Sheridan City Planning Commission
Meeting Agenda
September 28, 2020
7:00 PM, City Council Chamber, City Hall

1. Call to Order and Roll Call of Members

2. Approval of Agenda as Presented

   Motion by:

   Second:

   Vote:

3. Review, correction, and approval of minutes of the September 14, 2020 meeting.

   Motion by:

   Second:

   Vote:

Old Business

4. Consideration of PL-20-38: The applicant, Sheridan Grand Central, is requesting to rezone 11.83 acres of unplatted land, from an R-1 Residence District to B-1 Business District. Located at 646 E 5th St., parcel # 56842330001333.

   Motion by:

   Second:

   Vote:

New Business

5. Comments from commissioners and staff.

6. Adjourn

MEMO

TO: Planning Commission

FROM: Wade Sanner, Community Development Director

RE: Consideration of PL-20-38: The applicant, Sheridan Grand Central, is requesting to rezone 11.83 acres of unplatted land, from an R-1 Residence District to B-1 Business District. Located at 646 E 5th St., parcel # 56842330001333.

Staff Recommendation

Staff recommends the City Council approve the 646 East 5th Street rezone, a request to rezone 11.83 acres from R-1 Residence District to B-1 Business District on the property located at 646 East 5th Street.

Background

The property was annexed into the City in 1975 (Ord # 1290). At the time the property was annexed as R-1. The property was never subdivided and has remained a tract since the annexation.

Properties to the north are commercial uses zoned B-1 Business District. The property to the east is a large vacant parcel zoned R-1 Residence District. The property to the south is a large vacant parcel zoned R-1 Residence District. Properties to the west are commercial uses zoned B-1 Business District, and a large lot single-family home zoned R-3 Residence District to the southwest.

The property is accessed to the north via 5th Street. The property is relatively flat for approximately 500 feet. The southern 935 feet have a significant grade change. The slope of the front 500 feet has a slope of 2%. The southern portion of the lot has a slope of 16%.

The applicant is proposing to rezone the property in order to use the property as a commercial RV park.

As part of the request to rezone this property, staff sent notice to the 30 property owners within 300 feet, placed a legal and a sign is posted on the property. Staff received two inquiries regarding the reason for the rezoning, but were not opposed to the proposal. Staff also received one letter opposing the proposed subdivision, which is attached to the staff report.

Findings of Fact
Neither state statute nor city code contains required findings that must be made in changing a property's zoning designation. State statute does provide some requirements for zoning regulations in general, per WS §15-1-601(d) all regulations shall be made:

In accordance with a comprehensive plan and designed to:

A. Lessen congestion in the streets;
B. Secure safety from fire, panic and other dangers;
C. Promote health and general welfare;

D. Provide adequate light and air;
E. Prevent the overcrowding of land;
F. Avoid undue concentration of population; and
G. Facilitate adequate provisions for transportation, water, sewerage, schools, parks and other public requirements.
H. With reasonable consideration, among other things, of the character of the district and its peculiar suitability for particular uses;
I. With a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the city or town; and
J. With consideration given to the historic integrity of certain neighborhoods or districts and a view to preserving, rehabilitating and maintaining historic properties and encouraging compatible uses within the neighborhoods or districts, but no regulation made to carry out the purposes of this paragraph is valid to the extent it constitutes an unconstitutional taking without compensation.

The Preamble of the City's Zoning Ordinance (Appendix A) states that the purpose of the zoning ordinance is to, "promoting the health, safety, morals and general welfare of the inhabitants of the City of Sheridan by lessening congestion in the streets; securing safety from fire, panic and other dangers providing adequate light and air; preventing the overcrowding of land; avoiding the undue concentration of population, facilitating the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements."

As stated in Wyoming state statute WS §15-1-601(d), rezones must be in accordance with the City of Sheridan's Comprehensive Plan. The City of Sheridan Comprehensive Plan, or The Sheridan Land Use Plan, was adopted in January of 2017. In Chapter 7 of the Sheridan Land Use Plan calls out a number of goals and implementation strategies regarding future land use strategies, included in these is the Future Land Use Map (included with this staff report). The Future Land Use Map presents a generalized vision of Sheridan in the foreseeable future. Not to be confused with zoning, which is a regulatory land use tool adopted by the City of Sheridan, the future land use map illustrates what is actually on the ground and where new land uses should occur.

The map is a reference point for those interested in city development and redevelopment and those pursuing the recommendations of the Sheridan Land Use Plan. It addresses the themes and guiding principles that arose during the completion of the plan.

The 5th Street corridor near the I-90 interchange is designated as part of a future commercial corridor leading into the City.

This item was heard by the Planning Commission on September 14, 2020, but was tabled to ensure that proper noticing occurred. The notice for this item was corrected and sent to property owners within 300 feet of the development.

