AGENDA
CITY OF LARAMIE, WYOMING
CITY COUNCIL WORK SESSION
CITY HALL
SEPTEMBER 27, 2016 6:00 pm

City Council Meetings are open to the public. Requests for accommodations from persons with disabilities must be made to the City Manager's Office 24 hours in advance of a meeting.

1. **Public Comments**

2. **PUBLIC HEARING**

2.A. **PUBLIC HEARING: Original Ordinance No. 1954, amending Title 15 of Laramie Municipal Code for the purposes of allowing "Automobile Service Stations (Minor Repairs Included)" and "Vehicle/equipment sales and rentals (Other Than Motor Vehicles)" as a Conditional Uses in the DC District**
[Derragon, ACM]

Documents:

PH Ord 1954 9-27-2016.pdf
Cover Sheet.pdf
Original Ordinance No. 1954.pdf
Planning Commission Staff Report.pdf

3. **SPECIAL MEETING**

3.A. **Original Ordinance No. 1954, amending Title 15 of Laramie Municipal Code for the purposes of allowing "Automobile Service Stations (Minor Repairs Included)" and "Vehicle/equipment sales and rentals (Other Than Motor Vehicles)" as a Conditional Uses in the DC District**
Second Reading. (Introduced by Vitale)
[Derragon, ACM]

Documents:

SPMtg-09-27-2016.pdf
Cover Sheet.pdf
Original Ordinance No. 1954.pdf
Planning Commission Staff Report.pdf

4. **WORKSESSION**

4.A. **WORK SESSION: Annual UW Update by President Nichols**

4.B. **WORK SESSION: Urban Renewal**
[Derragon, ACM]

Documents:

Cover Sheet - Urban Renewal 9-27-16.pdf

4.C. City Council Updates/Council Comments

4.D. Agenda Review

4.E. Public Comments

CITY OF LARAMIE NOTICE OF PUBLIC HEARING(S)

The City Council will hold the following public hearings at 6:00 p.m. on September 27, 2016 in the City Council Chambers, Laramie City Hall, 406 Ivinson Avenue, Laramie, WY, to take public comments following:

-TA-16-06: An Ordinance proposing an amendment to LMC 15.10.000.E Table of Allowed Uses, to allow for "Automobile Service stations (Minor repairs included)" and "Vehicle/equipment sales and rentals (other than motor vehicles)" as conditional uses in the Downtown Commercial (DC) Zone District. (Applicant: E&D Enterprises, LLC).

All applications, plans and specifications relative to these matter(s) are available for review at the City of Laramie Community Development Department, at 405 Grand Avenue, Laramie, WY. Anyone wishing to be heard should be present or may be represented by his or her agent at the meeting. Written comments may be mailed to: City Council c/o City of Laramie Community Development Department, P.O. Box C, Laramie, WY 82073. For questions or information, contact the Community Development Department, at the address above, by telephone at 307-721-5207 or by email at planning@cityoflaramie.org.
Publish: September 10, 2016

BILL TO: City of Laramie Clerk, Attn: Angie Johnson, P.O. Box C, Laramie, WY 82073
AFFIDAVIT REQUIRED; PLEASE SEND TO ABOVE

CITY OF LARAMIE COUNCIL PUBLIC HEARING September 27, 2016

LARAMIE 1868	**Agenda Item: Original Ordinance - 1st Reading** **Title: Original Ordinance No. 1954 amending Title 15 of Laramie Municipal Code for the purposes of allowing "Automobile Service Stations (Minor Repairs Included)" and "Vehicle/equipment sales and rentals (Other Than Motor Vehicles)" as a Conditional Uses in the DC District**

Recommended Council MOTION:

Public hearing; no action can be taken.

Administrative or Policy Goal:

"… this code should be regularly reviewed, evaluated and amended, if necessary, based on private and city economic conditions, vision for the community, changing planning and zoning principles, frequent difficulty in implementing or enforcing any specific standard(s), or changes in the state, federal or case law. All city or citizen initiated amendments must be adequately vetted through the public hearing processes identified in the code." (Sec. 15.02.050, LMC)

Background:

The present amendment is initiated by E&D Enterprises, LLC who own a property in the Downtown Commercial (DC) District at the southeast corner of Third and Clark. Most recently their property was used as Wojtek Distillery and Tasting Room. The requested amendment is to allow the prior use of the building and future minor automobile repair facilities as permitted uses in the Downtown Commercial District. Any approval would apply to the entirety of the DC Zone

The Planning Commission heard this item on August 22, 2016. The Planning Commission recommend that the City Council approve amendments to allow "Automobile Service stations (Minor repairs included)" and "Vehicle/equipment sales and rentals (other than motor vehicles) as Conditional Uses in the DC Zone District (7 yes, 0 no).

The Planning Commission staff report is included. No changes have been made.

Legal/Statutory Authority:

- Laramie Municipal Code: Title 15 (Unified Development Code)
- Wyoming State Statutes: Title 15, Chapter 4, Article 3: Property, Financial Affairs, Contracts, Streets, Subdivisions and Utilities

BUDGET/FISCAL INFORMATION:

REVENUE

Source	Amount	Type
Fees/Charges for Service	$625.00	Application Fee
Grants for Projects		
Loans on Project		
Total	$625.00	

Responsible Staff:

David Derragon, Assistant City Manager, 721-5304

Charles W. Bloom, AICP, Principal Planner, 721-5232

Future dates are subject to change

Work Session	
Advertised	
Public Hearing Held	September 27, 2016
Pub. Hearing Advertised	September 10, 2016
Introduction/1st Reading	September 20, 2016
2nd Reading	September 27, 2016
3rd Reading	October 4, 2016

Attachments:

Proposed Ordinance
August 22, 2016 Planning Commission Staff Report

ORIGINAL ORDINANCE NO.: 1954 INTRODUCED BY:
ENROLLED ORDINANCE NO.: _____

AN ORDINANCE AMENDING TITLE 15 OF LARAMIE MUNICIPAL CODE FOR THE PURPOSES OF ALLOWING "AUTOMOBILE SERVICE STATIONS (MINOR REPAIRS INCLUDED)" AND "VEHICLE/EQUIPMENT SALES AND RENTALS (OTHER THAN MOTOR VEHICLES)" AS A CONDITIONAL USES IN THE DC DISTRICT.

