

City of Laramie

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

Telephone: (307) 721-5207
Fax: (307)721-5248

**LARAMIE PLANNING COMMISSION
SEPTEMBER 12, 2016
STAFF REPORT**

FILE: Z-16-04: 2159 Snowy Range Road

REQUEST: Establishment of ROB (Residential Overlay for Business Districts) for an area zoned B2 (Business) District and measuring approximately 18,000 sq. ft. in size.

LOCATION: 2159 Snowy Range Road is located on the northwest corner of Snowy Range Road and Colorado Avenue.

APPLICANT(S)/AGENT: Chad Wagner

OWNER: John & Constance Wallace

PURPOSE: Establishment of ROB (Residential Overlay for Business Districts) to recognize the existing residential use as a single-family home

CURRENT ZONING: B2 (Business)

PREPARED BY: Eric Conner, Associate Planner

RECOMMENDED MOTION:

Move to recommend **approval** to the City Council to establish ROB (Residential Overlay for Business Districts) and to retain B2 (Business) Zoning for 2159 Snowy Range Road which encompasses an area approximately 18,000 sq. ft. in size, based on findings of fact and conclusions of law.

APPLICABLE CITY CODE SECTION(S):

Laramie Comprehensive Plan
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

BACKGROUND:

This zoning would establish ROB (Residential Overlay for Business Districts) for an area of B2 (Business) zoned property approximately 18,000 sq. ft. in size, which is located at the northwest corner of the intersection of Snowy Range Road and Colorado Avenue in west Laramie. The area proposed for rezoning represents 1 parcel with an existing single-family home that is being used residentially. The applicant wishes to re-zone the property to recognize the residential use which

would allow for a new residential addition to be constructed. In order to do so, the parcel needs to be zoned to allow for residential uses. Permitted uses in the B2 district do not include single-family residential uses. However, in recognition that residential and business uses can be compatible in specific locations and under specific criteria, an overlay district to allow this coexistence in B1, B2, C2, and DC districts may be established. The ROB was created with this vision in mind and staff believes this overlay is applicable in this case.

APPLICABILITY TO THE COMPREHENSIVE PLAN:

Future Land Use:

	Future Land Use Designation (Map 3.2)	Zoning	Land Use
Subject Property	(AUC) Auto Urban Commercial	B2 (Business)	Single-family home
North	(AUC/AUR) Auto Urban Commercial/ Auto Urban Residential	B2 (Business)	Single-family homes
South	(AUR) Auto Urban Residential	B2 (Business)	Snowy Range Road/Commercial
East	(AUC) Auto Urban Commercial	B2 (Business)	TNT Motorsports
West	(AUC) Auto Urban Commercial	B2 (Business)	McKim's Upholstery

Zoning districts associated with Auto-Urban Commercial designations are NB (Neighborhood Business), B1 (Limited Business) and C2 (Limited Commercial). The property is currently zoned B2 (Business), which technically is not aligned with the Future Land Use Plan designation. However, staff has concluded in numerous previous cases that the exclusion of the B2 zone district as a compatible zone is an error in the Comprehensive Plan and should be included. This correction is being recommended in the forth coming Comprehensive Plan updates.

Staff agrees with the Comprehensive Plan's designation of this area being Auto-Urban Commercial. Adding the ROB overlay accommodates the existing land use but does not change the underlying zoning district. Snowy Range Road is a major commercial corridor in Laramie and should remain zoned B2.

LAND USE AND ZONING:

This zoning request does not change the current designation of B2 (Business) District, but includes an overlay district (Residential Overlay for Business Districts). The ROB district applies R3 (Multi-Family Residential) standards to the property. There are currently five ROB overlay districts in west Laramie; four of those are located in the B2 zoning strip along Snowy Range Road. The subject property is also located in the Snowy Range B2 zoning strip. Although not legally necessary, for clarity, staff recommends the motion specify that B2 zoning is to be retained underlying the ROB overlay.