Attachments

petition to rezone
applicant letter
rezone exhibit
Rezone Exhibit with buildings
rezone with aerial
neighbor letter
aerial
R-1 Residence code
B1 Business Code

PETITION FOR REZONING

TO THE CITY COUNCIL OF THE CITY OF SHERIDAN, WYOMING:

Pursuant to the provisions of W.S. 15-1-601, 15-1-602, 15-1-603 et. seq., and other applicable statutes, and Appendix A, Sec. 16 of the Sheridan City Code, the undersigned landowner(s) respectfully petition and show the City Council as follows:

1. This is a petition for the rezoning of parcels of land within the city limits of Sheridan, Wyoming, having a legal description as follows: See attached Legal Description

2. Clayton Rosenlund & Sheridan Grand Central are the owners or authorized agents of said described land proposed to be rezoned.

3. A map of the area sought to be rezoned is attached hereto and made a part hereof.

4. Petitioners hereby request that said lands be zoned B-1.

Therefore, Petitioners pray said parcel(s) be rezoned B-1, pursuant to and in accordance with the applicable Wyoming Statutes and City Ordinances after proper notice and public hearing.

Dated this 1 day of September, 2020

Signed by the Petitioners:

Clayton Rosenlund

Sheridan Grand Central - President

Subscribed and Sworn before me this 1st day of September, 2020

Krystle J Baumgartner
Notary Public

KRYSTLE J. BAUMGARTNER NOTARY PUBLIC
COUNTY OF SHERIDAN
STATE OF WYOMING
MY COMMISSION EXPIRES DECEMBER 1, 2020

My commission expires: 12-1-2020

LEGAL DESCRIPTION

A PORTION OF A TRACT OF LAND DESCRIBED IN BOOK 206 PAGE 634 IN THE RECORDS OF THE SHERIDAN COUNTY CLERK: SUBJECT TRACT LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER ($SE\frac{1}{4}SW\frac{1}{4}$), SECTION 23 AND THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER ($NE\frac{1}{4}NW\frac{1}{4}$), SECTION 26, TOWNSHIIP 56 NORTH, RANGE 84 WEST, 6TH P.M., CITY OF SHERIDAN, SHERIDAN COUNTY, WYOMING, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER–NORTH SIXTEENTH (CN1/16) CORNER OF SAID SECTION 26, THENCE N24°59'43"W, 666.72 FEET TO EAST LINE OF SAID TRACT, AND THE TRUE POINT OF BEGINNING; THENCE S90°00'00"W, 283.66 FEET TO THE WEST LINE OF SAID TRACT; THENCE CONTINUING ALONG SAID WEST LINE N00°27'58"W, 308.78 FEET TO THE SOUTHEAST CORNER OF SHINING MOUNTAIN SUBDIVISION; THENCE CONTINUING ALONG SAID WEST LINE, N00°32'13"W, 546.36 FEET ALONG SAID EAST LINE OF SHINING MOUNTAIN SUBDIVISION TO A POINT ON THE SOUTH RIGHT–OF–WAY LINE OF STATE HIGHWAY 336; THENCE ALONG SAID RIGHT–OF–WAY THROUGH A CURVE TO THE RIGHT HAVING A RADIUS OF 1382.69 FEET, AN ARC LENGTH OF 287.13 FEET, A DELTA OF 11°53'53", AND A CHORD OF S83°10'23"E 286.62 FEET; THENCE S00°18'07"W, 25.81 FEET ALONG SAID RIGHT–OF–WAY; THENCE S00°29'35"E, 795.26 FEET ALONG THE EAST LINE OF SAID TRACT TO THE POINT OF BEGINNING CONTAINING 5.49 ACRES MORE OR LESS.

SUBJECT TO PRIOR RESERVATIONS, CONVEYANCES, COVENANTS AND RESTRICTIONS OF RECORD

08/08/20

Dear Sheridan City Council,

Thank you for taking the time to review this request.

We have purchased the property located at 646 E 5th Street with the hope to create an RV Park which needs to be in B-1 zoning.

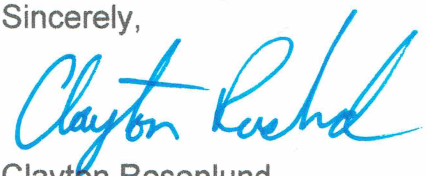
The property is currently zoned R-1 but the adjoining property is B-1.

Prior to purchasing the property I met with the Development Review Committee about the possibilities of getting this rezoned and they didn't raise any red flags.

I hope you can agree that this property will make a great RV park and approve the rezone.

If you have any questions or concerns please feel free to contact me anytime.