WHEREAS, on August 21, 2007, the City Council adopted the Laramie Comprehensive Plan which lists as one of its recommendations to create a unified development code that would combine the zoning and subdivision ordinances in into a single, unified document consisting of multiple parts or sections, including administrative procedures, zoning, subdivision regulations and improvement standards;

WHEREAS, on June 22, 2009 the Laramie Planning Commission affirmatively voted to recommend to the Laramie City Council adoption of the Unified Development Code subject to modifications;

WHEREAS, on March 2, 2010, the City Council adopted the Unified Development Code with an effective date of July 1, 2010;

WHEREAS, 15.02.050 of the Laramie Municipal Code (LMC) calls for the Unified Development Code to be amended from time to time so as to become or remain consistent with the Comprehensive Plan, and should be regularly reviewed, evaluated and amended, if necessary, based on private and city economic conditions, vision for the community, changing planning and zoning principles, frequent difficulty in implementing or enforcing any specific standard(s), or changes in the state, federal or case law;

WHEREAS, on August 22, 2016 the Laramie Planning Commission affirmatively voted to recommend to the Laramie City Council adoption of amendments to the Unified Development Code as shown in this ordinance; and

WHEREAS, the Laramie City Council shall hold a public hearing on September 27, 2016 to take and consider public comments;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LARAMIE:

Section 1. That Table 15.10-1 shown in LMC 15.10.000.E is **amended** as to allow the following as a conditional uses in the DC District: "Automobile Service stations (Minor repairs included)" and "Vehicle/equipment sales and rentals (other than motor vehicles)"; and

Section 2. That this ordinance shall become effective after its passage, approval and its publication.

Passed and approved this _____ day of _____, 2016.

_____
David A. Paulekas, Mayor and President of the City Council

Attest:_____
Angie Johnson
City Clerk

First Reading: September 20, 2016
Public Hearing: September 27, 2016
Second Reading: September 27, 2016
Third Reading and Final Action: October 4, 2016

Duly published in the *Laramie Boomerang* this _____day of _____, 2016.

City of Laramie

Planning Division
P.O. Box C
Laramie, WY 82073

Telephone: (307) 721-5271
Fax: (307) 721-5248

LARAMIE PLANNING COMMISSION
AUGUST 22, 2016
STAFF REPORT

FILE:	**TA-16-06 Amending the Use Table for "Automobile Service stations (Minor repairs included)" and "Vehicle/equipment sales and rentals (other than motor vehicles)"**
REQUEST:	An amendment to Chapter 15.10 of the Unified Development Code to allow for "Automobile Service stations (Minor repairs included)" and "Vehicle/equipment sales and rentals (other than motor vehicles)" as permitted uses in the Downtown Commercial (DC) Zone District.
APPLICANT:	Andrew and Joy Thompson (E&D Enterprises, LLC)
PURPOSE:	To allow for development of an "Automobile Service stations (Minor repairs included)" or "Vehicle/equipment sales and rentals (other than motor vehicles)" at 269 3rd Street. (Former Vojtek Distillery)
PREPARED BY:	Charles W. Bloom, AICP, Principal Planner

RECOMMENDED MOTION:

Move to recommend that the Council **approve** amendments to Title 15 (Unified Development Code) of the Laramie Municipal Code for the purposes of allowing "Automobile Service stations (Minor repairs included)" and "Vehicle/equipment sales and rentals (other than motor vehicles) as Conditional Uses in the DC Zone District.

APPLICABLE CODE SECTION(S):

Text Amendments must be reviewed by the Planning Commission and City Council. Planning Commission action is forwarded to the City Council as a recommendation.

- Laramie Municipal Code Title 15, Unified Development Code
- Wyoming State Statutes Title 15 Cities and Towns, Article 5 Planning
- Wyoming State Statutes Title 15 Cities and Towns, Article 6 Zoning
- Laramie Comprehensive Plan

BACKGROUND AND SUMMARY:

The present amendment is initiated by E&D Enterprises, LLC who own a property in the Downtown Commercial (DC) District at the southeast corner of Third and Clark. Most recently their property was used as Wojtek Distillery and Tasting Room which was approved as a conditional use (CUP-14-13) in 2014. The applicant contacted City staff on August 3rd after learning that "Automobile Service

stations (Minor repairs included)" were not a permissible use in the DC District. The requested amendment is to allow the prior use of the building and future minor automobile repair facilities as permitted uses in the Downtown Commercial District. Any approval would apply to the entirety of the DC Zone District (DC Zone District Map is attached).

In conjunction with creation of the Unified Development Code, several uses were excluded from the DC Zone District. Uses removed generally were auto-oriented and included automobile repair shops, service stations, drive through facilities (restaurants and financial institutions) and auto dealerships. After adoption of the Unified Development Code in 2010, City staff rezoned several blocks in accordance with applicable notice requirements which included public notice and mailings to property owners. In addition to the required notice, staff held a series of public meetings and worked with local news outlets to raise public awareness. The Table of Allowed Uses (LMC 15.10.000.E) details what is permissible in the DC Zone District.