There are several properties zoned B2 along Snowy Range Road in west Laramie that are developed with commercial uses and residential uses. The farther north from Snowy Range Road, the more prominent residential uses are.

PUBLIC COMMENTS:

Public notice was mailed to properties within 300 feet of this property on August 25, 2016. A legal advertisement was published in the Laramie Boomerang on Saturday, August 27, 2015. To date, staff has received no public comment.

FINDINGS OF FACT AND CONCLUSIONS OF LAW:

Findings of Fact:

- The request complies with the applicable zoning requirements of Laramie Municipal Code, Title 15.
- Establishing B2 (Business) District zoning with ROB (Residential Overlay for Business Districts) for the property is consistent with the Future Land Use Map (Map 3.2) and related goals and policies of the Comprehensive Plan (2007).

Conclusions of Law:

- The amendment to the zoning map is being processed pursuant to Wyoming State Statutes Title 15 Cities and Towns, Article 6 Zoning.
- Establishing B2 (Business) District zoning with ROB (Residential Overlay for Business Districts) for the property is consistent with the Comprehensive Plan's Future Land Use (FLU) Map (Map 3.2).

ALTERNATIVES:

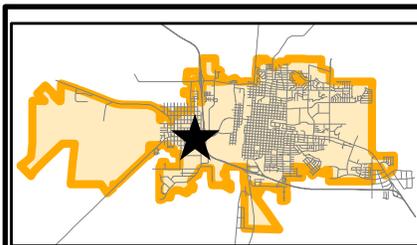
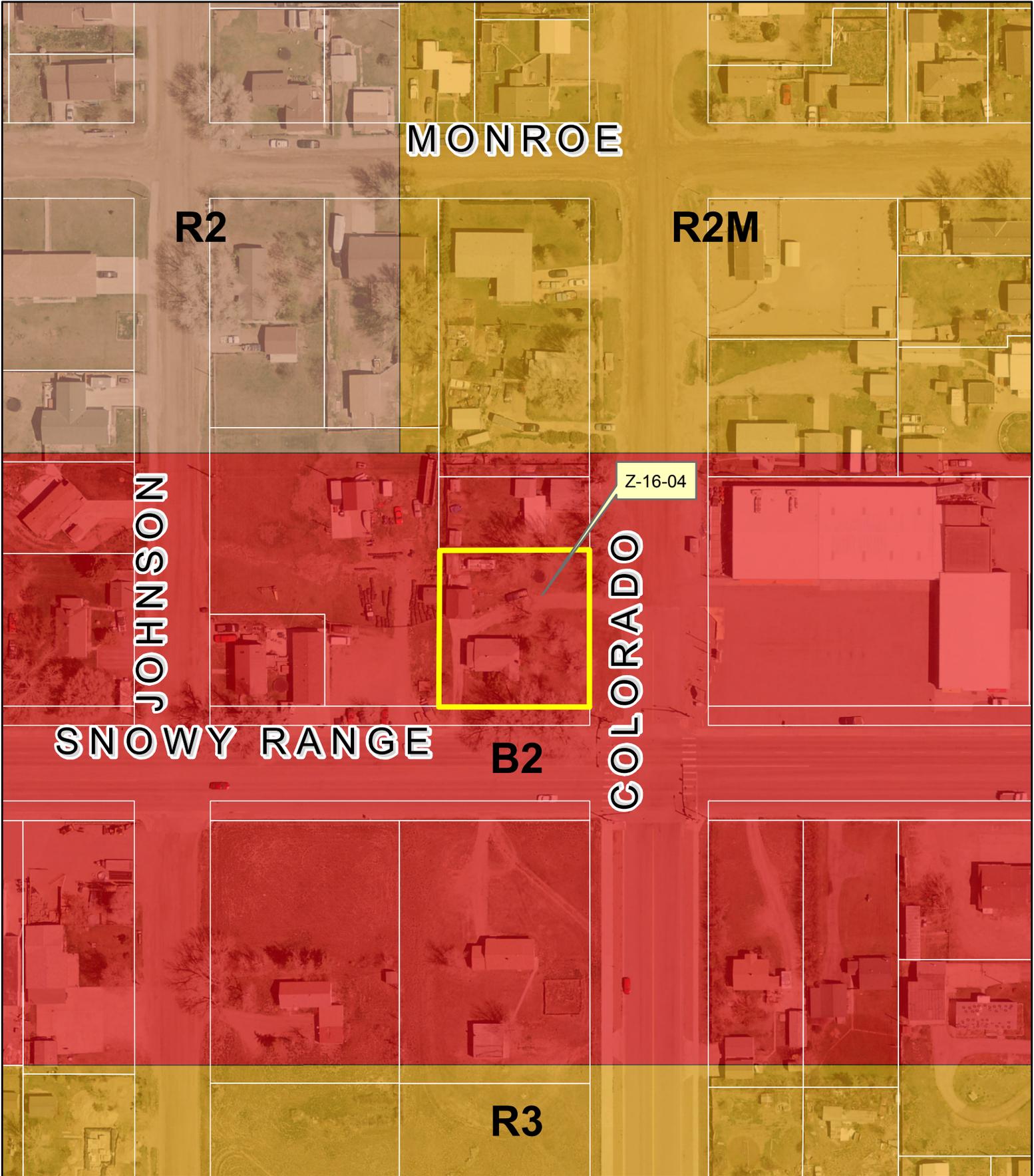
1. Approve the rezoning as recommended by staff, based on findings of fact and conclusion of law. **(Staff's recommendation)**
2. Approve the rezoning with other modifications, based on findings of fact and conclusion of law.
3. Deny the rezoning based on findings of denial. Since staff recommends approval, the Planning Commission must conclude that the rezoning does not meet all of the findings. As part of the motion, findings for denial must be stated.
4. Postpone the rezoning until issues identified during the meeting can be resolved with the applicant.