Sincerely,



Clayton Rosenlund
Sheridan Grand Cental
307-752-0109
clayton.rosenlund@gmail.com

REZONE EXHIBIT

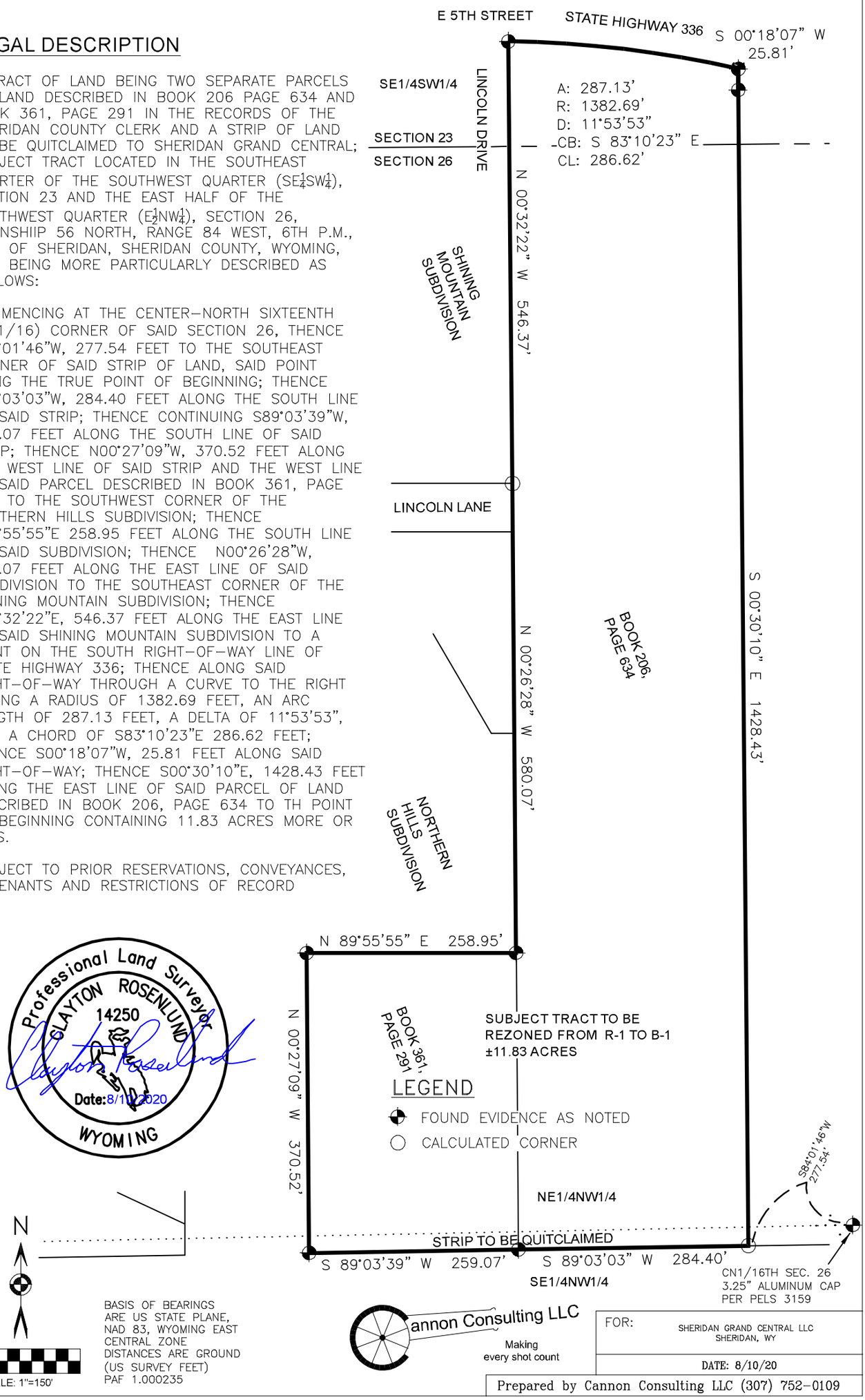
OF A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER ($SE\frac{1}{4}SW\frac{1}{4}$) OF SECTION 23 AND THE EAST HALF OF THE NORTHWEST QUARTER ($E\frac{1}{2}NW\frac{1}{4}$) OF SECTION 26, TOWNSHIP 56 NORTH, RANGE 84 WEST, 6TH P.M., CITY OF SHERIDAN, SHERIDAN COUNTY, WYOMING,

