AGENDA
CITY OF LARAMIE, WYOMING
CITY COUNCIL SPECIAL MEETING
CITY HALL
OCTOBER 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. SPECIAL MEETING

1.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

Third and Final Reading. (Introduced by Vitale)
[Derragon, ACM]

Documents:

Cover Sheet.pdf
Original Ordinance No. 1954.pdf
Public Comments.pdf
Planning Commission Staff Report.pdf

2. Adjournment

CITY OF LARAMIE COUNCIL SPECIAL MEETING October 27, 2016

	Agenda Item: Original Ordinance - 3rd 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 third and final reading, based on findings of fact and conclusions of law and authorize the Mayor and Clerk to sign the ordinance.

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)

All regulations found within the Laramie Municipal Code (including the Unified Development Code) were approved and adopted through Ordinance by the City Council. It is the professional obligation and responsibility of staff to follow and enforce adopted codes.

Staff Update October 27, 2016:

At the October 4, 2016 meeting this item was postponed to a special meeting on October 27, 2016 to allow the Downtown Development Authority (DDA) and the Laramie Main Street Alliance (LMSA) to have a joint meeting to discuss the proposed amendment and formulate a recommendation.

A meeting was held on October 17th, however both the LMSA and DDA were unable to obtain a quorum for the meeting and the applicant did not attend. The LMSA was still able to formulate a recommendation after the meeting and provided an email indicating they supported staff's recommendation to support the amendment. Their correspondence is attached in the file labeled "Public Comment."

In addition LMSA requested that staff amend code to request a mandatory 20-business day review period for any Conditional Use Permit filed in the Downtown Commercial (DC) District. This proposed Ordinance amends LMC subsection 15.10.000.E (Use Table). Any 20-day procedural amendments to the Unified Development Code's Procedures Chapter will require a separate amendment targeting LMC Chapter 15.06. This Ordinance cannot accomplish that amendment because it is limited to changes within LMC subsection 15.10.000.E due to the scope of the application and legal advertisement. Upon direction by City Council or Planning Commission or formal application for Text Amendment by LMSA, staff will initiate review of this text amendment.

Since the October 4, 2016 meeting staff has received additional comments regarding this Text Amendment. Those comments are attached and are included in the attachment labeled "Public Comment." All comments are in support of the requested amendment.

Staff's recommendation remains unchanged.

Prior 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

On September 20, 2016, the City Council approved this ordinance (6 yes, 2 no, 1 absent). On September 27, 2016, the City Council held a Public Hearing and approved this ordinance (5 yes, 3 no, 1 absent). No public comments were made in opposition of the Ordinance.

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
Public Comments
August 22, 2016 Planning Commission Staff Report

ORIGINAL ORDINANCE NO.: 1954 INTRODUCED BY: Vitale
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 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 27, 2016

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

David Derragon

From: Downtown Laramie <downtownlaramie@gmail.com>
Sent: Monday, October 17, 2016 8:06 PM
To: Anne Alexander; cyndi martin; Eric Conner; Garrett Howell; Heidi Schutterle; Howdy; Jerry Schmidt; Jessica Flock; Jodi Shea; Mark Collins; Paul Weaver; Sarah Shivy; Vincent, Kim; Rob Nu2U; David Derragon
Subject: BOARD VOTE NEEDED

As we did not have a quorum at our Oct. 17 meeting, please review the motion below and hit reply all with either yes, to support the motion, or no to disprove.

After thoughtful discussion and thorough review of the research, the Laramie Main Street Alliance board recommends the amendment to Title 15 that would allow automobile service stations and vehicle equipment sales and rentals as conditional use in the DC district.

We would respectfully request an amendment to code that, when any conditional use application is filed implicating the DC district, that LMSA be given no less than 20 business days to review said application prior to the date Planning Commission is to consider such application.

In the meantime, I'll be creating a summary of our research and survey results to share with City Council as I think they will appreciate knowing how we spent our request for extra time.

Thanks,

Trey Sherwood, Executive Director
Laramie Main Street Alliance
207 Grand Ave., Laramie, Wyoming 82070
307-760-3355 www.laramiemainstreet.org
https://www.facebook.com/DowntownLaramie/
Click here to make a tax deductible DONATION!