STAFF RECOMMENDATION:

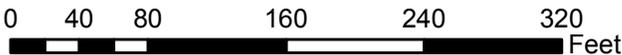
Staff recommends **approval** of the request to establish ROB (Residential Overlay for Business Districts) and to retain B2 (Business) Zoning for 2159 Snowy Range Road which encompasses an area approximately 18,000 sq. ft. in size, based on findings of fact and conclusions of law.

ATTACHMENTS

1. Vicinity Map (1 page)
2. Applicant Cover Letter (1 page)
3. Site Plan (1 page)



Z-16-04
 ROB Overlay Zoning



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.



Chad R Wagner
522 S Johnson
Apt A
Laramie, WY 82070

City of Laramie
Planning Division
406 Iverson Street
Laramie, WY 82070

August 8, 2016

To whom it may concern:

This letter is in regards to the rezoning application for Property located at 2159 Snowy Range Rd. Laramie, WY 82070.

I Chad R Wagner am writing in request of zone change of property 2159 Snowy Range Rd, From B2 zoning to B2/ROB. I am requesting this change as I am very interested in purchasing the property for my family, and making it a home. We are very attracted to the house and its beautiful surroundings; the large trees and corner lot. This house would be perfect as it is close to our children's school and near family.

As we moved further into the purchase of the property at 2159 Snowy Range Rd we were informed that the current B2 zoning would not allow us to add on to the home itself in a sufficient manor; the addition we are proposing would be a 450 sq. ft. addition to allow for a 3 bedroom two bath home.

Unfortunately the property needs numerous updates and is too small for my family to live in. By changing the zoning from B2 to B2/ROB, I would be able to make this house beautiful and large enough for my family; a place my children can call home.

I ask that you consider my request with the knowledge that this can be a home to meet our family's needs.

Thank you,



Chad R Wagner



