



Douglas Planning and Zoning Commission

October 17, 2022

City of Douglas-Council Chambers

101 North 4th Street

Douglas, Wyoming 82633

Call To Order

Chairman Hancock called the Douglas Planning and Zoning Commission to order at 5:30 P.M. In response to the Chairman's request for roll call, the following were found present:

Members Present: Jay Hancock
Becky Renstrom
Dave Patterson
Blake Palmer

Members Absent: Robin Velasquez

City Staff Present: Clara Chaffin, Community Development Director
Heidi McCullough, Planning Technician

Chairman Hancock was sworn in for his new term on the commission.

Agenda

Chairman Hancock introduced the agenda. Commissioner Palmer moved to accept the agenda. Commissioner Patterson seconded the motion, and the motion carried 4-0.

Minutes

Chairman Hancock introduced the minutes of the September 19, 2022, meeting. Commissioner Renstrom made a motion to accept the minutes. Commissioner Palmer seconded. The motion carried 4-0.

Planning & Zoning Matters

A. CUP 03-22: Application by Leoma Kriebel for a Conditional Use Permit for a daycare at 720 Hamilton Street in an R-1 Residential Zone Original Town of Douglas, Lot 7, Block 56.

Chairman Hancock opened the public hearing at 5:33 P.M. Director Chaffin reviewed the location, zoning data, surrounding land uses, and compliance with the Douglas Master Plan. Staff recommendation was for approval. The applicant was not on hand for questions but was available by phone. There were no public comments. Chairman Hancock closed the public hearing at 5:36 P.M. and called for a motion. Commissioner Palmer moved to recommend approval to the City Council with staff recommendations. Commissioner Patterson seconded the motion. Chairman Hancock called for the vote; the motion passed 4-0.

B. VAC 01-22: Petition by the City of Douglas to vacate the south 20 feet of the West Clay Street right-of-way from West Grant Street to the northeast corner of Riverview, Lots 11 and 12: Block 3 and vacate the east 15 feet of the First Street West right-of-way from West Clay Street to West Poplar Street.

Chairman Hancock opened the public hearing at 5:37 P.M. Director Chaffin reviewed the location, zoning data, surrounding land uses, and compliance with the Douglas Master Plan. Staff recommendation was for approval. City Administrator J.D. Cox was on hand for questions. There were not public comments. Chairman Hancock closed the public hearing at 5:42pm and called for a motion. Commissioner Renstrom moved to recommend approval to the City Council, Commissioner Palmer seconded the motion. Chairman Hancock called for the vote; the motion passed 4-0.

B. VAC 02-22: Application by Willox Properties, LLC to vacate the alley between Lot 8 and Lots 9, 10, 11, and 12 Block 46 in the Original Town of Douglas.

Chairman Hancock opened the public hearing at 5:44 P.M. Director Chaffin reviewed the location, zoning data, surrounding land uses, and compliance with the Douglas Master Plan. Staff recommendation was for approval. Jim Willox of Willox Properties LLC was brought into the meeting via the phone. Mike Hageman, who is an adjacent property owner within the 300 feet radius was on hand to oppose the vacation. He is using an adjoining property owned by Nick and Joe Villalobos and would like to develop it in the future. He plans to utilize the alley to access the property. Alternate access options and easements were discussed. Mr. Willox pointed out that all of the property owners immediately adjacent, including the owner of the property Mike Hageman is wanting to develop, have signed the petition in favor of the vacation. Chairman Hancock closed the public hearing at 6:05 P.M. and called for a motion. Commissioner Renstrom moved to recommend approval to the City Council with staff recommendations and with the possibility of discussing other access easements with Willox Properties. Commissioner Palmer seconded the motion. Commissioner Palmer had questions regarding lot access and Director Chaffin informed him that per Douglas Municipal Code, primary access cannot be an alley, primary access to any lot has to be off of a street. Chairman Hancock called for the vote; the motion passed 4-0.

