



**PLANNING AND ZONING COMMISSION
MEETING AGENDA**

April 11, 2018 at 7:00 p.m.

ROLL CALL

APPROVAL OF MINUTES

1. Review and approval of the March 14, 2018, Planning & Zoning Commission Meeting Minutes.

ACCEPTANCE OF STAFF REPORTS AND CORRESPONDENCE

1. Review and acceptance of all staff reports and correspondence into the record.

PUBLIC HEARING

1. Petition for Zoning Ordinance Language Amendment filed by the City of Rock Springs requesting to amend Section 13-809. D. to add "Dining Decks" as a Permitted Accessory Use in the B-3 Zoning District and to add a new Section 13-819 which sets forth regulations for Dining Decks. (Project #: PZ-18-00028, Staff Representative, Steve Horton, City Planner)
2. Petition for Zoning Ordinance Language Amendment filed by DeBernardi Construction to amend Section 13-810.D. to add as an Accessory Use in the I-1 Zone District above ground storage tanks for flammable and combustible liquids not to exceed 6,000 gallons. (Project #: PZ-18-00034, Staff Representative, Steve Horton, City Planner)
3. Petition for Zoning Ordinance Language Amendment filed by Ashley & Brandon Corthell requesting to amend Section 13-816.C to increase the number from six (6) to ten (10) the number of Preschool Sessions allowed for a Family Child Care Home. (Project #: PZ-18-00051, Staff Representative, Steve Horton, City Planner)
4. Petition for Preliminary Plat (Revised) & Final Plat Approval for Gunsight Estates Phase 3 filed by Jon Doak Petitioner and Gun Sight Properties being the owner. (Project #: PZ-18-00049, Staff Representative, Steve Horton, City Planner)

UNFINISHED BUSINESS

1. None

NEW BUSINESS

1. Request for Major Site Plan and Conditional Use Permit Approval for construction of a new LDS Church Meeting House located at Lot 10 Foothill Crossing Subdivision, filed by Bryan Stephenson on behalf of LDS Church and Aaron Bleak with EA Architecture. (Project #: PZ-18-00047, Staff Representative Steve Horton, City Planner)
2. Request for Major Site Plan Approval for remodel of an existing structure and construction of a new 19,950 sq ft office building located at 88 Center Street, filed by Ron McMurry and Matthew Devitt with JFC Engineers & Surveyors (Project #: PZ-18-00044, Staff Representative Steve Horton, City Planner)

NOTIFICATION OF MINOR SITE PLANS AND STAFF APPROVED CONDITIONAL USE PERMITS

PETITIONS AND COMMUNICATIONS

1. Written petitions and communications.
 - a. *Request from Steve R. Wilson of 1103 Whitewater Drive to speak with the Planning and Zoning Commission regarding Conditional Use Permit for Hyatt Daycare at 1104 Whitewater Drive.*
2. Petitions and communications from the floor.

ADJOURNMENT

**PLANNING AND ZONING
COMMISSION MINUTES**
March 14, 2018
Wednesday, 7:00 p.m.
City Hall, Rock Springs, Wyoming

Commissioners Present:	Chairperson Joe Drnas Mark Erickson Keaton West Lauren Schoenfeld	Sue Lozier Matthew Jackman Tim Sheehan
Commissioners Absent:	Gabe Bustos Vice-Chairman Mike Shaw	
Staff Present:	Steve Horton, Amy Cox, Planning Technician	

CALL TO ORDER

Chairman Drnas called the meeting to order at 7:00 p.m.

ROLL CALL

After roll call it was determined that a quorum was present to proceed.

APPROVAL OF MINUTES

Chairman Drnas asked the Commission for any corrections or additions to the Minutes from the February 14, 2018, Planning and Zoning Commission Meeting.

With no corrections or additions, Chairman Drnas asked for a motion to accept the Minutes as presented.

Commissioner Jackman: Motion to approve the Minutes as presented.

Commissioner Schoenfeld: Second.

Vote: All in favor. Motion carried unanimously.

ACCEPTANCE OF STAFF REPORTS AND CORRESPONDENCE

Chairman Drnas asked for a motion to accept all correspondence and Staff Reports into the record.

Commissioner Jackman: Motion to accept all correspondence and Staff Reports into the record.

Commissioner Erickson: Second.

Vote: All in favor. Motion carried unanimously.

CHANGES TO THE AGENDA

There were none.

PUBLIC HEARINGS

1. **Petition for Zoning Ordinance Language Amendment filed by Deric Keller requesting to amend Section 13-815.I.(2)(I) to amend the surfacing requirements by including B-2 Zone District for gravel or ground asphalt surfacing as a Conditional Use. (Project #: PZ-18-00020, Staff Representative, Steve Horton, Interim City Planner)**

Staff Report

Mr. Horton presented the Staff Report dated March 6, 2018, to the Commission. All required parking has to be a paved surface. Mr. Horton thinks the way to approach this is to give the applicant a time frame, within a year or a year and a half it needs to be paved and it won't be negative towards aesthetics for the City or surrounding properties.

Commissioner Questions for Staff

Commissioner Jackman asked if we contacted DEQ; Mr. Horton said we have not contacted DEQ regarding this type of situation, he thinks that this would be something we would do if we were to receive an application like this, we would include engineering, DEQ, and WYDOT to make sure we got any comments from them.

Commissioner West noticed it already has ground asphalt in place and didn't know if it was an afterthought to do the language amendment; Mr. Horton said it's kind of a situation where we are looking to try to bring this business into compliance. There is a situation with Brower Brothers where there are vehicles parking on gravel or dirt and he did speak with the Mayor about this and he is supportive, he thinks it might be a way to allow a business some time, with a limit, to use the gravel and have it paved within a year or a year and a half at the most. Mr. Horton thinks what the Mayor was looking at was a way to move forward in a positive manor rather than just sending a zoning violation notice to businesses that are doing this, but allow them to apply and possibly within the year or year and a half to pave the spaces where, they are being used like this.

Commissioner Schoenfeld asked if this would be a conditional permit anyway so we would be able to have a little leeway if something was going to be aesthetically looking negatively, or negatively affecting.....; Mr. Horton said, yes the Mayor does support this and looking at a way to move ahead in a positive way. He thinks with the conditional use permit that a year, or year and a half to work with a business owner so they know what exactly is expected of them and if it's not done within the time frame it would be a zoning violation and they would move towards enforcement.

Commissioner West wanted to know what sparked this as it's already being utilized and has already been paved with ground asphalt, is it a zoning violation is that how this came about; Mr. Horton said at this point if this petition does not move forward and is not approved it will be a zoning violation. Mr. Horton has talked with the Mayor and we have two dealerships in town and if this does not move forward we will have to take zoning enforcement action.

Commissioner Jackman asked if it was just the two businesses, as there are others that come to mind; Mr. Horton said yes, you are exactly right and if this does not go through they will do enforcement on any businesses that are parking vehicles or equipment on unpaved surfaces.

Commissioner Lozier repeated Commissioner West's question asking if there was something that sparked this; Mr. Horton said Deric Keller came in and talked with the Mayor and he sat in on the conversation and at the same time they talked about other businesses that are in a situation like this where they are using unpaved areas for equipment or vehicles, so what they decided was to allow this

petition to go forward and Mr. Keller does understand that if this does not go forward then he will not be allowed to use that for any purpose. Mr. Horton said what Mr. Keller did was that even if this doesn't go forward, the lot area was being used for parking of other equipment and dirt and stuff. Even if it doesn't go forward having gravel down in this area is better than it was before with just dirt. Then hopefully, Mr. Keller would be looking to just leave it like it is until he can come up with the funds to pave it.

Commissioner Jackman said it was interesting Mr. Horton was bringing up the funds from his experience hauling in gravel, excavating, then hauling in road base and paving will be about the same price, it's not a lot cheaper to put gravel down then it is for paving the first time. Mr. Horton said he thinks this is the first step; usually you do excavate some material out, then compact and put down a base like ground asphalt, then paving on top of that. Mr. Keller understood that if this was to be approved and he was to apply for a conditional use permit he would have about a year, year and a half.

Commissioner Drnas asked what the square footage was, Mr. Horton didn't know.

A Commissioner said his concern with gravel was the tires picking it up and dragging it onto the pavement surface and then it becoming a hazard for windshields. He thinks crushed asphalt would be better with a compaction devise. Mr. Horton said that was a concern and if this does go forward and they receive applications, the Engineering Department would require a certain distance of paving from the street into the lot to help prevent material from getting into the street. The Commissioner then asked, so there will be a path long enough for a vehicle to follow to dislodge any rocks stuck in the tires, Mr. Horton said yes and stated the way this would work would be a Conditional Use Permit he would take through utility review and get comments from all utilities.

A Commissioner questioned whether they would just have Lewis & Lewis show up, another Commissioner said it seems odd to go to the expense to pave it and fill it with inventory prior to knowing whether or not the petition to change the amendment will go through, that was his initial question about the process of this. Mr. Horton said he thinks it's a situation where the Mayor wanted to work with him, so he did give Mr. Keller a letter that if this is not approved then it will be removed and on top of that the other dealers that are doing this will get a zoning violation notice also.

A Commissioner then asked what the consequences of a zoning violation were; Mr. Horton said a zoning violation is the property owner is usually given 30 days to correct the violation. If it's not corrected then they move it to municipal court.

A Commissioner said he knew Mr. Horton brought up Brower Brothers, however that was a land swap and they had to work quite a bit to get Sportsman's Warehouse in there and making the property lines fit. He doesn't know what was discussed with them, but at some point they are going to have to do something with it. Another Commissioner said basically another company was just out there doing it without paving it first.

Mr. Horton said yes and what we are looking at here this gives the opportunity for this to be discussed and if it does or does not move forward and then normally, when there is a violation if there is a petitioner or a violator we usually initiate a stay of action if they want to try and correct the situation, a zone change or something like this. So, in this case when it's finalized, if it's not approved, they will find the violations in the City and move forward.

A Commissioner asked if this was a conditional use permit and there are complaints we can revoke it prior to the year and a half; Mr. Horton said yes, conditional use permits can come back and be revoked.

A Commissioner said they'd be more inclined if the Conditional Use permit were awarded by Planning and Zoning and more interested in the 6 month time stamp....there was further discussion about the length of approval. Another Commissioner suggested for an appearance factor with gravel and debris, we should go with the 12 months and not the 18 months.

Commissioner Questions for Applicant

Chairman Drnas asked the applicant or a representative for the project to come forward.

Shane Griffin the owner of the property addressed some of Commissioner West's concern about this being an afterthought, he stated it wasn't, it has turned into a mud pit that the public has been using for their own personal storage and even had people living in trailers on it. We tried to use it in the past and it was shut down for zoning issues. So the idea behind this was to make it nice, make it presentable by putting the road base down and the difference between road base and asphalt is about \$200,000. They couldn't see putting \$250,000 dollars into curb and gutter and paving just to park cars on it, as it's just a storage unit for them, lot not a sales lot. So that's where it has sat for 5 years, it has turn into a mud pit and dirt. So what they finally came to is whether this is approved or not we have to change it and get it out of that scenario and deal with people living there and using it as a public storage yard or junk yard. So they wanted to get it cleaned up, get the fences cleaned up and regardless of whether we can use it to store excess trailers or not, they didn't do that till after they talked to the mayor. He said they eventually will need to asphalt it and if it can be found for \$5.00 a square foot he needs that price, the cost is where they are struggling. The reason they were able to do it now was DeBernardi Construction was able to do it for an extremely low cost.

One of the Commissioners asked about traffic, what they predicted; Mr. Griffin said the trailers they sell across the street. The only time there will be movement is if they need to move one over to display it or if it's sold; they aren't like cars where they move in and out all the time.

Public Hearing

Chairman Drnas opened the Public Hearing and asked for anyone to come forward.

There was no one, therefore Chairman Drnas closed the public hearing and asked for a staff recommendation.

Staff Recommendation

Mr. Horton referred to the proposed ordinance included in the staff report.

Section 1. That Article 13-8 of the Ordinances of the City of Rock Springs be amended as follows:

Amend Section 13-815.I.(2)(I) Surfacing by amending the first sentence of the second paragraph to read as follows (deletions are denoted by strikethrough and additions are denoted by underline):

In Industrial and B-2 Zoning Districts, excess parking spaces (beyond those required by ordinance), auxiliary driveways and equipment storage areas may be covered by gravel or ground asphalt in accordance with specifications provided by the Zoning Administrator, pursuant to first obtaining a Conditional Use Permit from said from said Zoning Administrator for Industrial Zone Districts, and for B-2 Zone Districts obtaining a Conditional Use Permit from the Planning and Zoning Commission.

Mr. Horton said as staff he will support this and give the opportunity to work with local businesses and give them the opportunity if it's not done in 12 months.

Chairman Drnas asked if we change the 18 month period to 12 months and asked if there were some kind of extenuating circumstances could they extend it again for another 6 months easily; Mr. Horton said yes, it could be extended with another CUP.

Commission Vote

Commissioner Schoenfeld: Motion to approve the amendment to Project # PZ-18-00020, with a line to include a public hearing and to be approved by Planning and Zoning with staff recommendations.
Commissioner West: Second.

There was a question about changing the timeframe, however they realized it was not included in the Ordinance Language and confirmed with Mr. Horton it would be addressed during the CUP.

Vote: All in favor. Motion carried unanimously.

UNFINISHED BUSINESS

There was none.

NEW BUSINESS

There was none.

NOTIFICATION OF MINOR SITE PLANS /
STAFF APPROVED CONDITIONAL USE PERMITS

- 1) Conditional Use Permit approval for "Tara's Daycare LLC.", a Family Child Care Home (FCCH) for up to 8 children at a time, Mon. – Fri. from 6:00 a.m. to 6:00 p.m., to be conducted at 1104 Whitewater Drive, submitted by Tara Hyatt. (Project #: PZ-18-00008, Staff Representative, Steve Horton, Interim City Planner)

Commissioner West inquired about this Conditional Use Permit coming in front of them back in December and it failed; Mr. Horton said that application was for an amount of children that required Planning & Zoning action and it did fail. Then the applicant came in and applied for a FCCH for a lesser number of children and that lesser number (6-8) is permissible without a Conditional Use Permit. So there was an FCCH that was approved with a lesser amount of children. Mr. Horton is aware there were some issues with adjacent property owners and he discussed this with our City Attorney and he said it's a situation where the number of children has been reduced staff would have to approve it. If there were any issues or concerns with adjacent property owners or the adjacent property owners are having problems they can come in and Planning and Zoning Commission can act and potentially deny the lesser number.

A Commissioner confirmed that at the lower level staff could approve it; Mr. Horton said yes it's an Administrative situation and staff doesn't have any wiggle area, if it is submitted for that number it's to be approved. Ms. Cox said if 50% of the property owners within 200 square foot radius with 50% or more objecting then it would have come back to you guys. However, they received less than 50%; it was close but less than 50%.

A Commissioner asked if there was a way to monitor to make sure the applicant doesn't take extra kids in.

Another Commissioner confirmed when she first came in it was up to 10 and now she is approved up to 8; Commissioner Schoenfeld said DFS is the one that will monitor the number of

children, and Ms. Cox said it is her understanding the applicant will be back in for a Conditional Use Permit to increase up to 10.

A Commissioner asked for clarification that she didn't need a Conditional Use Permit; Mr. Horton said the FCCH at that number of children it is staff level approval and still a Conditional Use Permit.

- 2) Minor Site Plan Approval for renovations to an existing store for Planet Fitness in the Plaza Mall located at 1371 Dewar Drive (formerly Sports Authority), submitted by Kevin Mortensen of Rock Springs Plaza Mall. (Project #: PZ-18-00021, Staff Representative, Amy Cox, Planning Technician)

PETITIONS AND COMMUNICATIONS

1) Written petitions and communications.

a. Update on City Council Actions

1. February 20th 2018 Council: 3rd Reading and Approval by City Council on a request from High Desert Investments, LLC to amend the Official Zoning Map of the City of Rock Springs from Light Industrial (I-1) to Central Business (B-3) for 0.27 acres located at 701 2nd Street.

2) Petitions and communications from the floor.

- a. **Ashley Corthell** runs Bright Beginnings Preschool out of her home on Filmore Avenue and she was present regarding Chapter 13 Article 13 A – regarding childcare and preschool facilities, specifically the rule in Subsection C, that limits the number of preschool sessions to two per day and six per week pursuant to conditions deemed appropriate by the Zoning Administrator and preschool sessions shall be separated by a minimum of one hour from the time one session ends and the next session begins. She has been communicating with her Councilman, Tim Savage about this ordinance and they have both reached out to several people in the community and she has also contacted other Cities in Wyoming to see if they have a similar rule or if anyone knows why this rule is put in place. She is starting her third year of registration for preschool and is noticing there is a really huge need for preschools in our community. She has a really long waiting list and was talking with other preschools in Rock Springs and they do too, her classes are full for next year and she already has a waiting list for 2019-2020 school year. So she is here looking to see if there is a way to rewrite the ordinance and she has examples of ordinances from Laramie and Cheyenne and she spoke with representatives in those Cities to see what their rules were for home preschools and they don't have a rule restricting the number of sessions home preschools can have per week.

Mr. Horton said Councilman Savage has been in several times to speak with him about this and they spoke with DFS, they did say there is a high demand and a shortage in the Community when it comes to preschool / daycare. DFS supported a situation where this could be increased and he feels it's appropriate to hold a public hearing on this. Mr. Horton explained that staff will do updates at the end of the year, but when they are brought forward like this they need to be initiated by the private owner and brought forward.

A Commissioner asked Ashley what her thoughts were; she said she would like to see in home preschools to have a morning and afternoon session every day of the week Monday through Friday, so they can take in more students, not more students per class, but more

students overall. She explained what she started with for classes, what she has now and what she would like to see it at.

A Commissioner asked if there have been any problems with traffic or any complaints from the neighbors; Ms. Corthell said no, she thinks they got really lucky with their neighbors because she has heard of other daycares and preschools with complaints and she has never had a single one.

Commissioner Jackman asked staff if P&Z for any issue if so inclined could form a committee and ask for an ordinance rewrite. He is assuming the applicant didn't because the fee is \$200.

Brandon Corthell stated the fee is not an issue; they just wanted to come in front of the board as they control most of the Conditional Use Permits and wanted to follow the procedure. If they have to go through Mr. Horton to get started they will and there is no need for them to create a P&Z Committee.

Commissioner Schoenfeld is really curious to see what they come back with for language amendments since they have done the research and contacted other communities.

Ms. Corthell made a handout of what our ordinance is and the other Cities if anyone wants a copy of it.

- b. Paul Murray with Sweetwater Now stated it wasn't clear what was done and he didn't want to put anything in the news that was incorrect and would not want to misrepresent people.
1. He asked for the business name attached to the language amendment proposed by Deric Keller. The Commission said he didn't provide a business name, but they believe it is First Choice GMC. Mr. Murray then asked for clarification for the length of gravel if it was 12 months or 18 months; Commissioner Schoenfeld said neither, the time frame was not part of the ordinance it would be determined by Planning & Zoning.
 2. He also asked about the Conditional Use Permit for Tara's Daycare LLC, and asked for confirmation it was the one discussed in December when all the people showed up opposed to it; but because there are fewer kids involved the Planning and Zoning Commission doesn't have to approve it and the Planning and Zoning office can approve it; Mr. Horton said yes. Mr. Murray then asked what if some of those neighbors hear about this and blow up, they can come to the Planning and Zoning Commission and request a hearing; Mr. Horton said yes.

ADJOURNMENT

With no further business, the meeting was adjourned at 7:46 p.m.

These minutes approved by the Rock Springs Planning and Zoning Commission by vote this

_____ day of _____ 2018.

Steve Horton,



Planning & Zoning Commission Staff Report

Project Name: Dining Decks in B-3 Zoning District Language Amendment
Project Number: PZ-18-00028
Report Date: March 8, 2018
Meeting Date: April 11, 2018

Applicant

City of Rock Springs

Property Owner

N/A

Project Location

N/A

Zoning

B-3

Public Notification

- Public Hearing Notice Printed
2/24/18 – Rocket Miner

Previous P&Z Action

None

Ordinance References

13-809 D.(3)
13-819 (new)

Staff Representative

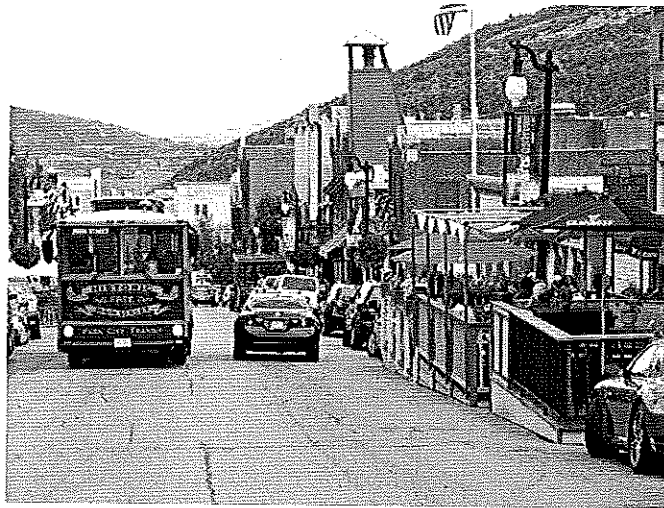
Steve Horton, City Planner

Attachments

- Application
- Proposed language for Ordinance Amendment
- Public Notice
- Utility Review Comments

Request

Petition for amendment regarding the B-3 Zone District to add "Dining Decks" as a Permitted Accessory Use and to establish a new section 13-819 Dining Decks regulations.



Background

The City of Rock Springs has the opportunity to add a unique outdoor dining experience in the Downtown B-3 Business District. A relatively new concept called "Dining Decks" utilizes street parking adjacent to restaurants in the downtown central business district. Typically, a restaurant with frontage on a street in downtown would have the ability to apply for a Dining Deck. The way this works is an application would be made for a portion of the abutting parking spaces. A deck with side railing and umbrellas would be constructed for a designated width and length on the adjacent parking spaces. Approval would be by the City Council due to a lease of the public street right-of-way. The City Council would establish the season for dining decks to be in place, typically from May 1 to October 31.

The nearest example is Main Street in Park City. Communities in Colorado have a similar version utilizing sidewalk space. Salt Lake City restaurants in the downtown provide outside dining done mainly on private property. The goal is to bring patrons downtown and provide a choice of either inside or outside dining.

Analysis

Over the past several years, the City has made great progress with the downtown. Building improvements have been made and the URA has been put in place. Activities are promoted in the downtown along with the Farmers Market which is extremely successful. This creates a positive vibe. The downtown is a fun place to be. Creating an opportunity for restaurants to use the streetscape for customers to dine will bring more people downtown. Restaurants can take advantage of summer and early fall weather for patrons to enjoy outside dining with friends and family.

Project Name:
Language Amendment

Project #:
PZ-18-00028

Utility Review Comments

Utility Review Comments are attached.

Public Hearing Notification

A Public Hearing Notice was duly published in the Rock Springs Rocket Miner on March 24, 2018

Public Comment

Staff will advise the Commission of any further comments received at the meeting.

Staff Recommendation

Staff will provide a formal recommendation after the Public Hearing on this item.



2018
CITY OF ROCK SPRINGS
LANGUAGE AMENDMENT
APPLICATION

Planning & Zoning Division
212 D Street
Rock Springs WY 82901
307.352.1540 (phone)
307.352.1545 (fax)

Staff Use Only:

Date Received 2-19-18

File Number: PZ-18-00028

Payment Information:

Amount Received: N/A

Received by: Steve Horton

Cash or Check Number: N/A

Receipt Number: N/A

Date Certified as Complete Application: 2-19-18

By: Steve Horton

A. CONTACT INFORMATION:

NOTE: The City of Rock Springs will only send correspondence to the names and mailing addresses provided on this application. Attach a separate sheet if necessary.

Petitioner(s) Information:

Name: City of Rock Springs

Mailing Address: 212 D Street

Rock Springs, WY 82925

Email Address: _____

Phone Number: 307-352-1540

Fax Number: _____

Name: _____

Mailing Address: _____

Email Address: _____

Phone Number: _____

Fax Number: _____

B. PLEASE ANSWER THE FOLLOWING ON THE SPACES PROVIDED:

- Article and Section Number to be amended (The Rock Springs Ordinances are available online at www.rswy.net):
13-809.12.
- Proposed Amendment (attached a separate sheet if necessary):
To allow dining decks in the B-3 zone as an Accessory Use, establish new Section 13-819
- Describe the need for and purpose of the Proposed Amendment:
Allow outside dining in the B-3 District

C. SUBMITTAL REQUIREMENTS:

The following shall be submitted with the application at the time of filing in order for the petition to be complete and scheduled for public hearing with the Planning and Zoning Commission. An Incomplete application will not be scheduled for hearing and shall be returned to the applicant.

- ☐ Filing Fee (\$200.00)
- ☐ Completed application, including graphic material if it will assist in understanding the benefits of the amendment.

D. SUBMITTAL DEADLINES:

NOTE: Applications that are not **RECEIVED** by 3:00 p.m. on the Application Deadline will be postponed until the following month's meeting. If a deadline falls near a City holiday, please contact the Planning Department to verify the days City Hall will be closed to ensure that your application is submitted on time.

	January Meeting	February Meeting	March Meeting	April Meeting	May Meeting	June Meeting	July Meeting	August Meeting	September Meeting	October Meeting	November Meeting	December Meeting
Application Deadline	12/6/2017*	1/22/2018	2/19/2018	3/19/2018	4/16/2018	5/21/2018	6/18/2018	7/16/2018	8/20/2018	9/17/2018	10/22/2018	11/19/2018
Public Hearing Ad	A Public Hearing Notice is prepared by the City of Rock Springs and published in the Rock Springs Rocket Miner Newspaper a minimum of fifteen (15) days prior to the Planning and Zoning Commission Public Hearing.											
P&Z Public Hearing	1/10/2018	2/14/2018	3/14/2018	4/11/2018	5/9/2018	6/13/2018	7/11/2018	8/8/2018	9/12/2018	10/10/2018	11/14/2018	12/12/2018
City Council Hearing Ad	After the Planning and Zoning Commission Public Hearing, a second Public Hearing Notice is prepared by the City of Rock Springs and published in the Rock Springs Rocket Miner Newspaper a minimum of fifteen (15) days prior to the City Council Public Hearing.											
**Council Public Hearing	2/6/2018	3/6/2018	4/3/2018	5/1/2018	6/5/2018	7/3/2018	8/7/2018	9/4/2018	10/2/2018	11/6/2018	12/4/2018	1/8/2019

* Deadline moved due to holiday.

**An Ordinance to amend the Rock Springs Ordinances must be read at three consecutive City Council meetings prior to being accepted.

E. SIGNATURE(S) REQUIRED:

I acknowledge that I have read and understand this application and the pertinent Zoning Ordinance amendment regulations (Sections 13-901 of the Rock Springs City Ordinances).

Signature of Petitioner _____

Date _____

Signature of Petitioner _____

Date _____

(If the petition includes multiple petitioners, all petitioners must sign the application. Attach a separate sheet if necessary.)

ORDINANCE NO. 2018-_____

AN ORDINANCE AMENDING ARTICLE 13-8 OF THE ORDINANCES OF THE CITY OF ROCK SPRINGS, WYOMING, ENTITLED "ZONE DISTRICT REGULATIONS".

WHEREAS, after notice given in the manner and for the time required by law, the Planning and Zoning Commission of the City of Rock Springs held a public hearing on March 14, 2018 on proposed amendments to Article 13-8 of the Ordinances of the City of Rock Springs; and,

WHEREAS, the Planning and Zoning Commission of the City of Rock Springs, Wyoming, voted to recommend approval of the proposed amendments to Article 13-8 Of the Ordinances of the City of Rock Springs; and,

WHEREAS, notice of hearing before the governing body of the City of Rock Springs, Wyoming, has been given as required by law, and the governing body has determined that said amendments should be adopted.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ROCK SPRINGS, STATE OF WYOMING:

Amendment 1. That Section 13-809.D of the Ordinances of the City of Rock Springs be amended by adding the following sub-section as follows:

- 13-809.D. Permitted Accessory Uses
(3) Dining Decks, in accordance with the provisions of Section 13-819 of this Ordinance

Amendment 2. That a new Section 13-819 be created to read as follows:

13-819. Dining Decks

A. Purpose

The purpose of this section is to establish requirements and guidelines for restaurants in the B-3 Zone that wish to add dining decks as an accessory use to their existing restaurant.

