owner has thoroughly read and understands all application information and requirements.

SIGNATURE OF PROPERTY OWNER: PAT HUGHES

DATE: 3-14-2023

### SUBMIT TO:

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

### A COMPLETE SUBMITTAL MUST INCLUDE:

- COMPLETED APPLICATION, INCLUDING ORIGINAL SIGNATURES FROM OWNER
- PROOF OF OWNERSHIP
- \$600 APPLICATION FEE (NON-REFUNDABLE)
- PLOT PLAN (Simple Site Plan) OF THE PROPERTY

FOR OFFICE USE ONLY:

DATE SUBMITTED:

REC'D BY: \_\_\_\_\_



# City of Casper Planning Division

## Conditional Use Permit Application

### OWNER'S INFORMATION:

NAME: PAT & VICKI HUGHES  
 MAILING ADDRESS: 1515 S. ELM ST, CASPER, WY 82601  
 TELEPHONE: 307-259-4400 EMAIL: PAT.HUGHES@GMAIL.COM

### LOCATION OF REQUEST:

ADDRESS: 1515 S ELM ST  
 LEGAL DESCRIPTION: LOT 1, BLK 3, COMMUNITY PARK ADDITION  
 Number of Lots: 1 Size of Lots: 57± x 140  
 Current Zoning: R-2 Current Use: HOME WITH DETACHED GARAGE  
 Purpose for which the property is proposed to be used: REMOVE EXISTING ROOF ON GARAGE AND REPLACE COLD STORAGE WITH APARTMENT  
 Prior restrictions placed on the property: R-2 PERMITTED USES - SINGLE FAMILY, DUPLEX, OR TWIN HOME  
 Floor area square footage: 660 SF Number of Occupants or Employees: 2  
 Building Footprint: 660 SF Number of off-street parking spaces: 5

A PLOT PLAN (Simple Site Plan) IS REQUIRED, SHOWING:

(WHERE APPLICABLE)

lot size and dimensions	size and location of buildings	off-street parking spaces
routes for ingress and egress	internal traffic control	fencing, screening, and landscaping
signs and lighting	setback distances	

The following owner's signature, or agent, signifies that all information on the application is accurate and correct to the best of the owner's knowledge, and that the owner has thoroughly read and understands all application information and requirements.

SIGNATURE OF PROPERTY OWNER: Pat Hughes Vicki Hughes

DATE: 1/16/2023

### SUBMIT TO:

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

### A COMPLETE SUBMITTAL MUST INCLUDE:

- COMPLETED APPLICATION, INCLUDING ORIGINAL SIGNATURES FROM OWNER
- PROOF OF OWNERSHIP
- \$600 APPLICATION FEE (NON-REFUNDABLE)
- PLOT PLAN (Simple Site Plan) OF THE PROPERTY

FOR OFFICE USE ONLY:

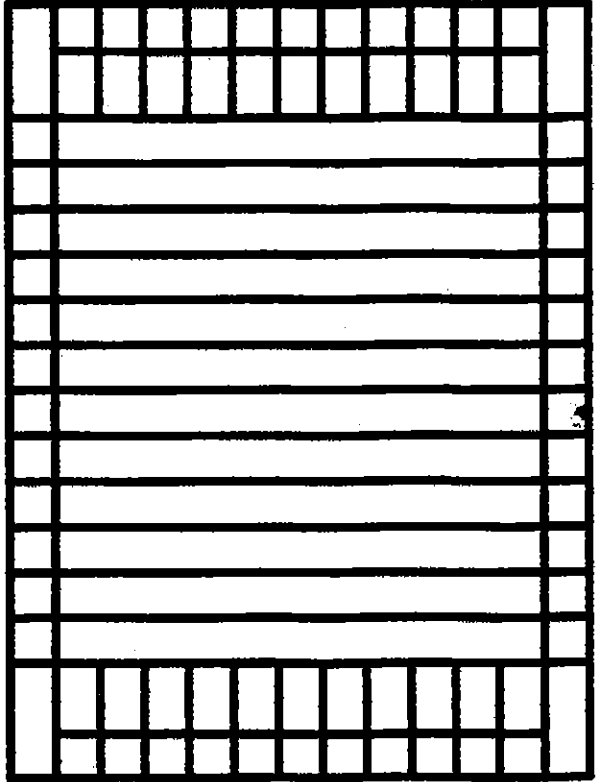
DATE SUBMITTED:

REC'D BY: \_\_\_\_\_



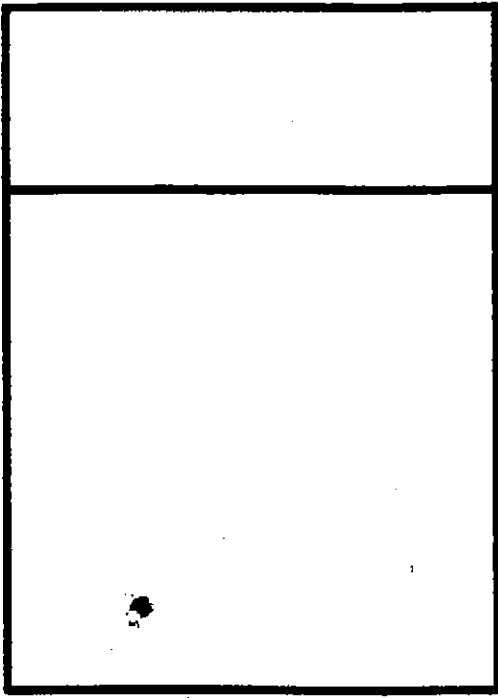
34.0'