Code Considerations

Director Chaffin gave an update on the changes made to the Short-Term Rental code regarding the Central Administration building being indicated as a school on the map and restricting Short-Term Rentals within 1000 feet of it. Commissioner Palmer was concerned that this would affect 207 parcels and 195 property owners, and that between its buffer and the one around the High School, it excludes

one of our largest residential areas in town from being utilized for Short-Term Rentals. The Commission would like the City Council to consider their concerns.

Director Chaffin discussed the upcoming ordinance to adopt the 2021 ICC Building Codes. Currently the City is utilizing the 2018 ICC Building Codes and the State has recently adopted the 2021 codes. Commissioner Palmer had questions regarding changes and ADA requirements. As part of this code change, the City is also looking at changes to the Building Permit application fee structure. Douglas is one of the lowest charging cities in the state, and plan review fees are not necessarily being covered when they have to be sent out to outside firms. A couple of possible options will be submitted to the City Council for consideration.

Staff Report - City Council Action on Forwarded Items

A. CUP 02-22: Application by Sean and Shea Lehn for a Conditional Use Permit for a Short-Term Rental at 733 S. 5th Street, Original Town of Douglas, Lot 8, Block 59 in an R-1 Residential Zone. At the Chairman's request, Director Chaffin reported that the item from the September 19, 2022, meeting had been tabled by the City Council dependent upon resolution of the issues with the School District's Central Administration building being excluded from the map in the ordinance. The above-mentioned property was within the 1000 foot buffer around that building. Per the City Attorney, because the application was submitted before the new buffer was in place and it was conforming to the code at the time it was submitted, it should be approved. The City Council approved the Conditional Use Permit at the October 10th council meeting as recommended by the Commission, and then voted to implement the changes to the code.

B. CUP 01-22: Application by CCSD#1 for a Type B Development to build a Gymnasium, press box and athletic fields in an R-1 Neighborhood Residential Zone at 801 W. Richards Street, Middle School Site, Block 10.

At the Chairman's request, Director Chaffin reported that the item from the September 19, 2022, meeting had been approved by the City Council as recommended by the Commission.

Adjournment

There being no other business, Chairman Hancock called for a motion to adjourn the meeting. A motion to adjourn was made by Commissioner Palmer and seconded by Commissioner Renstrom. With a unanimous vote of 4-0, Chairman Hancock adjourned the meeting at 6:18 P.M.

Chairman, Planning and Zoning Commission

Planning Commission, Secretary

PLANNING AND ZONING COMMISSION MEETING

DOUGLAS CITY HALL, DOUGLAS, WYOMING

FEBRUARY 21, 2023

REGULAR MEETING – 5:30 P.M.

PLANNING AND ZONING COMMISSION MEETINGS ARE RECORDED AND BROADCAST LIVE ON CABLE CHANNEL 7.

THE PLANNING AND ZONING COMMISSION IS AN ADVISORY BODY TO THE CITY COUNCIL. ITEMS APPEARING ON THIS AGENDA WILL BE CONSIDERED BY THE CITY COUNCIL ON FEBRUARY 27TH, 2023. ALL APPLICANTS ARE STRONGLY ENCOURAGED TO ATTEND BOTH MEETINGS.

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. APPROVAL OF THE AGENDA FOR FEBRUARY 21, 2023

V. APPROVAL OF THE MINUTES FOR OCTOBER 17, 2022

VI. PLANNING AND ZONING MATTERS

- A.** CCSUB 01-23: Application by PRB Holdings, LLC for the proposed PRB County Minor Subdivision, Lots 4 and 5.
- B.** CUP 01-23: Application by Claire Mayes for a Conditional Use Permit to operate a Preschool in an R-2 Residential zone at 321 N. 4th Street, Original Town of Douglas, Part of Outlot F.