"Automobile Service stations (Minor repairs included)" includes minor vehicle repair such as brake repair, tire shops and oil change facilities. Typically vehicles are dropped off for a limited period of time and are stored in an operable condition for periods less than 24 hours. "Vehicle/equipment sales and rentals (other than motor vehicles)" includes sale and rental of motorcycles and ATVs and limited repair to those vehicles. Not included in this amendment are "Major Vehicle/equipment repair" which includes auto body repair, paint shops, and major repair shops where vehicles are typically stored in an inoperable or unlicensed condition for extended periods of time.

Relationship to Comprehensive Plan

Chapter 3 (Community Character) of the Comprehensive Plan evaluates the existing land use of the City and provides guidance for future development and redevelopment of the City. The section "Downtown Success and Economic Sustainability" outlines the community's vision of the downtown. Overall, citizens recognize the downtown as an important element of downtown and have established the following priorities: to enhance aesthetics, attract retail anchors, preserve local business, strengthen its ties to the University and other areas of the community, improve access an parking, provide for a mix of commercial and residential uses and to require that new development honor the building form of downtown. A priority identified in the plan was to create a pedestrian-scale Downtown streetscape that contributes to the enclosure of space reminiscent of an urban environment (2007 Laramie Comprehensive Plan p 3-10).

Downtown Laramie is shown as Urban Commercial in the Future Land Use Plan. The Urban Commercial category is classified as "an urban character as a result of its high floor-to-site area ratios (multiple stories) with zero setbacks along the street front, uses that are common of today's downtown environments, and a mixed pedestrian and vehicular orientation. Increased population, a residential component, infill, redevelopment, appropriately scaled streetscape improvements, kiosks, awnings or canopies, projecting business signs, public plazas and gathering areas, and employment in these areas can further enhance the Urban Commercial classification" (2007 Laramie Comprehensive Plan p 3-21).

Relationship to Downtown Plan

The Downtown Plan was completed in November 2011 by Arnett Muldrow and Associates in partnership with the Orion Planning Group and Mahan Rykiel Associates Community Design Solutions. The plan's intent was to encourage revitalization and to promote continued growth in Downtown. The plan evaluated the physical conditions of downtown, the opportunities to better market downtown as a destination, and the tools necessary to entice investment in downtown.

Recommendations of the plan included consistent application of development standards in the Downtown Commercial Zone District. In addition, the plan included the following recommendation: "Amend Unified Development Code: The 2010 Code dedicates an entire zoning category for downtown, the Downtown Commercial (DC) District. It includes district-specific standards and is listed in Table 15.10-1, Table of Allowed Uses. Recommendations related to the Code are:

- Expand language supporting mixed-use development. By doing so, a number of action statements and goals of the Laramie Comprehensive Plan will be addressed, including support for development that increases walkability, offering a variety of housing types, promoting infill options, and increasing population and employment in the downtown area.
- Allow More Uses: Consider amending the uses found in the DC District to allow more uses that generate foot traffic and activity. Examples include community centers, child care facilities, and community gardens, all of which are currently permitted as conditional uses.
- Sign Section: Refine the sign section for downtown signs to address issues that have been identified by the City.
- Adjust Parking Standards. Investigate and where necessary adjust parking standards that will encourage downtown residential uses, particularly housing that is incorporated into mixed use developments." (2011 Downtown Development Plan section 5.2.8 p 68)

In addition, the Chapter 6.0 (Implementation Strategy and Action Plan) promotes development that:

- Increases walkability, offering a variety of housing types, promoting infill options, and increasing population and employment in the downtown area.
- Consider amending the uses found in the DC District to allow more uses that generate foot traffic and activity. Examples include community centers, child care facilities, and community gardens, all of which are currently permitted as conditional uses.
- Refine the sign section for downtown signs to address issues that have been identified by the City.
- Investigate and where necessary adjust parking standards that will encourage downtown residential uses, particularly housing that is incorporated into mixed use developments." (2011 Downtown Development Plan Chapter 6.0 p 69)

Discussion:

All of the adopted plans for the City recognize the Downtown as an important asset to the community. Neither of the plans specifically prohibit “Automobile Service stations (Minor repairs included)” or “Vehicle/equipment sales and rentals (other than motor vehicles) in the Downtown District; however business that increase employment, promote activity, walkability and an active streetscape are encouraged.

Allowing the above mentioned uses could meet the goals of the Comprehensive Plan and the Downtown Development Plan provided they encompass the pedestrian scale and urban form

envisioned in the plans. In addition expanding the use spectrum conforms to the Downtown Plan's goal of allowing additional uses in the Downtown.

Staff believes that the proposed uses could be accommodated in the DC Zone District provided they meet code requirements and the vision of applicable plans. The applicant's requested amendment is to simply allow for an administrative review of a development application. Staff believes that a more public and detailed review is necessary. This can best be accomplished via the Conditional Use Permit process. Conditional Use Permit review would allow for a case-by-case review where each property can be reviewed in the context of its individual surroundings.

In the specific case of the applicant, they are requesting that a tire shop be allowed to relocate into an existing building. Through the Conditional Use Permit review process, staff and the Planning Commission could review the development for conformance with code requirements and applicable elements of relevant plans. In addition, the review could look at the developments relationship to adjacent properties and evaluate existing and proposed access points. Improvements to an existing site that could make it more compatible with the Downtown would include pedestrian amenities, increased landscaping and screening of internal parking lots or service areas.

PUBLIC COMMENTS:

This amendment was legally advertised in the Laramie Boomerang on August 7, 2016. Staff has received no comments regarding this proposed amendment to the UDC.

FINDINGS OF FACT:

The amendment is found to be in accordance with substantive and procedural requirements and necessities in City of Laramie code.