26.0



Roof Plan

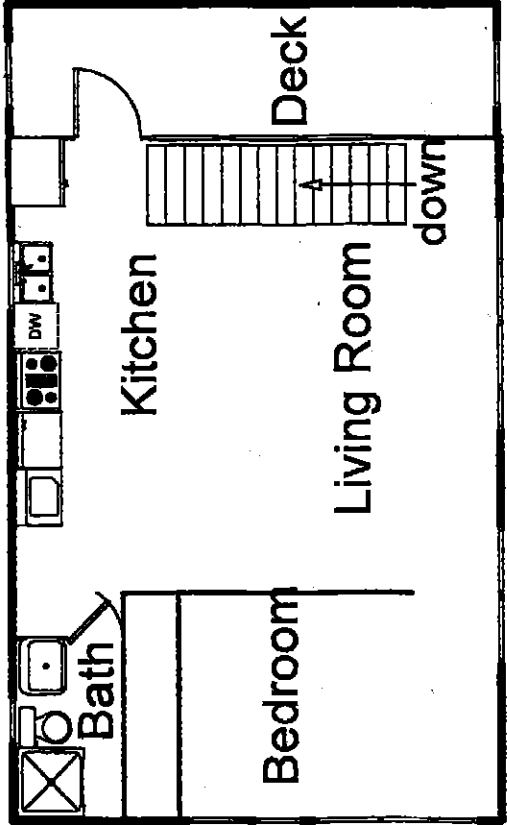
22.0'



22.0' 8.0'

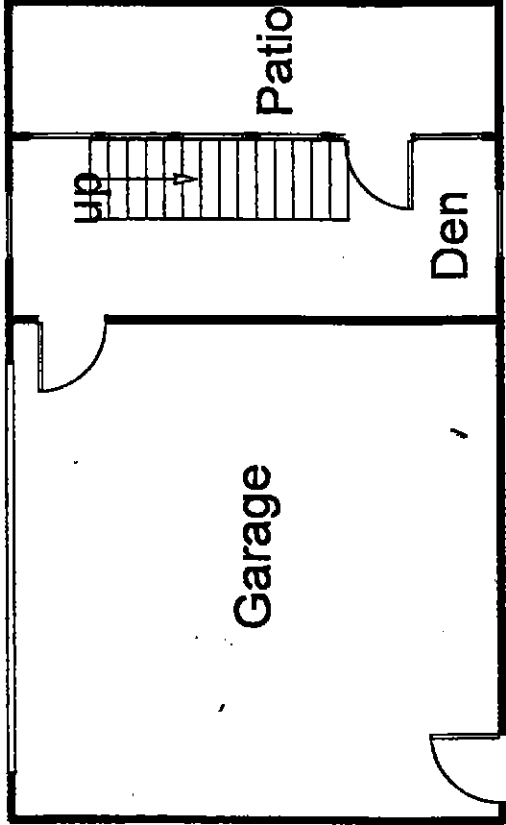
Existing Foundation

PAT & VICKI HUGHES  
1515 SOUTH ELM STREET



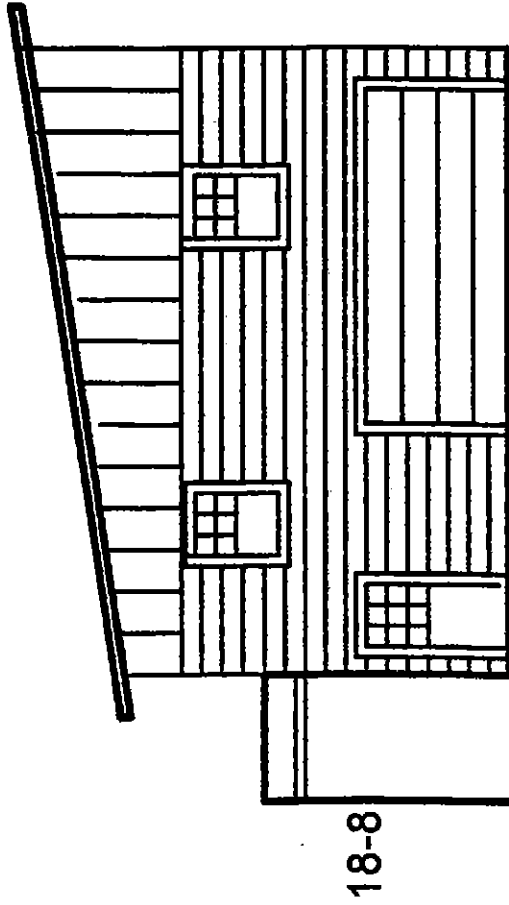
Second Floor

22.0'



22.0' 8.0' 6.0'