VII. CODE CONSIDERATIONS

VIII. STAFF REPORT – CITY COUNCIL ACTION ON FORWARDED ITEMS

- A.** CUP 03-22: Application by Leoma Kriebel for a Conditional Use Permit for a Daycare in an R-1 Residential Zone at 720 Hamilton Street, Original Town of Douglas, Lot 7, Block 56.
- B.** VAC 01-22: Petition by City of Douglas to vacate the south 20 feet of the West Clay Street right-of-way from West Grant Street to the northeast corner of Riverview, Lots 11 and 12, Block 3, and vacate the east 15 feet of the First Street West right-of-way from West Clay Street to West Poplar Street.
- C.** VAC 02-22: Petition by Willox Properties to vacate the alley between Lot 8 and Lots 9, 10, 11 and 12, Block 46 in the Original Town of Douglas Subdivision

IX. OTHER BUSINESS

- A.** Election of Chairman and Vice Chairman

ADJOURNMENT

**DOUGLAS PLANNING COMMISSION
STAFF REPORT
FEBRUARY 21, 2023**

Proposed PRB Minor Subdivision

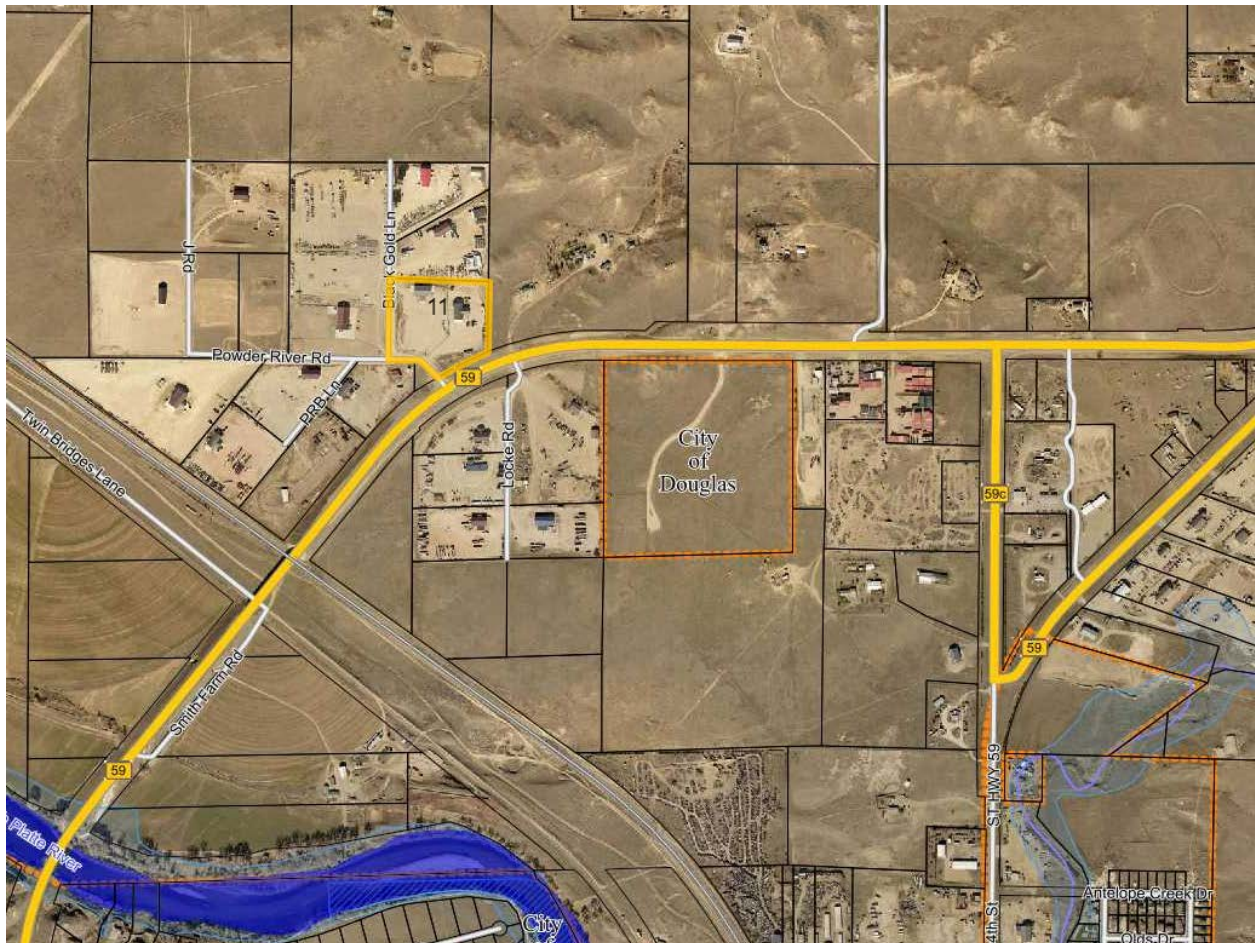
CASE NUMBER: CCSUB 01-23

PREPARED BY: Heidi McCullough, Planning Technician

MEETING DATES: February 21, 2023 – Planning and Zoning Commission
February 27, 2023 – Douglas City Council

RECOMMENDATION: The Community Development staff recommends approval of the PRB Minor Subdivision, Converse County, Wyoming, with reservations as to the future development of the property given the absence of county zoning regulations.

VICINITY MAP:



OWNERS: PRB Holdings
P.O. Box 834
Douglas, WY 82633

PURPOSE: Creation of two lots for business purposes.

LOCATION: The subject property is located at 11 Black Gold Lane on the north side of Highway 59.