ALL CITY OF LARAMIE ELECTRONIC CORRESPONDENCE AND ATTACHMENTS MAY BE TREATED AS PUBLIC RECORDS AND SUBJECT TO PUBLIC DISCLOSURE

Charles Bloom

From: Mitchell Edwards <edwardsm@wyolegal.com>
Sent: Monday, October 17, 2016 2:28 PM
To: Jayne Pearce; Joe Shumway; Paul Weaver; Bryan Shuster; Vicki Henry; Andrea Summerville; Dave Paulekas; Joe Vitale; Klaus Hanson
Cc: David Derragon; Charles Bloom; Janine Jordan
Subject: Support for UDC Amendment for Automobile Service

Mayor Paulekas and Council:

I'm writing you in my personal capacity, as a citizen of Laramie and business owner, to encourage you to adopted the proposed amendment to the Unified Development Code, allowing for Automobile Service Stations to be considered as a conditional use in the Downtown Commercial Zone. The Downtown Commercial Zone is a fairly expansive zone, encompassing numerous businesses and buildings from Lewis Street on the North to Sheridan Street on the South. Within this area there are numerous existing businesses that provide automobile repair services. As I see it the amendment serves two purposes which will have a positive impact on Laramie and the Downtown area: 1) It will allow for the building on the corner of 3rd and Clark (269 3rd Street) to be improved and utilized consistent with its historic use; and, 2) It will solve an issue with future downtown uses of existing automobile repair shops.

First, adopting the amendment will help facilitate Plains Tire's desire to relocate from one downtown location to another location, which is more visible in the community. This will allow Plains Tire to not only retain their current level of service to the community and to retain its existing level of employees, but opens up Plains Tire's ability to provide even better service and potentially bring on additional employees. Plains Tire's willingness to put a significant capital investment into a highly visible downtown property will ensure that they are a presence in Laramie for the long-term. Additionally, its capital investment will result in a more attractive downtown, particularly the highly visible 3rd Street Corridor, which is in need of enhancement. Great services and nice buildings inspire others to invest in their buildings and create better services. Practically, better services result increased sales tax revenues and improved buildings result in increased property tax revenues. This would be a welcome step in the right direction for our community.

I know that there has been some push back from certain members of Laramie Main Street, but this is not doom and gloom for downtown. It does not allow automobile services in downtown as a matter of right. The amendment requires that an applicant meet the requirements of the code to obtain a conditional use permit. Most of the buildings in the core main street area (where it is important to promote things such as "walkability") are not buildings that are conducive to future use as automobile repair shops. You are simply not going to have an automobile business applying for a permit to go into the Hallmark, Lovejoys, Chalk n' Cheese, Cross Country Connection, etc. etc., as those buildings, even if once the site of an automobile business, are not practical locations for automobile businesses. The only areas where you are likely to see such uses are in those buildings that currently have automobile services. Currently those businesses are grandfathered uses in the Downtown Commercial Zone, or more technically "non-conforming uses". The ability of those businesses to expand or improve their buildings and services are drastically limited by their "non-conforming use" label. The "non-conforming use" label simply means that the buildings are likely to exist in their current state, without improvement, well into the future. Allowing Plains Tire to expand and improve its business, will hopefully inspire other similar businesses to improve/enhance their properties and services as well. I believe that providing a mechanism for these businesses (or others looking to purchase the properties) to obtain a conditional use permit, will open the opportunities for the businesses to improve and expand, providing better services and nicer buildings in our community.

A vote in support of the amendment to the UDC is a vote to enhance the services in our community, improve the appearance our community, and promote the retention and expansion of much needed services to our citizens.

I appreciate your support for the amendment. If you have any questions, please feel free to give me a call.

Mitchell H. Edwards
Nicholas & Tangeman, LLC
P.O. Box 928
170 N. 5th Street
Laramie, WY 82073-0928
Telephone: (307) 742-7140 ext. 18
Fax: (307) 742-7160

ALL CITY OF LARAMIE ELECTRONIC CORRESPONDENCE AND ATTACHMENTS MAY BE TREATED AS PUBLIC RECORDS AND SUBJECT TO PUBLIC DISCLOSURE

Charles Bloom

From: Rebecca.Miller@anbbank.com
Sent: Wednesday, October 19, 2016 9:06 AM
To: Dave Paulekas; Jayne Pearce; Joe Shumway; Paul Weaver; Bryan Shuster; Vicki Henry; Andrea Summerville; Joe Vitale; Klaus Hanson
Cc: Janine Jordan; David Derragon; Charles Bloom
Subject: UDC Amendment Support