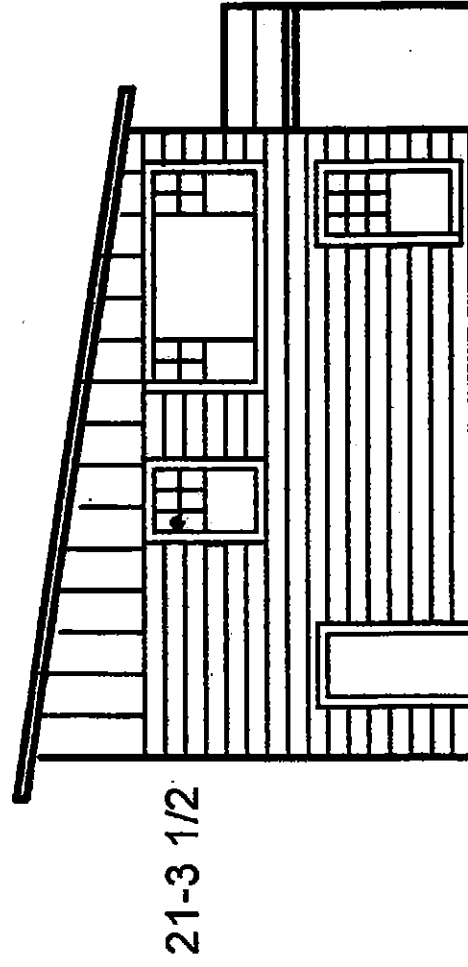
First Floor



25'

21-3 1/2

22'  
NORTH



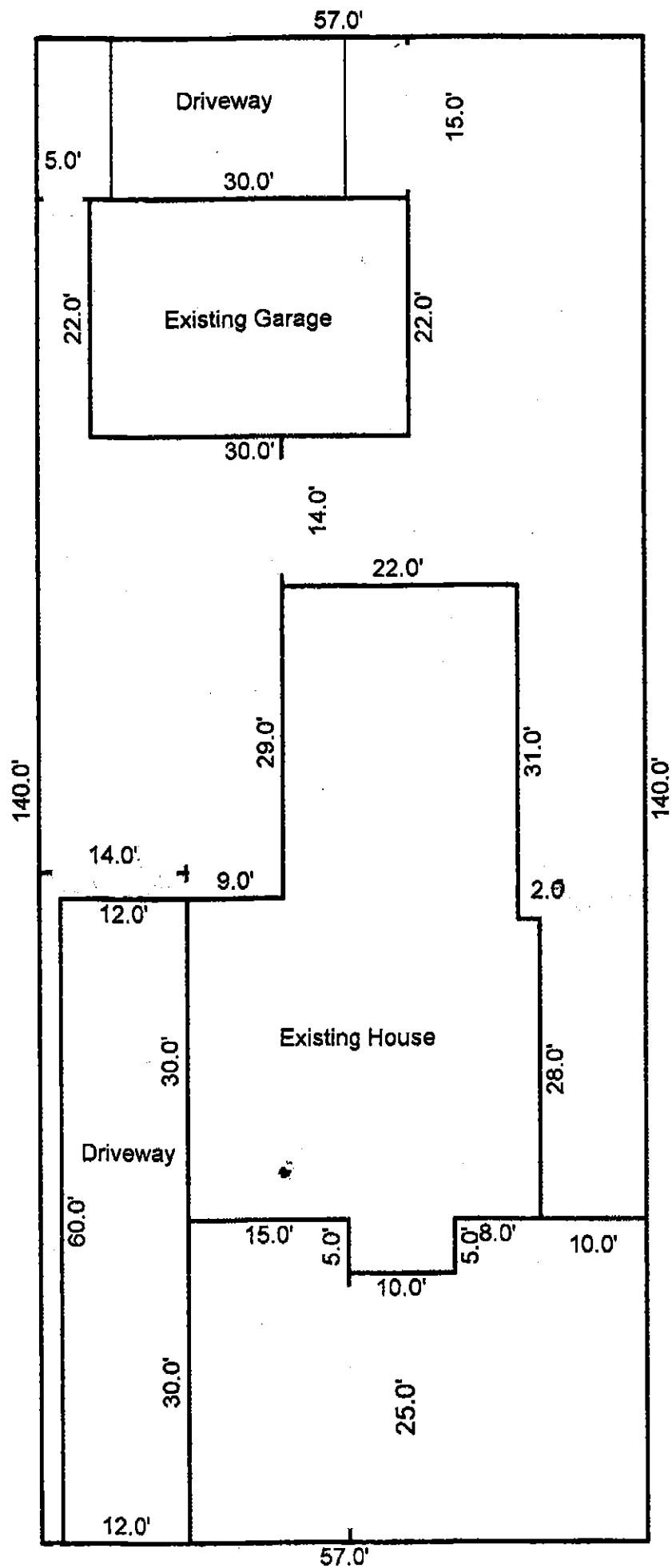
17'