SIZE: Area: 8.62 Acres

ZONING: N/A

EXISTING LAND USE: Industrial

PROPOSED USE: Dividing the property into two lots 4.69 acres and 3.93 acres with road access in allow for future sale of property to current tenant using part of the lot.

RECOMMENDED LAND USE PER ADOPTED PLAN: N/A

PLAT DATA: Lot 1: 4.69 acres
Lot 2: 3.93 acres

SUBDIVISION STANDARDS: N/A

ADDITIONAL INFRASTRUCTURE REQUIRED: No additional infrastructure required at this time.

ANALYSIS: This application is being considered per Wyoming Statute 18-5-308, which states any part of a subdivision within one mile of the boundaries of an incorporated city must obtain the approval of its governing body.

Both lots would be accessed from Powder River Road an access off of Highway 59. Water and sewage disposal would be provided by private wells and septic systems.

The location is in the Planning Area, as designated in the City of Douglas Master Plan, adopted in 2014. Land included in this area is anticipated to be a possible site of annexation within a 20–30-year period, making long range impacts to the property important to future City growth needs. The site is visible from Interstate Highway 59, influencing the perceptions of travelers of the community. The city’s strong preference would be for any activity to be developed in a manner similar to City of Douglas Industrial zoning standards.

STAFF RECOMMENDATION: The Planning & Community Development staff recommends approval of the PRB Minor County Subdivision with reservations as to future development of the property given the lack of county zoning regulations.