CONCLUSIONS OF LAW:

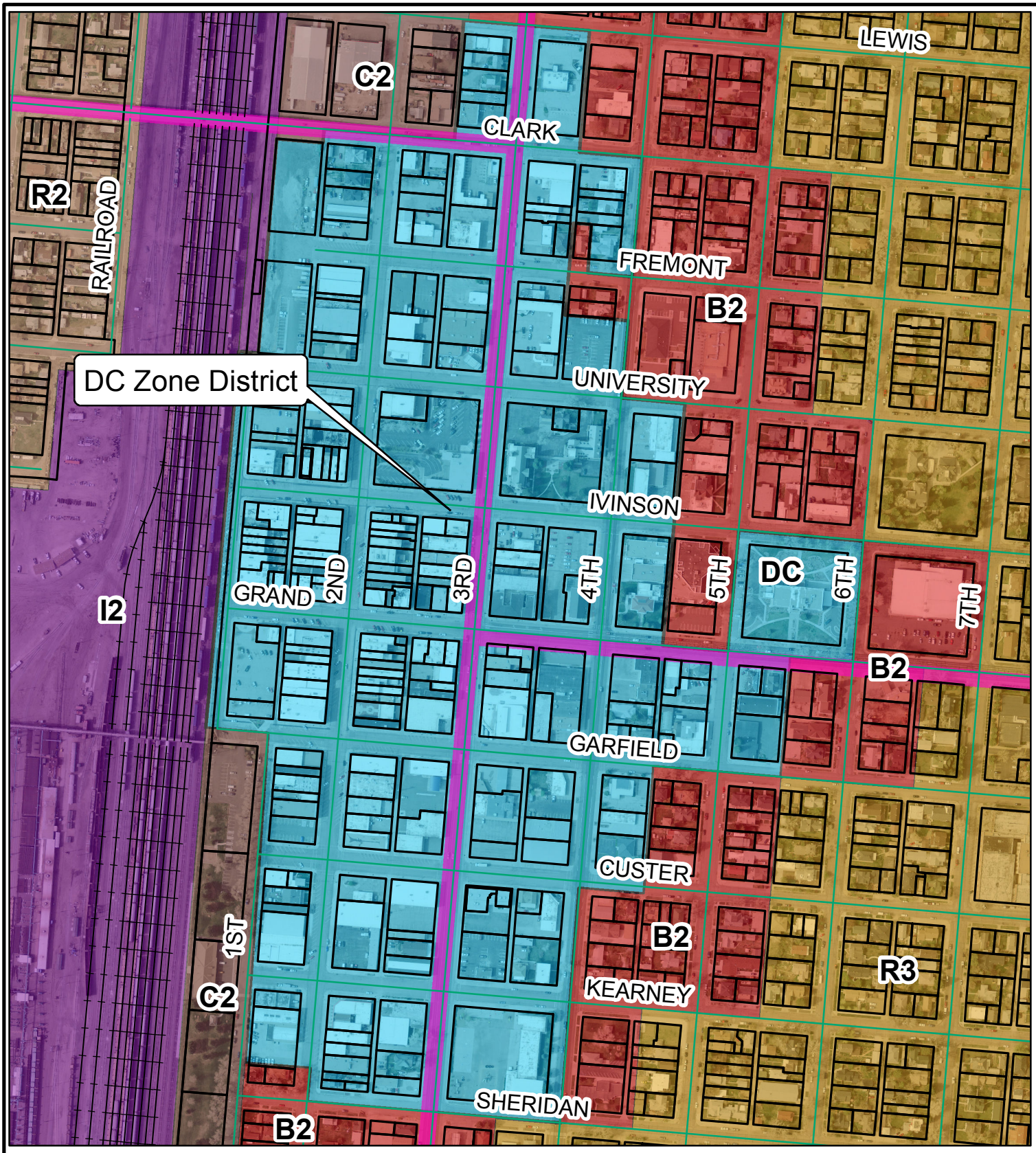
The amendment is proceeding in accordance with applicable law, including LMC Title 15.

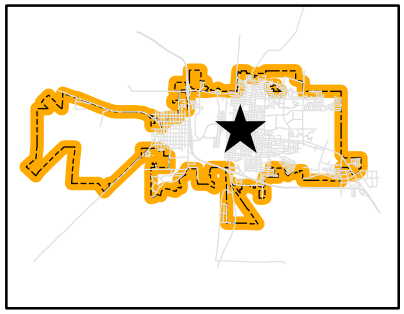
STAFF RECOMMENDATION:

Staff recommends **approval** of amendments to Title 15 (Unified Development Code) of the Laramie Municipal Code for the purposes of allowing "Automobile Service stations (Minor repairs included)" and "Vehicle/equipment sales and rentals (other than motor vehicles) as Conditional Uses in the DC Zone District.

ATTACHMENTS:

1. Downtown Commercial District Boundary
2. Application
3. Cover Letter
4. Historic Photos





0 125 250 500 750 1,000 Feet

Downtown Commercial Zone District

N

This Data contained herein was compiled from various sources for the sole use of the City of Laramie. REVIEW OF THIS DATA FOR ACCURACY AND ANY NECESSARY EDITING HAS NOT BEEN COMPLETED AT THIS TIME. Any use of the data by anyone other than the City of Laramie, and its members, is at the sole risk of the user; and by acceptance of this data, the user does hereby hold the City of Laramie, and its members, harmless and without liability from any claims, costs, or damages of any nature against the City of Laramie, including cost of defense arising from improper use of data, or use by other party. Acceptance or use of this data is done without any expressed or implied warranties.

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•2061 Snowy Range Rd Laramie, WY 82072 Phone (307) 755-5050 Fax (307) 755-5055

August 10, 2016

Charles Bloom, Principal Planner
City of Laramie Community Development
405 East Grand Avenue
Laramie, WY 82070

Dear Mr. Bloom:

On behalf of E&D Enterprises, I am writing to formally request a zone variance to allow the relocation of Plains Tire & Battery to 269 North 3rd Street.