18-8

22'  
SOUTH

PAT & VICKI HUGHES  
1515 SOUTH ELM STREET

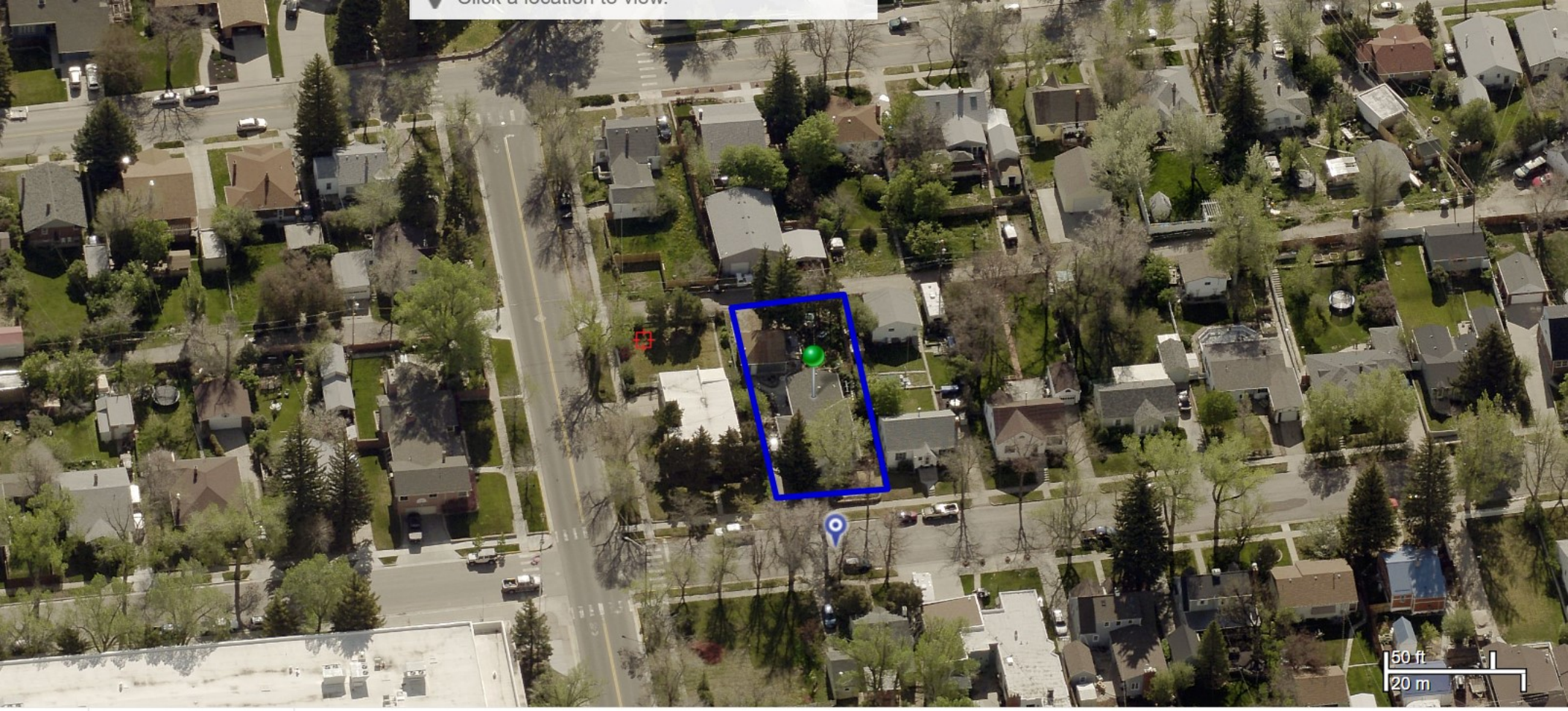
PAT & VICKI HUGHES  
1515 SOUTH ELM STREET







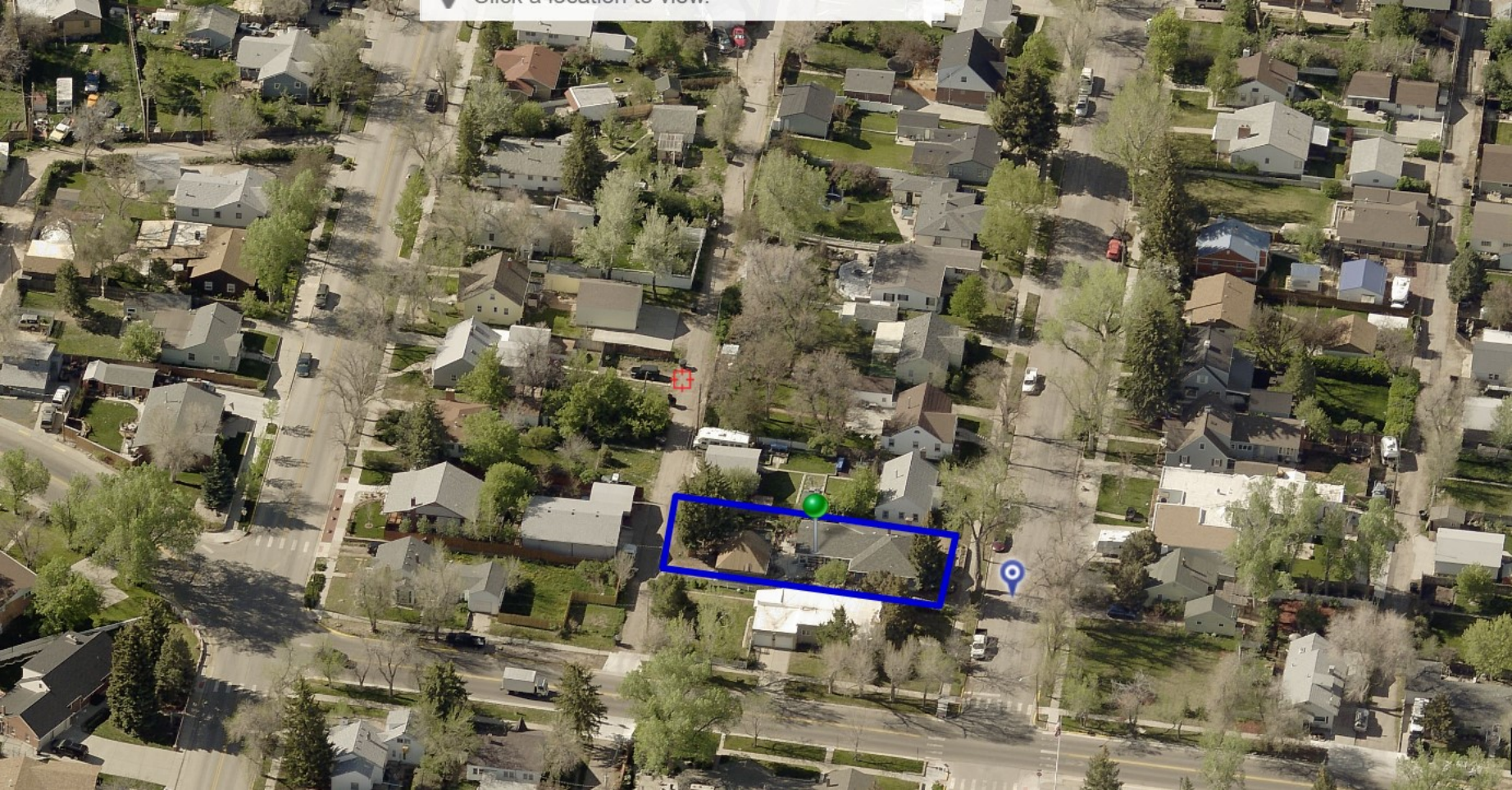
Click a location to view.