VICINITY MAP
CONVERSE COUNTY, WYOMING

PROPERTY LOCATION

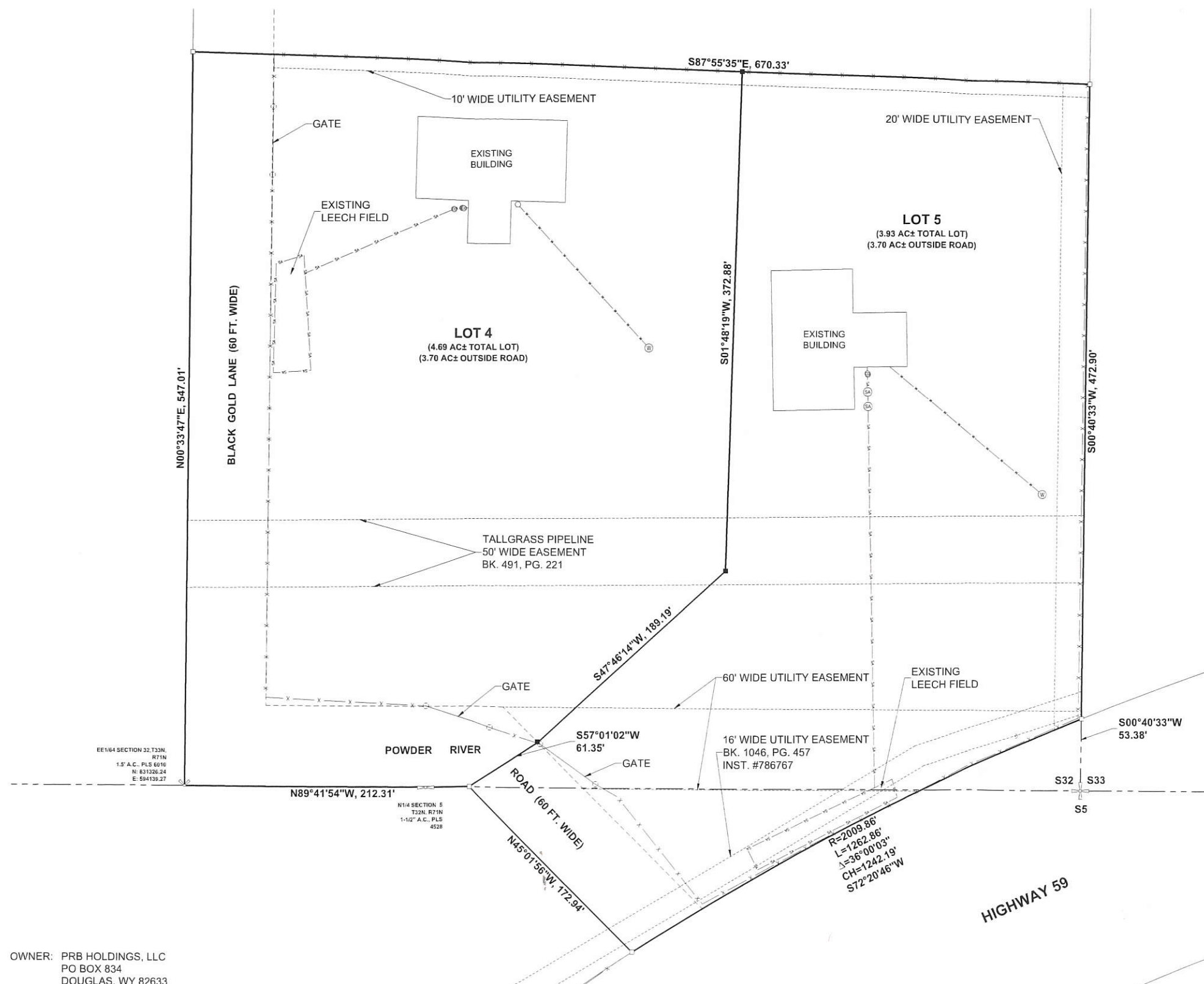


BEARINGS ARE BASED ON THE WYOMING COORDINATE
SYSTEM NAD 1983, EAST ZONE
DISTANCES ARE GROUND
DAF = 1.0002677308
SCALE: 1" = 40'

LEGEND

- = FOUND SECTION CORNER
- = FOUND 1/4 CORNER
- = FOUND 1/64 CORNER
- = FOUND ALUMINUM CAP (PLS 14558)
- = SET ALUMINUM CAP (PLS 14558)
- = WATER WELL
- = WATER SPIGOT
- = WATER LINE
- = SEPTIC CLEANOUT
- = SANITARY MANHOLE
- = SANITARY SEWER LINE
- = EXISTING FENCE
- = PROPOSED SUBDIVISION LINES
- = UTILITY EASEMENT LINES
- = ROAD EASEMENT LINES
- = SECTION LINES
- = MEASURED BEARING AND DISTANCE