As you are aware, the property involved in this application was built as an automotive sales and service establishment and for over sixty years had been used within the automotive and motorsports industries. After TNT Motorsports moved to its current location a portion of this property was leased to Vanetta Liquors, LLC for their use as a vodka distillery and tasting room. After less than two years, this liquor bottling business was found to not be profitable at this location. They have since moved.

I respectfully request that zoning for this building be amended to allow it to service the automotive industry for which it was built. I believe allowing Plains Tire to upgrade to this larger building will be a benefit to the City of Laramie generating additional tax revenue as their business prospers.

Feel free to contact me if you have any questions or concerns about this proposal.

Sincerely,

Andy Thompson, Member
E&D Enterprises, LLC

NOTICE OF CITY COUNCIL
SPECIAL MEETING

NOTICE IS HEREBY GIVEN that a Special Meeting of the Laramie City Council will be held Tuesday, September 27, 2016, 6:00 p.m., in Council Chambers of City Hall, 406 Ivinson Street, for the following purposes:

1. An Ordinance amending Title 15 of LMC regarding the DC District, Second Reading.
2. Adjournment.

/s/ David A. Paulekas, Mayor
Attest:/s/Angie Johnson, City Clerk

Publish: September 23, 2016.
####

CITY OF LARAMIE COUNCIL SPECIAL MEETING September 27, 2016

LARAMIE 1868	**Agenda Item: Original Ordinance - 2nd Reading** **Title: Original Ordinance No. 1954 amending Title 15 of Laramie Municipal Code for the purposes of allowing "Automobile Service Stations (Minor Repairs Included)" and "Vehicle/equipment sales and rentals (Other Than Motor Vehicles)" as a Conditional Uses in the DC District**

Recommended Council MOTION:

Move to **approve** Original Ordinance No. 1954 amending LMC 15.10.000.E, to allow "Automobile Service stations (Minor repairs included)" and "Vehicle/equipment sales and rentals (other than motor vehicles) as Conditional Uses in the DC Zone District on second reading, based on findings of fact and conclusions of law and note a public hearing was held on September 27, 2016.

Administrative or Policy Goal:

"… this code should be regularly reviewed, evaluated and amended, if necessary, based on private and city economic conditions, vision for the community, changing planning and zoning principles, frequent difficulty in implementing or enforcing any specific standard(s), or changes in the state, federal or case law. All city or citizen initiated amendments must be adequately vetted through the public hearing processes identified in the code." (Sec. 15.02.050, LMC)

Background:

The present amendment is initiated by E&D Enterprises, LLC who own a property in the Downtown Commercial (DC) District at the southeast corner of Third and Clark. Most recently their property was used as Wojtek Distillery and Tasting Room. The requested amendment is to allow the prior use of the building and future minor automobile repair facilities as permitted uses in the Downtown Commercial District. Any approval would apply to the entirety of the DC Zone

The Planning Commission heard this item on August 22, 2016. The Planning Commission recommend that the City Council approve amendments to allow "Automobile Service stations (Minor repairs included)" and "Vehicle/equipment sales and rentals (other than motor vehicles) as Conditional Uses in the DC Zone District (7 yes, 0 no).

The Planning Commission staff report is included. No changes have been made.

Legal/Statutory Authority:

- Laramie Municipal Code: Title 15 (Unified Development Code)
- Wyoming State Statutes: Title 15, Chapter 4, Article 3: Property, Financial Affairs, Contracts, Streets, Subdivisions and Utilities

BUDGET/FISCAL INFORMATION:

REVENUE

Source	Amount	Type
Fees/Charges for Service	$625.00	Application Fee
Grants for Projects		
Loans on Project		
Total	$625.00	

Responsible Staff:

David Derragon, Assistant City Manager, 721-5304

Charles W. Bloom, AICP, Principal Planner, 721-5232

Future dates are subject to change

Work Session	
Advertised	
Public Hearing Held	September 27, 2016
Pub. Hearing Advertised	September 10, 2016
Introduction/1st Reading	September 20, 2016
2nd Reading	September 27, 2016
3rd Reading	October 4, 2016

Attachments:

Proposed Ordinance
August 22, 2016 Planning Commission Staff Report

ORIGINAL ORDINANCE NO.: 1954 INTRODUCED BY:
ENROLLED ORDINANCE NO.: _____

AN ORDINANCE AMENDING TITLE 15 OF LARAMIE MUNICIPAL CODE FOR THE PURPOSES OF ALLOWING "AUTOMOBILE SERVICE STATIONS (MINOR REPAIRS INCLUDED)" AND "VEHICLE/EQUIPMENT SALES AND RENTALS (OTHER THAN MOTOR VEHICLES)" AS A CONDITIONAL USES IN THE DC DISTRICT.