50 ft  
20 m

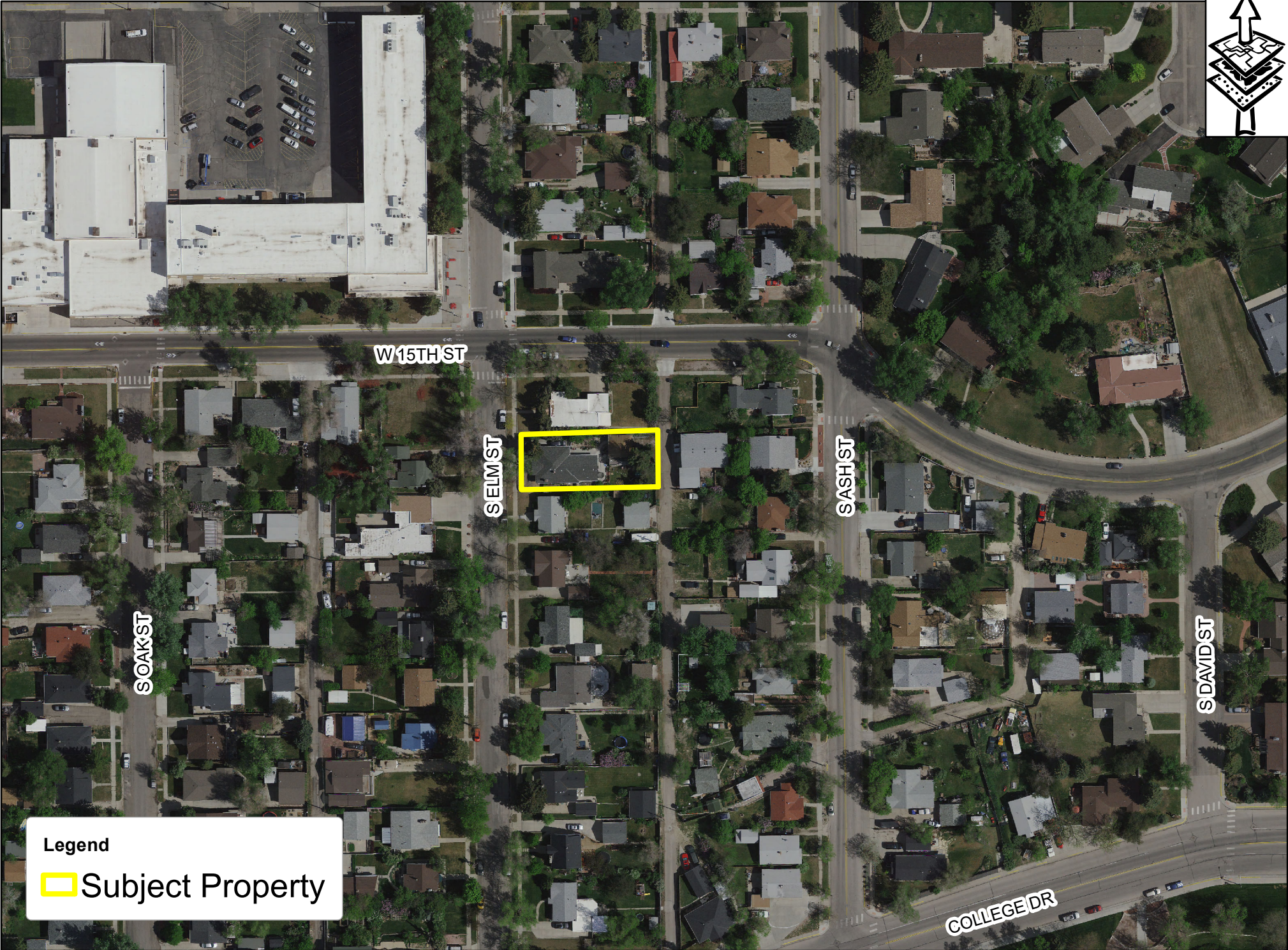
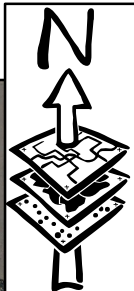


Click a location to view.