B. Definitions

Dining Deck: means a platform(s) operated by an existing restaurant or food establishment which sells food, beverages or alcoholic beverages for immediate consumption, subject to design guidelines established herein, located on the abutting parking spaces in front of the establishment for patrons and other persons. The dining deck can only be accessed from the sidewalk.

- C. Application : An application for Dining Deck approval shall follow the submittal and review process as a Minor Site Plan in accordance with Section 13-904. Information required under D. General Provisions of this Section shall be included. The site plan shall be stamped by a Wyoming Licensed Professional Engineer. Due to City Street Right-of-Way involved, a Lease Agreement must also be submitted.

D. General Provisions

- (1) Size: Dining deck area shall be limited to the linear street frontage of the restaurant. The encroachment of the proposed decks into the street will not exceed 9 feet from the curb. The dining deck shall be situated in a manner to provide safe vehicle movement for the adjacent street parking spaces. The encroachment of the proposed decks into the sidewalk shall be minimized to provide a minimum of 6 feet clearance between the deck and the building. The dining deck shall not be more than 4 feet above the sidewalk level.

- (2) Material: Street dining decks may be built of wood platforms and shall have a solid base. The design of the base shall complement the style of the building. The dining deck shall have a perimeter railing, barrier, or similar structure which shall provide protection and enclosure for the dining deck. The railing or barrier shall be determined by the City on a case by case basis.
- (3) Drainage: Design of the dining deck and its skirting shall not interfere with existing drainage and shall allow storm water to run adjacent to the curb unobstructed. A drainage plan must be provided and stamped by a Wyoming Licensed Professional Engineer.
- (4) Utilities: Location of all utilities shall be shown on the Site Plan. Dining decks shall not be placed on top of manholes, water valves, or storm drains. Access to utilities including fire hydrants shall not be hindered by the dining deck.
- (5) Umbrellas: Umbrellas are prohibited from extending beyond the dining area.
- (6) Duration: Dining decks are permitted from May 1st and shall terminate on October 30th, each year, and must be completely removed by November 7.
- (7) Licensing: The applicant shall adhere to applicable City and State licensing ordinances including alcoholic beverage permits.
- (8) Alcoholic Beverages: All alcoholic beverages to be served on the dining deck shall be prepared within the restaurant and shall only be served to patrons seated at tables on the dining deck
- (9) Food Service: all food to be served on the dining deck shall be prepared by the restaurant
- (10) Maintenance: the maintenance of the dining deck shall be the responsibility of the establishment including but not limited to, surface treatment and cleaning, litter control, sweeping, and snow and ice removal. The sidewalk and public property shall be kept neat and clean at all times and free from any substance that may cause damage to the sidewalk or public property or cause pedestrian injury.
- (11) Storage: All equipment and other associated materials must be removed and stored on private property during the off season.

E. Review and Approval

The Dining Deck Application shall be reviewed as a Minor Site Plan under Section 13-904. Final Approval shall be by the City Council along with a Lease of City Street Right-of-Way.

PASSED AND APPROVED this _____ day of _____, 2018.

President of the Council

ATTEST:

City Clerk

Mayor

1st Reading: _____

2nd Reading: _____

3rd Reading: _____

PUBLIC HEARING NOTICE

TAKE NOTICE that the Rock Springs Planning and Zoning Commission will hold a public hearing in the Rock Springs City Hall Council Chambers at 7:00 p.m., April 11, 2018, where all interested parties will have the opportunity to appear and be heard regarding the following:

An application to consider amending Chapter 13 (ZONING) of the Ordinances of the City of Rock Springs to add "Dining Deck" as a Permitted Accessory Use in the B-3 Zoning District.

The following sections are proposed for amendment:

Section 13-809.D. Permitted Accessory Uses in the B-3 Zoning District
Section 13-819 (New Section) which sets forth regulations for Dining Decks

You may view a copy of the proposed amendments at the Rock Springs Planning Department Office, 212 'D' Street, Rock Springs, Wyoming or on the City's website at: www.rswy.net.

Dated this 24th day of March, 2018

Stephen Horton, AICP
Secretary, Planning and Zoning Commission

Publish: March 24, 2018
Bill To: City of Rock Springs



Proposed Development: Zoning Ordinance Language Amendment – Dining Decks
Utility Review Meeting: March 27, 2018

Utility Review Committee Comments:

City of Rock Springs Engineering Department (Meghan Jackson)

1. Streets within the City of Rock Springs are constructed for vehicle transportation. Allowing dining decks into the street ROW, necessitates additional requirements for pedestrian/vehicle safety, drainage conveyance, and damage to the public infrastructure.
2. Safety:
 - a. Dining Decks shall have traffic barriers, such as concrete barriers (i.e. jersey barriers), surrounding the perimeter of the deck and install tapers with end treatments, to keep vehicles from impacting structure(s). Additional parking stalls are required for barrier configuration. A plan of the barriers configuration. A plan of the barrier configuration shall be in accordance with the AASHTO Roadside Design Guide and stamped by a licensed Wyoming professional engineer, and submitted to the City Engineer Department for approval. Installation and removal of barriers will be the responsibility of the dining deck private owner.
 - b. Dining decks pose sight restrictions for vehicles entering the roadway or parking. Elimination of parking stalls near the deck is required to provide enough distance for vehicles to move safely.
 - c. Dining decks and barriers shall only extend out into public ROW the width of a parallel parking stall (approximately nine (9) feet.
3. Drainage/Utilities
 - a. A drainage plan shall be submitted to the City Engineering Department for approval. Drainage plan shall be stamped by a Wyoming licensed professional engineer. Drainage shall not be impeded by the dining deck. Any flooded or structure damage due to drainage, will be the responsibility of the private dining deck owner.
 - b. Dining decks shall not be placed on top of manholes, water valves, storm drains, etc. When the plan for the deck is submitted, location of all utilities shall be shown. Enough room shall be given for maintenance and if emergency work is required, decks may be removed by the City at the expense of the dining deck private owner.
4. Street:
 - a. Bonding shall included under the lease agreement for potential damage to the infrastructure (pavement, sidewalk, curb/gutter, etc) during the use of the dining deck. Re-stripping of all parking stalls that were covered by the deck will be required by the dining deck private owner.
 - b. Not all B-3 zoned locations can accommodate dining decks (Dewer Drive) therefore, specified streets, i.e. Broadway, South Main, etc, shall be identified as streets where dining decks could be utilized.
5. Design and construction in accordance with City of Rock Springs Ordinances.

City of Rock Springs Water Department (Nick Seals)

1. Must maintain access to public sewers for routine and emergency maintenance
2. Grease interceptors access should be maintained for maintenance/inspection

City of Rock Springs Building Inspections Department (Jeff Tuttle)

All, please find attached codes that will need to be adhered to for the proposed ordinance for outside temporary decks. In addition to the code sections I would wonder how electrical would be installed if evening lighting was wanted and also would light weight decking materials be secured to the asphalt without damaging to make sure it would not blow away during a high wind event.

City of Rock Springs Fire Department (David Rhodes)

The sprinkler question would only come up if they decide to put a roof (pergola, awning, etc) over the seating area. Then the normal triggers for sprinklers would apply.

I was speaking with Jeff Tuttle and Matt Bider earlier and they stated that they (businesses) may be looking at outdoor seating on the sidewalk adjacent to the building but rather in the right-of-way. If this is true then sprinkler triggers would be moot since nothing would be attached to an existing building. Then the only concerns we would have is with portable heaters, etc.

I would be happy to walk the areas we are talking about approving this for voicing any concerns I might have. One business that might be impacted is the Bitter Creek Brewing. Since they are non-conforming currently, by adding covered seating outside they may trigger the need for sprinklers. But that discussion would best be handled with Jeff involved with this discussion.

See attached for Fire Dept concerns. We are not opposed to outdoor dining. We must ensure it is safe and code compliant on a case-by-case basis

Stephen A. Horton, AICP, City Planner

Date



Department of Public Services
212 D Street, Rock Springs, WY 82901
Office [307] 352-1540 • FAX [307] 352-1545

UTILITY REVIEW - COMMENT SHEET

Comments Due: Tuesday, March 6, 2018 no later than 2:00 p.m.

Date: February 27, 2018
To: Utility Review Committee
From: Steve Horton
Project #: PZ-18-00028
Project Name: Zoning Ordinance Language Amendment – Dining Decks
Project Address: N/A
Location Description:
Project Description: Zoning Ordinance Language Amendment – Please read the Staff Report and submit any comments



Please submit this comment sheet no later than 2:00 p.m. on the due date referenced above & in your email notification.

I have reviewed the plans on behalf of (Dept. or Org.): Building Inspections for the above-referenced project.

Please check as applicable:

- ☐ No issues - plans approved as submitted.
☐ Revisions required to the Site Plan/Plat/Drawing:

- (1) _____
(2) _____
(3) _____
(4) _____

☒ Other Comments/Issues:

- (1) please see code sections 3103 and 3308 (attached)
(2) as both would come into play for the proposed
(3) ordinance change.
(4) _____

Signature of Reviewer

Date

2/28/18

☐ Please provide me with a copy of the Revised Plans for review.

SPECIAL CONSTRUCTION

3102.7 Engineering design. The structure shall be designed and constructed to sustain dead loads; loads due to tension or inflation; live loads including wind, snow or flood and seismic loads and in accordance with Chapter 16.

3102.7.1 Lateral restraint. For membrane-covered frame structures, the membrane shall not be considered to provide lateral restraint in the calculation of the capacities of the frame members.

3102.8 Inflation systems. Air-supported and air-inflated structures shall be provided with primary and auxiliary inflation systems to meet the minimum requirements of Sections 3102.8.1 through 3102.8.3.

3102.8.1 Equipment requirements. This inflation system shall consist of one or more blowers and shall include provisions for automatic control to maintain the required inflation pressures. The system shall be so designed as to prevent overpressurization of the system.

3102.8.1.1 Auxiliary inflation system. In addition to the primary inflation system, in buildings larger than 1,500 square feet (140 m²) in area, an auxiliary inflation system shall be provided with sufficient capacity to maintain the inflation of the structure in case of primary system failure. The auxiliary inflation system shall operate automatically when there is a loss of internal pressure and when the primary blower system becomes inoperative.

3102.8.1.2 Blower equipment. Blower equipment shall meet all of the following requirements:

1. Blowers shall be powered by continuous-rated motors at the maximum power required for any flow condition as required by the structural design.
2. Blowers shall be provided with inlet screens, bell guards and other protective devices as required by the *building official* to provide protection from injury.
3. Blowers shall be housed within a weather-protecting structure.
4. Blowers shall be equipped with backdraft check dampers to minimize air loss when inoperative.
5. Blower inlets shall be located to provide protection from air contamination. The location of inlets shall be *approved*.

3102.8.2 Standby power. Wherever an auxiliary inflation system is required, an *approved* standby power-generating system shall be provided. The system shall be equipped with a suitable means for automatically starting the generator set upon failure of the normal electrical service and for automatic transfer and operation of all of the required electrical functions at full power within 60 seconds of such service failure. Standby power shall be capable of operating independently for not less than 4 hours.

3102.8.3 Support provisions. A system capable of supporting the membrane in the event of deflation shall be provided for in air-supported and air-inflated structures having an *occupant load* of 50 or more or where covering

a swimming pool regardless of *occupant load*. The support system shall be capable of maintaining membrane structures used as a roof for Type I construction not less than 20 feet (6096 mm) above floor or seating areas. The support system shall be capable of maintaining other membranes not less than 7 feet (2134 mm) above the floor, seating area or surface of the water.

SECTION 3103 TEMPORARY STRUCTURES

3103.1 General. The provisions of Sections 3103.1 through 3103.4 shall apply to structures erected for a period of less than 180 days. Tents and other membrane structures erected for a period of less than 180 days shall comply with the *International Fire Code*. Those erected for a longer period of time shall comply with applicable sections of this code.

3103.1.1 Conformance. Temporary structures and uses shall conform to the structural strength, fire safety, *means of egress*, accessibility, light, ventilation and sanitary requirements of this code as necessary to ensure public health, safety and general welfare.

3103.1.2 Permit required. Temporary structures that cover an area greater than 120 square feet (11.16 m²), including connecting areas or spaces with a common *means of egress* or entrance that are used or intended to be used for the gathering together of 10 or more persons, shall not be erected, operated or maintained for any purpose without obtaining a *permit* from the *building official*.

3103.2 Construction documents. A *permit* application and *construction documents* shall be submitted for each installation of a temporary structure. The *construction documents* shall include a site plan indicating the location of the temporary structure and information delineating the *means of egress* and the *occupant load*.

3103.3 Location. Temporary structures shall be located in accordance with the requirements of Table 602 based on the *fire-resistance rating* of the *exterior walls* for the proposed type of construction.

3103.4 Means of egress. Temporary structures shall conform to the *means of egress* requirements of Chapter 10 and shall have an *exit access* travel distance of 100 feet (30 480 mm) or less.

SECTION 3104 PEDESTRIAN WALKWAYS AND TUNNELS

3104.1 General. This section shall apply to connections between buildings such as *pedestrian walkways* or tunnels, located at, above or below grade level, that are used as a means of travel by persons. The *pedestrian walkway* shall not contribute to the *building area* or the number of *stories* or height of connected buildings.

3104.1.1 Application. Pedestrian walkways shall be designed and constructed in accordance with Sections 3104.2 through 3104.9. Tunnels shall be designed and constructed in accordance with Sections 3104.2 and 3104.10.

5. The deck shall be planks not less than 2 inches (51 mm) thick or wood structural panels with an exterior exposure durability classification not less than $2\frac{3}{4}$ inch (18.3 mm) thick nailed to the joists.
6. Each post shall be knee braced to joists and stringers by members not less than 2 inches by 4 inches (51 mm by 102 mm); 4 feet (1219 mm) in length.
7. A curb that is not less than 2 inches by 4 inches (51 mm by 102 mm) shall be set on edge along the outside edge of the deck.

3306.8 Repair, maintenance and removal. Pedestrian protection required by this chapter shall be maintained in place and kept in good order for the entire length of time pedestrians are subject to being endangered. The owner or the owner's authorized agent, upon the completion of the construction activity, shall immediately remove walkways, debris and other obstructions and leave such public property in as good a condition as it was before such work was commenced.

3306.9 Adjacent to excavations. Every excavation on a site located 5 feet (1524 mm) or less from the street lot line shall be enclosed with a barrier not less than 6 feet (1829 mm) in height. Where located more than 5 feet (1524 mm) from the street lot line, a barrier shall be erected where required by the building official. Barriers shall be of adequate strength to resist wind pressure as specified in Chapter 16.

SECTION 3307 PROTECTION OF ADJOINING PROPERTY

3307.1 Protection required. Adjoining public and private property shall be protected from damage during construction, remodeling and demolition work. Protection shall be provided for footings, foundations, party walls, chimneys, skylights and roofs. Provisions shall be made to control water runoff and erosion during construction or demolition activities. The person making or causing an excavation to be made shall provide written notice to the owners of adjoining buildings advising them that the excavation is to be made and that the adjoining buildings should be protected. Said notification shall be delivered not less than 10 days prior to the scheduled starting date of the excavation.

SECTION 3308 TEMPORARY USE OF STREETS, ALLEYS AND PUBLIC PROPERTY

3308.1 Storage and handling of materials. The temporary use of streets or public property for the storage or handling of materials or of equipment required for construction or demolition, and the protection provided to the public shall comply with the provisions of the applicable governing authority and this chapter.

3308.1.1 Obstructions. Construction materials and equipment shall not be placed or stored so as to obstruct access to fire hydrants, standpipes, fire or police alarm boxes, catch basins or manholes, nor shall such material or equipment be located within 20 feet (6096 mm) of a street inter-

section, or placed so as to obstruct normal observations of traffic signals or to hinder the use of public transit loading platforms.

3308.2 Utility fixtures. Building materials, fences, sheds or any obstruction of any kind shall not be placed so as to obstruct free approach to any fire hydrant, fire department connection, utility pole, manhole, fire alarm box or catch basin, or so as to interfere with the passage of water in the gutter. Protection against damage shall be provided to such utility fixtures during the progress of the work, but sight of them shall not be obstructed.

SECTION 3309 FIRE EXTINGUISHERS

[F] 3309.1 Where required, Structures under construction, alteration or demolition shall be provided with no fewer than one approved portable fire extinguisher in accordance with Section 906 and sized for not less than ordinary hazard as follows:

1. At each stairway on all floor levels where combustible materials have accumulated.
2. In every storage and construction shed.
3. Additional portable fire extinguishers shall be provided where special hazards exist, such as the storage and use of flammable and combustible liquids.

[F] 3309.2 Fire hazards. The provisions of this code and the *International Fire Code* shall be strictly observed to safeguard against all fire hazards attendant upon construction operations.

SECTION 3310 MEANS OF EGRESS

3310.1 Stairways required. Where a building has been constructed to a building height of 50 feet (15 240 mm) or four stories, or where an existing building exceeding 50 feet (15 240 mm) in building height is altered, no fewer than one temporary lighted stairway shall be provided unless one or more of the permanent stairways are erected as the construction progresses.

3310.2 Maintenance of means of egress. Required means of egress shall be maintained at all times during construction, demolition, remodeling or alterations and additions to any building.

Exception: Existing means of egress need not be maintained where approved temporary means of egress systems and facilities are provided.

SECTION 3311 STANDPIPES

[F] 3311.1 Where required, In buildings required to have standpipes by Section 905.3.1, no fewer than one standpipe shall be provided for use during construction. Such standpipes shall be installed prior to construction exceeding 40 feet (12 192 mm) in height above the lowest level of fire depart-



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UTILITY REVIEW - COMMENT SHEET

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COMMENTS
ONLY -
NO MEETING

Please submit this comment sheet no later than 2:00 p.m. on the due date referenced above & in your email notification.

I have reviewed the plans on behalf of (Dept. or Org.) FIRE/INSPECTOR for the above-referenced project.

Please check as applicable:

- ☐ No issues - plans approved as submitted.
☐ Revisions required to the Site Plan/Plat/Drawing:

- (1) _____
(2) _____
(3) _____
(4) _____

☒ Other Comments/Issues:

- (1) SEE ATTACHED FOR FIRE DEPT CONCERN. WE ARE NOT
(2) OPPOSED TO OUTDOOR DINING. WE MUST ENSURE IT IS SAFE
(3) AND CODE COMPLIANT ON A CASE-BY-CASE BASIS.
(4) _____

David Rhodes
Signature of Reviewer

02/27/18
Date

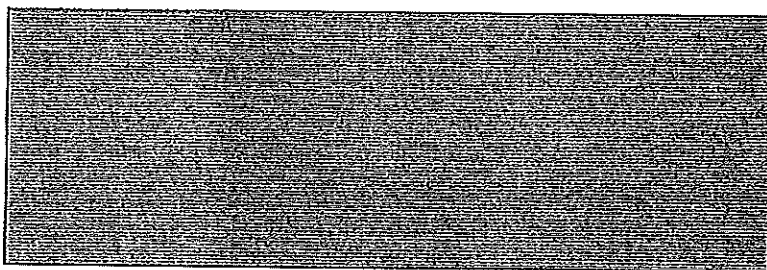
☐ Please provide me with a copy of the Revised Plans for review.

Office of the Fire Marshal

OFM-TG-03-2007



OUTDOOR PATIO FIRE SAFETY



September 2007

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GUIDELINE

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APPENDIX A – Extracts from Ontario Fire Code

APPENDIX B – Extracts from Ontario Building Code

September 2007

OFM Section: Applied Research at (416) 325-3100

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of the Fire Marshal, Ontario.*

Abstract

This guideline was developed to assist fire officials in assessing fire safety issues associated with outdoor patios at restaurants, pubs, bars and other similar assembly occupancies. The guideline provides suggestions for enhanced communication and coordination with other agencies and discusses fire safety enforcement strategies. This guideline is intended for guidance only and is not to be considered a statement of law in this area.

1.0 INTRODUCTION

At the first sign of warm weather in the spring, people begin to congregate at outdoor patios associated with restaurants or pubs. After being cooped up through the winter months, we like to leave the confines of a building and sit outdoors at a patio to take in the sun and fresh air, and share a meal, drink or conversation with others.

This can pose some challenges for property owners and the fire service when it comes time to consider the fire safety of these spaces, particularly in light of their seasonal nature. Numerous factors can impact on fire safety in these outdoor patios, as well as on the fire safety of the adjacent indoor spaces.

Often the fire service only becomes aware of these premises when asked by a building owner or manager to determine the allowable occupant load. This is one facet that an owner must address when applying to the Alcohol and Gaming Commission of Ontario (AGCO) for a licence to serve liquor at an outdoor patio.

Although the fire service is not mandated to determine occupant load, they can have an important role to play to ensure fire safety in these spaces where the public congregates. This guideline addresses many of the fire safety concerns associated with outdoor patios.

Unless otherwise noted in this guideline, references to the Fire Code relate to Division B of the Ontario Fire Code.

2.0 DEFINITIONS

The words and phrases used in this guideline and in Division A of the Fire Code have the following meanings:

- **Access to exit** means that part of a means of egress within a floor area that provides access to an exit serving the floor area.
- **Assembly occupancy** means the occupancy or the use of a building, or part thereof, by a gathering of persons for civic, political, travel, religious social, educational, recreational or like purposes or for the consumption of food or drink.
- **Building** means any structure used or intended for supporting or sheltering any use or occupancy.
- **Exit** means that part of a means of egress, including doorways, that leads from the floor area it serves to a separate building, an open public thoroughfare or an exterior open space protected from fire exposure from the building and having access to an open public thoroughfare.
- **Floor area** means the space on any storey of a building between exterior walls and required firewalls and includes the space occupied by interior walls and partitions, but does not include exits and vertical service spaces that pierce the storey.

- **Means of egress** means a continuous path of travel provided for the escape of persons from any point in a building or contained open space to a separate building, an open public thoroughfare or an exterior open space protected from fire exposure from the building and having access to an open public thoroughfare. Means of egress includes both exits and access to exits.
- **Occupant load** means the number of persons for which a building or part thereof is designed.
- **Owner** means any person, firm or corporation having control over any portion of the building or property under consideration and includes the persons in the building or property.

3.0 OWNER/OPERATOR OBLIGATIONS

Outdoor patios may pose a significant fire risk to the public. Building owners and operators have an obligation to ensure the adequacy of fire safety precautions and compliance with the *Fire Protection and Prevention Act* and the Fire Code at their premises, and to ensure that appropriate measures are implemented to mitigate any fire safety risk. Factors for consideration and issues to be addressed may include the following:

- Provision of adequate emergency egress routes to facilitate evacuation of the maximum anticipated occupant load for the patio area and any impacted inside area. Egress considerations include having the appropriate number, size and placement, clearly identified with signage and lighting, as warranted.
- Control of potential ignition sources in the patio area and along the emergency egress route, such as smokers' articles, candles and other open flames, temporary wiring, improper or insecure lighting components, and heating and cooking appliances.
- Availability of fire protection equipment for the outdoor patio, such as fire extinguishers, water hose, fire alarm devices, etc.

Fire departments may want to identify facilities within their jurisdictions that incorporate outdoor patios, and conduct inspections to ensure the adequacy of fire safety precautions.

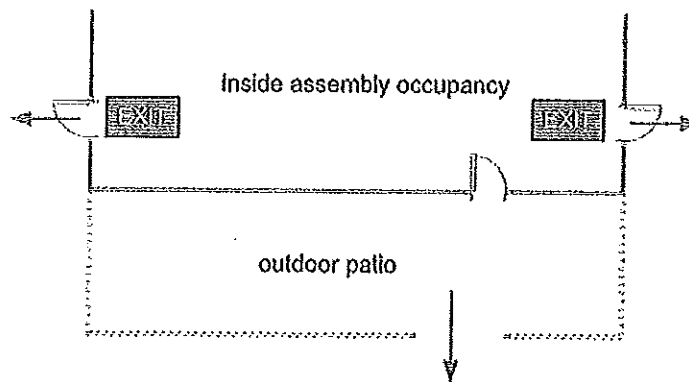
Fire departments may also want to use public education tools and community media contacts to alert operators and the public to potential fire hazards associated with outdoor patios. The public should be provided with local contact information and encouraged to report any fire safety concerns to the municipal fire department.

4.0 FACTORS THAT AFFECT FIRE SAFETY AT OUTDOOR PATIOS

Outdoor patios associated with assembly occupancies take many forms. Some configurations are of lower risk from a fire safety perspective, while others may present a wide range of fire safety concerns for patrons both inside and outside a building.

Three basic configurations are provided to illustrate various fire safety challenges. The primary distinction between these configurations relates to *egress arrangements*.

Scenario One:



Identifying Features:

- Connecting access between the interior of the building and the patio may be provided for convenience for servers.
- The means of egress from the building is not through the outdoor patio.
- The exit path from the patio is not through the building.
- The perimeter of the patio may or may not have any physical barriers (e.g. fencing or roping).

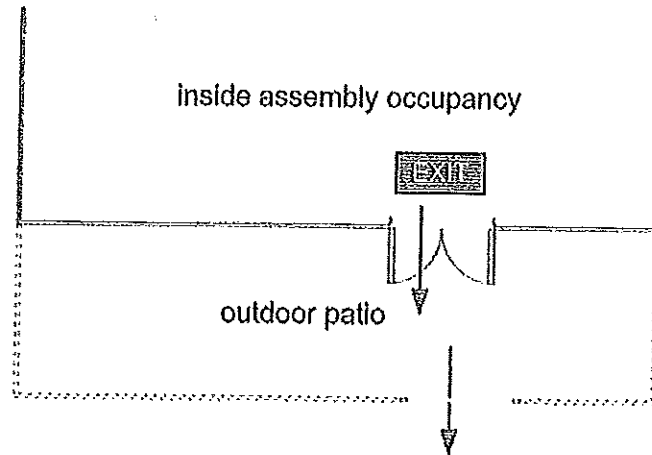
Fire Safety Factors:

In this configuration, the patio occupants are able to move quickly away from the patio in the event of an emergency, provided the patio is located at or close to grade. Their ability to safely exit the patio may be affected by outdoor furniture arrangements, steps, local grade variations, patio enclosures, etc. The patio has no impact on safe egress of the building's occupants. A building permit may be required because of the fence or patio construction, the potential exposure of the patio occupancy on the building, or the egress arrangements from the patio.

Determination of an occupant load for this space may not be warranted, and some fire departments may choose to not be involved in this situation.

A fire department may choose to comment on fire safety issues such as portable heaters, barbeques etc., particularly in the vicinity of the exit path. There may also be exposure issues in cases where the exterior wall has multiple openings (e.g. windows). More details are included in Section 5.0 Fire Safety Issues.

Scenario Two:



Identifying Features:

- There is connecting access between the interior of the building and the patio.
- One required means of egress for the building is through the patio.
- The exit path from the outdoor patio is not through the building.
- The perimeter of the patio may or may not have any physical barriers (e.g. fencing or roping).