Good morning Mayor Paulekas and members of City Council,

I am reaching out to you as a member of the LCBA Business Retention & Expansion committee and as a private citizen, in support of the proposed UDC amendment allowing Automobile Service Stations to apply for conditional use permits in Laramie's Downtown Commercial District. Beyond the fact that several automobile service stations currently operate within the district, the proposed amendment would allow an existing business to continue to grow and expand their operations in a new, more visible, location in our community. Not only would they retain existing employees, but Plains Tire would have the opportunity to continue operations and potentially grow in their new location. Furthermore, their anticipated capital investment to improve a highly visible downtown property would improve the look and feel of a highly trafficked downtown corridor, which would result in additional benefits to our community.

I feel that approval of the proposed amendment would also provide the impetus for additional automobile service stations in our downtown area to invest funds to improve their properties as well. As a result, I am in support of the proposed amendment and encourage your support as well.

Thank you for your time,
Rebecca Miller

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www.ANBBank.com

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Opinions, conclusions, and other information in this email and any attachments that do not relate to the official business of my firm are neither given nor endorsed by it.

ALL CITY OF LARAMIE ELECTRONIC CORRESPONDENCE AND ATTACHMENTS MAY BE TREATED AS PUBLIC RECORDS AND SUBJECT TO PUBLIC DISCLOSURE

Charles Bloom

From: Derek Teini
Sent: Monday, October 10, 2016 1:21 PM
To: Charles Bloom
Subject: FW: Codes

Charles,

For the next meeting.

Derek

From: Janine Jordan
Sent: Monday, October 10, 2016 12:18 PM
To: Angie Johnson <AJohnson@cityoflaramie.org>
Cc: David Derragon <DDerragon@cityoflaramie.org>; Derek Teini <DTeini@cityoflaramie.org>
Subject: FW: Codes

Public comment...

Janine

Janine Jordan MPA
Laramie City Manager
Office: 307.721.5226 | Mobile & Text: 307.760.2749
www.cityoflaramie.org

Community Excellence in the Gem City of the Plains

From: Gary McKim [mailto:Mupholstery@hotmail.com]
Sent: Sunday, October 09, 2016 12:05 PM
To: Council
Subject: Codes

We cannot understand why you have not yet passed letting Plaints Tire into the old TNT building on 3th street. Seems Laramie business owners have very little say in their own business decisions. This is crazy because they do the exact same thing TNT did only on 4 wheel vehicles not 2. Motorcycles have shocks, tires, battery's, motors, oil,the same type of business. Laramie continues to need revenue and forcing businesses to work this hard and waste so much time and money in trying to improve their business is ridiculous.

We think each and everyone of you should complete a homework assignment. That assignment is to select an empty building or lot and complete a business plan including all costs that meets all the current required codes including greenery. Consider selecting the old Beanery building in West Laramie, the empty lot across from the First Interstate Bank building West Laramie or other locations around town that have limited lot size for parking and see if you can complete the process, complete renovations and meet all the codes (greenery, parking space, etc.) with a budget of $50,000 excluding the purchase of the property.

Remember the small businesses in Laramie generate the revenue for Laramie. The average business person in Laramie can't meet the codes that were passed in 2010 without it costing them more money for greenery,

parking lots and retention ponds than the actual building renovations and getting the business up and running. We all don't have the deep pockets the city thinks we do. What about the church having a greenery bill of $200,000?

Most people and businesses don't know how bad the codes are until they try and do some building or remodel. Please reconsider the codes that affect all of those trying to improve their business and personal property and stop chasing businesses out. We need to be business friendly and bring new business into Laramie to keep locals from leaving town for purchases. We have heard several stories about people leaving the planning/permit office nearly in tears when they learn they cannot complete a small project on their personal property. This has to stop. We understand some regulations are necessary but the current codes are unrealistic and overbearing. Please help those that are trying to make a living and improve their property.