# Proposed Conditional Use Permit 1515 S Elm



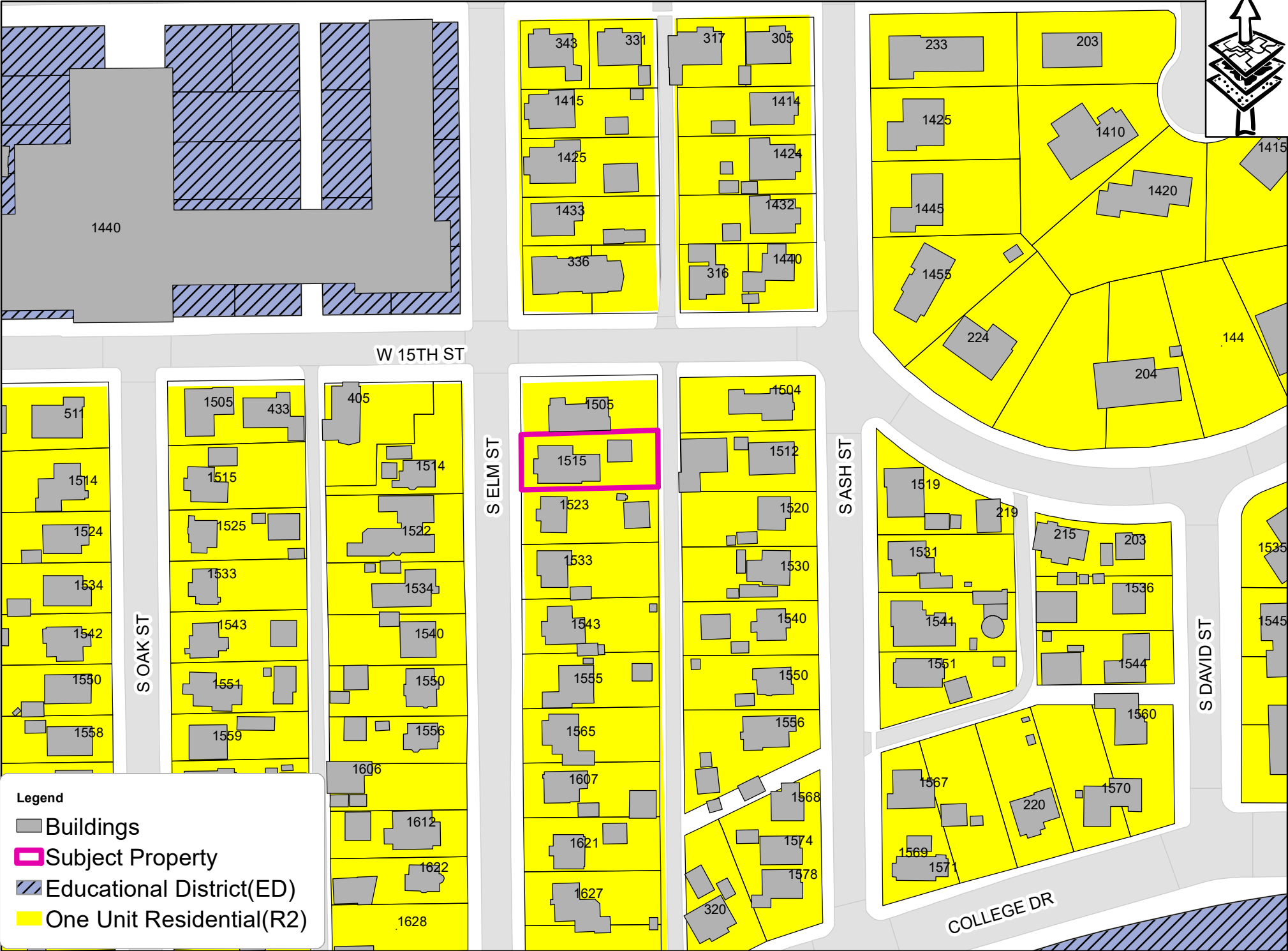
Legend



Subject Property



# Proposed Conditional Use Permit 1515 S Elm





**Barbara Santmire**

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**From:** KATHY SLEEGER <kdians@aol.com>  
**Sent:** Monday, April 10, 2023 12:50 PM  
**To:** Planning  
**Subject:** CUP-373-2023 & CUP-351-2023

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

City of Casper Planning and Zoning Commission We are against this application submitted by Pat and Vicki Hughes. Our current zoning is "One Unit Residential."

Please do not allow this change in our neighborhood.

We had a conversation with Pat on 4/8/23 concerning this matter so he is well aware of our position.

Respectfully,

Tim and Kathy Sleeper

1550 S. Elm St.

Casper, WY

Sent from my iPad

CASPER HISTORIC PRESERVATION COMMISSION  
MINUTES OF THE REGULAR MEETING  
**February 13, 2023**

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

Absent: Anthony Jacobsen, Paul Yurkiewicz

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

Guests: Katelynn Larsen

*Jeff Bond called the meeting to order at 8:35 a.m.*

**Election of Officers**

Jeff called for nominations for Commission Chair to serve for 2023. Connie Hall was nominated by John Lang and seconded by Maureen Lee. *The nomination of Ms. Hall for Chairperson of the Commission for 2023 was approved unanimously.*

Jeff called for nominations for Commission Vice-Chair to serve for 2023. Maureen Lee was nominated, but declined. Maureen suggested the vote for a Vice-Chair be tabled until Paul Yurkiewicz could be present as she felt he would be the best person to serve. *All present agreed to wait until Paul is present to be nominated.*

**Approval of Minutes**

Jeff asked if everyone had read the minutes of the December 12, 2022, meeting and asked if there were any corrections. *Minutes from December 12, 2022, were approved unanimously.*

**Introduction of New Members / Guests Present**

All present introduced themselves and noted their interest in serving on the Historic Preservation Commission. Katelynn Larsen, Stateline No 7, was a guest stating she was interested in learning what the Commission does with a view towards serving in the future.