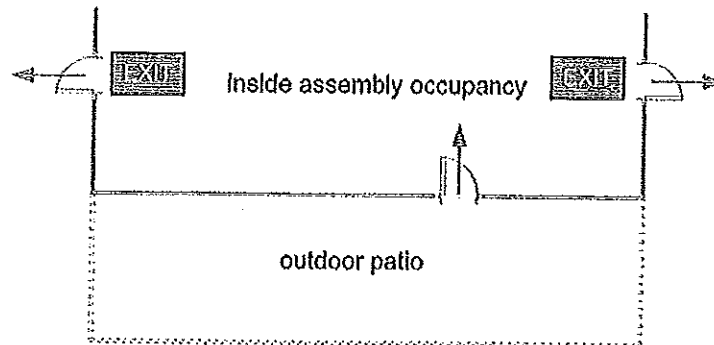
Fire Safety Factors:

In this configuration, one of the required egress routes from the building is through the patio, which introduces the possibility of prolonged evacuation times. As a result, determination of occupant load for the patio may be appropriate to prevent this from occurring. The ability of building and patio occupants to safely exit the patio area may be affected by outdoor furniture arrangements, steps, local grade variations, visibility of the exit path, etc.

Other potential fire safety issues should be considered for the safe egress of patrons, such as portable heaters, barbecues etc., particularly in the vicinity of the egress route.

Clearly this scenario may pose some additional fire safety concerns. More details are included in Section 5.0, Fire Safety Issues.

Scenario Three:



Identifying Features:

- There is connecting access between the interior of the building and the patio.
- The means of egress from the building is not through the patio.
- The means of egress for the patio is through the building.
- The perimeter of the patio is provided with physical barriers.

Note: This scenario could also apply to a rooftop patio, which is accessed through the building.

In this configuration, the required egress route from the patio area is through the building, which introduces the possibility of extended evacuation times unless the building exits have been sized to accommodate both inside and outside occupancies. As a result, the occupant load for the patio may need to be restricted, the interior occupant load may need to be restricted and/or the interior exits may need to be increased. The ability of building and patio occupants to safely exit through the building may be affected by interior and exterior furniture arrangements, steps, etc.

Other potential fire safety issues should be considered for the safe egress of patrons, such as portable heaters, barbecues etc., particularly in the vicinity of the egress route.

Clearly this scenario may pose some additional fire safety concerns. More details are included in Section 5.0, Fire Safety Issues.

5.0 FIRE SAFETY ISSUES

5.1 Occupant Load Concerns

The Fire Code specifies criteria for determining occupant load in a building that contains an assembly occupancy. It does not specify such criteria for outdoor spaces of assembly. However, as illustrated in the scenarios, there are instances where the occupants on the outdoor patio may affect the safety of the indoor occupants. As well, the designated indoor egress routes provided for them might also affect the safety of the outdoor occupants.

Where patio occupants enter the building, either for reasons of convenience or comfort (i.e. to use restrooms or access interior services) or for the purposes of exiting the premises, consideration needs to be given to the maximum allowable interior occupant load. For instance, the influx of patio occupants in the event of inclement weather needs to be considered. The Fire Code does not permit an operator of an establishment to increase the occupant load beyond the capacity of the exits.

The owner must anticipate this situation, and ensure that the allowable occupant load is not exceeded. The owner might choose to limit the combined indoor and outdoor occupant load, based on the indoor exit capacity, and allow the people to migrate between the interior and exterior. Another approach is to advise the occupants located on the outdoor patio could be advised that in the event of inclement weather they would be asked to leave, as they could not be safely accommodated inside. The owner's means of ensuring that the premises will not exceed the maximum allowable load should be documented. This information could be maintained as part of the building Fire Safety Plan. As well, the maximum allowable occupant load for the interior space should be posted in a conspicuous location. There may also be merit in posting a separate occupant load sign for the patio adjacent to the patio access.

5.2 Determining Maximum Allowable Occupant Load

Although the Fire Code does not identify a method for calculating occupant load for outdoor space, the same criteria that are used for interior occupant load calculations could be used.

Occupant load is calculated on the basis of use of the space and available exit widths. When determining the occupant load based on use, general use or design use calculations may be involved. The maximum allowable occupant load is the lesser of the calculations based on use and available exit widths.

Calculation of occupant load on the basis of use generally involves dividing the floor area, or part of the floor area, measured in square metres, by the applicable "area per person" factors identified in Table 2.7.1.A of the Fire Code. (Applicable Fire Code wording is stated in Appendix A.)

Depending on the situation, the floor area may be the area of the room, group of rooms, suite, portion of the floor or the total floor area. The factors listed in Table 2.7.1.A of the Fire Code give due consideration to the typical furnishings and fixtures associated with a specific use. The floor area generally considers the space that is occupied, and does not include the ancillary spaces designed and provided to support the useable space, such as closets, cloak rooms, washrooms, corridors, exits etc.

As an alternate to using the "area per person" factors previously described, an occupant load may also be determined on the basis of a specific layout or designed use of the space.

For instance, a restaurant patio space may have a fixed seating arrangement that would accommodate an occupant load that differs from that determined by using the general use factor.

A professional engineer or architect usually conducts this type of calculation, but “design” is not a defined term in the Fire Code.

Calculation of the occupant load on the basis of available exit widths involves dividing the aggregate width of access to exit or exit door openings (measured in millimetres) by the applicable “width per person” factors that are stated for access to exits and exits in Articles 3.3.1.16. and 3.4.3.2. of Division B of the Ontario Building Code. (Applicable Building Code requirements are stated in Appendix B.)

Where a room or floor area has more than one egress or exit door, the door widths are added together, or *aggregated*, prior to dividing by the “width per person” factor.

Where the “width per person” factor refers to a slope with a gradient of 1 in 8, this means that the horizontal distance is 8 times the vertical dimension. In other words, the gradient rises 1 vertical unit for every 8 units of horizontal distance.



The maximum allowable occupant load of a floor space or room is the lesser of the calculations based on use of the space and available exit widths from that space.

To ensure that emergency egress is not impeded, the Fire Code also places an overall “cap” on the occupant load. In the case of dining, alcoholic beverage and cafeteria space, at no time can the occupant load exceed the number calculated on the basis of 0.60 m² of floor space per person, and 0.40 m² of floor space per person for all other uses.

These caps are intended to prevent situations where the occupants are unable to get to the means of egress because the placement of furnishings/occupants, even though the means of egress themselves are adequate.

In addition, there may be other requirements imposed by other agencies such as the Alcohol Gaming Commission of Ontario (AGCO) that will affect the allowable occupant load. These requirements should never permit an occupant load that exceeds that allowed by the Fire Code or Building Code (see Section 7.3, Other Agencies and Legislation).

5.3 Sources of Ignition

A wide variety of ignition sources may exist on outdoor patios, including candles or similar open flames, temporary wiring and cooking and heating appliances. Careful placement and use of these products, particularly barbeques and patio heaters, are required to ensure the safety to occupants both inside and outside the building. Aspects to consider include the following:

Appliances:

- Provide adequate ventilation, away from building openings, to allow products of combustion to escape.
- Ensure safe appliance use, outdoors only on a stable level surface in a location not subject to damage or tampering.
- Have appropriate handling and storage of gas (propane and natural gas) cylinders.
- Provide separation from any other combustibles, such as wooden fences or walls, roof overhang, trees with low branches, tablecloths and decorations.
- Maintain sufficient clearance from egress pathways so that a fire at the appliance will not prohibit using the egress pathway.
- Use only appliances that bear an approval agency mark, such as the CSA Blue Flame mark, to indicate compliance with recognized safety standards. Ensure that the use is consistent with the listing.

Other Ignition Sources:

- Avoid the use of decorative or festive-type lighting with extension cords or other temporary wiring.
- Ensure that electrical devices, lighting and wiring are listed for exterior use.
- Provide separation of open flames from any combustibles, such as wooden fences or walls, roof overhang, trees with low branches, tablecloths and decorations.

5.4 Fencing and/or Barriers

Enclosures can take many forms for outdoor patios. Patio demarcation may be limited to floor markings only, or may be comprised of some kind of physical barrier that may restrict visibility, such as privacy fencing. This may include a swinging gate with latching hardware in the enclosure. Assessment of each situation may be required to ensure that building occupants are able to move out of the building, through the patio, along with the patio occupants, through openings that open in the direction of exit travel with appropriate release hardware, to a safe location during a fire emergency.

Other agencies may have additional requirements that need to be considered. For instance, AGCO requires outdoor patios to have a fence or other vertical barrier to delineate the perimeter of the patio where alcohol is being served. The required height of a fence facing the street is 1.06 metres (3.5 feet). Side screens may be up to 2.0 metres (6.5 feet) above the grade or platform level, and should not be entirely opaque. There may also be requirements that address needs of visually impaired persons, to meet barrier free design, or to meet planning and zoning requirements (See Section 7.3, Other Agencies and Legislation).

5.5 Draperies, Awnings, and Enclosures

The use of canopies, awnings, curtains, or rain screens may present a fire hazard, depending upon the extent of the enclosure and the materials used. Enclosures can impede the dissipation of combustion products, which can be very hot, and increases the risk of carbon monoxide poisoning. Further, they can obstruct the movement of people away from the patio in the event of an emergency. They may also present an exposure hazard to the building when there are openings in the adjacent building wall. The Building Code would typically not require provision of sprinklers.

Outdoor patio enclosures can also “evolve” over time. Table umbrellas may be replaced with awnings or full overhead protection, to which side panels may be added to block wind or rain. At some point the outdoor space takes on the appearance of an indoor space, requiring similar fire safety considerations.

In addition, these add-ons may be subject to requirements of other agencies such as building, property standards and by-law enforcement departments, and provisions of the *Smoke Free Ontario Act*, and the associated regulation may apply (see Section 7.3, Other Agencies and Legislation).

5.6 Means of Egress

To ensure the safe egress of people from an outdoor patio, a clear path must be maintained. This is particularly critical where required exit doors from a building open into/through the outdoor patio space. The outdoor patio arrangements must allow indoor patrons to evacuate through the patio space to a safe place way from the building, without restrictions or delay (e.g. such as a gate that does not swing in the direction of exit travel or should have release hardware).

5.7 Fire Protection Equipment

Generally, an outdoor patio does not have the same need for fire protection features required inside buildings. The need to provide fire and life safety devices, such as emergency lighting, fire extinguishers, and fire alarm devices such as bells and manual pull stations requires case by case assessment. As well, an occupant load increase may have impact on the safety features of the adjacent building, as related to exiting provisions, fire alarm systems, fire alarm signals to the fire department, etc., that requires case by case assessment.

5.8 Off Season Use of Outdoor Patios

The storage of stacked patio furniture, umbrellas, planters, etc. during the off-season may pose an exposure hazard to the adjacent building or occupants. Assessment should consider the type, amount and area of storage, and the exterior wall construction. Generally, outdoor furnishings may be safely located against an exterior masonry wall that has no windows or overhang. The Building Code would typically not require provision of sprinklers.

5.9 Fire Safety Planning

The building fire safety plan is an appropriate document in which to record fire safety details associated with outdoor patios. As with assembly occupancies in buildings, records should be retained for acceptable table and chair/furnishing arrangements, egress markings, clearances to appliances and combustibles etc. Where an allowable occupant load for the patio has been determined, it may be worthwhile to document any associated terms and conditions. For instance, the methods by which the owner will control interior/exterior movement of people during inclement weather to ensure that the occupant load is not exceeded should be described. Related to this, clarification of staff training to deal with outdoor patio evacuation in the event of an emergency is warranted.

6.0 COMMUNICATIONS AND COORDINATION

There may be any number of conditions set by other agencies. The interests of the municipal building, property standards, and/or zoning departments may be involved, beyond the scope of fire safety, for such aspects as the size of a patio, setbacks from street, proximity to residential areas, permanence of fencing, fencing materials, allowable signage, accessibility and lighting, number of washrooms, control of noise issues, etc.

Consequently, it is important to liaise with other officials within the municipality to ensure that there is consistency in dealing with areas of mutual interest.

A co-ordinated approach to deal with outdoor patios has numerous benefits, including:

- Improved identification of outdoor patios
- Streamlined process for applicants
- Increased awareness and use of other resources within the community
- Improved communications and networking between agencies
- Increased referrals about problems, or potential problem situations
- Efficient use of available resources
- Enhanced use of collective legislative powers and authorities, and reduced limitations
- Increased opportunities to educate the public on safety issues
- Consistent and coordinated delivery of safety messages
- Identification of previously unrecognized safety concerns
- Avoids perception of ad hoc enforcement

7.0 FIRE SAFETY ENFORCEMENT

7.1 Ontario Fire Code

While Part 2 of the Fire Code does not specifically address outdoor occupancies, it can be used to address many hazardous activities in and around buildings. For example, the circumstances may create a hazard that was not allowed for in the original design of the building (Article 2.1.2.2.), or the accumulation of combustible materials may create a fire hazard to the building or its occupants [Sentence 2.4.1.1.(4)].

Division A, Section 1.2 Compliance describes how to achieve compliance with Division B of the Fire Code. Two primary compliance options are now offered in the 2007 Code:

1. Comply with the applicable acceptable solutions of Division B, or
2. Propose an alternative solution that will achieve at least the minimum level of performance required by the applicable acceptable solution.

7.2 Inspection Order

As previously noted, outdoor patios are not specifically addressed in the Fire Code. There are many factors that impact on the fire safety of these outdoor spaces and each situation should be assessed on the specific circumstances.

It is appropriate to consider the principles contained in the Fire Code as part of this assessment, even though the specific requirements may not directly apply. For instance, the Fire Code includes requirements for buildings that can provide guidance for fire safety concerns such as textile flammability, accumulation of combustible materials, control of ignition sources, electrical hazards, safe use of appliances and provision of fire protection. Similarly, occupant load calculations for an outdoor space could consider the same criteria that are used for occupant load calculations in buildings.

Sections 19 and 21 of the *Fire Protection and Prevention Act, 1997 (FPPA)* provide authority for an assistant to the Fire Marshal or fire chief to inspect land and premises and take measures to ensure fire safety. This may include issuing an Inspection Order.

Where a specific situation poses a risk to the public and is not directly addressed by the provisions contained in the Fire Code, sections 15 and 21 of the *FPPA, 1997* may be used to effect remedial work.

7.3 Other Agencies and Legislation

While this guideline specifically addresses Fire Code requirements, it is important to note that other regulatory bodies/agencies may also have requirements applicable to outdoor patios.

The Alcohol and Gaming Commission of Ontario (AGCO) has mandated requirements under the *Liquor Licence Act* and its regulations that related to various facets of licensing, including the preparations of floor plans and determination of occupant load for indoor and outdoor areas of establishments.

The *Building Code Act* and the Building Code apply to buildings where construction or a change of use occurs. A building permit may be required for the construction of an outdoor patio that is connected to or otherwise has an impact on the health and safety features of an existing building. An occupant load increase may result in the need for additional safety features related to exiting provisions, fire alarms systems, fire alarm signals to the fire department, etc.

The *Smoke Free Ontario Act, S. O. 1994 c.10*, and associated regulation *O.Reg. 48/06* may also have an impact on outdoor patios, depending upon the extent of enclosure.

In some municipalities a coordinated licensing process to deal with outdoor patio space exists, which allows zoning, property standards, building, fire and/or health officials to have an opportunity for input.

8.0 OTHER RESOURCES

The Office of the Fire Marshal website can be found at www.ofm.gov.on.ca. It contains a variety of useful technical guidelines for fire safety planning and other safety related materials.

For Smoke-Free Ontario information, please link with
http://www.mhp.gov.on.ca/english/health/smoke_free/legislation.asp

For information about the Alcohol and Gaming Commission, please link with www.agco.on.ca. From the home page, go to the "Alcohol" heading to find information about liquor licences, and associated application forms and floor plan guide.

The Ministry of Municipal Affairs and Housing Ontario Buildings Branch website can be accessed at <http://www.ontario.ca/buildingcode> for related materials, including Building Code Commission rulings related to patios.

APPENDIX A

(Extract from Ontario Fire Code O. Reg. 213/07, Division B)

Occupant load

- 2.7.1.4. (1) The number of persons occupying a room or floor space in an assembly occupancy shall not exceed the occupant load for the intended use as determined in Sentence (2).
- (2) The occupant load for any room or floor space shall be the lower of
- (a) the occupant load as calculated in accordance with Sentences (3) to (7), or
 - (b) the occupant load for which means of egress are provided as determined by the Building Code.
- (3) The occupant load of a floor area or part of a floor area in an assembly occupancy shall be based on
- (a) the number of fixed seats, or
 - (b) the number of persons
 - (i) for which the area is designed, or
 - (ii) determined from Table 2.7.1.A. for occupancies other than those described in Clause (a).
- (4) For the purposes of this Article, mezzanines, tiers and balconies shall be regarded as part of the floor area.
- (5) Where fixed bench-type seats without arms are provided, the occupant load shall be based on a seat width of 450 mm per person.
- (6) The occupant load of a room in which a dance floor is situated shall be based on that portion of the room that is not occupied by the dance floor except where the occupant load is determined using Subclause (3)(b)(i).
- (7) At no time shall the maximum occupant load determined in Sentences (2) to (6) exceed the occupant load calculated on the basis of
- (a) 0.60 m² of floor space per person in dining, alcoholic beverage and cafeteria space, and
 - (b) 0.40 m² of floor space per person for all other uses.

TABLE 2.7.1.A.

Forming Part of Article 2.7.1.4.

Type of Use of Building or Floor Area or Part Thereof	Area per Person in m ²
Space with fixed seats	See Clause (3) (a)
Space with nonfixed seats	0.75
Stages for theatrical performances	0.75
Space with nonfixed seats and tables	0.95
Standing space	0.40
Stadia and grandstands	0.60
Bowling alleys, pool and billiard rooms	9.30
Classrooms	1.85
School shops and vocational rooms	9.30
Reading or writing rooms or lounges	1.85
Dining, alcoholic beverage and cafeteria space	1.10
Laboratories in schools	4.60
Exhibition halls other than those classified in mercantile occupancy	2.80

Posting occupant load

2.7.1.5. (1) When the occupant load as determined in Article 2.7.1.4. is more than 60 persons, the occupant load shall be posted in a conspicuous location.

(2) When the occupant load has been determined using Subclause 2.7.1.4.(3)(b)(i), a permanent sign indicating the occupant load shall be posted in a conspicuous location.

APPENDIX B

(Extracts from Ontario Building Code O. Reg. 350/06, Division B)

3.3.1.16. Capacity of Access to Exits

- (1) The capacity of an *access to exit* shall be based on the *occupant load* of the portion of the *floor area* served.
- (2) In an *access to exit* the required width of ramps with a slope not more than 1 in 8, doorways, and corridors shall be based on not less than 6.1 mm per person.
- (3) In an *access to exit* the required width of a ramp with a slope more than 1 in 8 shall be based on not less than 9.2 mm per person.
- (4) In an *access to exit* from a *floor area* used or intended to be used for patients or residents in a Group B, Division 2 or Division 3 *occupancy*, the required width of corridors, doorways, and ramps shall be based on not less than 18.4 mm per person.
- (5) The capacity of stairs in an *access to exit* shall conform to the requirements for stairs in Article 3.4.3.2.(1) to (3).

3.4.3.2. Exit Width

- (1) Except as permitted by Sentence (3), the minimum aggregate required width of *exits* serving *floor areas* intended for *assembly occupancies*, *residential occupancies*, *business and personal services occupancies*, *mercantile occupancies*, and *industrial occupancies* shall be determined by multiplying the *occupant load* of the area served by
 - (a) 6.1 mm per person for ramps with a slope not more than 1 in 8, doorways, corridors and passageways,
 - (b) 8 mm per person for a stair consisting of steps whose rise is not more than 180 mm and whose run is not less than 280 mm, or
 - (c) 9.2 mm per person for
 - (i) ramps with a slope more than 1 in 8, or
 - (ii) stairs, other than stairs conforming to Clause (b).
- (2) The minimum aggregate required width of *exits* serving *floor areas* intended for *care or detention occupancy* shall be determined by multiplying the *occupant load* of the area served by 18.4 mm per person.
- (3) The minimum required width of *means of egress* serving a Group A, Division 4 *occupancy* shall be determined by multiplying the *occupant load* of the area served by
 - (a) 1.8 mm per person for
 - (i) aisles,
 - (ii) stairs other than *exit* stairs, and
 - (iii) ramps and passageways in vomitories and *exits*, and
 - (b) 2.4 mm per person for *exit* stairs.



Planning & Zoning Commission Staff Report

Project Name: I-1 Above Ground Storage of Flammable & Combustible Liquids
Project Number: PZ-18-00034
Report Date: April 3, 2018
Meeting Date: April 11, 2018

Applicant

DeBernardi Construction Company

Property Owner

N/A

Project Location

N/A

Zoning

I-1

Public Notification

- Public Hearing Notice Printed
3/24/18 – Rocket Miner

Previous P&Z Action

None

Ordinance References

13-810 D.

Staff Representative

Steve Horton, City Planner

Attachments

- Application
- Proposed language for Ordinance Amendment
- Public Notice
- Utility Review Comments

Request

Petition for Zoning Ordinance Language Amendment to allow above ground storage of flammable and combustible liquids as an accessory use in the I-1 Zone District, not to exceed 6,000 gallons in totality.

Background

The Rock Springs Zoning Ordinance permits above ground storage of flammable and combustible liquids only in the I-2 Zone District. There is no stated limit as to the amount of above ground storage in I-2.

Above ground storage of flammable and combustible liquids is not permitted in the I-1 Zone District.

Analysis

The petitioner, DeBernardi Construction, is requesting an amendment to allow above ground storage in an I-1 Zone District with a limit not to exceed 6,000 gallons in totality.

This request was reviewed by the Utility Review Committee. Codes adopted and enforced by the Building Inspections Department and the Fire Department regulate above ground storage of flammable and combustible liquids. Rocky Mountain Power also enforces codes regarding above ground storage of flammable and combustible liquids.

Basic guidelines for above ground storage of up to 6,000 gallons of flammable and combustible liquids were determined by the Utility Review Committee. These guidelines are listed as follows:

Amend Section 13-810.D. by inserting a new sub-section (4) to read as follows which will permit up to 6,000 gallons of flammable and combustible liquids in the I-1 Zone District:

(4) Above ground outside storage tank(s) of flammable and combustible liquids not to exceed 6,000 gallons in totality, subject to review and approval in accordance with Section 13-904 as a Major Site Plan, and subject to the separation distances set forth below, and compliance with all codes and requirements of the City of Rock Springs:

(a) Distance from any property line abutting a Non-Residential Zone District: 20 feet subject to the separation distances set forth below

(b) Distance from any property line abutting a Residential Zone District: 45 feet

(c) Distance to any Residence or Occupied Building on the same lot: 15 feet

(d) Distance from an energized conductor and equipment shall be 25 feet

Project Name:
Language Amendment

Project #:
PZ-18-00034

Utility Review Comments

Utility Review Comments are attached.

Public Hearing Notification

A Public Hearing Notice was duly published in the Rock Springs Rocket Miner on March 24, 2018

Public Comment

Staff will advise the Commission of any further comments received at the meeting.

Staff Recommendation

Staff will provide a formal recommendation after the Public Hearing on this item.



2018
CITY OF ROCK SPRINGS
LANGUAGE AMENDMENT
APPLICATION

Planning & Zoning Division
212 D Street
Rock Springs WY 82901
307.352.1540 (phone)
307.352.1545 (fax)

Staff Use Only:

Date Received 2-27-2018

File Number: P2-18-00034

Payment Information:

Amount Received: \$200.00

Received by: Steve Horton

Cash or Check Number: 31233

Receipt Number: R-2018-02-28-01044

Date Certified as Complete Application: 2-28-2018

By: Steve Horton

A. CONTACT INFORMATION:

NOTE: The City of Rock Springs will only send correspondence to the names and mailing addresses provided on this application. Attach a separate sheet if necessary.

Petitioner(s) Information:

Name: DeBernardi Construction Company Inc

Mailing Address: 514 G Street

Rock Springs, WY 82901

Email Address: muno@ice@dcc.wyo.com

Phone Number: 307-382-8034 Fax Number: 307-382-8070

Name: _____

Mailing Address: _____

Email Address: _____

Phone Number: _____

Fax Number: _____

B. PLEASE ANSWER THE FOLLOWING ON THE SPACES PROVIDED:

1. Article and Section Number to be amended (The Rock Springs Ordinances are available online at www.rswy.net):
Article 13-B Section 13-B10D

2. Proposed Amendment (attached a separate sheet if necessary):

to allow above ground storage of flammable and combustible liquids
as an accessory use in the I-1 zone district

3. Describe the need for and purpose of the Proposed Amendment:

For I-1 zones to be able to store combustible liquids in accordance
with Sweetwater County Fire Codes.

C. SUBMITTAL REQUIREMENTS:

The following shall be submitted with the application at the time of filing in order for the petition to be complete and scheduled for public hearing with the Planning and Zoning Commission. An incomplete application will not be scheduled for hearing and shall be returned to the applicant.

- ☐ Filing Fee (\$200.00)
- ☐ Completed application, including graphic material if it will assist in understanding the benefits of the amendment.

D. SUBMITTAL DEADLINES:

NOTE: Applications that are not RECEIVED by 3:00 p.m. on the Application Deadline will be postponed until the following month's meeting. If a deadline falls near a City holiday, please contact the Planning Department to verify the days City Hall will be closed to ensure that your application is submitted on time.

	January Meeting	February Meeting	March Meeting	April Meeting	May Meeting	June Meeting	July Meeting	August Meeting	September Meeting	October Meeting	November Meeting	December Meeting
Application Deadline	12/6/2017*	1/22/2018	2/19/2018	3/19/2018	4/16/2018	5/21/2018	6/18/2018	7/16/2018	8/20/2018	9/17/2018	10/22/2018	11/19/2018
Public Hearing Ad	A Public Hearing Notice is prepared by the City of Rock Springs and published in the Rock Springs Rocket Miner Newspaper a minimum of fifteen (15) days prior to the Planning and Zoning Commission Public Hearing.											
P&Z Public Hearing	1/10/2018	2/14/2018	3/14/2018	4/11/2018	5/9/2018	6/13/2018	7/11/2018	8/8/2018	9/12/2018	10/10/2018	11/14/2018	12/12/2018
City Council Hearing Ad	After the Planning and Zoning Commission Public Hearing, a second Public Hearing Notice is prepared by the City of Rock Springs and published in the Rock Springs Rocket Miner Newspaper a minimum of fifteen (15) days prior to the City Council Public Hearing.											
**Council Public Hearing	2/6/2018	3/6/2018	4/3/2018	5/1/2018	6/5/2018	7/3/2018	8/7/2018	9/4/2018	10/2/2018	11/6/2018	12/4/2018	1/8/2019

* Deadline moved due to holiday.

**An Ordinance to amend the Rock Springs Ordinances must be read at three consecutive City Council meetings prior to being accepted.

E. SIGNATURE(S) REQUIRED:

I acknowledge that I have read and understand this application and the pertinent Zoning Ordinance amendment regulations (Sections 13-901 of the Rock Springs City Ordinances).

Signature of Petitioner 

Date 2.27.18

Signature of Petitioner _____

Date _____

(If the petition includes multiple petitioners, all petitioners must sign the application. Attach a separate sheet if necessary.)

Above Ground Outdoor Storage of Flammable and Combustible Liquids Maximum Amounts Permitted per Lot or Parcel			
Zone/District	Maximum Flammable Liquids Permitted in Gallons	Maximum Combustible Liquids Permitted in Gallons	
I-1	6,000	6,000	

Above Ground Outdoor Storage of Flammable and Combustible Liquids Required Setbacks from Tanks (in Feet)			
Total Storage Tank Capacity in Gallons on a Lot or Parcel	Distance from any Property Line Abutting a Non-Residential Zone District	Distance from any Property Line Abutting a Residential Zone District	Distance to Any Residence or Occupied Building on the same lot
275 or less	20	15	5
276 to 750	20	30	10
* 751 to 10,000	20	45	15

ORDINANCE NO. 2018-_____

AN ORDINANCE AMENDING ARTICLE 13-8 OF THE ORDINANCES OF THE CITY OF ROCK SPRINGS, WYOMING, ENTITLED "ZONE DISTRICT REGULATIONS".