LEGAL DESCRIPTION

A TRACT OF LAND BEING TWO SEPARATE PARCELS OF LAND DESCRIBED IN BOOK 206 PAGE 634 AND BOOK 361, PAGE 291 IN THE RECORDS OF THE SHERIDAN COUNTY CLERK AND A STRIP OF LAND TO BE QUITCLAIMED TO SHERIDAN GRAND CENTRAL; SUBJECT TRACT LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER ($SE\frac{1}{4}SW\frac{1}{4}$), SECTION 23 AND THE EAST HALF OF THE NORTHWEST QUARTER ($E\frac{1}{2}NW\frac{1}{4}$), SECTION 26, TOWNSHIIP 56 NORTH, RANGE 84 WEST, 6TH P.M., CITY OF SHERIDAN, SHERIDAN COUNTY, WYOMING, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER–NORTH SIXTEENTH (CN1/16) CORNER OF SAID SECTION 26, THENCE S84°01'46"W, 277.54 FEET TO THE SOUTHEAST CORNER OF SAID STRIP OF LAND, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE S89°03'03"W, 284.40 FEET ALONG THE SOUTH LINE OF SAID STRIP; THENCE CONTINUING S89°03'39"W, 259.07 FEET ALONG THE SOUTH LINE OF SAID STRIP; THENCE N00°27'09"W, 370.52 FEET ALONG THE WEST LINE OF SAID STRIP AND THE WEST LINE OF SAID PARCEL DESCRIBED IN BOOK 361, PAGE 291 TO THE SOUTHWEST CORNER OF THE NORTHERN HILLS SUBDIVISION; THENCE N89°55'55"E 258.95 FEET ALONG THE SOUTH LINE OF SAID SUBDIVISION; THENCE N00°26'28"W, 580.07 FEET ALONG THE EAST LINE OF SAID SUBDIVISION TO THE SOUTHEAST CORNER OF THE SHINING MOUNTAIN SUBDIVISION; THENCE N00°32'22"E, 546.37 FEET ALONG THE EAST LINE OF SAID SHINING MOUNTAIN SUBDIVISION TO A POINT ON THE SOUTH RIGHT–OF–WAY LINE OF STATE HIGHWAY 336; THENCE ALONG SAID RIGHT–OF–WAY THROUGH A CURVE TO THE RIGHT HAVING A RADIUS OF 1382.69 FEET, AN ARC LENGTH OF 287.13 FEET, A DELTA OF 11°53'53", AND A CHORD OF S83°10'23"E 286.62 FEET; THENCE S00°18'07"W, 25.81 FEET ALONG SAID RIGHT–OF–WAY; THENCE S00°30'10"E, 1428.43 FEET ALONG THE EAST LINE OF SAID PARCEL OF LAND DESCRIBED IN BOOK 206, PAGE 634 TO TH POINT OF BEGINNING CONTAINING 11.83 ACRES MORE OR LESS.

SUBJECT TO PRIOR RESERVATIONS, CONVEYANCES, COVENANTS AND RESTRICTIONS OF RECORD



Professional Land Surveyor
CLAYTON ROSENLUND
14250
Date: 8/10/2020
WYOMING

BASIS OF BEARINGS ARE US STATE PLANE, NAD 83, WYOMING EAST CENTRAL ZONE DISTANCES ARE GROUND (US SURVEY FEET) PAF 1.000235

Cannon Consulting LLC
Making every shot count

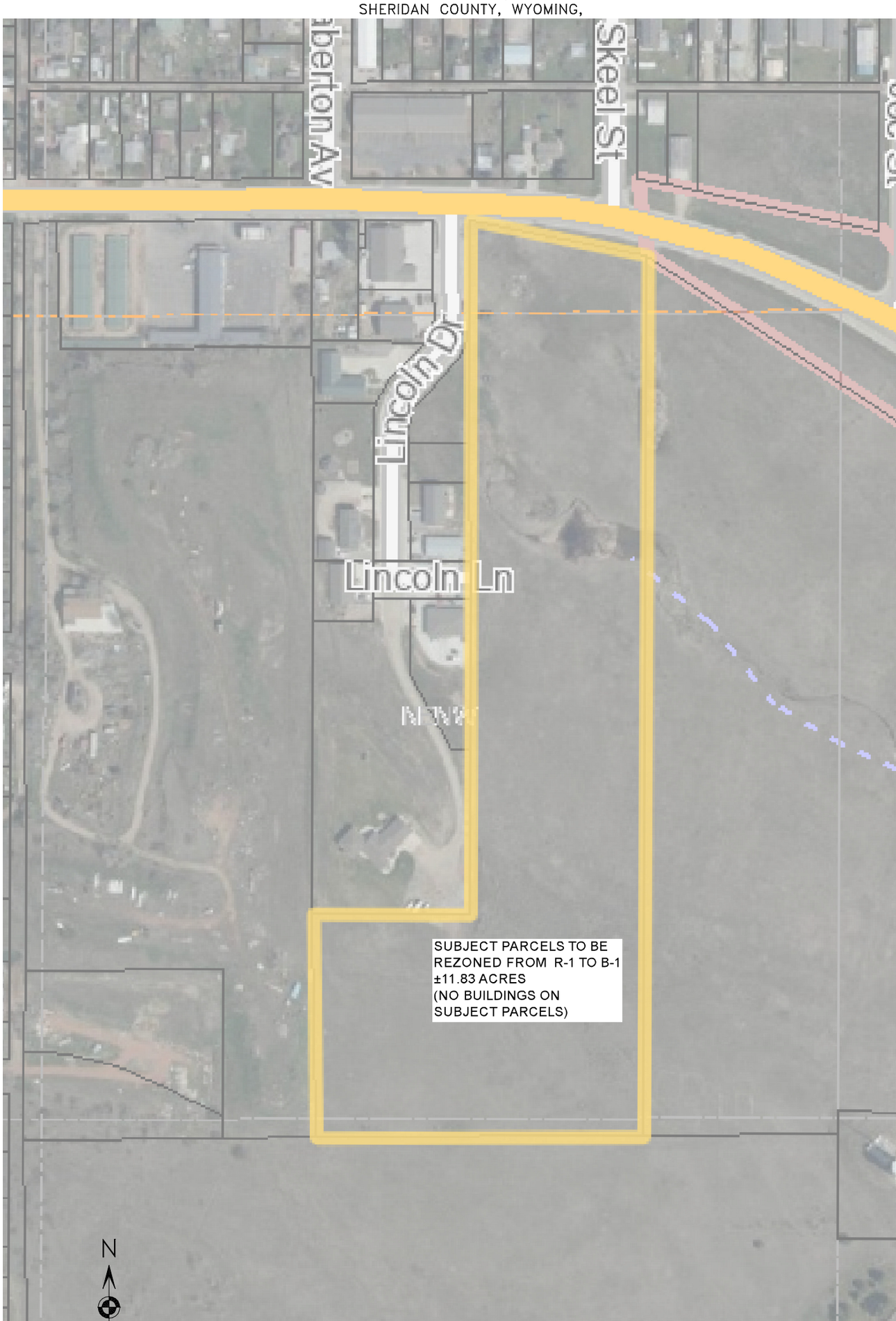
FOR: SHERIDAN GRAND CENTRAL LLC SHERIDAN, WY