CONCEPT OF: VACATION AND REPLAT OF LOT 1 OF PRB MINOR SUBDIVISION AS **PRB MINOR SUBDIVISION** **LOTS 4 & 5**



340 W. B STREET, Ste. 204 • CASPER, WYOMING 82601
TELEPHONE: (307) 439-4567
WWW.TOPOGRAPHIC.COM

PROJ. # 18025 • October 10, 2019 • DRAWN BY: KLC • CHECKED BY: ALM

OWNER: PRB HOLDINGS, LLC
PO BOX 834
DOUGLAS, WY 82633

**DOUGLAS PLANNING COMMISSION
STAFF REPORT
FEBRUARY 21, 2023**

**321 N. 4TH STREET
PRESCHOOL – CONDITIONAL USE PERMIT**

CASE NUMBER: CUP 01-23

PREPARED BY: Heidi McCullough, Planning Technician

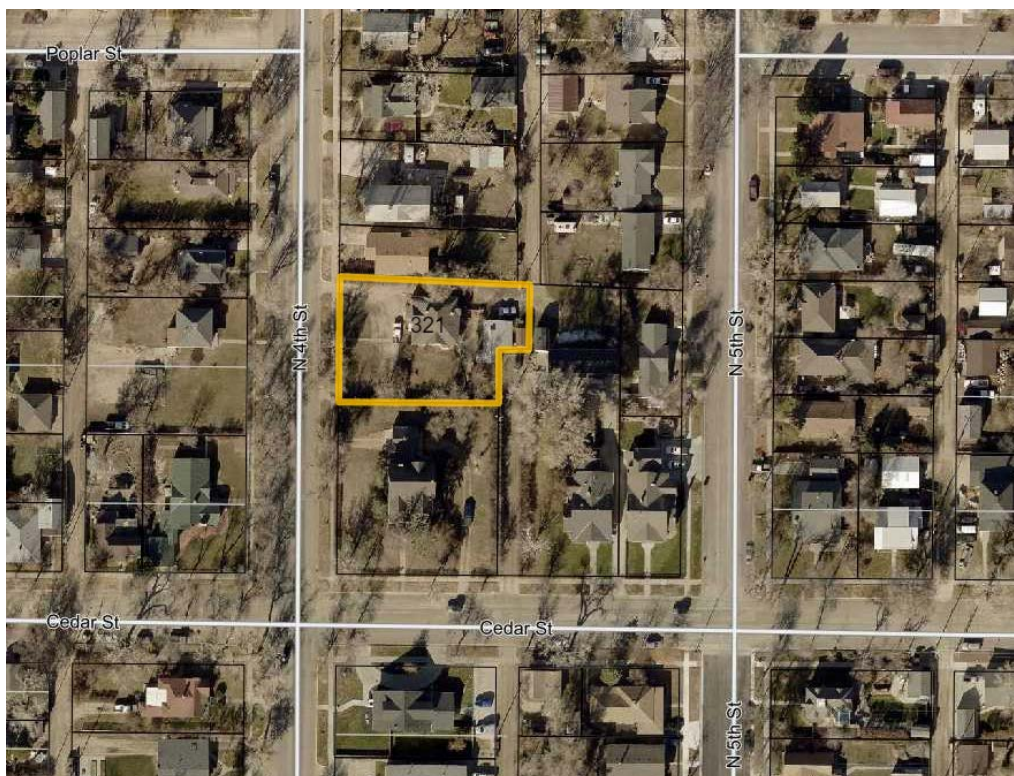
MEETING DATES: February 21, 2023 – Planning and Zoning Commission
February 27, 2023 – City Council

REQUEST: Conditional Use Permit, R-1 Residential zone

PURPOSE: To operate a Preschool.

RECOMMENDATION: The Community Development Department recommends approval, with conditions, of this Conditional Use Permit to allow Claire Mayes to operate a Preschool in an R-2 Medium Density Residential Zone at 321 N. 4th Street.

VICINITY MAP:



OWNER: 80/29 LLC
950 S. 10th Street, Suite 100
Omaha, NE 68108

APPLICANT: Claire Mayes
2919 Esterbrook Road
Douglas, WY 82633

LOCATION:

- (1) Legal Description: Original Town of Douglas, Part of Outlot F
- (2) General Location: The subject property is located in the middle of the block on the east side of 4th Street between Poplar Street and Cedar Street.