WHEREAS, after notice given in the manner and for the time required by law, the Planning and Zoning Commission of the City of Rock Springs held a public hearing on April 11, 2018 on proposed amendments to Article 13-8 of the Ordinances of the City of Rock Springs; and,

WHEREAS, the Planning and Zoning Commission of the City of Rock Springs, Wyoming, voted to recommend approval of the proposed amendments to Article 13-8 of the Ordinances of the City of Rock Springs; and,

WHEREAS, notice of hearing before the governing body of the City of Rock Springs, Wyoming, has been given as required by law, and the governing body has determined that said amendments should be adopted.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ROCK SPRINGS, STATE OF WYOMING:

Section 1. That Article 13-8 of the Ordinances of the City of Rock Springs be amended as follows:

Amend Section 13-810.D. by inserting a new sub-section (4) to read as follows:

(4) Above ground outside storage tank(s) of flammable and combustible liquids not to exceed 6,000 gallons in totality, subject to review and approval in accordance with Section 13-904 as a Major Site Plan, and subject to the separation distances set forth below, and compliance with all codes and requirements of the City of Rock Springs:

- (a) Distance from any property line abutting a Non-Residential Zone District: 20 feet subject to the separation distances set forth below
- (b) Distance from any property line abutting a Residential Zone District: 45 feet
- (c) Distance to any Residence or Occupied Building on the same lot: 15 feet
- (d) Distance from an energized conductor and equipment shall be 25 feet

PASSED AND APPROVED this _____ day of _____, 2018.

ATTEST:

President of the Council

City Clerk

Mayor

1st Reading: _____

2nd Reading: _____

3rd Reading: _____

PUBLIC HEARING NOTICE

TAKE NOTICE that the Rock Springs Planning and Zoning Commission will hold a public hearing in the Rock Springs City Hall Council Chambers at 7:00 p.m., April 11, 2018, where all interested parties will have the opportunity to appear and be heard regarding the following:

An application to consider amending Chapter 13 (ZONING) of the Ordinances of the City of Rock Springs to permit as accessory use in the I-1 Zone District above ground storage tanks for flammable and combustible liquids not to exceed 6,000 gallons.

The following section is proposed for amendment:

Section 13-810.D. Permitted Accessory Uses in the I-1 Zoning District

You may view a copy of the proposed amendments at the Rock Springs Planning Department Office, 212 'D' Street, Rock Springs, Wyoming or on the City's website at: www.rswy.net.

Dated this 24th day of March, 2018

Stephen Horton, Secretary
Planning and Zoning Commission

Publish: March 24, 2018
Bill To: City of Rock Springs



Proposed Development: Zoning Ordinance Language Amendment – I-1 above ground storage of flammable and explosive materials
Utility Review Meeting: March 27, 2018

Utility Review Committee Comments:

City of Rock Springs Engineering Department (Meghan Jackson)

No issues

City of Rock Springs Building Inspections (Jeff Tuttle)

No issues

City of Rock Springs Fire Department (David Rhodes)

Delete B-2 from this amendment. See attachment

Dominion Energy

No issues

City of Rock Springs Water Department (Nick Seals)

No issues

Rocky Mountain Power (Kyle Graham)

Please see attached separation requirements – stay 25 feet from energized conductor and equipment.

Stephen A. Horton, AICP, City Planner

Date

2015 International Fire Code

CHAPTER 23 MOTOR FUEL-DISPENSING FACILITIES AND REPAIR GARAGES



TABLE 2306.2.3
MINIMUM SEPARATION REQUIREMENTS FOR ABOVE-GROUND TANKS

CLASS OF LIQUID AND TANK TYPE	INDIVIDUAL TANK CAPACITY (gallons)	MINIMUM DISTANCE FROM NEAREST IMPORTANT BUILDING ON SAME PROPERTY (feet)	MINIMUM DISTANCE FROM NEAREST FUEL DISPENSER (feet)	MINIMUM DISTANCE FROM LOT LINE THAT IS OR CAN BE BUILT UPON, INCLUDING THE OPPOSITE SIDE OF A PUBLIC WAY (feet)	MINIMUM DISTANCE FROM NEAREST SIDE OF ANY PUBLIC WAY (feet)	MINIMUM DISTANCE BETWEEN TANKS (feet)
Class I protected above-ground tanks	Less than or equal to 6,000	5	25 ^a	15	5	3
	Greater than 6,000	15	25 ^a	25	15	3
Class II and III pro- tected above-ground tanks	Same as Class I	Same as Class I	Same as Class I ^c	Same as Class I	Same as Class I	Same as Class I
Tanks in vaults	0-20,000	0 ^b	0	0 ^b	0	Separate compart- ment required for each tank
Other tanks	All	50	50	100	50	3

For SI: 1 foot = 304.8 mm; 1 gallon = 3.785 L

- At fleet vehicle motor fuel-dispensing facilities, a minimum separation distance is not required.
- Underground vaults shall be located such that they will not be subject to loading from nearby structures, or they shall be designed to accommodate applied loads from existing or future structures that can be built nearby.
- For Class IIIB liquids in protected above-ground tanks, a minimum separation distance is not required.

GASOLINE IS
CLASS IB
DIESEL IS
CLASS II

Electric Service Requirements Manual (ESR) White Paper
for INTERNAL and EXTERNAL use
By Ken Shortt, Director, Rocky Mountain Power Field Engineering
May 2015

Subject: Clearance from Flammable Liquids and Associated Storage Vessels
Section 4

Some jurisdictions may have codes or requirements, including limits on storage tank capacity, which are more restrictive than those of the Power Company. Tank location shall comply with all federal, state, and local distance requirements from buildings, roadways, property lines, other tanks, and overhead and underground electrical lines.

Electrical clearances from flammable liquids and associated storage vessels shall meet NESC Rule 127 *Classified Locations* which leans heavily on the following codes:

Classified Location	Codes Specifically Mentioned in Rule 127							
	NEC 500-517	NEC 500	NEC 501	NFPA 30- 2000	NFPA 30A- 2000	NFPA 58- 2001	NFPA 59- 001	NFPA 59A- 1990
Coal Handling Areas	X	X						
Flammable and combustible liquids	X			X				
Flammable Liquid Storage Area	X							
Loading and Unloading facilities for flammable and combustible material	X			X				
Gasoline Dispensing Stations	X				X			
Boilers	X			X				
Gaseous hydrogen systems for supply equipment	X							
Liquid hydrogen systems	X		X					
Sulfur	X							
Liquefied Petroleum Gas (LPG)	X					X	X	
Natural Gas (methane)	X							X

The Power Company prefers clearances of at least 25 feet in all directions between fuel storage tanks up to 2,000 gallons and electrical equipment or energized lines. This clearance is required for all combustible and non-combustible liquefied petroleum gas and propane stored in DOT or ASME type containers.

If 25 feet of clearance is not possible, the minimum clearances described in this section shall be followed.

Clearances from electrical lines are detailed below.

Surface-Mounted Tanks

1. Surface-mounted fuel storage tanks shall not be located beneath overhead electrical lines. The following minimum horizontal clearances are required between surface-mounted tanks and electrical lines:
 - 15 feet from overhead primary lines (601 V – 22,000 V line to ground)
 - 10 feet from overhead secondary lines. (0 V – 600 V line to ground)
2. Underground cables or conduits shall not be buried under a surface-mounted fuel storage tank. All cables, conduits, and pad mounted equipment shall be 10 feet from the perimeter of the surface-mounted tank.
3. The slope beneath the oil-filled pad mounted equipment shall direct the flow of oil away from the fuel storage tank.
4. With small tanks (125 gallons or less), a clearance of five feet from the meter base to the relief valve of a tank is allowed as long as 10 feet of clearance is kept from the meter to the gauge, vent, or fill connection on the tank.
5. Fuel tanks with permanently mounted generators shall be treated as surface-mounted tanks.

Underground Fuel Storage Tanks

1. Fuel tanks shall not be located above underground electrical lines. Any parts of underground fuel storage tanks must be at least 10 feet from underground electrical lines. The minimum distance may be reduced to five feet if cables are installed in approved conduit.
2. All primary underground cables and pad mounted equipment shall be located at least 10 feet horizontally from the fill opening of underground fuel storage tanks.
3. Electrical equipment shall not be located above an underground fuel storage tank or within five feet of the perimeter of a fuel tank.
4. The slope beneath the oil-filled pad mounted equipment shall direct the flow of oil away from the fuel storage tank.
5. Overhead conductors of 22,000 V line to ground and below shall not be located within:
 - 7.5 horizontal feet, and 13.5 vertical feet of underground fuel storage tanks when conductors are under extreme loading and weather conditions for all states except California.
 - 15 horizontal feet and 15 vertical feet of underground fuel storage tanks when conductors are under extreme loading and weather conditions for California.



Planning & Zoning Commission Staff Report

Project Name: Increase the Number of Weekly Preschool Sessions for Family Child Care Homes

Project Number: PZ-18-00051

Report Date: March 20, 2018

Meeting Date: April 11, 2018

Applicant

Ashley & Brandan Cortshell

Property Owner

N/A

Project Location

N/A

Zoning

R-E, R-1, R-2, R-3, R-4, R-6, B-R

Public Notification

- Public Hearing Notice Printed 3/24/18 – *Rocket Miner*

Previous P&Z Action

None

Ordinance References

13-816.C.

Staff Representative

Steve Horton, City Planner

Attachments

- Application
- Public Notice
- Proposed Ordinance Sections to Amend
- Utility Review Comments

Request

Petition for amendment regarding Family Child Care Homes (FCCH) the B-3 Zone District to increase the number of Preschool Sessions from six (6) per week to ten (10) per week.

Background

The City of Rock Springs allows child daycare to be conducted in both residential and commercial zone districts. It is very popular in Rock Springs for child daycare to be in Residential Zone Districts and in a single-family home environment. Residential daycare is provided in what is termed a Family Child Care Home (FCCH).

The following are important definitions from the Zoning Ordinance:

Family Child Care Home : A licensed child care facility in which care is provided for no more than ten (10) children for part of a day in the primary residence of the provider

Preschool: Pre-Kindergarten instruction provided for children aged 3 to 5 years and normally conducted for a two-to-four-hour period of time (session), said instruction designed to be preparatory for Kindergarten. For the purposes of this ordinance, Preschool may be conducted in a CCC, FCCC or a FCCH

There are three categories of Family Child Care Home (FCCH). All three categories are allowed Preschool sessions limited to no more than two (2) per day and six (6) per week.

- Five (5) or fewer children at any given time, and not located on a roadway that terminates in a cul-de-sac. Requires CUP from Zoning Administrator
- Six (6) to eight (8) children, at any given time, or with less than six (6) children, at any given time, but located in a roadway that terminates in a cul-de-sac. Requires CUP from Zoning Administrator – Approval from Planning & Zoning Commission if more than 50% of surrounding property owners submit written protest.
- Nine (9) or ten (10) children, at any given time. Requires CUP from Planning & Zoning & Zoning Commission.

All three categories require a license from the State of Wyoming and approval from the City of Rock Springs Building Division and Fire Department.

Analysis

The petitioner is requesting that the Preschool Sessions for Family Child Care Home be increased from six (6) per week to ten (10) per week.

Utility Review Comments

Wyoming Department of Family Services, Sharon Pauley

Good morning Steve,

I believe that most cities that regulate hours and days of operation for FCCH's (Family Child Care Home) operating as preschools allow up to two sessions per day for everyday of the work week. Two sessions a day, Monday - Friday or up to 10 sessions per week.

For FCCH's, operating as *daycares in homes*, most cities allow for up to 10 children at any one

time and they state the hours of operation, usually for 10-12 hours a day but less than twenty four hours daily.

Please know that providers and facilities that offer daycare and/ or operate as a preschool in their homes, must meet the same requirements for Licensing.

Truly, the money isn't in preschool for the provider. In order for them to make it, most need to offer a second session in the afternoons throughout the week.

A morning session and an afternoon session.

Six sessions at an average of 2.5 hours, the average length of a preschool class, only allows operation for 15 hours a week and the students and families attend more than one session a week.

Throughout the years, we have had providers operate their business in a great variety of ways within the requirements of Zoning and Licensing.

We have had providers who offered preschool all day for the number of children that they are granted a license for and those children may stay all day.

We have home providers that do *daycare* and "*preschool*" activities for their preschool aged children. They will use wording in the name of their business like, "Susie's Day Care and Preschool". Most of these individuals take a variety of ages and offer "preschool" to the three's - five year olds in their care.

Throughout the years, providers who only offer their business as a preschool, tended to offer preschool to four year olds on M, W, F and three year olds on T and Th.

In general, the four year olds are ready for school three days a week and three old's are good with school two days a week. This was the most common practice. Then, the providers offered an afternoon session.

Preschools in homes who are limited to six sessions per week, limits providers to half of the operating hours that a home "daycare" can operate. It may also limit the days of week or hours of preschool that most children are ready for.

A provider offering two sessions a day, would have much shorter hours of operation verses a home daycare provider. I do believe that if a preschool provider needed or wanted to work full time, offering two sessions a day or 10 sessions a week, that this would be productive and traditionally needed option.

Please know that Ms. Ashley Corthell opened her preschool, Bright Beginnings, in Sept. of 2016. She has no violations or complaints that have been reported to licensing. Ashley and her husband have been very supportive of all requirements.

Thanks for asking for my opinion and please know that what Rock Springs decides, we will do our best to support.

Please feel free to call anytime.

Thank you

Public Hearing Notification

A Public Hearing Notice was duly published in the Rock Springs Rocket Miner on March 24, 2018

Public Comment

Staff will advise the Commission of any further comments received at the meeting.

Staff Recommendation

Staff will provide a formal recommendation after the Public Hearing on this item.



2018
CITY OF ROCK SPRINGS
LANGUAGE AMENDMENT
APPLICATION

Planning & Zoning Division
212 D Street
Rock Springs WY 82901
307.352.1540 (phone)
307.352.1545 (fax)

Staff Use Only:

Date Received 3-19-2018

File Number: P2-18-00051

Payment Information:

Amount Received: 200.00

Received by: Stewart Horton

Cash or Check Number: 199

Receipt Number: R-2018-03-19-02010

Date Certified as Complete Application: 3-19-2018

By: Stewart Horton

A. CONTACT INFORMATION:

NOTE: The City of Rock Springs will only send correspondence to the names and mailing addresses provided on this application. Attach a separate sheet if necessary.

Petitioner(s) Information:

Name: Ashley Cortthell

Mailing Address: 1807 Fillmore Ave.

Rock Springs, WY 82901

Email Address: ajcortthell@gmail.com

Phone Number: 208-221-5819 Fax Number: _____

Name: Brandan Cortthell

Mailing Address: 1807 Fillmore Ave.

Rock Springs, WY 82901

Email Address: bcortthell@gmail.com

Phone Number: 928-308-6914 Fax Number: _____

B. PLEASE ANSWER THE FOLLOWING ON THE SPACES PROVIDED:

- Article and Section Number to be amended (The Rock Springs Ordinances are available online at www.rswy.net):
Article 13-8 Child Care + Preschool Facilities (0816) - Section C.
- Proposed Amendment (attached a separate sheet if necessary):
Family child care homes - 3a3, 3b4 + 3c2
Preschool sessions shall be limited to no more than two (2) per day
and ~~no more~~ (10) per week, pursuant to conditions deemed appropriate by the
Zoning Administrator. Preschool sessions shall be separated by a
minimum of one hour from the time one session ends and the next
session begins.
- Describe the need for and purpose of the Proposed Amendment:
The Proposed Amendment will allow in-home preschool providers to
serve more students and families in the community. As the
ordinance is currently written, we cannot provide enough
sessions for families seeking preschool for their child.

C. SUBMITTAL REQUIREMENTS:

The following shall be submitted with the application at the time of filing in order for the petition to be complete and scheduled for public hearing with the Planning and Zoning Commission. An incomplete application will not be scheduled for hearing and shall be returned to the applicant.

- ☐ Filing Fee (\$200.00)
- ☐ Completed application, including graphic material if it will assist in understanding the benefits of the amendment.

D. SUBMITTAL DEADLINES:

NOTE: Applications that are not **RECEIVED** by 3:00 p.m. on the Application Deadline will be postponed until the following month's meeting. If a deadline falls near a City holiday, please contact the Planning Department to verify the days City Hall will be closed to ensure that your application is submitted on time.

	January Meeting	February Meeting	March Meeting	April Meeting	May Meeting	June Meeting	July Meeting	August Meeting	September Meeting	October Meeting	November Meeting	December Meeting
Application Deadline	12/6/2017*	1/22/2018	2/19/2018	3/19/2018	4/16/2018	5/21/2018	6/18/2018	7/16/2018	8/20/2018	9/17/2018	10/22/2018	11/19/2018
Public Hearing Ad	A Public Hearing Notice is prepared by the City of Rock Springs and published in the Rock Springs Rocket Miner Newspaper a minimum of fifteen (15) days prior to the Planning and Zoning Commission Public Hearing.											
P&Z Public Hearing	1/10/2018	2/14/2018	3/14/2018	4/11/2018	5/9/2018	6/13/2018	7/11/2018	8/8/2018	9/12/2018	10/10/2018	11/14/2018	12/12/2018
City Council Hearing Ad	After the Planning and Zoning Commission Public Hearing, a second Public Hearing Notice is prepared by the City of Rock Springs and published in the Rock Springs Rocket Miner Newspaper a minimum of fifteen (15) days prior to the City Council Public Hearing.											
**Council Public Hearing	2/6/2018	3/6/2018	4/3/2018	5/1/2018	6/5/2018	7/3/2018	8/7/2018	9/4/2018	10/2/2018	11/6/2018	12/4/2018	1/8/2019

* Deadline moved due to holiday.

**An Ordinance to amend the Rock Springs Ordinances must be read at three consecutive City Council meetings prior to being accepted.

E. SIGNATURE(S) REQUIRED:

I acknowledge that I have read and understand this application and the pertinent Zoning Ordinance amendment regulations (Sections 13-901 of the Rock Springs City Ordinances).

Signature of Petitioner Ashtley Cartmell

Date 3/16/18

Signature of Petitioner Brian Kelly

Date 3-16-18

(If the petition includes multiple petitioners, all petitioners must sign the application. Attach a separate sheet if necessary.)

Rock Springs has a high demand for preschools, and currently there are not enough openings for families needing preschool. Our city has an ordinance limiting the number of sessions that in-home preschools can have each week. By increasing this limit, our community needs will be better served, children will develop a love for learning at an early age that correlates to a higher graduation rate, and small businesses will be promoted.

Rock Springs-Chapter 13 Zoning-Article 13-8 Child Care & Preschool Facilities (0816)-C. Family Child Care Homes-3a3, 3b4 & 3c2.

The purpose of this section is to provide for a wide variety of child care and preschool opportunities within the City Limits of Rock Springs, as well as to protect the residential character of neighborhoods and the health and safety of all residents.

Preschool: Pre-Kindergarten instruction provided for children aged 3 years to 5 years and normally conducted for a two-to-four-hour period of time (session), said instruction designed to be preparatory for Kindergarten. For the purposes of this ordinance, preschool may be conducted in a CCC, FCCC or a FCCH.

Preschool sessions shall be limited to no more than two (2) per day and six (6) per week, pursuant to conditions deemed appropriate by the Zoning Administrator. Preschool sessions shall be separated by a minimum of one hour from the time one session ends and the next session begins.

Laramie-Title 15-Unified Development Code, Chapter 15.28-Definitions, 15.28.030-Definitions

A.73.A.d: "Child care home, type 2" means a private residence used for the care of ten or fewer children other than the occupant's own children for a period of less than twenty-four hours per day and requiring a license issued by the Wyoming Department of Family Services or applicable state agency. Child care home, type 2 includes preschools and nursery schools.

Cheyenne-Article I General Provisions.14 Interpretation (Pg.1-24)

Child Care, In-home - Minor: A Service use where preschool care and education is provided for 3 to 10 children for a portion of the day in a residential dwelling. The children are not related to the immediate family except that the provider's own pre-school children shall count towards the total. **Child Care, In-home - Major:** A Service use where preschool care and education is provided for 11 to 15 children for a portion of the day in a residential dwelling. The children are not related to the immediate family except that the provider's own pre-school children shall count towards the total.

Chapter 13 Article 8 Child Care & Preschool Facilities – 0816 C3

Current: *Preschool sessions shall be limited to no more than two (2) per day and six (6) per week, pursuant to conditions deemed appropriate by the Zoning Administrator. Preschool sessions shall be separated by a minimum of one hour from the time one session ends and the next session begins.*

Proposed Change: *Preschool sessions shall be limited to no more than two (2) per day and ten (10) per week, pursuant to conditions deemed appropriate by the Zoning Administrator. Preschool sessions shall be separated by a minimum of one hour from the time one session ends and the next session begins.*

PUBLIC HEARING NOTICE

TAKE NOTICE that the Rock Springs Planning and Zoning Commission will hold a public hearing in the Rock Springs City Hall Council Chambers at 7:00 p.m., April 11, 2018, where all interested parties will have the opportunity to appear and be heard regarding the following:

An application filed by Ashley & Brandon Corthell to consider amending Chapter 13 (ZONING) of the Ordinances of the City of Rock Springs to increase the number from six (6) to ten (10) the number of Preschool Sessions allowed for a Family Child Care Home.

The following section is proposed for amendment:

Section 13-816.C.

You may view a copy of the proposed amendments at the Rock Springs Planning Department Office, 212 'D' Street, Rock Springs, Wyoming or on the City's website at: www.rswy.net .

Dated this 24th day of March, 2018

Stephen Horton AICP
Secretary, Planning and Zoning Commission

Publish: March 24, 2018
Bill To: City of Rock Springs



Proposed Development: Zoning Ordinance Language Amendment – FCCH increase pre-schools sessions per day and per week
Utility Review Meeting: March 27, 2018

Utility Review Committee Comments:

City of Rock Springs Building Inspections (Jeff Tuttle)

No issues

City of Rock Springs Water Department (Nick Seals)

No issues

Dominion Energy

No issues

State of Wyoming – Department of Family Services (Sharon Pauley)

See attached

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"Susie's Day Care and Preschool". Most of these individuals take a variety of ages and offer "preschool" to the three's - five year olds in their care.

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Thanks for asking for my opinion and please know that what Rock Springs decides, we will do our best to support. Please feel free to call anytime.

Thank you

Stephen A. Horton, AICP, City Planner

Date

needed for structural support shall be constructed per the building code.

f. If unusual or expansive soil conditions are found, all foundation elements shall be constructed according to an engineered design including the perimeter wall.

g. If the manufactured home is located in an area identified to be at risk on the adopted mine subsidence map, the foundation design shall include provisions to mitigate the effects of the mine subsidence classification.

(7) Width of Structure. Structure shall be a minimum of twenty-four (24) feet along the widest part of the structure's shortest axis.

(8) Tongues, Towing Devices, Undercarriage Support Structures and Wheels. All tongues, towing devices, undercarriage support structure used solely for transportation to the site and wheels shall be removed from the home and the lot on which the manufactured home is situated.

(9) Other conventionally constructed dwelling not meeting the above listed conditions as approved by the Planning and Zoning Commission.

(10) Placement of prefabricated assemblies at the building site shall be inspected by the Building Official to determine compliance with the City of Rock Springs approved building codes. A certificate of approval by an approved agency shall be furnished with every prefabricated assembly, except where all elements of the assembly are readily accessible to inspection at the site.

W. Mobile or Manufactured Home Sale Lots.

(1) All driving areas and customer and employee parking areas shall be paved with concrete or asphalt and shall properly control drainage.

(2) Mobile or Manufactured Home Display Lots shall have a paved driving surface, a minimum fifteen (15) feet wide, for the purpose of delivery of the mobile or manufactured homes.

(3) Areas intended for setup of the display unit shall be covered with a

minimum of six (6) inches of road base and two (2) inches of gravel.

(4) Area shall be free of nuisances at all times.

(5) Display units adjacent to street right-of-ways shall have temporary skirting or decorative fencing suitable to screen undercarriage support systems and wheels from adjacent right-of-ways.

X. Drive-up Windows.

Drive-up windows, including those for banks, convenience food restaurants, liquor stores, pharmacies, etc., shall have stacking room for waiting vehicles as follows:

- (1) A minimum of four (4), twenty foot long spaces, as measured along the inside arc of any curved driveway, shall be provided at the drive-up window, as measured beginning at the midpoint of the window;
- (2) A minimum of four (4), twenty foot long spaces, as measured along the inside arc of any curved driveway, shall be provided for the menu board (if applicable), as measured beginning at the midpoint of the menu board;
- (3) All spaces for waiting vehicles shall be positioned so that there will be no obstruction of any other parked vehicle, traffic drive aisle, access drive, approach, building entrance, building exit or pedestrian travel way; and
- (4) All spaces for waiting vehicles shall be located entirely on the private property of the drive-up use and shall not encroach upon the public right-of-way or adjoining properties.

(Ord. 2011-02, 3/1/11)

13-816 Child Care and Preschool Facilities

A. Purpose. The purpose of this section is to provide for a wide variety of child care and preschool opportunities within the City Limits of Rock Springs, as well as to protect

the residential character of neighborhoods and the health and safety of all residents.

B. Definitions.

Child Care Center (CCC): Any business operated by a private person, partnership, association or corporation that is operating a business for profit or otherwise, in a building used solely for commercial purposes, where sixteen (16) or more children receive care for part of the day.

Family Child Care Home (FCCH): A licensed child care facility in which care is provided for no more than ten (10) children for part of a day in the primary residence of the provider.

Family Child Care Center (FCCC): A child care facility in which care is provided for a maximum of fifteen (15) children for part of a day, which may be in a residential or commercial type structure. (In the City of Rock Springs, FCCCs shall be permitted only in non-residential structures).

Preschool: Pre-Kindergarten instruction provided for children aged 3 years to 5 years and normally conducted for a two-to-four-hour period of time (session), said instruction designed to be preparatory for Kindergarten. For the purposes of this ordinance, preschool may be conducted in a CCC, FCCC or a FCCH.

C. Family Child Care Homes

- (1) Family child care homes shall be exempt from the requirement of obtaining a home occupation permit and shall, instead, obtain a conditional use permit, as set forth in this section.
- (2) Family Child Care Homes shall obtain all required licenses from the State of Wyoming and shall also be approved by the City of Rock

Springs Building Division and Fire Department.

- (3) When listed in this ordinance as a conditionally permitted use in a residential zoning district, family child care homes shall comply with the following requirements, dependent upon the number of children and the location of the child care home:

- (a) FCCH with five (5) or fewer children, at any given time, and not located on a roadway that terminates in a cul de sac:

1. The Zoning Administrator or designee shall review the proposed application and have authority for issuing the Conditional Use Permit, including attachment of any conditions deemed necessary to protect the health, safety and welfare of the neighborhood.

2. Adjoining property owner notice shall not be required.

3. Preschool sessions shall be limited to no more than two (2) per day and six (6) per week, pursuant to conditions deemed appropriate by the Zoning Administrator. Preschool sessions shall be separated by a minimum of one hour from the time one session ends and the next session begins.

- (b) FCCH with six (6) to eight (8) children, at any given time, or with less than six (6) children, at any given time, but located on a roadway that terminates in a cul de sac:

1. The Zoning Administrator or designee shall review the proposed application and have authority for issuing the Conditional Use Permit, including attachment of any conditions deemed necessary to protect the health, safety and/or welfare of the neighborhood.
 2. Property owners located within 200 feet of the boundaries of the property proposed for the FCCH shall receive written notification of the proposed child care in accordance with the provisions of §13-905, Conditional Use Permits.
 3. Should more than 50 percent of the property owners notified under the provisions of this section submit a written protest to the Zoning Administrator, the FCCH application shall be forwarded to the Planning & Zoning Commission for review. The Planning and Zoning Commission shall have the authority to approve or deny the application or to attach any such conditions of approval as deemed necessary to protect the health, safety and welfare of the neighborhood.
 4. Preschool sessions shall be limited to no more than two (2) per day and six (6) per week, pursuant to conditions deemed appropriate by the Zoning Administrator. Preschool sessions shall be separated by a minimum of one hour from the time one session ends and the next session begins.
- (c) FCCH with nine (9) or ten (10) children, at any given time:
 1. The FCCH application shall be processed in accordance with the provisions of §13-905, Conditional Use Permits.
 2. Preschool sessions shall be limited to no more than two (2) per day and six (6) per week. Preschool sessions shall be separated by a minimum of one hour from the time one session ends and the next session begins.
 - (d) FCCH Conditional Use Permits shall be issued to a specific provider for a specific property. Should the FCCH provider move to a new location, a new FCCH Conditional Use Permit shall be required.
 - (e) FCCH Conditional Use Permits shall not run with the land. Subsequent providers on the same property shall require a separate FCCH Conditional Use Permit
 - (f) Should a FCCH Conditional Use Permittee fail to operate a FCCH for a period more than 365 consecutive calendar days, the Permit shall be deemed expired. A new permit application, including any and

all fees and notifications, and approval shall be required prior to recommencement of the FCCH operation.