DATE: 8/10/20

Prepared by Cannon Consulting LLC (307) 752–0109

REZONE EXHIBIT SHOWING BUILDINGS

ON PARCELS OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER ($SE\frac{1}{4}SW\frac{1}{4}$) OF SECTION 23 AND THE EAST HALF OF THE NORTHWEST QUARTER ($E\frac{1}{2}NW\frac{1}{4}$) OF SECTION 26, TOWNSHIP 56 NORTH, RANGE 84 WEST, 6TH P.M., CITY OF SHERIDAN,
SHERIDAN COUNTY, WYOMING,



N

SCALE: 1"=200'

BASIS OF BEARINGS ARE US STATE PLANE, NAD 83, WYOMING EAST CENTRAL ZONE
DISTANCES ARE GROUND (US SURVEY FEET)
PAF 1.000235

Cannon Consulting LLC
Making every shot count

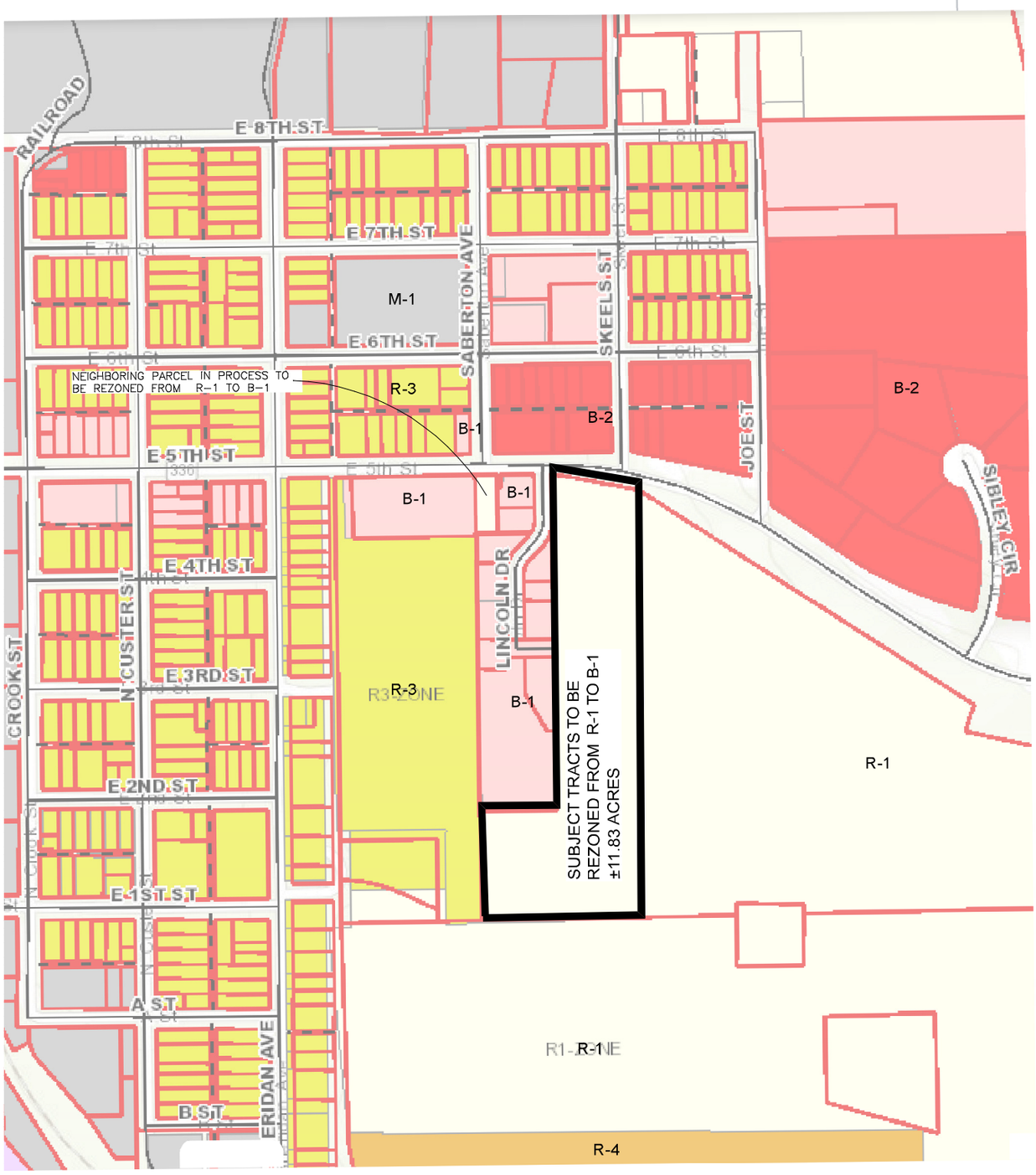
FOR: SHERIDAN GRAND CENTRAL LLC
SHERIDAN, WY