WHEREAS, on August 21, 2007, the City Council adopted the Laramie Comprehensive Plan which lists as one of its recommendations to create a unified development code that would combine the zoning and subdivision ordinances in into a single, unified document consisting of multiple parts or sections, including administrative procedures, zoning, subdivision regulations and improvement standards;

WHEREAS, on June 22, 2009 the Laramie Planning Commission affirmatively voted to recommend to the Laramie City Council adoption of the Unified Development Code subject to modifications;

WHEREAS, on March 2, 2010, the City Council adopted the Unified Development Code with an effective date of July 1, 2010;

WHEREAS, 15.02.050 of the Laramie Municipal Code (LMC) calls for the Unified Development Code to be amended from time to time so as to become or remain consistent with the Comprehensive Plan, and should be regularly reviewed, evaluated and amended, if necessary, based on private and city economic conditions, vision for the community, changing planning and zoning principles, frequent difficulty in implementing or enforcing any specific standard(s), or changes in the state, federal or case law;

WHEREAS, on August 22, 2016 the Laramie Planning Commission affirmatively voted to recommend to the Laramie City Council adoption of amendments to the Unified Development Code as shown in this ordinance; and

WHEREAS, the Laramie City Council ~~shall hold~~ **HELD** a public hearing on September 27, 2016 to take and consider public comments;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LARAMIE:

Section 1. That Table 15.10-1 shown in LMC 15.10.000.E is **amended** as to allow the following as a conditional uses in the DC District: "Automobile Service stations (Minor repairs included)" and "Vehicle/equipment sales and rentals (other than motor vehicles)"; and

Section 2. That this ordinance shall become effective after its passage, approval and its publication.

Passed and approved this _____ day of _____, 2016.

_____
David A. Paulekas, Mayor and President of the City Council

Attest:_____
Angie Johnson
City Clerk

First Reading: September 20, 2016
Public Hearing: September 27, 2016
Second Reading: September 27, 2016
Third Reading and Final Action: October 4, 2016

Duly published in the *Laramie Boomerang* this _____day of _____, 2016.

City of Laramie

Planning Division
P.O. Box C
Laramie, WY 82073

Telephone: (307) 721-5271
Fax: (307) 721-5248

LARAMIE PLANNING COMMISSION
AUGUST 22, 2016
STAFF REPORT

FILE:	**TA-16-06 Amending the Use Table for "Automobile Service stations (Minor repairs included)" and "Vehicle/equipment sales and rentals (other than motor vehicles)"**
REQUEST:	An amendment to Chapter 15.10 of the Unified Development Code to allow for "Automobile Service stations (Minor repairs included)" and "Vehicle/equipment sales and rentals (other than motor vehicles)" as permitted uses in the Downtown Commercial (DC) Zone District.
APPLICANT:	Andrew and Joy Thompson (E&D Enterprises, LLC)
PURPOSE:	To allow for development of an "Automobile Service stations (Minor repairs included)" or "Vehicle/equipment sales and rentals (other than motor vehicles)" at 269 3rd Street. (Former Vojtek Distillery)
PREPARED BY:	Charles W. Bloom, AICP, Principal Planner

RECOMMENDED MOTION:

Move to recommend that the Council **approve** amendments to Title 15 (Unified Development Code) of the Laramie Municipal Code for the purposes of allowing "Automobile Service stations (Minor repairs included)" and "Vehicle/equipment sales and rentals (other than motor vehicles) as Conditional Uses in the DC Zone District.

APPLICABLE CODE SECTION(S):

Text Amendments must be reviewed by the Planning Commission and City Council. Planning Commission action is forwarded to the City Council as a recommendation.

- Laramie Municipal Code Title 15, Unified Development Code
- Wyoming State Statutes Title 15 Cities and Towns, Article 5 Planning
- Wyoming State Statutes Title 15 Cities and Towns, Article 6 Zoning
- Laramie Comprehensive Plan

BACKGROUND AND SUMMARY:

The present amendment is initiated by E&D Enterprises, LLC who own a property in the Downtown Commercial (DC) District at the southeast corner of Third and Clark. Most recently their property was used as Wojtek Distillery and Tasting Room which was approved as a conditional use (CUP-14-13) in 2014. The applicant contacted City staff on August 3rd after learning that "Automobile Service

stations (Minor repairs included)" were not a permissible use in the DC District. The requested amendment is to allow the prior use of the building and future minor automobile repair facilities as permitted uses in the Downtown Commercial District. Any approval would apply to the entirety of the DC Zone District (DC Zone District Map is attached).

In conjunction with creation of the Unified Development Code, several uses were excluded from the DC Zone District. Uses removed generally were auto-oriented and included automobile repair shops, service stations, drive through facilities (restaurants and financial institutions) and auto dealerships. After adoption of the Unified Development Code in 2010, City staff rezoned several blocks in accordance with applicable notice requirements which included public notice and mailings to property owners. In addition to the required notice, staff held a series of public meetings and worked with local news outlets to raise public awareness. The Table of Allowed Uses (LMC 15.10.000.E) details what is permissible in the DC Zone District.

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Relationship to Comprehensive Plan

Chapter 3 (Community Character) of the Comprehensive Plan evaluates the existing land use of the City and provides guidance for future development and redevelopment of the City. The section "Downtown Success and Economic Sustainability" outlines the community's vision of the downtown. Overall, citizens recognize the downtown as an important element of downtown and have established the following priorities: to enhance aesthetics, attract retail anchors, preserve local business, strengthen its ties to the University and other areas of the community, improve access an parking, provide for a mix of commercial and residential uses and to require that new development honor the building form of downtown. A priority identified in the plan was to create a pedestrian-scale Downtown streetscape that contributes to the enclosure of space reminiscent of an urban environment (2007 Laramie Comprehensive Plan p 3-10).

Downtown Laramie is shown as Urban Commercial in the Future Land Use Plan. The Urban Commercial category is classified as "an urban character as a result of its high floor-to-site area ratios (multiple stories) with zero setbacks along the street front, uses that are common of today's downtown environments, and a mixed pedestrian and vehicular orientation. Increased population, a residential component, infill, redevelopment, appropriately scaled streetscape improvements, kiosks, awnings or canopies, projecting business signs, public plazas and gathering areas, and employment in these areas can further enhance the Urban Commercial classification" (2007 Laramie Comprehensive Plan p 3-21).