(g) The Planning & Zoning Commission shall have the right to revoke or revise any FCCH Conditional Use Permit, whether issued by staff or by the Commission, should legitimate complaints be lodged by property owners located within 200 feet of the FCCH that the child care facility/preschool has adverse impacts on the health, safety and/or welfare of the neighborhood.

(h) The Planning & Zoning Commission shall have the right and authority to revoke any FCCH Conditional Use Permit for failure to comply with the conditions of approval established therein.

D. Family Child Care Centers (FCCC). Family Child Care Centers shall be permitted in non-residential structures (i.e., churches, schools, public buildings and commercial buildings, as permitted by Zoning District). FCCCs shall not be permitted in residential structures or dwelling units. All requirements of §13-816.E., Child Care Centers, shall apply to FCCCs, including the review and approval process.

E. Child Care Centers (CCC).

(1) Child Care Centers shall be approved via a Conditional Use Permit, as set forth in §13-905, and shall also obtain Occupation Tax Application approval from the City of Rock Springs prior to commencement of use.

(2) Child Care Centers shall obtain all required licenses from the State of Wyoming and shall also be approved by the City of Rock Springs Building Division and Fire Department.

(3) Child Care Centers shall comply with the following requirements, regardless of the Zoning District in which they are located:

(a) CCCs shall provide 0.25 off-street parking spaces per child per maximum session, plus 1 space per each employee. Required parking shall be installed, inspected and approved prior to commencement of the use. CCCs located in the B-3 Zoning District may be exempted from this requirement if the applicant can demonstrate there is adequate on-street or public parking located within 300 feet of the main entrance of the CCC building to meet the City's parking standard.

(b) CCC Conditional Use Permits shall be issued to a specific property. Should the CCC provider move to a new location, a new CCC Conditional Use Permit shall be required.

(c) CCC Conditional Use Permits shall run with the land, provided:

i. All personnel employed within a CCC shall obtain the required permits from the State of Wyoming prior to

commencement of use,
and

- ii. Any changes in the originally approved permit, including increase in the number of children; movement, relocation, expansion or reduction in the size of the child care operation within the structure; or increase in the number of staffing, shall require review of the Conditional Use Permit application and may require modification of the existing permit or issuance of a new permit, if so deemed necessary by the Zoning Administrator.

(d) The Planning & Zoning Commission shall have the right to revoke or revise any CCC Conditional Use Permit should legitimate complaints be lodged by property owners located within 200 feet of the CCC, or by the public, that the child care facility/preschool has adverse impacts on the health, safety and/or welfare of the neighborhood.

(e) The Planning & Zoning Commission shall have the right and authority to revoke any CCC Conditional Use Permit for failure to comply with the conditions of approval established therein.

(Ord. 2010-10, 1/4/11)

13-817 Wind Energy Conversion Systems

A. Purpose.

The purpose of this section is to provide standards for placement of

Wind Energy Conversion Systems (WECSs) within the City of Rock Springs, while achieving the following goals:

- (1) Promoting the safe, effective and efficient use of WECSs in order to reduce consumption of fossil fuels associated with production of electricity; and
- (2) Preserving and protecting public health, safety, welfare and quality of life by minimizing the potential adverse impacts of WECSs; and
- (3) Establishing standards and procedures for siting, design, engineering, installation, operation and maintenance of WECSs; and
- (4) Promoting wind energy development to meet some or all of the electrical energy needs of a property through WECSs placed on that property. Development of large-scale WECSs for export of wind energy is not consistent with the purpose or intent of this ordinance.

B. Definitions.

- (1) "A-Weighted Sound Level (dbA)" means a measurement of sound pressure level, which has been filtered or weighted to progressively deemphasize the importance of frequency components below one thousand hertz (1,000 Hz) and above five thousand hertz (5,000 Hz). This reflects the fact that human hearing is less sensitive at low frequencies and at extremely high frequencies, relative to the mid-range of the frequency spectrum. This area of sensitivity also corresponds to the human speech band.
- (2) "Decibel (db)" means the measurement of a sound pressure relative to the logarithmic conversion of the



Planning & Zoning Commission Staff Report

Project Name: Gunsight Estates Preliminary (Revised) and Final Plat, Phase 3

Project Number: PZ-18-00049

Report Date: March 23, 2018

Meeting Date: April 11, 2018

Applicant

Jon (KC) Doak
Gunsight Properties
46 Reliance Road
Rock Springs, WY 82901

Property Owners

Gunsight Properties, Inc
46 Reliance Road
Rock Springs, WY 82901

Engineer

Shawn Arnoldi
William H. Smith & Associates
404 N Street, Suite 201
Rock Springs, WY 82901

Project Location

North of Reagan Avenue and Gunsight Estates Phases 1&2

Existing Zoning

R-1 (Low Density Residential)

Property Owner Notification

Mailed to owners within 200'

Previous P&Z Action

6/12/13 – Sketch Plat review
8/11/13 – Preliminary Plat approved
11/13/13 – Final Plat approved Ph. 1
11/14/15 – Final Plat approved Ph. 2

Ordinance References

§16-503

Staff Representative

Steve Horton AICP City Planner

Attachments

- Application
- Public Notice
- Utility Review Comments
- Adjacent Property Notice / Owners

Request

Request for Preliminary Plat (Revised) and Final Plat approval of Gunsight Estates, Phase 3, consisting of 48 lots and totaling 9.38 acres.

Background

All three phases of the Gunsight Estates Subdivision include parts of the original Federal Lots 18, 19, and 20.

The platting process for this subdivision has proceeded with the following timeline:

Sketch Plat for Phases 1,2,3: Reviewed by the Planning and Zoning Commission on June 12, 2013

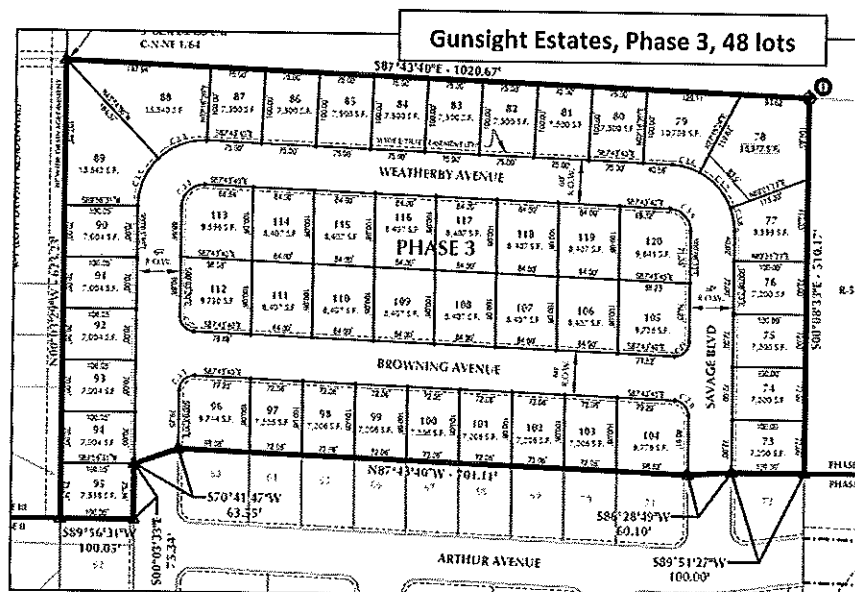
Preliminary Plat Phase 1: Reviewed by the Planning and Zoning Commission on September 11, 2013 and subsequently approved by the City Council on October 11, 2013.

Final Plat for Phase 1: Reviewed by the Planning and Zoning Commission on November 13, 2013 and subsequently approved by the City Council on January 7, 2014.

Revised Preliminary Plat for Phase 2,3: Reviewed by the Planning and Zoning Commission on September 9, 2015 and approved by the City Council on October 20, 2015

Final Plat for Phase 2: Reviewed and approved by the Planning & Zoning Commission on October 14, 2015, and subsequently approved by the City Council on November 17, 2015

Per §16-905.S of the Subdivision Ordinance, the developer is required to either provide 7% of the gross area of the subdivision for parkland dedication or fees in lieu of parkland dedication in the amount of 10% of the land value prior to the subdivision. The Land Dedication requirements for the proposed subdivision (all three phases) have been met by the dedication and construction of the park/detention area located along Reagan Avenue in Phase 1.



Project Name:

Gunsight Estates Final Plat, Phase 3

Size and Location

Legal Description – Phase 3 of Gunsight Estates

Know all men by these presents that the undersigned GUN SIGHT PROPERTIES, INC., being the owner, proprietor, or parties of interest in the land shown on this plat, do hereby certify:

That the foregoing PHASE 3 - FINAL PLAT designated as GUNSIGHT ESTATES, is located in the E1/2 of the NE1/4 of Section 28, (being a portion of Federal Lots 18, 19 and 20 of Section 28, Resurvey of T. 19 N., R. 105 W., of the 6th P.M., the City of Rock Springs, Sweetwater County, Wyoming, and is more particularly described as follows:

Commencing at a found 3" BLM Brass Cap and the C-N-NE 1/64th corner of said Section 28; also being the TRUE POINT OF BEGINNING;

Thence S 87° 43' 40" E, 1020.67 feet along the Northerly Property Boundary Line of said GUNSIGHT ESTATES - PHASE 3 to a point on the Westerly boundary line of a tract of land owned by FHP2, LLC;

Thence S 00° 08' 33" E, 510.17 feet along the Westerly Property Boundary Line of a tract of land owned by FHP2, LLC to the Northeast corner of Gunsight Estates - Phase 2;

Thence S 89° 51' 27" W, 100.00 feet along the Northerly Property Boundary Line of Gunsight Estates - Phase 2;

Thence continuing along the Northerly Property Boundary Line of Gunsight Estates - Phase 2
S 86° 28' 49" W, 60.10 feet;

Thence continuing along the Northerly Property Boundary Line of Gunsight Estates - Phase 2 N 87° 43' 40" W, 701.11 feet;

Thence continuing along the Northerly Property Boundary Line of Gunsight Estates - Phase 2 S 70° 41' 47" W, 63.55 feet;

Thence continuing along the Northerly Property Boundary Line of Gunsight Estates - Phase 2 S 00° 03' 33" E, 75.34 feet;

Thence continuing along the Northerly Property Boundary Line of Gunsight Estates - Phase 2 S 89° 56' 31" W, 100.05 feet to a point on the Easterly Property Boundary Line of Pronghorn Estates Subdivision;

Thence N 00° 03' 29" W, 623.23 feet along the Easterly Boundary Line of Pronghorn Estates Subdivision to the TRUE POINT OF BEGINNING;

and contains a total area of 12.41 acres, more or less, and that this subdivision, as it is described and as it appears on this plat, is made with the free consent and in accordance with desires of the undersigned owners and proprietors, and that this is a correct plat of the area as it is divided into lots, blocks, streets and easements, and that the undersigned owners of the land shown and described on this plat do hereby dedicate to the City of Rock Springs and its licensees for perpetual public use: all streets, alleys, easements for the purposes designated and other lands within the boundary lines of the plat as indicated and not otherwise dedicated for public use.

All rights under and by virtue of the homestead exemption laws of the State of Wyoming are hereby waived and released.

Project Name:

Gunsight Estates Final Plat, Phase 3

Surrounding Land Use and Zoning

North - R-1 (Low Density Residential)	Vacant Diocese of Cheyenne Property
South - R-1 (Low Density Residential) R-5 (High Density Residential)	Gunsight Phase 2 Preserve Apartments Phase 2
West - R-1 (Low Density Residential)	Pronghorn Estates Sub. Hunters Ridge Sub. Phases 8, & 9
East - R-5 (High Density Residential)	

Gunsight Estates Subdivision, Phase 1 – Colorado Interstate Gas Pipeline (Right-of-Way)

The Gunsight Estates Phase 1 pictures below show how well the pedestrian path turned out over the pipeline in that phase. Between the asphalt and the rock, these areas are very low maintenance and provide protection over the pipeline. Eventually, private fences will go up on either side of the pipeline, making the area even more attractive.



Project Name:

Gunsight Estates Final Plat, Phase 3

Property Owner Notification

Property owner notices were mailed to property owners located within 200 feet of the boundaries of the proposed subdivision.

Staff Recommendation

Staff will make a formal recommendation following public comment at the meeting. At a minimum, staff recommends the following:

1. All Utility Review conditions shall be met. This list is attached.

In addition, staff has advised the applicant that the plat will not be scheduled for City Council approval until the following items are provided:

1. Construction Drawings approved by all City Departments.
2. Engineer's Cost Estimate approved by City Engineering.
3. Mylar with all final revisions, signed by property owner, developer, and surveyor.
4. Recording Fee of \$75.00 made payable to Sweetwater County.
5. City Council Approval Process:
Option 1: Post a Financial Guarantee in the amount of 125% of the cost of subdivision improvements, OR
Option 2: Request, in the form of a Subdivision Improvement Agreement (see attached example), that the City Council approve the Final Plat but instruct the Planning Department to withhold the approved Final Plat from recording for a period of time to allow the subdivider to install all of the required public improvements.



2018
CITY OF ROCK SPRINGS
FINAL PLAT
APPLICATION

Planning & Zoning Division
212 D Street
Rock Springs WY 82901
307.352.1540 (phone)
307.352.1545 (fax)

Staff Use Only:

Date Received 3-19-2018

File Number: P2-18-00050

Payment Information:

Amount Received: 960.00

Received by: Stewart Horton

Cash or Check Number: 001044

Receipt Number: 12-2018-03-19-01999

Date Certified as Complete Application: _____

By: _____

A. SUBDIVISION NAME AND PHASE: (Complete a separate application for each phase):

Gunsight ESTATES PHASE 3

B. CONTACT INFORMATION:

NOTE: The City of Rock Springs will only send correspondence to the names and mailing addresses provided on this application. Attach a separate sheet if necessary.

Petitioner Information:

Petitioner Name: KC DOAK

Company Name: Gunsight Properties, Inc.

Street Address: 46 Reliance Road

City: Rock Springs State: WY Zip Code: 82901

Email Address: tdoak@hdcwy.com

Phone Number: _____ Fax Number: _____
(including area code) (including area code)

Property Owner Information:

Name: SAME AS ABOVE

Company Name: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Email Address: _____

Phone Number: _____ Fax Number: _____
(including area code) (including area code)

Engineer / Surveyor Information: Name: SHAWN M. ARNOLD

Company Name: WHS

Street Address: 404 N. STREET, SUITE 201

City: Rock Springs State: WY Zip Code: 82901

Email Address: sarnold1@whsmithpc.com

Phone Number: 307 362-6065 Fax Number: 307 362-6064
(including area code) (including area code)

C. PLEASE ANSWER THE FOLLOWING ON THE SPACE PROVIDED (if applicable):

1. Acreage of property: PHASE 3 = 12.42 ACRES
2. Present zoning of property (if multiple zoning districts are included in the proposed subdivision, provide the acreage of each zoning district and show the zoning boundary): R-1 (Single Family Residential)
3. Number of lots in the subdivision: 48 lots

D. INSTRUCTIONS FOR FILING / SUBMITTAL CHECKLIST:

This checklist must be completed and submitted as part of the Final Plat Application. All items as listed within this checklist shall be submitted with the application and/or shown on the Final Plat or supporting documentation. Items that need to appear on the plat are listed under "Plat Items". Any missing information shall constitute an INCOMPLETE application. INCOMPLETE applications will be returned and will NOT be reviewed by the City of Rock Springs until a COMPLETE application is submitted.

- ☒ Final Plat Application (including checklist) completed and signed. NOTE: It is mandatory that the property owner of record sign the application. Applications missing the property owner of record's signature shall be deemed as incomplete.
- ☒ Final Plat Filing Fee. (\$200.00 plus \$20.00 for each lot in excess of ten (10) lots up to a maximum fee of \$1,000.00)
- ☒ 20 full size copies of the Final Plat and all supporting documentation. In addition to the 20 full size copies, one reduced copy no larger than 11" x 17" must also be submitted.
- ☒ 1 - PDF scanned at full-size of Final Plat drawing (submitted electronically to city_planner@rswy.net)
- ☒ Legal description for the property included in the Final Plat. The legal description shall be provided electronically in Word format or emailed to city_planner@rswy.net. The Legal Description shall appear on the Final Plat and shall also be submitted on a separate sheet.
- ☒ The Final Plat and required supporting material shall conform to the design and engineering standards set forth in the Subdivision Ordinance and to any conditions of approval specified by the Planning and Zoning Commission and the City Council.
- ☒ The Final Plat shall conform to the Preliminary Plat.

E. FINAL PLAT ITEMS:

- ☒ The Final Plat shall be prepared and certified to its accuracy by a registered land surveyor licensed in the State of Wyoming.
- ☒ In addition to the required copies listed above, the mylar of the Final Plat must be submitted to the Planning Department as part of the application submittal.
- ☒ The Final Plat shall be clearly and legibly drawn in black, waterproof India ink upon tracing linen, mylar of .004 inch in thickness (minimum) or some similar stable base material.
- ☒ Required affidavits, certificates and acknowledgements shall be legibly printed on the Plat in opaque ink.
- ☒ Sheet size of all Final Plats shall be 24" high by 36" wide.
- ☒ Information on the Plat shall be so positioned that a 1 1/2" margin remains on the left side and a 1/2" margin is left on the three remaining sides.

- ☒ Prepared at a scale of 1" = 100' or larger for subdivision where the majority of lots are less than five (5) acres in size. The scale may be reduced to 1" = 200' for subdivision in which the minimum lot size is five (5) acres or more.
- ☒ Each sheet of the Final Plat shall be numbered and the total number of sheets comprising the plat shall be stated on each sheet (for example: Sheet 2 of 4). The relationship of one sheet to the other shall be shown by key maps and by match lines.
- ☒ Final platting may be accomplished in stages covering reasonable portions of the area of an approved Preliminary Plat. When this is done, each sheet of the Final Plat shall contain a vicinity map showing the location of the portion being submitted in relationship to the area for which the Preliminary Plat was submitted. All Final Plats so submitted shall be of the same scale, shall have identical titles, legends and other information, and shall have match lines so that mosaics of the entire subdivision can be developed. Each stage of the subdivision shall be as nearly self-sustaining and complete as possible and shall itself, or in conjunction with previous stages, meet the design standards set forth in these regulations so that if development is interrupted or discontinued after one or more stages is completed, a viable development will result. The subdivision shall be constructed in the order in which phases are numbered. Altering phasing of the subdivision shall require re-submittal and approval of a new Preliminary Plat.
- ☒ The submitted Final Plat shall contain the notarized signatures of the owner or owners, mortgagees, or others with an equitable or legal interest in the land of whatever nature and the signature of the registered land surveyor. In addition, the mortgagees, if any, shall provide the City with a letter confirming that they are aware of the subdivision and concur with the subdivision filing.
- ☒ The name of the subdivision at the top center of each sheet.
- ☒ General location of the subdivision by section, township, range, county, and state, entered under the name of the subdivision.
- ☒ Date, scale and north arrow.
- ☒ Boundary lines of the subdivision in a heavy solid line.
- ☒ Legal description of the subdivision boundary based on an accurate traverse, giving bearing and linear dimensions that result in a maximum allowable error of closure on one (1) part in ten thousand (10,000).
- ☒ The location and description of the point of beginning and its proper reference to the monumented boundary survey.
- ☒ Location and description of all monuments.
- ☒ Bearings, distances, and curve data of all perimeter boundary lines indicated outside of the boundary lines.
- ☒ On curved boundaries and on all curves within the Plat, sufficient data to allow the reestablishment of the curves on the ground.
- ☒ The location and layout of lots, blocks, tracts, streets, alleys, easements, and other public grounds within and immediately adjoining the Plat, with accurate dimensions in feet and one-hundredths of feet (1/100), bearings, curve data, length of radii and/or arcs of all curves.
- ☒ Drainage easements and drainage detention areas, clearly labeled as such and a note indicating the ownership and maintenance responsibility of the drainage easements and drainage detention areas.
- ☒ The names of all streets.
- ☒ All lots logically and consecutively numbered in the center of the lot.
- ☒ All dimensions shown on irregularly shaped lots.

- ☒ Parcels completely or partially surrounded by the area being subdivided shall be clearly marked "EXCEPTED," and the common boundary with the subdivision shown in a heavy solid line with bearings and distances.
- ☒ A notation of the total acreage of the subdivision, the total number of lots, and a breakdown of total acreage for street right-of-ways, parkland, open space, drainage detention or other public areas.
- ☒ A notarized certificate by all parties having any titled interest in or lien upon the land, consenting to the recording of the plat and dedicating public ways, grounds, and easements. All signatures shall be in permanent, black ink. Certification shall read as stated in Section 16-503.(F).17. of the Rock Springs Subdivision Ordinance.
- ☒ Certificate of a registered land surveyor as stated in Section 16-503.(F).18. of the Rock Springs Subdivision Ordinance.
- ☒ Certificate of review of the Department of Engineering and Operations as stated in Section 16-503.(F).19. of the Rock Springs Subdivision Ordinance.
- ☒ Certificate of approval by the City of Rock Springs Planning and Zoning Commission as stated in Section 16-503.(F).20. of the Rock Springs Subdivision Ordinance.
- ☒ Certificate of acceptance and approval by the City Council of the City of Rock Springs as stated in Section 16-503.(F).21. of the Rock Springs Subdivision Ordinance.
- ☒ Certificate for recording by the County Clerk and Recorder as stated in Section 16-503.(F).22. of the Rock Springs Subdivision Ordinance.
- ☒ When the plat of a subdivision or resubdivision intends to vacate an existing easement, the location of the easement shall be shown on the plat with a notation that it is being vacated by the plat.
- ☒ In the case of a resubdivision of an existing subdivision or portion of a subdivision, a declaration statement as stated in Section 16-503.(F).23. of the Rock Springs Subdivision Ordinance shall appear above the Mayor's signature or below the title.
- ☒ Drainage Easement Statement - In a subdivision that has drainage easements, the following statement shall appear on the plat: "Maintenance and upkeep of drainage easements will be the responsibility of the individual lot owner. Fences, walls or footings that would impede drainage flows within those drainage easements and regrading of drainage easements shall not be permitted."
- ☒ Floodplain - If a subdivision lies within a one hundred (100) year floodplain, the following statement shall appear on the face of the final plat and all contracts and agreements relating to the subdivision: "THIS SUBDIVISION IS (OR THE FOLLOWING LOTS ARE) LOCATED IN THE ONE HUNDRED YEAR FLOOD PLAIN AS DEFINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY."
- ☒ Mined Areas - If a subdivision lies over a known mined area, the following statement shall appear on the face of the final plat and all contracts and agreements relating to the subdivision: "THIS SUBDIVISION IS (OR THE FOLLOWING LOTS ARE) LOCATED OVER KNOWN MINED AREAS."

F. FINAL PLAT SUPPORTING DOCUMENTATION TO BE SUBMITTED WITH APPLICATION:

- ☒ Four (4) copies of the Drainage Report meeting the criteria as specified in Section 16-503.G.(2) of the Rock Springs Subdivision Ordinance.
- ☒ Four (4) copies of the Soils Report meeting the criteria as specified in Section 16-503.G.(3) of the Rock Springs Subdivision Ordinance.
- ☒ Four (4) copies of the Grading, Drainage and Development Plan meeting the criteria as specified in Section 16-503.G.(4) of the Rock Springs Subdivision Ordinance.
- ☒ Six (6) copies of the Construction Plans and Details meeting the criteria as specified in Section 16-503.G.(5) of the Rock Springs Subdivision Ordinance.
- ☒ Dust Control Plan - A dust control plan must be submitted to the City Engineer for approval before any construction begins.
- ☒ Title Opinion - Evidence satisfactory to the City must be submitted showing all taxes and assessments due on the property to be subdivided have been paid in full, showing title or control of the property to be subdivided and showing the property to be subdivided as free and clear of any liens. An attorney's title opinion or ownership and encumbrance report from a land title company shall be considered satisfactory evidence. Such an opinion or report shall also note any reservation for mineral rights and the existence of any mineral or oil and gas leases.
- ☒ Deeds - When required by the City, assurance that a warranty deed or other acceptable instrument conveying to the city or other appropriate public agency any public lands other than streets, alleys or easements shown on the Final Plat and title insurance if required by the City on the subject parcel, shall be presented to the City upon approval of the Final Plat. The method of assurance will be approved by the City Attorney.
- ☒ Fees in Lieu of Park Land - Payment of any fees in lieu of public land dedication or any initial payment and a payment schedule keyed to subdivision development.
- ☒ Recording Fee - \$75.00 in the form of a check made out to Sweetwater County.
- ☒ Financial Guarantee - A contractor's performance bond, an irrevocable letter of credit, funds in escrow or other appropriate commitment to guarantee the complete and timely development of any facilities or improvements which are the subdivider's responsibility. The bond shall be in an amount of 125% of the Engineer's Cost Estimate, as approved by the City Engineer. The Engineer's Cost Estimate shall be submitted as part of the Final Plat submittal.
- ☒ Easements: If the subdivider proposes to utilize adjoining property for water lines, drainage, sewer lines, power lines, or other utilities, the subdivider shall provide copies of the recorded binding easements of not less than twenty (20) feet in width for the proposed facilities from each property owner over whose land such services shall extend. The Final plat shall show the Book and Page number as recorded in the Office of the County Clerk and Recorder for all recorded easements.