DATE: 8/10/20

Prepared by Cannon Consulting LLC (307) 752-0109

REZONE EXHIBIT SHOWING EXISTING ZONING

OF VICINITY IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER ($SE\frac{1}{4}SW\frac{1}{4}$) OF SECTION 23 AND THE EAST HALF OF THE NORTHWEST QUARTER ($E\frac{1}{2}NW\frac{1}{4}$) OF SECTION 26, TOWNSHIP 56 NORTH, RANGE 84 WEST, 6TH P.M., CITY OF SHERIDAN, SHERIDAN COUNTY, WYOMING,



N

SCALE: 1"=500'

BASIS OF BEARINGS
ARE US STATE PLANE,
NAD 83, WYOMING EAST
CENTRAL ZONE
DISTANCES ARE GROUND
(US SURVEY FEET)
PAF 1.000235

Cannon Consulting LLC
Making every shot count

FOR: SHERIDAN GRAND CENTRAL LLC
SHERIDAN, WY

DATE: 8/10/20

Prepared by Cannon Consulting LLC (307) 752-0109

Sue Goodman <sgoodman@sheridanwy.net>

Concerns Regarding Re-zoning of R1 Lot

2 messages

Kami Ostler <kamilynostler@gmail.com> Wed, Aug 26, 2020 at 11:04 PM
To: Sue Goodman <sgoodman@sheridanwy.net>

Hi Sue,

I'm emailing in regards to concerns I have regarding the lot that shares a property line with my lot located at 847 Lincoln Drive. I was recently notified that the gentleman who owns this land is seeking to re-zone this lot to become B1 and is planning to put an RV park at this location.

My first concern is that by doing so, this will greatly effect the property value of my property as well as neighbors in the surrounding area. With this negatively effecting so many homeowners, I don't believe re-zoning this lands is the correct thing to do.

Secondly, when I purchased the lot at 847 Lincoln Drive, I was told that I needed to follow the 2012 Entry Corridor Guidelines if I were building a business or multi family building. I was told that the city wants our town to look presentable and beautiful to those passing by via the highway. With that, I believe this currently is a clean and well taken care of area, and shows the character of our community. When adding an RV park, that will absolutely lower the appeal of our community from those driving through or passing by, and will not demonstrate the beauty that our town has to offer. I hope the city will consider my concerns before making a decision regarding this issue, and I thank you so much for your time.