Relationship to Downtown Plan

The Downtown Plan was completed in November 2011 by Arnett Muldrow and Associates in partnership with the Orion Planning Group and Mahan Rykiel Associates Community Design Solutions. The plan's intent was to encourage revitalization and to promote continued growth in Downtown. The plan evaluated the physical conditions of downtown, the opportunities to better market downtown as a destination, and the tools necessary to entice investment in downtown.

Recommendations of the plan included consistent application of development standards in the Downtown Commercial Zone District. In addition, the plan included the following recommendation: "Amend Unified Development Code: The 2010 Code dedicates an entire zoning category for downtown, the Downtown Commercial (DC) District. It includes district-specific standards and is listed in Table 15.10-1, Table of Allowed Uses. Recommendations related to the Code are:

- Expand language supporting mixed-use development. By doing so, a number of action statements and goals of the Laramie Comprehensive Plan will be addressed, including support for development that increases walkability, offering a variety of housing types, promoting infill options, and increasing population and employment in the downtown area.
- Allow More Uses: Consider amending the uses found in the DC District to allow more uses that generate foot traffic and activity. Examples include community centers, child care facilities, and community gardens, all of which are currently permitted as conditional uses.
- Sign Section: Refine the sign section for downtown signs to address issues that have been identified by the City.
- Adjust Parking Standards. Investigate and where necessary adjust parking standards that will encourage downtown residential uses, particularly housing that is incorporated into mixed use developments." (2011 Downtown Development Plan section 5.2.8 p 68)

In addition, the Chapter 6.0 (Implementation Strategy and Action Plan) promotes development that:

- Increases walkability, offering a variety of housing types, promoting infill options, and increasing population and employment in the downtown area.
- Consider amending the uses found in the DC District to allow more uses that generate foot traffic and activity. Examples include community centers, child care facilities, and community gardens, all of which are currently permitted as conditional uses.
- Refine the sign section for downtown signs to address issues that have been identified by the City.
- Investigate and where necessary adjust parking standards that will encourage downtown residential uses, particularly housing that is incorporated into mixed use developments." (2011 Downtown Development Plan Chapter 6.0 p 69)

Discussion:

All of the adopted plans for the City recognize the Downtown as an important asset to the community. Neither of the plans specifically prohibit “Automobile Service stations (Minor repairs included)” or “Vehicle/equipment sales and rentals (other than motor vehicles) in the Downtown District; however business that increase employment, promote activity, walkability and an active streetscape are encouraged.

Allowing the above mentioned uses could meet the goals of the Comprehensive Plan and the Downtown Development Plan provided they encompass the pedestrian scale and urban form

envisioned in the plans. In addition expanding the use spectrum conforms to the Downtown Plan's goal of allowing additional uses in the Downtown.

Staff believes that the proposed uses could be accommodated in the DC Zone District provided they meet code requirements and the vision of applicable plans. The applicant's requested amendment is to simply allow for an administrative review of a development application. Staff believes that a more public and detailed review is necessary. This can best be accomplished via the Conditional Use Permit process. Conditional Use Permit review would allow for a case-by-case review where each property can be reviewed in the context of its individual surroundings.

In the specific case of the applicant, they are requesting that a tire shop be allowed to relocate into an existing building. Through the Conditional Use Permit review process, staff and the Planning Commission could review the development for conformance with code requirements and applicable elements of relevant plans. In addition, the review could look at the developments relationship to adjacent properties and evaluate existing and proposed access points. Improvements to an existing site that could make it more compatible with the Downtown would include pedestrian amenities, increased landscaping and screening of internal parking lots or service areas.

PUBLIC COMMENTS:

This amendment was legally advertised in the Laramie Boomerang on August 7, 2016. Staff has received no comments regarding this proposed amendment to the UDC.

FINDINGS OF FACT:

The amendment is found to be in accordance with substantive and procedural requirements and necessities in City of Laramie code.

CONCLUSIONS OF LAW:

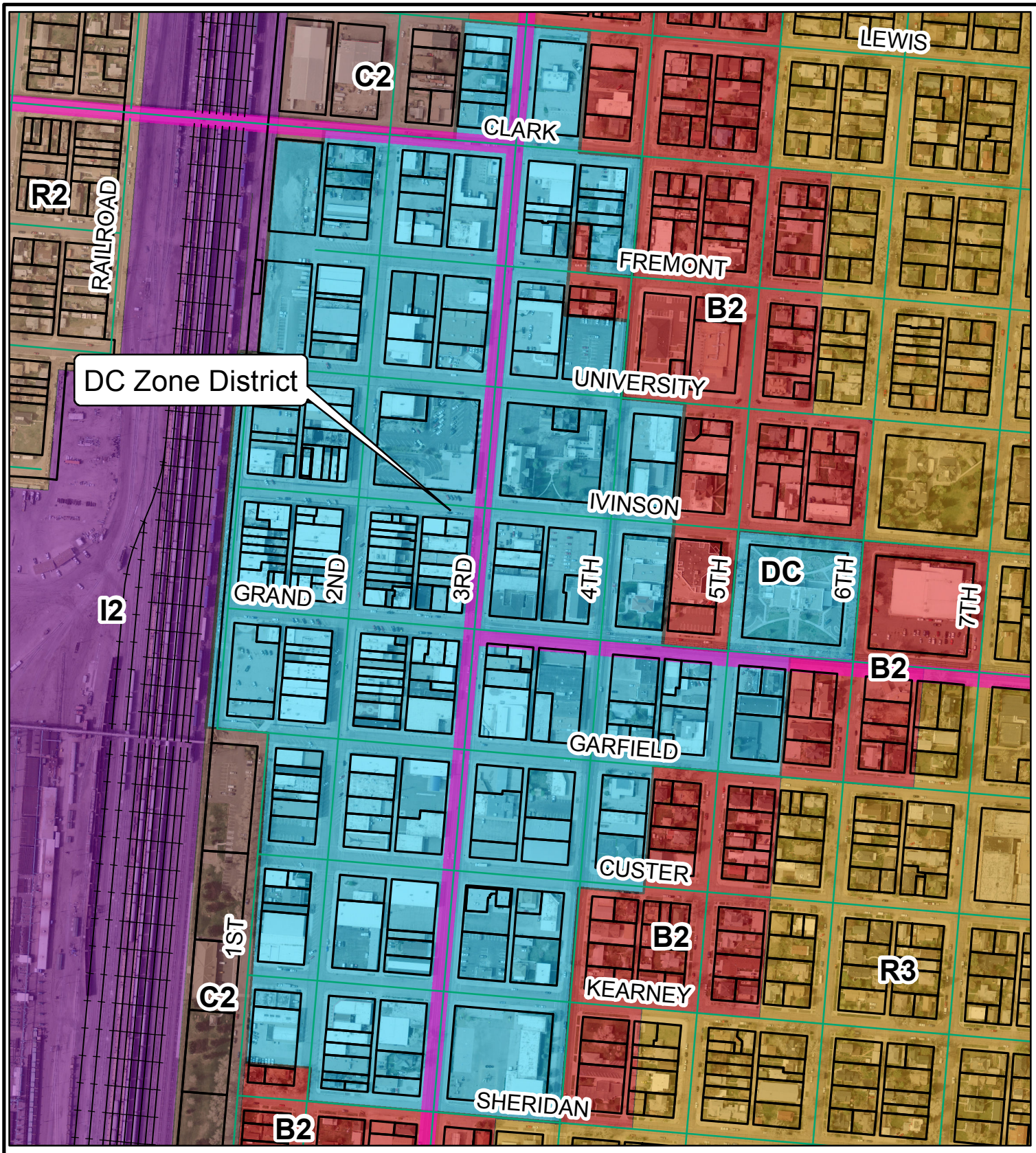
The amendment is proceeding in accordance with applicable law, including LMC Title 15.

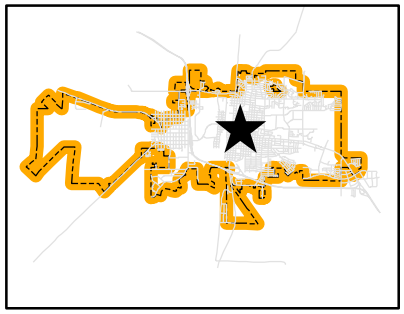
STAFF RECOMMENDATION:

Staff recommends **approval** of amendments to Title 15 (Unified Development Code) of the Laramie Municipal Code for the purposes of allowing "Automobile Service stations (Minor repairs included)" and "Vehicle/equipment sales and rentals (other than motor vehicles) as Conditional Uses in the DC Zone District.

ATTACHMENTS:

1. Downtown Commercial District Boundary
2. Application
3. Cover Letter
4. Historic Photos





0 125 250 500 750 1,000 Feet

Downtown Commercial Zone District

N

This Data contained herein was compiled from various sources for the sole use of the City of Laramie. REVIEW OF THIS DATA FOR ACCURACY AND ANY NECESSARY EDITING HAS NOT BEEN COMPLETED AT THIS TIME. Any use of the data by anyone other than the City of Laramie, and its members, is at the sole risk of the user; and by acceptance of this data, the user does hereby hold the City of Laramie, and its members, harmless and without liability from any claims, costs, or damages of any nature against the City of Laramie, including cost of defense arising from improper use of data, or use by other party. Acceptance or use of this data is done without any expressed or implied warranties.

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August 10, 2016

Charles Bloom, Principal Planner
City of Laramie Community Development
405 East Grand Avenue
Laramie, WY 82070

Dear Mr. Bloom:

On behalf of E&D Enterprises, I am writing to formally request a zone variance to allow the relocation of Plains Tire & Battery to 269 North 3rd Street.

As you are aware, the property involved in this application was built as an automotive sales and service establishment and for over sixty years had been used within the automotive and motorsports industries. After TNT Motorsports moved to its current location a portion of this property was leased to Vanetta Liquors, LLC for their use as a vodka distillery and tasting room. After less than two years, this liquor bottling business was found to not be profitable at this location. They have since moved.

I respectfully request that zoning for this building be amended to allow it to service the automotive industry for which it was built. I believe allowing Plains Tire to upgrade to this larger building will be a benefit to the City of Laramie generating additional tax revenue as their business prospers.

Feel free to contact me if you have any questions or concerns about this proposal.

Sincerely,

Andy Thompson, Member
E&D Enterprises, LLC

CITY OF LARAMIE COUNCIL WORK SESSION **September 27, 2016**

LARAMIE 1868	**Agenda Item: Presentation** **Title: Urban Renewal**

Recommended Council MOTION:

N/A

Administrative or Policy Goal:

Resolution No. 2016-32

CITY OF LARAMIE GOALS 2016-2017, Developed at the City Council Retreat January 22-23, 2016

g. Investigate creation of Urban Renewal Agency as authorized by State law

Background:

At the City Council Retreat in January 2016, the possibility of community development through an Urban Renewal process as permitted by Wyoming Statutes was discussed.

This work session will review the Urban Renewal statute covering details in general terms with possible applicability to projects that may bring improvements to our community. Examples of how this process has been used in other Wyoming cities will be noted as well.

We will not dwell on every part of the statutes, but focus on particular key points to achieve an overall conceptual understanding of the potential local benefits that may derived from creation of an Urban Renewal Agency.

Legal/Statutory Authority:

Wyoming Statutes 15-9-101 to 15-9-137

Work Session	September 27, 2016

Responsible Staff:

Future dates are subject to change

Dave Derragon 721-5304