LOT SIZE: 17,303 square feet

ZONING: R-2 Mixed Density Residential



EXISTING LAND USE: Single family residence

SURROUNDING LAND USE:

North: Single Family Residential
South: Single Family Residential
East: Single Family Residential
West: Single Family Residential

ZONING

R-2
R-2
R-1
R-2

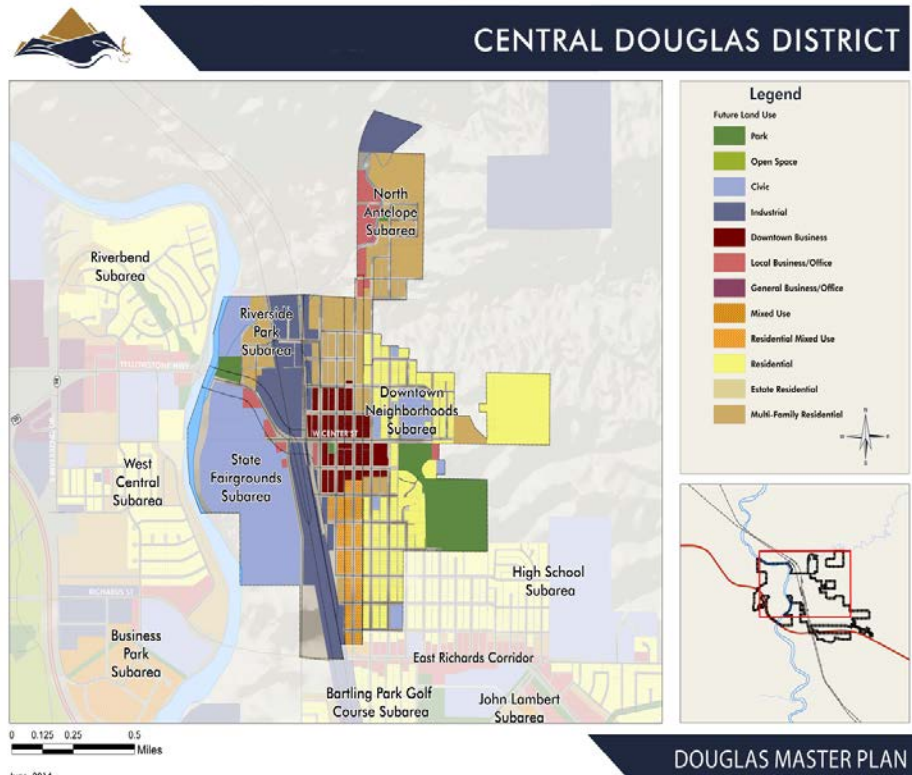
ANNEXATION STATUS

City
City
City
City

DESCRIPTION OF SITE AND SURROUNDINGS: The surrounding land uses are noted above. The subject property is surrounded entirely by residences.

SPECIFICS OF THE PROPOSED USE: The applicant's stated hours of operation would be Monday-Friday, from 7:30 AM to 5:00 PM, with a capacity for up to fifteen (15) children and 1 or 2 additional employees. The location has 2 additional off-street parking spaces and a circle drive to facilitate pick-up and drop-off. The applicant is in the process of completing state licensing, pending the issuance of the conditional use permit.

DOUGLAS MASTER PLAN: The Douglas Master Plan, adopted June 23, 2014, designates the property as part of the Downtown Neighborhoods Subarea of the Central Douglas District. According to the Master Plan, the existing character of this area *"can be considered an extension of Downtown. Its future desired condition combines the preservation of adjacent historic neighborhoods with new medical facilities. Existing buildings should be redeveloped in a manner than complements this emerging medical and downtown residential district."*



The addition of a pre-school facility in this location conforms with the Douglas Master Plan.

STAFF RECOMMENDATION: The Community Development Department recommends approval of the request for a conditional use permit to allow for a Preschool in an R-2 Mixed Residential Zone at 321 N. 4th Street with the following conditions:

1. The conditional use permit to operate a day care facility is specific to Claire Mayes. If this applicant, in the future, ceases operation or moves the facility to another location, the Conditional Use Permit will be null and void for the subject property.
2. The applicant shall adhere to the required State regulations pertaining to a daycare/pre-school facility.