G. FINAL PLAT REVIEW PROCEDURE:

- ❖ Within three (3) working days of submittal, the Planning Department shall review the application for conformance with the Final Plat submittal requirements. If the application does not conform to the submittal requirements, the application will be deemed as incomplete, the subdivider will be notified and the application will be returned.
- ❖ Agency Review – After it is determined that a complete Final Plat submittal has been made, the Planning Department shall refer material to appropriate agencies for review and comment (a utility review meeting will be held).
- ❖ At least seven (7) days prior to the Planning and Zoning Commission at which the plat is to be considered, the Planning Department shall notify the owners of subdivided and unplatted land within 200 feet of the boundaries of the proposed subdivision of the time and date of the meeting.
- ❖ The Planning and Zoning Commission shall review the Final Plat in a public meeting. In reviewing the Final Plat, the Commission shall consider oral or written statements from the applicant, the public, City staff, and the Commission. The Commission may recommend approval, conditional approval, disapproval or may table the Final Plat.
- ❖ Approval of the Final Plat by the Planning and Zoning Commission shall remain effective for 12 calendar months. A Final Plat which has not received approval of the City Council within 12 calendar months following Planning and Zoning Commission approval shall be subject to the requirements of Section 16-502 (Preliminary Plat). The subdivider may apply in writing for, and the Commission may, for cause shown, grant a six month extension to the 12 month period.
- ❖ Upon being notified of the comments and any necessary approvals of reviewing agencies, the Planning Department shall forward the Final Plat, comments and approvals of reviewing agencies, pertinent supporting materials, and the recommendations of the Planning Commission to the City Council. Incomplete Final Plats for which necessary approvals have not been secured shall not be forwarded to Council for action.
- ❖ City Council Action - The City Council shall either approve the Final Plat or disapprove the Final Plat and notify the subdivider of the conditions to be met to gain approval. If a disapproved Final Plat is modified and resubmitted to the City Council at a later date for their consideration, the Council may require the concurrent submittal of an updated ownership and encumbrance report or title opinion.
- ❖ Filing With County Clerk - Upon approval by the City Council of the Final Plat, the subdivider shall submit payment for the recording fee to the Planning Department within sixty (60) days after approval of the Final Plat by the City Council. The Planning Department shall transmit the subdivider's recording fee and the duly approved and executed Final Plat to the County Clerk and Recorder for the filing of the Final Plat among the official records of the County.
- ❖ Alternate Approval Procedure - As an alternate procedure and at the request of the subdivider, the City Council may approve a Final Plat and instruct the Planning Department to withhold the approved Final Plat from recording for a period of time to allow the subdivider to install all of the required public improvements according to the plans and specifications approved by the City Engineer. (NOTE: Since the plat will not be recorded, lots cannot be sold). This procedure, when approved by the Council, shall be in lieu of the guarantees for installation or improvements as set forth in Section 16-503 (G).9. of the Subdivision Ordinance. NOTE: If decided to petition the City Council to accept the "Alternate Approval Procedure" in lieu of the financial guarantee, contact the City Planning Department to receive a sample agreement. Be advised that the City Council has the right to refuse the Alternate Approval Procedure and has the right to require the financial guarantee as required in Section 16-503.G.(9).
 - An executed standard contract as approved by the City Attorney regarding installation of improvements shall be submitted with the Final Plat. (Contact the Planning Department for a sample contract)
 - The contract shall require that all improvements be completed no later than twelve (12) months from the date the Final Plat was approved by the City Council.
 - The subdivider may apply in writing for, and the Council may, for cause shown, by Resolution grant a six (6) month extension to the twelve (12) month period.
 - After all improvements are inspected and approved by the Governing Body, by resolution, the Plat shall be recorded by the Department in accordance with Section 16-503(J), and the sale of lots may proceed according to the approved and recorded plat.
 - Building permits for structures will not be issued within the subdivision until the plat is recorded and the requirements of Section 16-808 are met.
 - If after receiving approval of the alternate approval procedure the subdivider chooses to submit a Financial Guarantee in accordance with Section 16-503.G.(9), the subdivider shall provide the City Engineer an Engineer's Cost Estimate of the remaining improvements.
 - After approval of the cost estimate by the City Engineer, the Financial Guarantee shall be submitted and approved by the Governing Body of the City of Rock Springs by resolution and the filing of the plat shall proceed as specified in Section 16-503.J.

H. CONSTRUCTION / IMPROVEMENT CHECKLIST:

The following checklist is provided to make the property owner / developer / engineer aware of the City's Subdivision Ordinance pertaining to subdivision improvements and the process for acceptance of such improvements:

- ☒ Release of Financial Guarantee - As improvements are completed, inspected and approved by the City Engineer, the subdivider may apply to the City for a release of a proportionate part of any collateral deposited with the City.
- ☒ Design by Professional Engineer - All public improvements must be designed by a professional engineer, licensed to do such work in the State of Wyoming.
- ☒ On Site Representative - The developer shall designate, in writing, the name of the agent who shall be available at all times during construction progress and who shall not be replaced without a written notice to the City Engineer. The agent will be the developer's representative at the site and shall have the authority to act on the developer's behalf.
- ☒ Installation of Improvements - The subdivider shall install the following improvements in a timely manner and in accordance with plans, specifications, and data as approved by the City Engineer. Refer to Section 16-805 of the Rock Springs Subdivision Ordinance for installation criteria of the water main system, fire hydrants, storm drainage system, sanitary sewer system, streets (including transportation plan streets), street grading and surfacing, street lights, streets name signs and traffic control signs, utilities and other facilities and improvements.
- ☒ Monuments:
 - o The owner and subdivider shall, at his expense, install monuments at all subdivision boundary corners which shall be marked with two (2) inch diameter brass caps. These caps may be set in concrete or be affixed to thirty (30) inch lengths of galvanized pipe and shall be properly marked for identification as to location, shall carry the true elevation, shall be referenced if subject to destruction, and again shall show the proper identification and license of the certifying surveyor.
 - o Perimeter ties shall be shown to all Section, Quarter Section and Sixteenth Section Lines.
 - o Block and lot corners, Points of Tangency and Points of Curve of all curves shall be marked by a distinctive survey corner marker. Where section lines and quarter section lines intersect the center line of any street, reference shall be given to the nearest section corner or quarter corner.
 - o The placement of all monuments shall be under the supervision of the Director of Engineering and Operations, and the owner may be required to pay a reasonable charge for the inspection service.
- ☒ As-Built Plans -
Prior to the approval and acceptance of any completed improvements, as-built plans must be submitted to the City Engineer in accordance with Section 16-806 of the Rock Springs Subdivision Ordinance.
- ☒ Acceptance of Improvements - At any time after the completion of construction of public streets and their inspection by the Director of Engineering and Operations, the subdivider may request that the City accept maintenance of the streets. The City Council may accept maintenance of streets, sewers, and rights-of-way if all work is in compliance with City specifications and requirements at the time of acceptance providing the developer presents to the City a one year warranty on the construction. (This requires a resolution by the City Council)
- ☒ Issuance of Building Permits - Building Permits may be issued for lots within a subdivision only after final plat approval is granted by the City Council and water and sewer service is stubbed to the lots. Occupancy permits for buildings shall not be issued until the installation of subdivision improvements is completed (including acceptance of the improvements as outlined above), which shall include curb, gutter, sidewalk and paving. NOTE: Building Permits will not be issued for any structure within a subdivision following the Alternate Approval Procedure.
- ☒ Compliance with Drainage Plans - Subdivision drainage plans, and individual lot drainage plans, must be complied with. Upon completion of final subdivision grading and prior to building permits being issued, a certified topographic survey verifying final grades with proposed grades shall be submitted. Spot elevations shall be given for all inverts, low points and flowing entry and exit points. Plot plans for Building Permits must show, and be consistent with, the drainage plan approved for the lot. Individual lot drainage plans included on the Preliminary Plat shall also be included on the Final Plat Construction Plans. Occupancy Permits for buildings shall not be issued until a certified survey showing final grading has been submitted and approved by the City. (See Section 16-808 for additional requirements.) Lot drainage must remain consistent with the drainage plan approved for the lot.

I. FINAL PLAT SUBMITTAL DEADLINES:

NOTE: Applications that are not received by Noon on the Application Deadline will be postponed until the following month's meeting. If a deadline falls near a City holiday, please contact the Planning Department to verify the days City Hall will be closed to ensure that your application is submitted on time.

	January Meeting	February Meeting	March Meeting	April Meeting	May Meeting	June Meeting	July Meeting	August Meeting	September Meeting	October Meeting	November Meeting	December Meeting
Submittal Deadline	12/6/2017*	1/22/2018	2/19/2018	3/19/2018	4/16/2018	5/21/2018	6/18/2018	7/16/2018	8/20/2018	9/17/2018	10/22/2018	11/19/2018
Review of Completeness	Within three (3) working days after the submittal, the Planning Department shall review the application for conformance with the Final Plat submittal requirements. If the application does not conform to the submittal requirements, the application will be deemed as incomplete, the subdivider will be notified, and the application will be returned.											
Utility Meeting	Utility Review Meetings are held <u>at least</u> 6 days after application submittal. Utility Review Meetings are generally held on Tuesday afternoons and are scheduled in the order in which applications are submitted. A memo will <u>only</u> be sent to the parties listed on the application so be sure to provide all addresses of whom you would like to be invited to the meeting. It is required that the petitioner or an assigned representative attend the meeting. SEE NOTE BELOW.											
Adjacent Owner Notice	Property Owner Notices are prepared by the City of Rock Springs and are mailed to property owners within 200' of the effected property a minimum of seven (7) days prior to the Planning and Zoning Commission Public Hearing.											
P&Z Meeting	1/10/2018	2/14/2018	3/14/2018	4/11/2018	5/9/2018	6/13/2018	7/11/2018	8/8/2018	9/12/2018	10/10/2018	11/14/2018	12/12/2018
Approximate Council Meeting **	2/6/2018	3/6/2018	4/3/2018	5/1/2018	6/5/2018	7/3/2018	8/7/2018	9/4/2018	10/2/2018	11/6/2018	12/4/2018	1/8/2019

*Deadline moved due to holiday.

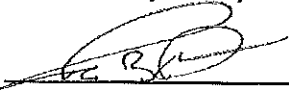
**** Date is the first possible date of the City Council Meeting. The Final Plat will not be placed on the City Council Agenda until ALL required documents, approvals, and financial guarantees have been received and all necessary corrections have been made and reviewed.**

BE ADVISED: Utility review meetings are scheduled in the order in which applications are submitted to the City. In the event that a utility review meeting cannot be scheduled prior to the Planning and Zoning Commission Meeting due to the number of applications that are received ahead of your application, your application will have to be postponed until the following month's Planning and Zoning Commission meeting. Therefore, it is in your best interest to submit your application prior to the application deadline listed on the above table. **

J. SIGNATURE(S) REQUIRED:

I acknowledge that I have read and understand this application and the pertinent regulations. I further agree if the application is approved, I will comply with all pertinent regulations and conditions as set forth by the City of Rock Springs. I certify that the information provided with this application is true and correct. I further certify that I understand that any missing items shall constitute an INCOMPLETE application and that INCOMPLETE applications will be returned and will NOT be reviewed by the City of Rock Springs until a complete application is submitted.

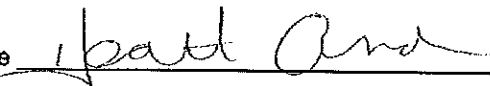
Signature of Petitioner



Date

3-14-18

Signature of Mortgagee



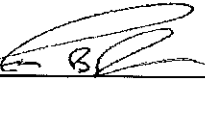
Date

3-15-18

Signature of Owner*

Date

Signature of Owner*



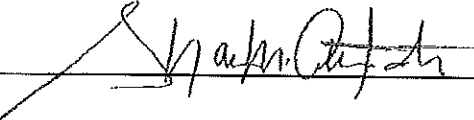
Date

3-14-18

Signature of Owner*

Date

Signature of Engineer



Date

3/16/18

* Please note: All property owners of record and mortgagees must sign the subdivision application, as well as the mylar for the Final Plat. Attach additional pages, if necessary.

Legal Description - Phase 3 of Gunsight Estates

Know all men by these presents that the undersigned GUN SIGHT PROPERTIES, INC., being the owner, proprietor, or parties of interest in the land shown on this plat, do hereby certify:

That the foregoing PHASE 3 - FINAL PLAT designated as GUNSIGHT ESTATES, is located in the E1/2 of the NE1/4 of Section 28, (being a portion of Federal Lots 18, 19 and 20 of Section 28, Resurvey of T. 19 N., R. 105 W., of the 6th P.M., the City of Rock Springs, Sweetwater County, Wyoming, and is more particularly described as follows:

Commencing at a found 3" BLM Brass Cap and the C-N-NE 1/64th corner of said Section 28; also being the TRUE POINT OF BEGINNING;

Thence S 87° 43' 40" E, 1020.67 feet along the Northerly Property Boundary Line of said GUNSIGHT ESTATES - PHASE 3 to a point on the Westerly boundary line of a tract of land owned by FHP2, LLC;

Thence S 00° 08' 33" E, 510.17 feet along the Westerly Property Boundary Line of a tract of land owned by FHP2, LLC to the Northeast corner of Gunsight Estates - Phase 2;

Thence S 89° 51' 27" W, 100.00 feet along the Northerly Property Boundary Line of Gunsight Estates - Phase 2;

Thence continuing along the Northerly Property Boundary Line of Gunsight Estates - Phase 2
S 86° 28' 49" W, 60.10 feet;

Thence continuing along the Northerly Property Boundary Line of Gunsight Estates - Phase 2 N 87° 43' 40" W, 701.11 feet;

Thence continuing along the Northerly Property Boundary Line of Gunsight Estates - Phase 2 S 70° 41' 47" W, 63.55 feet;

Thence continuing along the Northerly Property Boundary Line of Gunsight Estates - Phase 2 S 00° 03' 33" E, 75.34 feet;

Thence continuing along the Northerly Property Boundary Line of Gunsight Estates - Phase 2 S 89° 56' 31" W, 100.05 feet to a point on the Easterly Property Boundary Line of Pronghorn Estates Subdivision;

Thence N 00° 03' 29" W, 623.23 feet along the Easterly Boundary Line of Pronghorn Estates Subdivision to the TRUE POINT OF BEGINNING;

and contains a total area of 12.41 acres, more or less, and that this subdivision, as it is described and as it appears on this plat, is made with the free consent and in accordance with desires of the undersigned owners and proprietors, and that this is a correct plat of the area as it is divided into lots, blocks, streets and easements, and that the undersigned owners of the land shown and described on this plat do hereby dedicate to the City of Rock Springs and its licensees for perpetual public use: all streets, alleys, easements for the purposes designated and other lands within the boundary lines of the plat as indicated and not otherwise dedicated for public use.

All rights under and by virtue of the homestead exemption laws of the State of Wyoming are hereby waived and released.

PUBLIC HEARING NOTICE

TAKE NOTICE that a request has been filed with the City of Rock Springs by Jon (KC) Doak (petitioner) and represented by Shawn Arnoldi (William H. Smith & Associates) for **PRELIMINARY PLAT (REVISED) AND FINAL PLAT** approval for Gunsight Estates Phase 3, a proposed subdivision in the City of Rock Springs. The boundaries of the proposed subdivision are described as follows:

Know all men by these presents that the undersigned GUN SIGHT PROPERTIES, INC., being the owner, proprietor, or parties of interest in the land shown on this plat, do hereby certify:

That the foregoing PHASE 3 – PRELIMINARY PLAT (REVISED) and FINAL PLAT designated as GUNSIGHT ESTATES, is located in the E1/2 of the NE1/4 of Section 28, (being a portion of Federal Lots 18, 19 and 20 of Section 28, Resurvey of T. 19 N., R. 105 W., of the 6th P.M., the City of Rock Springs, Sweetwater County, Wyoming, and is more particularly described as follows:

Commencing at a found 3" BLM Brass Cap and the C-N-NE 1/64th corner of said Section 28; also being the TRUE POINT OF BEGINNING;

Thence S 87° 43' 40" E, 1020.67 feet along the Northerly Property Boundary Line of said GUNSIGHT ESTATES - PHASE 3 to a point on the Westerly boundary line of a tract of land owned by FHP2, LLC;

Thence S 00° 08' 33" E, 510.17 feet along the Westerly Property Boundary Line of a tract of land owned by FHP2, LLC to the Northeast corner of Gunsight Estates - Phase 2;

Thence S 89° 51' 27" W, 100.00 feet along the Northerly Property Boundary Line of Gunsight Estates -

Phase 2;

Thence continuing along the Northerly Property Boundary Line of Gunsight Estates - Phase 2

S 86° 28' 49" W, 60.10 feet;

Thence continuing along the Northerly Property Boundary Line of Gunsight Estates - Phase 2 N 87° 43' 40" W, 701.11 feet;

Thence continuing along the Northerly Property Boundary Line of Gunsight Estates - Phase 2 S 70° 41' 47" W, 63.55 feet;

Thence continuing along the Northerly Property Boundary Line of Gunsight Estates - Phase 2 S 00° 03' 33" E, 75.34 feet;

Thence continuing along the Northerly Property Boundary Line of Gunsight Estates - Phase 2 S 89° 56' 31" W, 100.05 feet to a point on the Easterly Property Boundary Line of Pronghorn Estates Subdivision;

Thence N 00° 03' 29" W, 623.23 feet along the Easterly Boundary Line of Pronghorn Estates Subdivision to the TRUE POINT OF BEGINNING;

and contains a total area of 12.41 acres, more or less, and that this subdivision, as it is described and as it appears on this plat, is made with the free consent and in accordance with desires of the undersigned owners and proprietors, and that this is a correct plat of the area as it is divided into lots, blocks, streets and easements, and that the undersigned owners of the land shown and described on this plat do hereby dedicate to the City of Rock Springs and its licensees for perpetual public use: all streets, alleys, easements for the purposes designated and other lands within the boundary lines of the plat as indicated and not otherwise dedicated for public use.

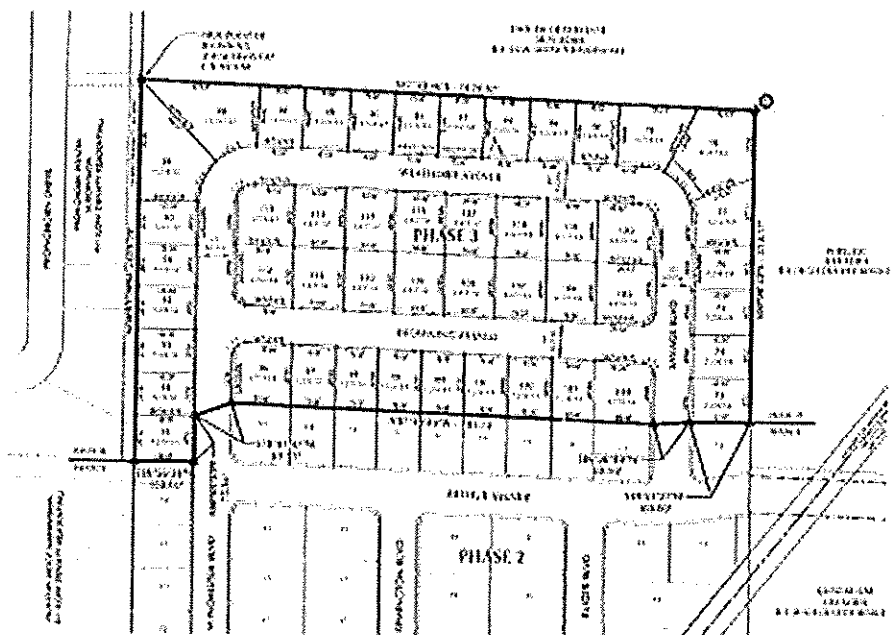
All rights under and by virtue of the homestead exemption laws of the State of Wyoming are hereby waived and released.

And that a public hearing for the petition will be held before the Rock Springs Planning and Zoning Commission on April 11, 2018 at 7:00 p.m. in the Rock Springs City Hall Council Chambers. The public is invited to attend.

Dated this 24th day of March 2018.

Stephen A. Horton, AICP
Secretary, Planning and Zoning Commission

Bill to: City of Rock Springs
Publish: March 24, 2018





Proposed Development: Gunsight Estates – Revised Preliminary Plat & Final Plat, Phase 3
Utility Review Meeting: March 27, 2018

Utility Review Committee Comments:

City of Rock Springs Engineering Department (Meghan Jackson)

1. Design and construction in accordance with City of Rock Springs Ordinances
2. Construction Plans are still being reviewed and will be submitted
3. After looking through the construction drawings for Gunsight Estates Phase 3, we realized the pedestrian easement for the Pronghorn Subdivision didn't continue through to the third phase of Gunsight. I will make this comment on the construction drawings punch list, but the final plat, and I believe the preliminary plat, will need to be resubmitted showing the connectivity between the subdivisions. The Engineering Department has not signed off on the Final Plat, so I don't believe it will be a big deal to resubmit both plats for approval. From my understanding, the Planning Department typically relays all comments from the City to the Developer/Engineer regarding the Final and Preliminary Plat. Once I have complied all punch list items for the construction drawings, I will send you a memo. Please let me know if you have any other questions.

Rocky Mountain Power (Kyle Graham)

1. Request to serve must be completed by developer
2. Will need to verify street lighting with City Engineer
3. Will be planning subdivision power layout and will get road crossing to developers engineer

City of Rock Springs Water Department (Nick Seals)

1. All sewer must be installed per City of Rock Springs standards

City of Rock Springs Water Department (Clint Zambai)

2. All materials must be installed to City of Rock Springs and Joint Power Water Board Specs
3. All hydrants and valves must be Kennedy Brand

City of Rock Springs Fire Department (David Rhodes)

1. Fire hydrants shown at lots 86/87 and 79/80 are more than the 500 ft spacing allowed
2. Same issue from Phase 2 and hydrants at lots 91/92 and 74/75
3. New hydrants must flushed and flow \geq 1500 GPM prior to any combustible materials brought onto any Phase 3 lot.

The Planning and Zoning Commission will review this item on April 11, 2018 at 7:00 p.m. in the City Hall Council Chambers. The applicant and/or a representative is required to attend.

The following items need to be submitted prior to scheduling this item for City Council approval:

1. Construction Drawings approved by all City Departments.
2. Engineer's Cost Estimate approved by City Engineering.
3. Mylar with all final revisions, signed by property owner, developer, and surveyor.
4. Recording Fee of \$75.00 made payable to Sweetwater County.
5. City Council Approval Process:

Option 1: Post a Financial Guarantee in the amount of 125% of the cost of subdivision improvements prior to scheduling this item for City Council approval. Lots may be sold only after the Final Plat has been approved by the City Council and recorded at the County. Building permits may be issued once water and sewer service is stubbed to the lots. Occupancy permits for buildings shall not be issued until the installation of subdivision improvements is completed and said improvements are accepted by the City Council.

-OR-

Option 2: Request, in the form of a Subdivision Improvement Agreement (see attached example), that the City Council approve the Final Plat but instruct the Planning Department to withhold the approved Final Plat from recording for a period of time to allow the subdivider to install all of the required public improvements. An executed standard contract as approved by the City Attorney regarding installation of improvements shall be submitted with the Final Plat. The contract shall require that all improvements be completed no later than twelve (12) months from the date the Final Plat was approved by the City Council. The subdivider may apply in writing for, and the Council may, for cause shown, by Resolution grant a six (6) month extension to the twelve (12) month period. After all improvements are inspected and approved by the City Council, the Final Plat shall be recorded and lots may be sold. Building permits for structures will not be issued within the subdivision until the plat is recorded.

Included in this request is a Revised Preliminary Plat which will require a Public Hearing with the City Council.

Stephen A. Horton, AICP, City Planner

Date



Department of Public Services

212 D Street, Rock Springs, WY 82901

Tel: 307-352-1540 Fax: 307-352-1545

www.rswy.net

March 27, 2018

Dear Property Owner / Interested Party:

This letter is to inform you that KC Doak, representing Gunsight Properties, Inc, has submitted a request for Preliminary Plat (Revised) and Final Plat Approval for Gunsight Estates Phase 3 which is north of Reagan Blvd and adjacent to Gunsight Estates Phase 2, Rock Springs, Wyoming. Records show that this property is adjacent to or near property you own (*see the location map below*). The following summarizes the requests:

- 1) The applicant is requesting **Preliminary Site Plan (Revised) and Final Plat Phase 3** approval for the 3rd phase of Gunsight Estates. A public hearing is required for this request. The Rock Springs **Planning and Zoning Commission** will review this request at a public hearing to be held on **Wednesday, April 11, 2018 at 7:00 p.m.** in the Rock Springs City Hall Council Chambers, 212 'D' Street, Rock Springs, Wyoming. Interested persons or parties are encouraged to attend the meeting or submit written comments.

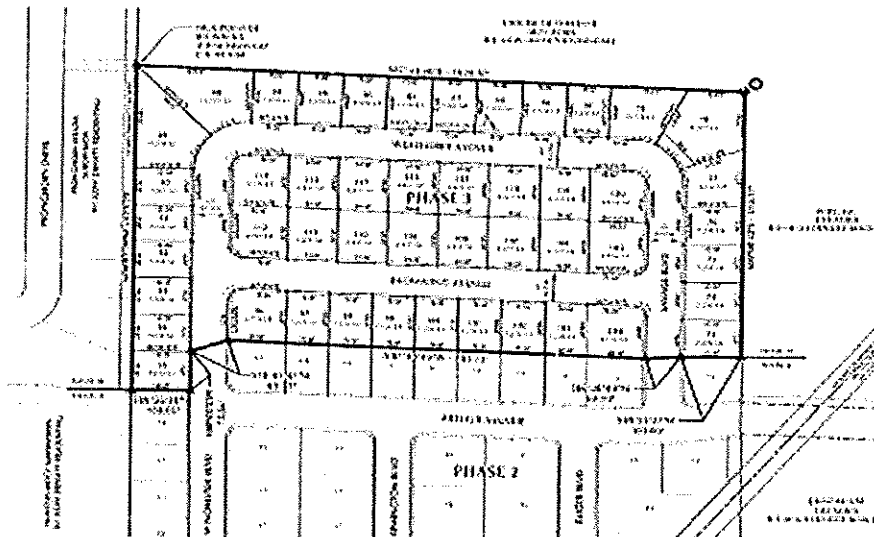
If you would like to comment on any part of this project, you may attend the meeting or hand deliver, fax, email or mail your written comments to the following:

Planning and Zoning Division
Attn: Stephen Horton, City Planner
212 'D' Street
Rock Springs, WY 82901
steve_horton@rswy.net

Written comments will be accepted no later than Noon on April 11, 2018. If you have any questions regarding this information, please contact the Planning and Zoning Division at (307) 352-1540.