Gary and Julie McKim
341 S. Johnson Street
Laramie, WY 82070

ALL CITY OF LARAMIE ELECTRONIC CORRESPONDENCE AND ATTACHMENTS MAY BE TREATED AS PUBLIC RECORDS AND SUBJECT TO PUBLIC DISCLOSURE

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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:

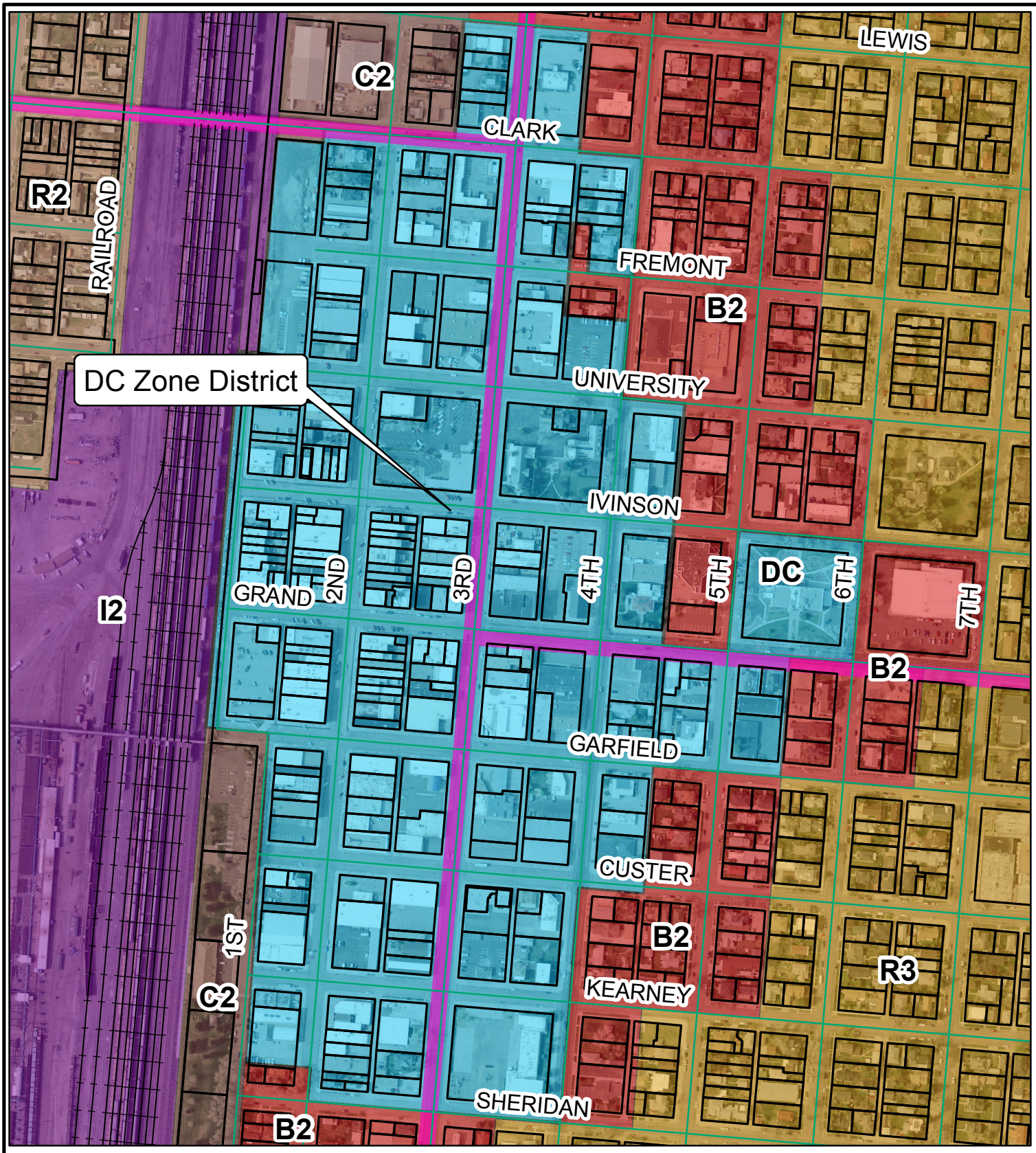
The amendment is proceeding in accordance with applicable law, including LMC Title 15.

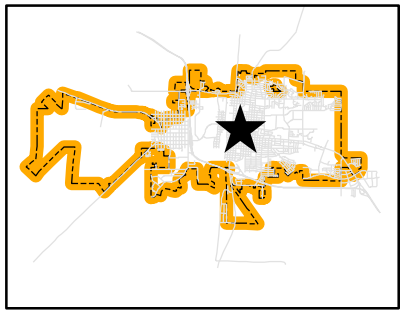
STAFF RECOMMENDATION:

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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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