Respectfully,
Kami Ostler

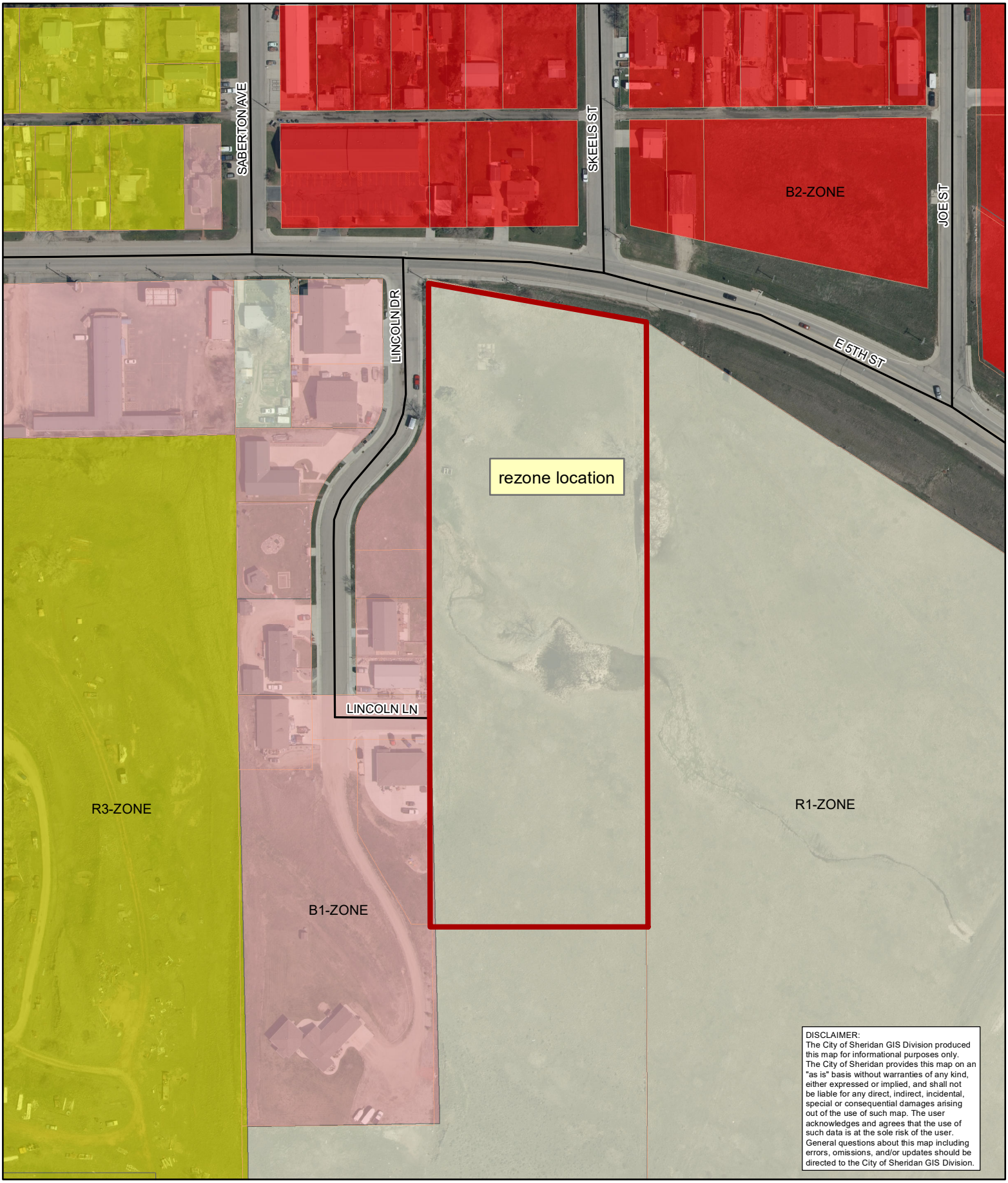
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Kami Ostler

Sue Goodman <sgoodman@sheridanwy.net> Thu, Aug 27, 2020 at 12:59 PM
To: Kami Ostler <kamilynostler@gmail.com>

We haven't scheduled this for a meeting yet, but I have added your letter to the file and will include it in future meeting packets.
Thanks

Sue Goodman
Planning Technician
City of Sheridan
307.675.4226

[Quoted text hidden]



CITY OF Sheridan WYOMING

646 E 5th St.

N

0 50 100 200 Feet

Name: sgoodman Date: 09/01/2020

4.1 R-1 Residence District.

A. *Use Regulations.* The following uses shall be permitted:

1. One-family dwelling.
2. Public park, playground and fair grounds.
3. Public library, museum and community building.
4. Public and private school, elementary and high, college.
5. Church or other place of worship. Parish house.
6. Municipal, county, state or federal building, except for such uses as warehouse, garage or other uses customarily carried on as a business.
7. Water supply reservoir, well, tower or filter bed.
8. Telephone exchange where no public business office and no repair or storage facilities are maintained.
9. Railway right-of-way not including railway yards. Passenger station.
10. Agriculture, gardening, and nursing for the propagation of plants.
11. Home occupations as defined herein.
12. Accessory buildings and uses customarily incidental to any of the above uses.

B. *Height Regulations.* No building shall exceed a height of thirty-five (35) feet or three (3) stories except as hereinafter provided.

C. *Area Regulations*.

Front yard. The minimum front yard shall be twenty-five (25) feet. In the case of a corner lot, the primary front yard shall be the yard in which the principal entrance to the building faces, the depth shall be at least twenty-five (25) feet. The other yard between the adjacent street line and the line of the building shall be at least fifteen (15) feet in depth.