Sincerely,

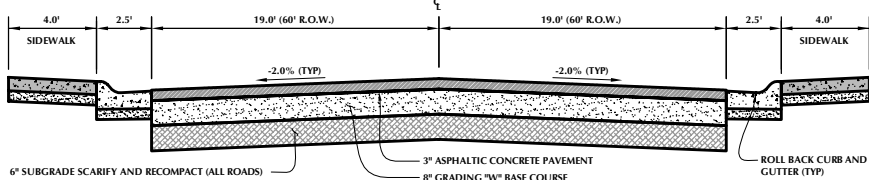
Stephen Horton, AICP
City Planner



Name	Add1
DUNCAN KORRINE F & CHANCEY N	1209 PRONGHORN DR
ANDERSON TERRY B & MONICA R	1213 PRONGHORN DR
HAGER AARON W & KRISTEN E	1205 PRONGHORN DR
SMITH REED K & MELINDA K	1301 PRONGHORN DR
CHADEY LYNNE A	2216 ARTHUR AVE
WESTBROOK DEMETRIUS & PHYSHAUNT	1217 PRONGHORN DR
BALDWIN BRADY M & AMANDA K	1116 APPLEWOOD DR
DIEMOZ JEREMY R & SARA A	1113 APPLEWOOD DR
QUESTAR GAS CO	ATTN JAROM CALL TAX SPECIALIST
PENNINGTON JAMES & TAMMY	1221 PRONGHORN DR
AMUNDSEN CONSTRUCTION INC	BART AMUNDSEN
CALVEY DANIEL & CHRISTY	1300 PRONGHORN DR
LINCOLN JONATHAN C	2220 ARTHUR AVE
HAMILTON RANDY W	2169 ARTHUR AVE
BERNATIS TERRY D & DANIELLE A	1230 PRONGHORN DR
GUN SIGHT PROPERTIES INC	46 RELIANCE RD
FHP2 LLC ATTN: HIGH COUNTRY REALTY	1471 DEWAR DR STE 132
OGDEN SAMUEL & KRISTOL	1114 WINCHESTER BLVD
PERIMAN BRANDON M &	FELDERMAN CORTNEY A
UHRIG NATHAN R & JENNIFER S	1117 APPLEWOOD DR
HAAPALA PAUL D & ELISE A	1226 PRONGHORN DR
TANGEN KRISTA L	1222 PRONGHORN DR
MULLINS MIKE K	1218 PRONGHORN DR
KNUDSEN CHANDLER C & ASHLEY M	1304 PRONGHORN DR
DIOCESE OF CHEYENNE THE	C/O HOLLY SPIRIT CATHOLIC COMMUNITY
City of Rock Springs	212 D Street

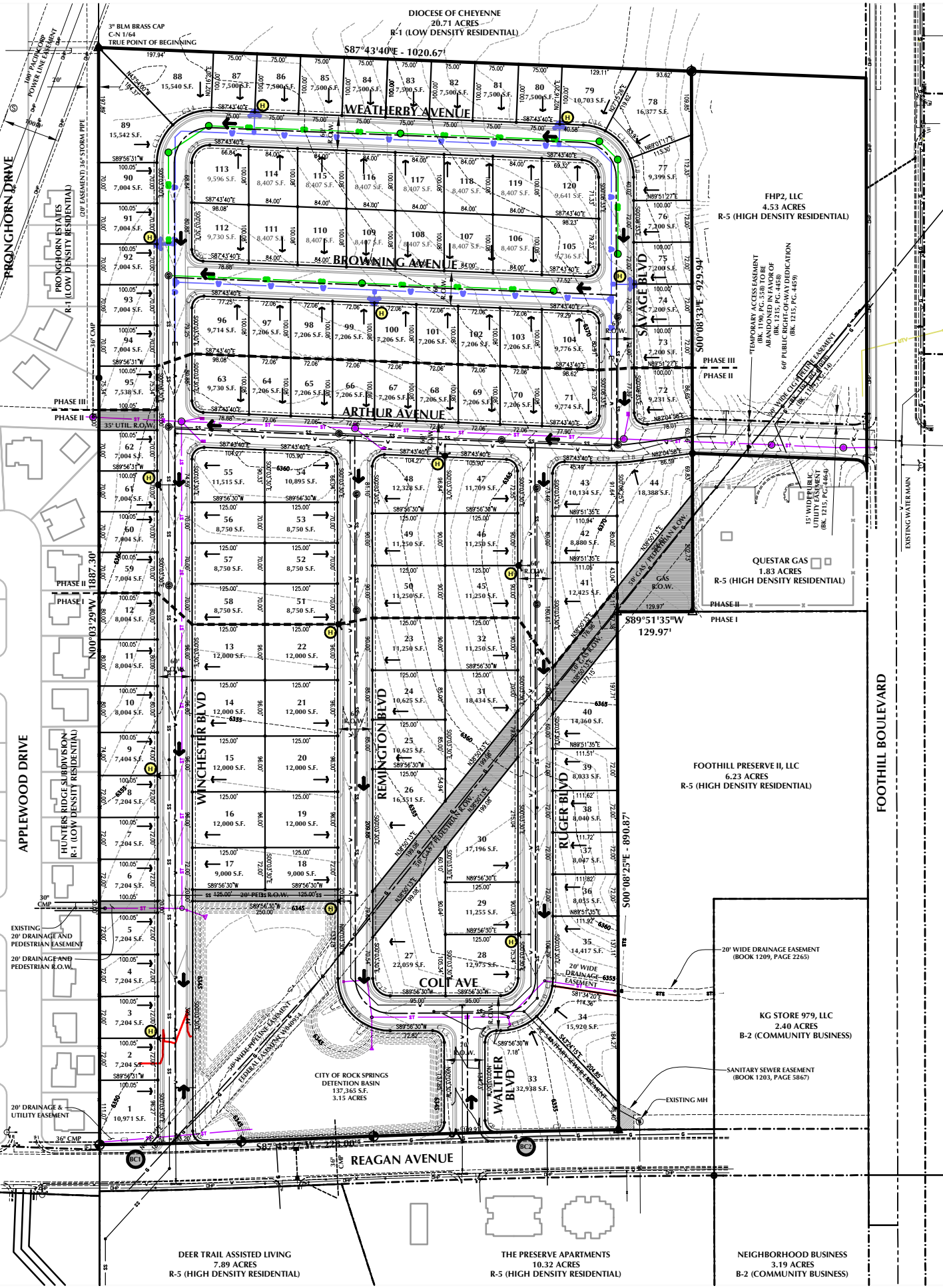
GUNSIGHT ESTATES REVISED PRELIMINARY PLAT

A TRACT OF LAND IN THE E1/2 NE1/4 OF SECTION 28
(LOCATED IN A PORTION OF FEDERAL LOTS 18, 19 AND FEDERAL LOT 20 OF SECTION 28)
RESURVEY OF TOWNSHIP 19 NORTH, RANGE 105 WEST, 6TH PRINCIPAL MERIDIAN
ROCK SPRINGS, SWEETWATER COUNTY, WYOMING



ROADWAY TYPICAL SECTION

NOTE:
THE FINAL PLAT FOR PHASE 1 OF THIS SUBDIVISION WAS RECORDED ON JANUARY 24, 2014.
THE PUBLIC SUBDIVISION IMPROVEMENTS FOR PHASE 1 WERE ACCEPTED BY THE CITY OF
ROCK SPRINGS ON OCTOBER 7, 2014. NO CHANGES ARE PROPOSED TO PHASE 1 WITH
RESPECT TO THIS REVISED PRELIMINARY PLAT.



LEGAL DESCRIPTION

Know all men by these presents that the undersigned FHP2, LLC, being the owner, proprietor, or parties of interest in the land shown on this plat, do hereby certify:

That the foregoing PRELIMINARY PLAT designated as the GUNSIGHT ESTATES, is located in the E1/2 of the NE1/4 of Section 28, (being a portion of Federal Lots 18, 19 and 20 of Section 28, Resurvey of T. 19 N., R. 105 W., of the 6th P.M., the City of Rock Springs, Sweetwater County, Wyoming, and is more particularly described as follows:

Commencing at a found 3\"/>

Thence S 87° 43' 40\"/>

Thence S 00° 08' 33\"/>

Thence S 89° 51' 35\"/>

Thence S 00° 08' 25\"/>

Thence along the Northerly Right of Way Line of Reagan Avenue and along said curve through a central angle of 01° 29' 00\", 421.42 feet, said curve having a chord bearing of S 88° 30' 04\"/>

Thence continuing along the Northerly Right of Way Line of Reagan Avenue S 87° 45' 27\"/>

Thence continuing along the Northerly Right of Way Line of Reagan Avenue and along said curve through a central angle of 01° 46' 13\", 243.45 feet, said curve having a chord bearing of S 88° 38' 33\"/>

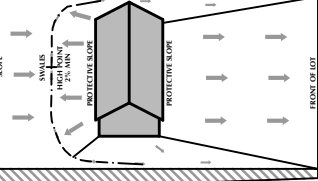
Thence N 00° 03' 29\"/>

and contains a total area of 40.76 acres, more or less.

LEGEND - GRADING AND DRAINAGE

ROADWAY DRAINAGE ARROWS

LOT DRAINAGE ARROWS



LOT GRADING TYPE C
DRAINAGE DIRECTED TOWARD FRONT OF DWELLING
TYPICAL - ALL LOTS

NOTES:

EASEMENTS:

ALL EASEMENTS ARE 5' UNLESS OTHERWISE NOTED ON THIS PRELIMINARY PLAT.

WATER:

GUNSIGHT ESTATES WILL BE SERVED BY AN 8\"/>

SANITARY:

GUNSIGHT ESTATES WILL BE SERVED BY AN 8\"/>

ZONING:

CURRENT ZONING IS R1 (LOW DENSITY RESIDENTIAL) PROPOSED ZONING IS R1 (LOW DENSITY RESIDENTIAL)

SOILS/DRAINAGE:

PRELIMINARY SOILS/DRAINAGE INVESTIGATIONS HAVE BEEN COMPLETED AND THERE IS NO EVIDENCE OF ANY SPECIAL MEASURES OR MITIGATION PROCEDURES REQUIRED.

FEMA:

THE CITY OF ROCK SPRINGS DETENTION BASIN IS LOCATED IN THE 100 YEAR FLOODPLAIN AS DEFINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

GUNSIGHT ESTATES

TOTAL PARCEL ACREAGE	40.76 ACRES
TOTAL LOTS - ALL PHASES	26.73 ACRES 122 LOTS
TOTAL LOTS - PHASE 1	10.44 ACRES 40 LOTS
TOTAL LOTS - PHASE 2	6.91 ACRES 32 LOTS
TOTAL LOTS - PHASE 3	9.38 ACRES 48 LOTS
PUBLIC RIGHT OF WAY	9.52 ACRES
GAS LINE / UTILITY / PEDESTRIAN RIGHT OF WAY	1.36 ACRES
DETENTION BASIN TRACT	3.15 ACRES

NOTE:
LOTS 26, 27, 30, 33, 41 AND 44 CANNOT BE SPLIT IN THE FUTURE WITHOUT GOING THROUGH THE RE-SUBDIVISION PROCESS.

TOPOGRAPHIC LEGEND

—	PROPERTY BOUNDARY
- - -	PROPERTY LINES
- - -	EASEMENT LINES
- - -	PHASE LIMITS
—●—	EXISTING WATER MAIN W/ FIRE HYDRANT "PHASE 1 AND 2"
—●—	PROPOSED WATER MAIN W/FIRE HYDRANT "PHASE 3"
—●—	EXISTING SANITARY SEWER MAIN W/MANHOLE "PHASE 2"
—●—	PROPOSED SANITARY SEWER MAIN W/MANHOLE "PHASE 3"
—●—	EXISTING STORM SEWER MAIN W/MANHOLE
- - -	EXISTING CONTOURS (1' INTERVALS)

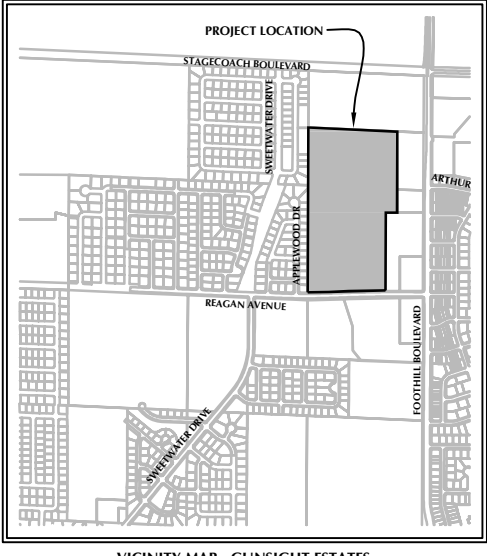
SURVEY CORNER LEGEND

●	PROPERTY BOUNDARY CORNER TO BE SET
△	PROPERTY BOUNDARY CORNER FOUND
●	LOT CORNER TO BE SET (PHASE 1 CORNERS ARE SET)

CURVE	LENGTH	RADIUS	DELTA	CHORD B.	CHORD L.
BC1	243.45'	7879.00'	1°46'13"	N88°38'31"E	243.44'
BC2	421.42'	16279.00'	1°29'00"	S88°30'04"W	421.40'
C3	87.57'	7879.00'	0°38'13"	N88°12'34"E	87.57'
C4	93.20'	7868.50'	0°40'43"	N88°33'07"E	93.20'
C5	32.10'	20.00'	91°57'22"	S46°02'11"E	28.76'
C6	30.78'	20.00'	88°10'42"	N44°01'51"E	27.83'
C7	109.91'	16279.00'	0°23'13"	S88°18'48"W	109.91'
C8	31.92'	20.00'	91°26'06"	S45°46'23"E	28.64'
C9	209.15'	16279.00'	0°44'10"	S88°52'29"W	209.14'
C10	59.95'	90.00'	38°10'05"	N27°30'41"E	58.85'
C11	13.33'	90.00'	8°29'10"	N04°11'05"E	13.32'
C12	68.09'	90.00'	43°20'45"	N68°16'08"E	66.48'
C13	47.12'	30.00'	90°00'00"	N44°56'30"E	42.43'
C14	11.42'	20.00'	90°00'00"	S44°56'30"W	28.38'
C15	31.42'	20.00'	90°00'42"	N45°03'09"W	28.39'
C16	141.32'	90.00'	89°59'56"	S45°03'28"E	127.28'
C17	47.12'	30.00'	90°00'00"	S45°03'30"E	42.43'
C18	44.37'	500.00'	5°05'03"	N84°37'29"E	44.35'
C19	44.55'	500.00'	5°06'19"	N89°43'10"E	44.54'
C20	32.23'	20.00'	92°19'50"	S46°06'25"W	28.85'
C21	30.60'	20.00'	87°40'10"	N43°53'35"W	27.70'
C22	32.23'	20.00'	92°19'50"	S46°06'25"W	28.85'
C23	30.60'	20.00'	87°40'10"	N43°53'35"W	27.70'
C24	32.23'	20.00'	92°19'50"	S46°06'25"W	28.85'
C25	30.60'	20.00'	87°40'10"	N43°53'35"W	27.70'
C26	32.28'	20.00'	92°58'53"	N46°06'25"E	28.87'
C27	34.13'	20.00'	97°46'29"	S49°01'48"E	30.14'
C28	30.52'	20.00'	87°35'07"	N43°56'07"W	27.68'
C29	32.26'	20.00'	92°24'53"	N46°03'53"E	28.87'
C30	30.60'	20.00'	87°40'10"	N43°53'35"W	27.70'
C31	32.23'	20.00'	92°19'50"	S46°06'25"W	28.85'
C32	40.38'	30.00'	92°19'50"	S46°06'25"W	30.38'
C33	72.51'	90.00'	46°09'30"	S23°01'15"W	70.56'
C34	72.51'	90.00'	46°10'20"	S69°11'10"W	70.58'
C35	45.86'	30.00'	87°35'07"	N43°56'07"W	41.52'
C36	39.25'	90.00'	24°59'06"	N75°14'07"W	38.94'
C37	65.60'	90.00'	41°45'51"	N41°51'39"W	64.16'
C38	32.73'	90.00'	20°50'10"	N10°33'38"W	32.55'

NOTE:
THE 50' WIDE GAS/PEDESTRIAN R.O.W. WILL BE XERI-SCAPED WITH A WALKING PATH AND APPROVED ROCK LANDSCAPING OVER WEED BARRIER, AND SHALL BE MAINTAINED BY KINDER MORGAN. WHERE THE R.O.W. INTERSECTS THE ROAD, THE DEVELOPER WILL INSTALL REMOVABLE BOLLARDS WITH CHAIN.

NOTE:
IF RETAINING WALLS ARE PROPOSED FOR MANAGING THE DRAINAGE WITHIN THIS SUBDIVISION, THEY WILL BE SHOWN ON THE FINAL PLAT AND INCLUDED WITHIN THE FINAL CONSTRUCTION DRAWINGS.



SCALE: 1" = 1000'



SCALE: 1" = 100'

OWNER INFORMATION
GUN SIGHT PROPERTIES, INC.
46 RELIANCE ROAD
ROCK SPRINGS, WYOMING 82901
CONTACT: KC DOAK
PHONE: 307-352-1296



DATE OF PREPARATION: 02-16-18

REVIEW - CITY ENGINEER

Data on this plat reviewed this _____ day of _____, A.D. 2018 by a Licensed Professional Engineer on behalf of the Department of Engineering and Operations of the City of Rock Springs, Wyoming

PAUL KRUCHICH - CITY ENGINEER
LICENSED PROFESSIONAL ENGINEER

APPROVAL - PLANNING & ZONING COMMISSION

This Plat Approved by the City of Rock Springs Planning & Zoning Commission this _____ day of _____, A.D. 2018.

JOE ORNAS, Chairman

Attest:
STEVE HORTON, Secretary

ACCEPTANCE AND APPROVAL - ROCK SPRINGS CITY COUNCIL

Approved by the City Council of the City of Rock Springs, Wyoming, this _____ day of _____, A.D. 2018.

CARL DEMSHAR, Mayor

Attest:
MATT MCBURNETT, City Clerk

MORTGAGEE CONSENT

The undersigned _____, hereinafter MORTGAGEE, holds a mortgage in and to the property embraced by this subdivision plat, which mortgage was filed with the Clerk of Sweetwater County and Ex-Officio Recorded at Deeds at Book _____, Page _____. MORTGAGEE, by his signature on this plat, consents to the dedication made herein and specifically releases all streets, alleys, paths, easements, open areas and other areas dedicated to the City of Rock Springs for public use, as listed and described on this plat from the aforementioned mortgage.

HEATHER ANDERSON, Senior Loan Officer - RSNB Bank

STATEMENT OF SURVEYOR

I, David A. Fehrig, do hereby certify that I am a registered land surveyor licensed under the laws of the State of Wyoming, that this plat is a true, correct, and complete plat of GUNSIGHT ESTATES - PHASE 3 FINAL PLAT as laid out, platted, dedicated, and shown hereon, that such plat was made from an accurate survey of said property by me or under my supervision and correctly shows the location and dimensions of the lots, easements, and streets of said subdivision as the same are staked upon the ground in compliance with the City of Rock Springs' regulations governing the subdivision of land to an accuracy of (1) part ten thousand (10,000).

DAVID A. FEHRIG
PROFESSIONAL ENGINEER (CIVIL) & LAND SURVEYOR
WYOMING REGISTRATION NUMBER 10052

STATE OF WYOMING SS
SWEETWATER COUNTY
The foregoing instrument was acknowledged before me this _____ day of _____, 2018, by:

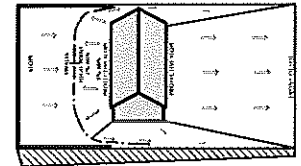
as a free and voluntary act and deed.
Witness my hand and official seal.
My commission expires:

NOTARY PUBLIC

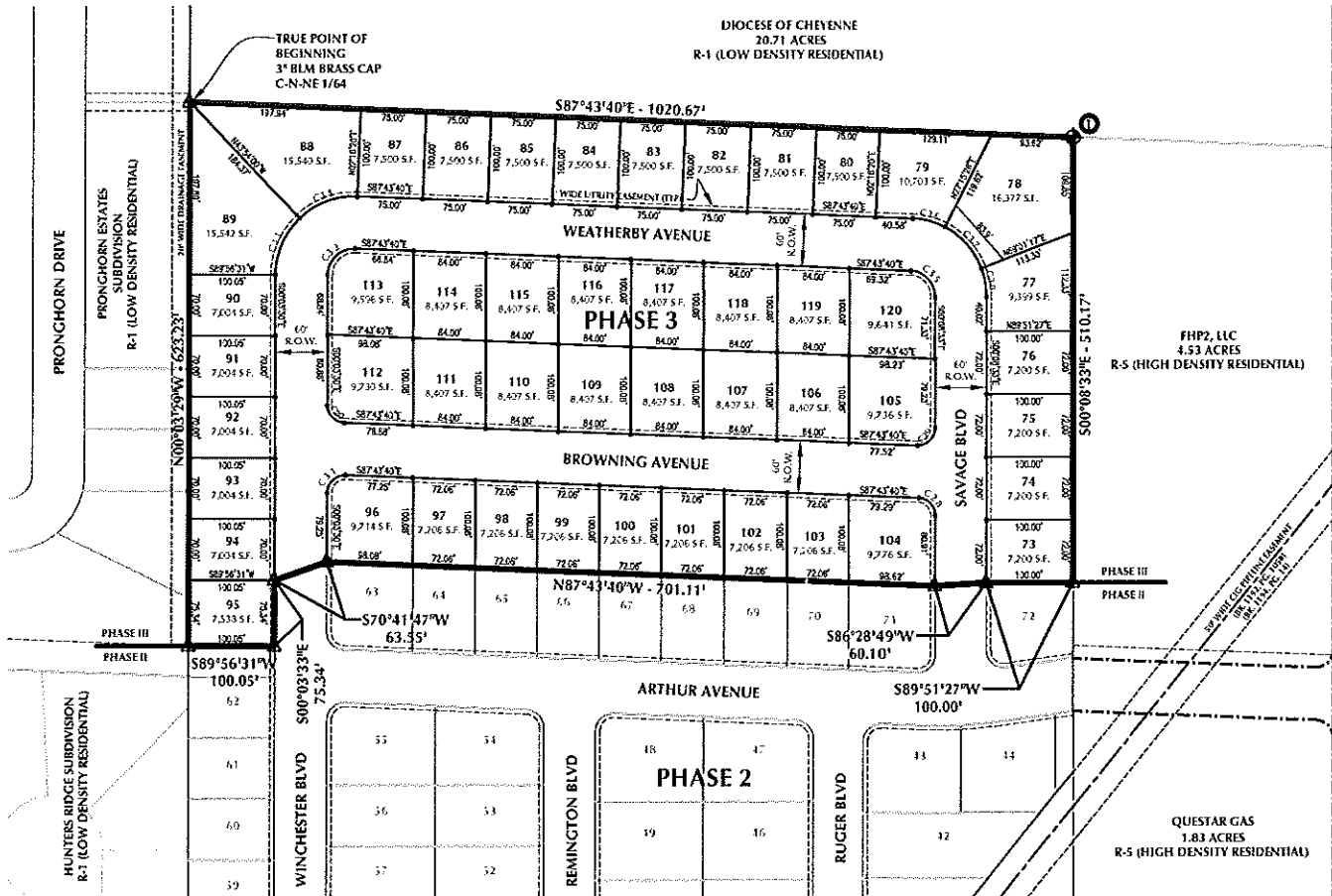
GUNSIGHT ESTATES
PHASE 3 - FINAL PLAT

A TRACT OF LAND IN THE E1/2 NE1/4 OF SECTION 28
(LOCATED IN A PORTION OF FEDERAL LOTS 18, 19 AND 20 OF SECTION 28)
RESURVEY OF TOWNSHIP 19 NORTH, RANGE 105 WEST, 6TH PRINCIPAL MERIDIAN
ROCK SPRINGS, SWEETWATER COUNTY, WYOMING

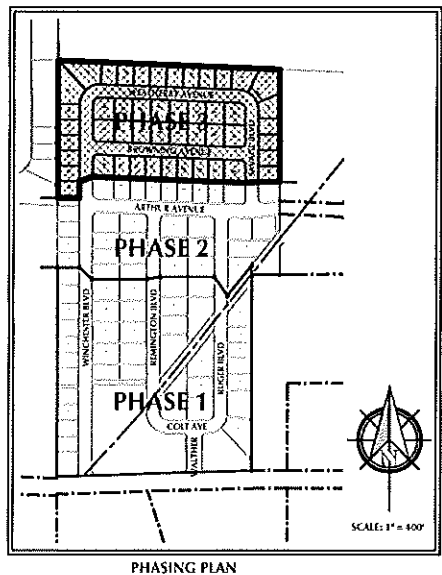
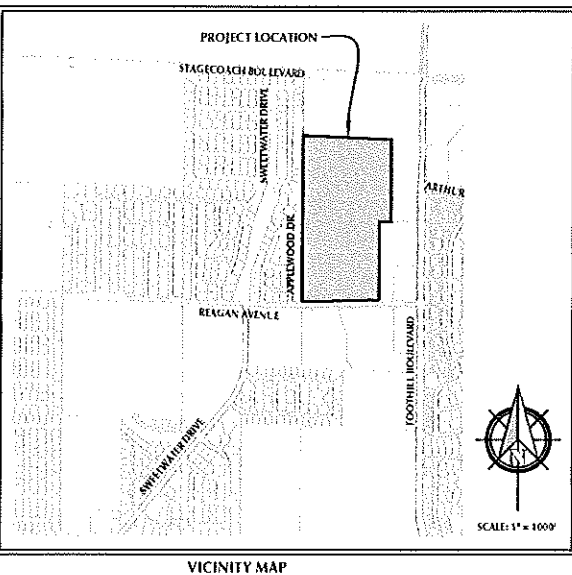
A RETAINING WALL SHALL BE CONSTRUCTED ON (LOTS 97-103 & 114-119 - PHASE 3) - LENGTH AND HEIGHT TO BE DETERMINED IN THE FIELD.



LOT GRADING TYPE C
DRAINAGE DIRECTED TOWARD
FRONT OF DWELLING
TYPICAL - LOTS 73-120



0 100 200
SCALE: 1" = 100'



NOTE:
ALL UTILITY EASEMENTS ARE 5.0' WIDE UNLESS OTHERWISE NOTED.

GUNSIGHT ESTATES - PHASE 3	
TOTAL PHASE 3 ACREAGE	12.42 ACRES
TOTAL LOTS - PHASE 3	9.38 ACRES 48 LOTS
PUBLIC R.O.W.	3.04 ACRES

TOPOGRAPHIC LEGEND	
	PROPERTY BOUNDARY
	PROPERTY LINES
	EASEMENT LINES
	ADJACENT LOT LINES

CURVE TABLE				
CURVE	LENGTH	RADIUS	DATA	CHORD
C18	30.57'	25.00'	87°15'07"	N43°54'07"W 27.45'
C19	32.24'	25.00'	92°24'53"	N46°00'53"E 28.87'
C20	30.80'	25.00'	87°40'10"	S43°33'35"E 27.70'
C31	32.23'	25.00'	92°13'50"	S46°06'23"W 28.65'
C32	48.34'	30.00'	92°19'50"	S46°06'23"W 43.25'
C33	72.51'	90.00'	16°09'30"	S23°01'15"W 70.56'
C14	72.53'	90.00'	48°10'20"	S69°11'05"W 70.55'
C35	45.68'	35.00'	87°13'07"	N43°36'07"W 41.52'
C36	32.25'	90.00'	24°59'08"	N75°14'07"W 33.94'
C17	65.60'	90.00'	41°45'51"	N41°51'33"W 64.16'
C38	32.73'	90.00'	20°50'10"	N19°33'33"W 32.55'

OWNER INFORMATION
GUN SIGHT PROPERTIES, INC.
46 RELIANCE ROAD
ROCK SPRINGS, WYOMING 82901
CONTACT: KC DOAK
PHONE: 307-352-1296

WHS
ENGINEERING > SURVEYING > PLANNING
DATE OF PREPARATION: 03-04-18

CERTIFICATE OF DEDICATION:

Know all men by these presents that the undersigned GUN SIGHT PROPERTIES, INC., being the owner, proprietor, or parties of interest in the land shown on this plat, do hereby certify:

That the foregoing PHASE 3 - FINAL PLAT designated as GUNSIGHT ESTATES, is located in the E1/2 of the NE1/4 of Section 28, (being a portion of Federal Lots 18, 19 and 20 of Section 28, Resurvey of T. 19 N., R. 105 W., of the 6th P.M., the City of Rock Springs, Sweetwater County, Wyoming, and is more particularly described as follows:

Commencing at a found 3" BLM Brass Cap and the C-N-NE 1/4th corner of said Section 28; also being the TRUE POINT OF BEGINNING;

Thence S 87° 43' 40" E, 1020.67 feet along the Northern Property Boundary Line of said GUNSIGHT ESTATES - PHASE 3 to a point on the Westerly boundary line of a tract of land owned by FHP2, LLC;

Thence S 00° 08' 33" E, 510.17 feet along the Westerly Property Boundary Line of a tract of land owned by FHP2, LLC to the Northeast corner of Gunsight Estates - Phase 2;

Thence S 89° 51' 27" W, 100.00 feet along the Northern Property Boundary Line of Gunsight Estates - Phase 2;

Thence continuing along the Northern Property Boundary Line of Gunsight Estates - Phase 2 S 66° 28' 49" W, 60.10 feet;

Thence continuing along the Northern Property Boundary Line of Gunsight Estates - Phase 2 N 87° 43' 40" W, 70.11 feet;

Thence continuing along the Northern Property Boundary Line of Gunsight Estates - Phase 2 S 70° 41' 47" W, 63.55 feet;

Thence continuing along the Northern Property Boundary Line of Gunsight Estates - Phase 2 S 00° 03' 33" E, 75.34 feet;

Thence continuing along the Northern Property Boundary Line of Gunsight Estates - Phase 2 S 89° 56' 31" W, 100.05 feet to a point on the Easterly boundary line of a tract of land owned by FHP2, LLC;

Thence N 00° 03' 29" W, 623.23 feet along the Easterly Boundary Line of Pronghorn Estates Subdivision to the TRUE POINT OF BEGINNING;

and contains a total area of 12.41 acres, more or less, and that this subdivision, as it is described and as it appears on this plat, is made with the free consent and in accordance with desires of the undersigned owners and proprietors, and that this is a correct plat of the area as it is divided into lots, blocks, streets and easements, and that the undersigned owners of the land shown and described on this plat do hereby dedicate to the City of Rock Springs and its licensees for perpetual public use: all streets, alleys, easements for the purposes designated and other lands within the boundary lines of the plat as indicated and not otherwise dedicated for public use.