Staff was requested to order shirts and name tags for the new members.

**New Business**

City Planner Craig Collins showed Commissioners the new links added to the Historic Preservation Commission section of the City of Casper website. Links were added for Casper's designation as an American World War II Heritage Community and to the National Archives Sanborn Map Collection for Casper.

There was a question as to if the National Park Service will provide a sign/plaque in recognition of the American WWII designation? Mr. Collins stated he would check to see if anything will be provided or if NPS only provides artwork for the recipient to use to create their own sign/plaque. The Commission is interested in obtaining multiple signs for placement in several locations.

Tammi stated she was going to be taking a private tour of the old Casper Army Air Base Hospital and asked if anyone else on the Commission would be interested in touring. The entire Commission expressed an interest and asked that Tammi let everyone know as soon as she had a date/time.

### **Old Business**

OYD Committee Update – John reported that the OYD Advisory Committee met at The Drinkery (formerly Urban Bottle) in January. Introductions were made as there were several new committee members. It was stated that the holiday events (support of the David Street Station events, Rudolphing, and the Caroling Pub Crawl) were all well attended and well received.

P&Z Commission – City Planner Craig Collins reported there would be five cases for review/approval being presented at the next Planning and Zoning meeting scheduled for March 9<sup>th</sup>.

Demolition Permits – There was no report.

Christmas Ornaments / May Magnets – It was decided by the Commission to pursue the Christmas Ornament option and table the magnets for now, but interest was expressed in trying to have the Ornaments available for sale as early as May to offer during Historic Preservation Month events. It was further suggested that the ornaments be numbered, limited edition to increase collectability.

Jeff is continuing to gather information and hopes to have details on the cost and how long they take to manufacture for the next meeting. Robin provided a list of possible subjects for the 1<sup>st</sup> ornament. Jeff motioned that NCHS be chosen. Connie 2<sup>nd</sup> and the motion passed unanimously.

Questions remain as to how the initial order will be financed. The CHPC will be responsible for selling (Etsy was one recommendation) and can then “donate” the funds to the City to be held in a separate project account. Once the details are ascertained and the ornaments are produced/ready to sell, it was asked if a notice could go out in the City water bills to advertise. It was also suggested an article be placed in the Oil City News and the information be placed on the HPC City website and Facebook pages.

### **Historic Preservation Month Planning for May 2023**

1. Sherrie’s 100<sup>th</sup> Anniversary – Robin has spoken to a contact at the Historic Alliance and they are definitely interested in being a part of Sherrie’s 100<sup>th</sup> Anniversary celebration.
2. The Ellis Award, or other recognition of Pinky Ellis, remains on hold and will

remain on the agenda as a place holder pending an appropriate time to look at options to move forward.

Sub-Committee reports:

- Social Media/Outreach/Education – Maureen reported she continues to add relevant articles to the Facebook page as she comes across them. She will work with Paul on getting the WWII designation added as well, possibly incorporating the logo provided in the award email.
- Field Visits/Tours – it was suggested that the March HPC meeting be held at the Trail Center. Robin will reach out to them to see if we can get it scheduled. They do not open until 9:00 so the meeting would be held a little later than usual.

Other Business

1. Carolyn shared the latest publication from the Natrona County Historic Preservation Commission. They work with an outside vendor to produce a periodic publication. Interest was expressed in having something similar for Casper, but funding (cost was approximately \$3000 to print 500) is currently an issue and CHPC may not be the right fit to produce such an item.
2. Connie and John shared the Ghost Signs video they have created at the lunch program and annual meeting of the Fort Caspar Association. It was well received by the 70+ attendees. They are putting some finishing touches on it and will be presenting it to the group in the near future.
3. There is a bronze plaque that came out of the DAR Women's Clubhouse that they are trying to return to the building it belongs to. It was requested that anyone having a connection to the current owner see if they are open to having it returned and placing it on the building.
4. It was asked if HPC has any presence at SHPO meetings/conferences? SHPO has requested that someone teleconference into at least 1 meeting a year.

The next meeting will be March 13<sup>th</sup>, location to be determined/confirmed.

*Meeting adjourned at 9:25 a.m.*

(Minutes prepared by Barb Santmire)

Respectfully submitted,



Chairperson

Casper Historic Preservation Commission

**OLD YELLOWSTONE DISTRICT ADVISORY COMMITTEE MEETING**  
**Monday, February 27, 2023 at Thyra Thomson Office Building (444 W Collins)**

The OYD held its monthly meeting at 4:00 p.m. on Monday, February 27, 2023.

Members Present: Joe Hutchison, Carol Martin, Phillip Rael, Gena Jensen, Mike McIntosh, Kyle Gamroth (by phone)

Members Absent: Jamie Haigler, Michael Hirschbine, Kelly Ivanoff, Pete Maxwell, Karen Meyer, Maribeth Plocek

Liaisons Present: Renee Hahn (ARAJPB) and John Lang (CHPC)

Liaisons Absent: Connie Hall (CHPC)

Guests Present: Paul Meyer (proxy for Karen Meyer)

Staff Present: Liz Becher, Barb Santmire

**CALL TO ORDER:**

Chair Gamroth welcomed everyone and called the meeting to order at 4:18 p.m.