Rear yard. The minimum rear yard depth shall be twenty (20) feet.

Side yard. The minimum width of the side yard on each side of the building shall be five (5) feet.

Lot area per family. Each one-family dwelling shall be located on a lot having an area of not less than six thousand (6,000) square feet.

D. Special Exemptions allowed within an R-1 Residence District:

1. Bed and breakfast.
2. Funeral home or mortuary.
3. Hospital, sanitarium, or clinic, not including animal hospitals.
4. Home for the children or aged.
5. Offices offering professional services.

E. *Parking Regulations*. All newly erected or constructed buildings within the R-1 Residence District shall provide upon the same lot the number of accessible off-street parking spaces required by the use and area parking schedule set forth in subsection 16 of section 10 of this Ordinance. (Ord. No. 1577, § 3, 3-12-84; Ord. 1812, § 1, 5-4-98; Ord. No. 1892, § 2, 11-19-01; Ord. No. 2149, § 1, 10-6-14; Ord. No. 2172, § 1, 10-17-16; Ord. No. 2184, § 1, 4-6-18.)

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7 B-1 Business District.

A. *Use Regulations.* The following uses shall be permitted:

1. Any use permitted in the R-3 Residence District and the R-4 Residence District;

2. Any retail business;

3. Public garage or filling station;

4. Tourist court;

5. Offices, theatre, bank or restaurant;

6. Shoe shop, tailor shop, barbershop or beauty parlor;

7. Business or commercial school or studio;

8. Bakery not employing more than five (5) persons in preparing and baking its products;

9. Laundry or dry cleaning establishment employing not more than five (5) persons engaged in laundry or dry cleaning work;

10. Accessory buildings and uses customarily incidental to any of the above uses.

11. Adult-Oriented Business. No permit shall be issued for the placement of an adult-oriented business unless and until it conforms to all of the criteria of City of Sheridan Appendix A, Section 10, Subsection 21.

B. *Height Regulations.* The regulations shall be the same as in the R-3 Residence District.

C. *Area Regulations.*

1. Front yard. In those portions of the B-1 Business District which occupy part of the frontage on one side of the street between two intersecting streets and the remainder of the frontage is in a residence district, the front yard requirements shall be the same as those of the residence district in the remainder of the frontage. In all other locations in the B-1 Business District no front yard shall be required.

2. Rear yard. The minimum rear yard shall be ten (10) feet except for dwellings, which shall provide a minimum rear yard of fifteen (15) feet.

3. Side yard. For buildings used wholly or in part for residential purposes, the minimum width of the side yard on each side of the building shall be five (5) feet. Buildings used for nonresidential purposes need not provide a side yard except that any such building located at the boundary line between the B-1 Business District and any residence district shall provide a side yard of not less than five (5) feet on the side adjoining the residence district.

4. Lot area per family. No minimum lot size per family dwelling.

D. *Parking Regulations.*

1. Number of Spaces Required. All newly erected or constructed structures within the B-1 Business District shall provide upon the same lot, or within three hundred feet (300) thereof, the number of accessible off-street parking spaces as follows:

a. Retail/Commercial Services or Office. One (1) parking space per one thousand square feet (1,000 sq. ft.).

b. Residential. Three quarters (0.75) parking spaces per dwelling unit.

c. All other uses shall provide the number of accessible off-street parking spaces by the use and area parking schedule set forth in City Ordinance Appendix A, Section 10, Subsection 16.

2. On-Street Parking Credit. Off-street parking required for Residential uses may be reduced by one (1) off-street parking space for every on-street parking space abutting the development where overnight parking is allowed. An on-street parking space shall be defined as follows:

a. Parallel parking - each parking space being twenty feet (20′) feet of uninterrupted curb, where allowed.

b. Forty-five-degree diagonal - each parking space being fourteen feet (14′) of uninterrupted curb, where allowed.

c. Ninety-degree (perpendicular) parking - each parking space being ten feet (10′) feet of uninterrupted curb, where allowed.

3. Parking Restrictions.

a. Parking spaces will not obstruct a required clear vision area or violate any law.

b. On-street parking spaces credited for a specific use may not be used exclusively by that use but shall be available for general public use at all times. No signs or action limiting general public use of on-street spaces is permitted unless said use restriction is required by federal, state or local law.

c. An On-Street Parking Credit does not apply on designated snow routes or locations where long-term permanent parking is allowed. (Ord. No. 1269, § 3, 7-8-74; Ord. No. 1871, § 1, 1-2-01; Ord. 1892, § 6, 11-19-01; Ord. No. 1931, 8-4-03; Ord. No. 1995, § 2, 4-17-06; Ord. No. 2184, § 1, 4-6-18; Ord. No. 2200, § 1, 11-7-19.)

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