**APPROVAL OF THE JANUARY 23, 2023 MINUTES:**

Chair Gamroth asked for approval of the January 23, 2023 meeting minutes. Mr. Rael moved to approve the minutes. Mr. McIntosh seconded. All members voted aye; minutes were approved.

**INTRODUCTION OF GUESTS/PUBLIC COMMENTS:**

Ms. Becher announced that t-shirts for all OYD Committee members are going to be purchased so they can be worn for community events such as flower planting, neighborhood clean-ups, partner events with the DDA, and Christmas light hanging. Ms. Santmire passed around a sheet so each member could check off what size they would like.

**OLD BUSINESS:**

**Historic Preservation Plaque project/grant application**

Six sites have been chosen to receive metal historic plaques. Each plaque will have a QR code that will take the observer to supplementary information about the specific site. Staff will be applying for a grant through the Cultural Trust Fund to pay for the plaques. There are two application timeframes with deadlines of April 1<sup>st</sup> and October 1<sup>st</sup>. This project is one of the Committee goals.

**Outgoing Councilor certificate presentation update**

Ms. Becher stated that a Certificate of Recognition was presented by Mayor Knell to Councilor Amber Pollock on behalf of the OYD Advisory Committee at the February 7<sup>th</sup> Council

meeting. The Certificate thanks Councilor Pollock for serving as the Council Representative to the Committee and recognizes her commitment to the downtown development initiatives, the dedication of her personal time, and her genuine interest in the neighborhood businesses of the district.

## **NEW BUSINESS:**

### **Midwest Avenue reconstruction Phase 3**

Ms. Becher reported that the Midwest Avenue reconstruction Phase 3 project (from Poplar to Walnut) is moving forward and that initial meetings were held with property owners over a 2 day period in late January to discuss the work that will be occurring. Renderings are being completed by the engineering consultant (WWC) and the project will go out to bid in May with work expected to start in July and finish by Spring 2024.

WYDOT is also moving forward with their Poplar Street / 1<sup>st</sup> Street project, which will partially run concurrent with the Midwest Avenue reconstruction, but efforts are being made to minimize the impact where the projects cross.

### **Plant Swap on April 1<sup>st</sup> at Wyoming Plant Company**

Mr. Ivanoff has been approached by a local gardening group and asked to host a plant swap on April 1<sup>st</sup> at his location. He would like to have the event grow to include other local businesses. Ideas considered were a tie-in to the Keep Casper Beautiful's Trees for Trash and adding music to make it a bigger event.

### **Summer flower planter plans**

Adopt a Planter will be offered again this year with OYD businesses, in conjunction with the Parks Department summer planter efforts. This is a great program to get local businesses to participate in the beautification of their surroundings. At this time, no date has been sent, but last year it was just before the Memorial Day Car Show. Kelly Ivanoff has offered, once again, to provide some plants.

### **Other Property activity**

The following activities were reported:

- Jeffree Star's retail space is slated to open in April
- John Huff will be selling the Yellowstone Garage building and has an interested party
  - Although the building has an existing bar & grill license, John is very community-focused and is not a proponent of adding to the number of liquor/brewery/gambling establishments in the district.
  - Questions were asked as to if there are any restrictions on the number of gambling establishments permitted. Gambling is not currently listed as prohibited in the Form-Based Code, but the Committee may want to consider updating the code if there is concern about the way the community is going to develop.
- Ms. Becher is working to schedule a tour of the building next to Art 321 in March.

## **OTHER BUSINESS:**

### **Historic Preservation Liaison Report**

Mr. Lang stated there are 2 new Commission members. Casper has been designated as an American WWII Heritage City – only 1 city per state is appointed – with the National Park Service. A link has been added to the HPC city website page to the Sanborn Map Collection. The Women's Center is being considered for designation as a historic property. The courthouse will be updating their steps and the overall look will be more historically accurate. Members of HPC are looking to tele-attend the SHPO state conference. Connie Hall has been elected as HPC Chair for 2023 with the Vice Chair spot left open as they were hoping that Paul Yurkiewicz will be able to fill that position.

### **ARAJPB Liaison Report**

Ms. Hahn reported that the ARAJPB has approved a plan for updates to the Three Crowns Club House which will include updating the interior with a more industrial look (to honor the buildings root's as a refinery) and expanding the outside deck. Capacity for events will increase to 200. The improvements will include a rebranding and new menu. Work is expected to begin the first part of March and be completed by the end of June. The facility will never be completely shut down during the renovations.

## **NEXT MEETING:**

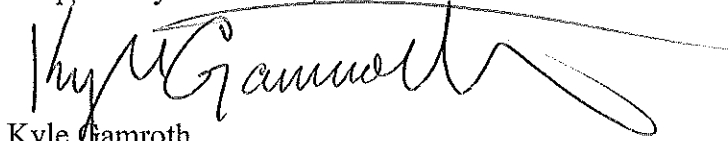
The next meeting will be Monday, March 27<sup>th</sup> from 4:00 – 5:00 at a location TBD.

## **ADJOURN:**

Mr. McIntosh moved to adjourn the meeting. The motion was seconded by Mr. Hutchison. The meeting adjourned at 5:02 p.m.

(Minutes prepared by Barb Santmire)

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Kyle Gamroth', with a long horizontal flourish extending to the right.

Kyle Gamroth  
Chairperson