All rights under and by virtue of the homestead exemption laws of the State of Wyoming are hereby waived and released.

Executed this _____ day of _____, 2018, by:

Property Owner: GUN SIGHT PROPERTIES, INC.

JOHN B. DOAK, (SECRETARY/TREASURER)

STATE OF WYOMING SS

SWEETWATER COUNTY

The foregoing instrument was acknowledged before me this _____ day of _____, 2018, by:

as a free and voluntary act and deed.
Witness my hand and official seal.
My commission expires:

NOTARY PUBLIC

CERTIFICATE OF RECORDING - SWEETWATER COUNTY CLERK:

This plat was filed for record in the Office of the Clerk and Recorder at _____ o'clock, _____

_____ 2018, and is duly recorded in Book _____ Page No. _____

COUNTY CLERK

DEPUTY

SURVEY CORNER SET LEGEND

3-1/4" BERTSEN ALUMINUM CAP WITH 2-3/8" x 30" ALUMINUM PIPE STAMPED "GUNSIGHT ESTATES - PHASE 3" MARKER (CORNER # INDICATED ON PLAT) "PELS 10052"

INDIVIDUAL LOT CORNERS MONUMENTED WITH A 5/8" REBAR AND WITH ALUMINUM CAP STAMPED "PROPERTY CORNER PELS 10032"

BASIS OF BEARING

THE BASIS OF BEARING IS N 87°54'28"W ALONG THE SOUTH LINE OF SECTION 28, T.19N., R.105W.

SURVEY CORNER LEGEND

PROPERTY BOUNDARY CORNERS TO BE SET
 CORNER FOUND
 LOT CORNERS TO BE SET



Planning & Zoning Commission Staff Report

Project Name: LDS Church Major Site Plan and Conditional Use Permit
Project Number: PZ-18-00047 and PZ-18-00048
Report Date: March 20, 2018
Meeting Date: April 11, 2018

Petitioner

Aaron Bleak
EA Architecture
11676 S. State Street #103B
Draper, UT 84020

Property Owner

Bryan Stephenson
LDS Church
1765 South 4250 West
Salt Lake City, UT 84104

Engineer

Dave Peterson, PE
Excel Engineering
12 West 100 North, Suite 201
American Fork, UT 84003

Project Location

Lot 10 Foothill Crossing
Tulip and Sunnyside Drives

Existing Zoning

R-3 (Medium Density Residential)

Property Owner Notification

Mailed out.

Ordinance References

§13-904, §13-905

Staff Representative

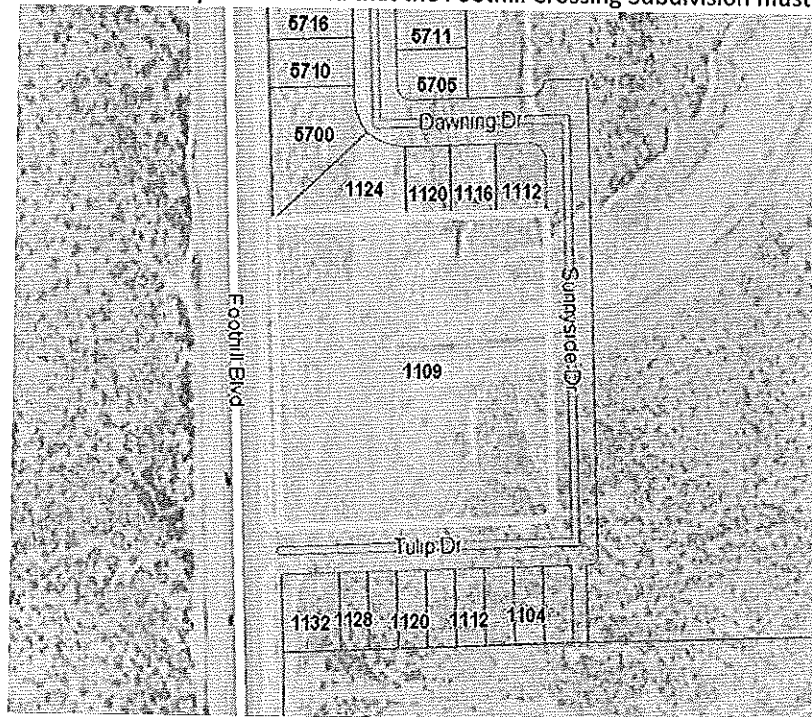
Steve Horton AICP
City Planner

Attachments

- Application
- Site Plan
- Utility Review Comments
- Adjacent Property Notification

1. Request

On November 10, 2016, Aaron Bleak of EAS Architecture submitted applications for a Major Site Plan of a New LDS Church Meetinghouse and Conditional Use Permit for lot 10 of Phase One of Foothill Crossing Subdivision. This Major Site Plan was approved in April, 2017, with the condition of a 1 year term and that the Foothill Crossing Subdivision must be complete



before permits will be issued. This request is to re-approve the Major Site Plan. Completion of the Foothills Crossing Subdivision is expected in May-June, 2018.

2. Background

The subdivision property in which this site plan is located has had numerous subdivision applications submitted over the last eight years, all previously known as "Morningside" in some form. The applicant submitted a new, modified subdivision proposal for the property which includes lot 10. Due to the numerous files on the property from past submittals, and in order to provide clarity in record keeping, staff required the applicant to rename the subdivision from "Morningside" to something more uniquely identifiable, which they did by renaming the subdivision "Foothill Crossing".

The Foothill Crossing Preliminary Plat was reviewed by the Planning and Zoning Commission on April 8, 2015, and subsequently approved by the Rock Springs City Council on May 5, 2015.

Final Plat Approval for Foothill Crossing Subdivision Phase I was obtained by City Council on April 19, 2016.

Project Name:

LDS Church Major Site Plan & CU

On October 31, 2016 Aaron Bleak on behalf of the LDS submitted a Major Site Plan Application and Conditional Use Permit to the City. A church is a conditionally permitted use in an R-3 zoning district.

The church bonded Foothill Crossing subdivision, which must be constructed & accepted before construction can start on the church.

3. Surrounding Land Use and Zoning

North – R-4 (Medium Density Residential)
South – R-4 (Medium Density Residential)
West – R-1 (Low Density Residential)
East – R-5 (High Density Residential)

Foothill Crossing Phase 1 - Undeveloped
Foothill Crossing Phase 1 - Undeveloped
Vacant BLM Land
Vacant (future Foothill Crossing Phase 2)

4. Analysis

Utility Review comments from the April, 2017 Site Plan Review have been carried forward with this review.

5. Property Owner Notification

Notices were mailed to property owners located within 200 feet of the boundaries have been mailed out.

6. Staff Recommendation

Staff will provide a recommendation following public comment at the meeting. At a minimum, staff recommends approval of the FINAL Major Site Plan and Conditional Use Permit, contingent upon the following:

1. All Utility Review conditions shall be met.
2. The Foothill Crossing Subdivision must be complete and approved by all City Departments prior to construction of this project.
3. Any new signage will require a sign permit.
4. Applicant shall obtain Building Permits, as required, for the project within one year of the Final Site Plan Approval. Failure to obtain a Building Permit within the one-year time frame shall require resubmittal of a new site plan application for review.
5. Dust Control Plan submitted and shall be strictly adhered to, this was submitted with the subdivision development.
6. All parking lot improvements, including paving, striping, curbs and gutters, shall be installed prior to Occupancy.
7. Drainage near the north property line shall comply with the approved subdivision construction drawings, and not enter adjacent lots located on the north side of the site.
8. SWPPP and/or NPDES permit must be obtained from WYDEQ.
9. Design and construction must be in accordance with City of Rock Springs Ordinances.
10. All landscaping areas shall be landscaped with City approved landscaping materials as delineated and described on the final Landscaping Plan.
11. Adequate lighting must be installed at the proposed approached if none exist.
12. Development plans shall conform to site plan specifications. Any substantial changes to the Site Plan, including but not limited to vehicular circulation and parking, shall require review and approval by the Rock Springs Planning & Zoning Commission.



2016
CITY OF ROCK SPRINGS
SITE PLAN
APPLICATION

Planning & Zoning Division
212 D Street
Rock Springs WY 82901
307.352.1540 (phone)
307.352.1545 (fax)
Jennifer Shields, City Planner
Denise Boudreault, Asst City Planner

City Use Only:

Date Received 3-19-2018 File Number: P2-18-00047
Payment Information:
Amount Received: \$100.00 Received by: Steve Horton
Cash or Check Number: 7875 Receipt Number: R-2018-03-19-01991
Date Certified as Complete Application: 3-19-2018 By: Steve Horton

A. PROPERTY ADDRESS: Lot 10 Foothill Crossing Subdivision Phase 1

(NOTE: IF THE PROPERTY DOES NOT HAVE AN EXISTING ASSIGNED ADDRESS, LEGAL DOCUMENTATION OF THE LOCATION MUST BE SUBMITTED - i.e. Property Tax ID Number, Legal Description, etc.)

B. CONTACT INFORMATION:

NOTE: The City of Rock Springs will only send correspondence to the names and mailing addresses provided on this application. Attach a separate sheet if necessary.

Petitioner Information: Petitioner Name: Aaron Bleak
Company Name: EA Architecture
Street Address: 11576 S. State St. #103B
City: Draper State: UT Zip Code: 84020
Email Address: aaron@studio-ea.com
Phone Number: 801-553-8272 Fax Number: 801-553-8273
(including area code) (including area code)

Property Owner Information: Name: Bryan Stephenson
Company Name: LDS Church
Street Address: 1765 South 4250 West
City: Salt Lake City State: UT Zip Code: 84104
Email Address: StephensonBC@ldschurch.org
Phone Number: 801-870-0700 Fax Number: 801-240-1476
(including area code) (including area code)

Engineer / Architect Information: Name: David Peterson, P.E.
Company Name: Excel Engineering
Street Address: 12 West 100 North, Suite 201
City: American Fork State: UT Zip Code: 84003
Email Address: david@excelcivil.com
Phone Number: 801-756-4504 Fax Number: _____
(including area code) (including area code)

C. PLEASE ANSWER THE FOLLOWING ON THE SPACES PROVIDED (if applicable):

1. What new structure(s) do you propose to build? Describe (include construction type, foundation type and dimensions for each structure). If necessary, attach a separate sheet of paper.

Construct a 16,558 sq. ft. church meetinghouse with a concrete foundation and floor,
wood framing, brick veneer exterior finish, metal soffit and fascia, and asphalt shingles
191 sq. ft. storage building with matching finishes and a masonry dumpster enclosure

2. Describe the use of the proposed structure(s). Include square footage of each use.

The meetinghouse will be used for worship, activities and teaching for the LDS Church.

D. SUBMITTAL REQUIREMENTS:

The following items are required for submitting a complete Conditional Use Permit / Site Plan Application and must be submitted in accordance with the submittal deadlines listed on Page 4 of this application. Applications submitted after the submittal deadlines as listed will be postponed until the following month. An incomplete application will not be reviewed and will be returned to the petitioner.

- ☐ Filing Fee - Major OR Minor Site Plan (Major = \$100.00/Minor = \$40.00)
- ☐ 10 – Full-size Site Plan drawings drawn to scale (folded)
- ☐ 1 - 11x17 Site Plan drawing drawn to scale (if full-size drawing is larger than 11x17)
- ☐ 1 – PDF scanned at full-size of Site Plan drawing (submitted electronically to city_planner@rswy.net)
- ☐ Building Elevations / Architectural Drawings (drawn to scale)

NOTE: Site Plan/Conditional Use approval does not constitute building permit approval. Contact the Rock Springs Building Department at (307) 352-1540 for submittal requirements.

E. SITE PLAN CHECKLIST

The following items shall be shown on your site plan (check them off as you consider each one). Failure to include these items could result in delays/denials:

- ☐ Project Address
- ☐ Location map
- ☐ Names and mailing addresses of developer / owner and engineer / architect
- ☐ Boundary line of property with all dimensions
- ☐ Adjacent streets and street rights-of-way
- ☐ Gross square footage of existing and proposed structures, including number of floors
- ☐ All paved and unpaved surfaces
- ☐ Parking facilities (including handicap parking) – including dimension of parking stalls, drive aisle widths, etc.
- ☐ Buildings and structures (existing and proposed), including setbacks from property lines for all structures
- ☐ Easements (access, utility, drainage, pedestrian, etc.)
- ☐ Utilities
- ☐ Landscaping
- ☐ Exterior signs
- ☐ Trash enclosures
- ☐ Surface water drainage arrows
- ☐ Location of Floodplain and/or Floodway on property, if applicable (separate Floodplain Development Permit Application also required)

F. MINOR SITE PLAN SUBMITTAL SCHEDULE:

- 1) Once a completed application is received, approximately 6-10 days after submittal, a Utility Review meeting will be held to discuss your application. It is required that the applicant or a representative attend this meeting. Notice will be sent stating the time, date and location of the meeting. Notices will be sent only to those listed on this application.
- 2) Applicant must make any necessary site plan revisions that are discussed during the Utility Review meeting.
- 3) After a revised site plan is submitted, planning approval of the site plan may be granted if all comments have been addressed and all issues have been resolved. Applicant will be notified via letter of Site Plan approval.
- 4) Once site plan approval has been granted, applicant may proceed with obtaining necessary building permits.

G. MAJOR SITE PLAN APPLICATION SUBMITTAL DEADLINES:

NOTE: Applications that are not received by Noon on the Application Deadline will be postponed until the following month's meeting. If a deadline falls near a City holiday, please contact the Planning Department to verify the days City Hall will be closed to ensure that your application is submitted on time.

A Site Plan will be processed as a Major Site Plan if it involves one or more of the following (other site plans will be processed as Minor Site Plans):

- Fifty (50) or more dwelling units in a multiple family structure or structures
 - Twenty Thousand (20,000) or more square feet of retail or service commercial or industrial floor space
 - Twenty Thousand (20,000) or more square feet of office floor space
 - Fifty Thousand (50,000) or more square feet of exterior storage of materials or goods
 - Parking for more than one hundred fifty (150) motor vehicles
 - More than one (1) retail, service, office or industrial building under common ownership.
- (Separate lot/building ownership must be processed as a Planned Unit Development (PUD), not as a Major Site Plan.)

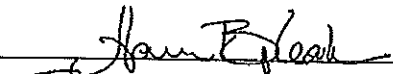
	January Meeting	February Meeting	March Meeting	April Meeting	May Meeting	June Meeting	July Meeting	August Meeting	September Meeting	October Meeting	November Meeting	December Meeting
Application Deadline	12/7/2015*	1/18/2016	2/15/2016	3/21/2016	4/18/2016	5/16/2016	6/20/2016	7/18/2016	8/22/2016	9/19/2016	10/17/2016	11/21/2016
Utility Review Meeting**	Utility Review Meetings are held <u>at least</u> 6 days after application submittal. Utility Review Meetings are generally held on Tuesday afternoons and are scheduled in the order in which applications are submitted. A memo will <u>only</u> be sent to the parties listed on the application. <u>The petitioner or an assigned representative is required to attend the meeting.</u>											
Adjacent Owner Notice	Property Owner Notices are prepared by the City of Rock Springs and are mailed to property owners within a 200' radius of the development a minimum of seven (7) days prior to the Planning and Zoning Commission Public Meeting.											
P&Z Public Meeting Date	1/13/2016	2/10/2016	3/9/2016	4/13/2016	5/11/2016	6/8/2016	7/13/2016	8/10/2016	9/14/2016	10/12/2016	11/9/2016	12/14/2016

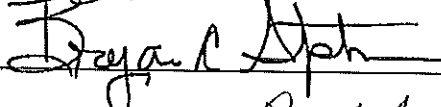
*Deadline moved due to Holiday.


**** BE ADVISED:** Utility review meetings are scheduled in the order in which applications are submitted to the City. In the event that a utility review meeting cannot be scheduled prior to the Planning and Zoning Commission Meeting due to the number of applications that are received ahead of your application, your application will have to be postponed until the following month's Planning and Zoning Commission meeting. Therefore, it is in your best interest to submit your application prior to the application deadline listed on the above table. **

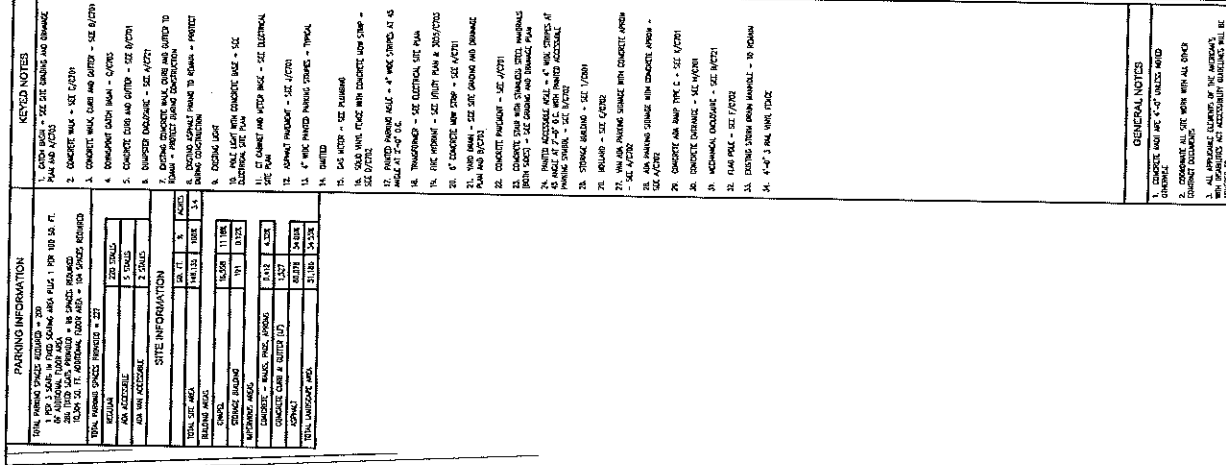
H. SIGNATURE(S) REQUIRED:

I acknowledge that I have read and understand this application and the pertinent Site Plan Approval regulations. I further agree if the permit is approved, I will comply with all pertinent regulations and conditions as set forth by the City of Rock Springs. I certify that the information provided with this application is true and correct and false or inaccurate information used by an applicant to secure compliance with the Zoning Ordinance shall be reason to deny or revoke any application or permit. I understand that it the responsibility of the developer and/or property owner to secure any and all required Local, Federal and State Permits (i.e. DEQ permits, County Permits, etc.) and I agree to contact those agencies accordingly.

Signature of Applicant  Date 10/27/16

Signature of Owner  Date 10/27/16

Signature of Engineer/Architect (if applicable)  Date 10/27/2016

[illegible]



Department of Public Services / Planning

212 'D' Street
Rock Springs, WY 82901
Phone: 307-352-1540
Fax: 307-352-1545
Email: steve_horton@rswy.net

Proposed Development: LDS Church Meeting House Major Site Plan & Conditional Use Permit
Utility Review Meeting: March 27, 2018

Utility Review Committee Comments:

City of Rock Springs Engineering Department (Meghan Jackson)

Note that all storm sewer for Foothill Crossing Subdivision shall be installed and preliminary inspected / accepted prior to any demo or grading of this lot as previously commented 11/8/2016

1. All Utility Review conditions shall be met.
2. The Foothill Crossing Subdivision must be complete and approved by all City Departments prior to construction of this project.
3. Any new signage will require a sign permit.
4. Applicant shall obtain Building Permits, as required, for the project within one year of the Final Site Plan Approval. Failure to obtain a Building Permit within the one-year time frame shall require resubmittal of a new site plan application for review.
5. Dust Control Plan submitted and shall be strictly adhered to, this was submitted with the subdivision development.
6. All parking lot improvements, including paving, striping, curbs and gutters, shall be installed prior to Occupancy.
7. Drainage near the north property line shall comply with the approved subdivision construction drawings, and not enter adjacent lots located on the north side of the site.
8. SWPPP and/or NPDES permit must be obtained from WYDEQ.
9. Design and construction must be in accordance with City of Rock Springs Ordinances.
10. All landscaping areas shall be landscaped with City approved landscaping materials as delineated and described on the final Landscaping Plan.
11. Adequate lighting must be installed at the proposed approached if none exist.
12. Development plans shall conform to site plan specifications. Any substantial changes to the Site Plan, including but not limited to vehicular circulation and parking, shall require review and approval by the Rock Springs Planning & Zoning Commission.

City of Rock Springs Wastewater Department (Nick Seals)

1. City of Rock Springs Grease Interceptor Policy may apply

City of Rock Springs Water Department (Clint Zambai)

No issues

City of Rock Springs Fire Department (David Rhodes)

No issues

City of Rock Springs Building Inspections (Jeff Tuttle)

No issues

Dominion Energy

No issues

Stephen A. Horton, AICP, City Planner

Date



Department of Public Services

212 D Street, Rock Springs, WY 82901

Tel: 307-352-1540 Fax: 307-352-1545

www.rswy.net

March 27, 2018

Dear Property Owner / Interested Party:

This letter is to inform you that Aaron Bleak, representing EA Architecture, has submitted two requests for a proposed LDS Church Meeting House at Lot 10 Foothill Crossing Subdivision, Rock Springs, Wyoming. Records show that this property is adjacent to or near property you own (*see the location map below*). The following summarizes the requests:

- 1) The applicant is requesting **Major Site Plan** approval for a new 16,558 sq. ft. church meeting house for the LDS Church. The church will have concrete foundation and floor, wood framing, brick veneer exterior finish, metal soffit and fascia, and asphalt shingles. In accordance with Section 13-904 of the Rock Springs Zoning Ordinance, proposed developments consisting of 20,000 or more square feet of floor area, as well as developments with parking for one-hundred fifty (150) or more motor vehicles, shall be considered as a Major Site Plan application which requires approval by the Rock Springs Planning and Zoning Commission. The Rock Springs **Planning and Zoning Commission** will review this request at a public meeting to be held on **Wednesday, April 11, 2018 at 7:00 p.m.** in the Rock Springs City Hall Council Chambers, 212 'D' Street, Rock Springs, Wyoming. Interested persons or parties are encouraged to attend the meeting or submit written comments.
- 2) In addition, the applicant is requesting **Conditional Use Permit approval for the church**. The property is Zoned R-3 and Conditional Use Permit approval is required for a church in this zone district.

If you would like to comment on any part of this project, you may attend the meeting or hand deliver, fax, email or mail your written comments to the following:

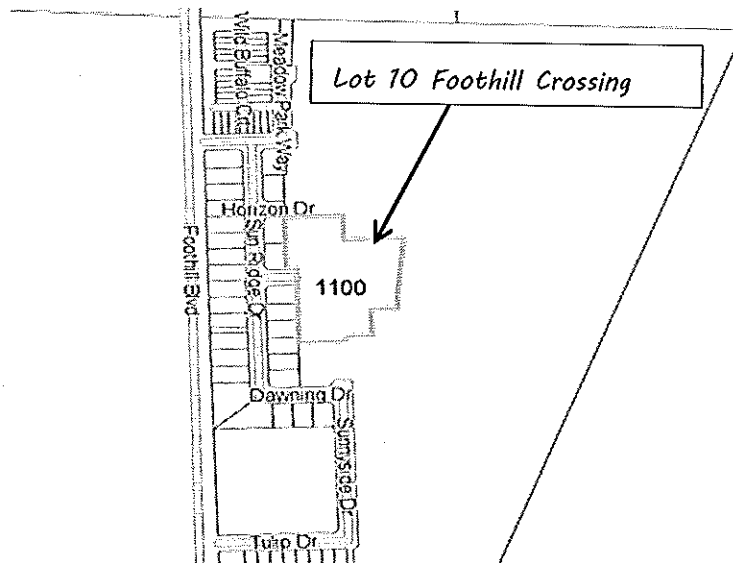
Planning and Zoning Division
Attn: Stephen Horton, City Planner
212 'D' Street
Rock Springs, WY 82901
steve_horton@rswy.net

Written comments will be accepted no later than Noon on April 11, 2018. If you have any questions regarding this information, please contact the Planning and Zoning Division at (307) 352-1540.

Sincerely,

Stephen Horton, AICP
City Planner

Enc.



Name	Add1
LYDIKSEN MICHAEL L & AUBREY M	118 ROCKHAVEN DR
HODGES KAYCEE C	1147 BALD EAGLE CT
CHICK JENNIFER D C/O JOSHUA NACEY	6120 WILD BUFFALO CT
HUDSON DUSTY J & JESSICA M	6108 WILD BUFFALO CT
ROY SHELLI	6104 WILD BUFFALO CT
CHURCH OF JESUS CHRIST OF	LATTER DAY SAINTS
CUSULOS JOHN	6105 WILD BUFFALO CT
AZEVEDO ANDRE & TATIANA A	1163 BALD EAGLE CT
GRAHAM MICHAEL	1159 BALD EAGLE CT
CITY OF ROCK SPRINGS	212 D ST
VANVALKENBURG RICHARD S	5940 SUN RIDGE DR
LAUGHLIN TROY W & CHELSEA C	5880 SUN RIDGE DR
REYNOLDS JEREMY L & SUSANNA T	C/O GILES MICHAEL
NOSICH KEVIN S	5760 SUN RIDGE DR
ALCERRECA CARLOS M & MELISSA E	5721 SUN RIDGE DR
HOLLINGSHEAD FRED N & SHARI B	5860 SUN RIDGE DR
MEDINA DAVID JR ETAL	6041 WILD BUFFALO CT
PERIUS DONALD	1139 BALD EAGLE CT
COLE KARSON C	5761 SUN RIDGE DR
LOGAN NATALIE	6060 WILD BUFFALO CT
LOUNSBURY CHRISTOPHER P & TRICIA M	1121 HORIZON DR
HAMILTON TYLER M	6113 WILD BUFFALO CT
MORNINGSIDE HOMEOWNERS ASSOC	9140 S STATE ST STE 202
ROBERTS DONALD L JR &	GASTON KELSIE A
HOWELL ANGELA K	6049 WILD BUFFALO CT
MICHELE ANTHONY S	5741 SUN RIDGE DR
BERTAGNOLLI ANTHONY & NATALIE S	5840 SUNRIDGE DR
FOOTHILL INDUSTRIAL PARK LLC	925 S 4400 W
HAAPALA GEORGE A & LORNA	5740 SUN RIDGE DR
COBB KERRY F & FREDELLA L	6045 WILD BUFFALO CT
SWEETWATER DEVELOPMENT GROUP	273 N EAST CAPITOL ST
FURMAN MEGAN M	6116 WILD BUFFALO CT
MCDONALD LISA	6121 WILD BUFFALO CT
JAMES PAMELA K	5820 SUN RIDGE DR
MAZHARIAN ANDREW	6117 WILD BUFFALO CT
STINGER WELLHEAD PROTECTION INC	C/O MATTOX TERRELL & ASSOC INC
FARIS SEAN C & MACKENZIE K	716 D ST
SALCIDO MANUEL	6112 WILD BUFFALO CT
KEYS ROBERT F & JAMIE L	1121 MORNINGSIDE DR
SANTA SEAN	6052 WILD BUFFALO CT
SMITH BENNY W & AMY L	5900 SUN RIDGE DR
FINK DEXTER W	1151 BALD EAGLE CT
TOPP CLIFTON R & BARBARA S	5920 SUN RIDGE DR
JAMES NICHOLAS W	1120 BLUE SKY WAY
TREJO ARTURO D	6040 WILD BUFFALO CT
BAILEY MICHAEL T & SARA S	6048 WILD BUFFALO CT



Planning & Zoning Commission Staff Report

Project Name: 88 Center Street Office-Health Clinic

Project Number: PZ-18-00044

Report Date: March 20, 2018

Meeting Date: April 11, 2018

Petitioner

Ron McMurry
MCM Properties
5684 Old West Yellowstone Road
Casper, WY 82604

Property Owner

Ron McMurry
MCM Properties
5684 Old West Yellowstone Road
Casper, WY 82604

Engineer

Matthew Devitt, EIT
JFC Engineers & Surveyors
1682 Sunset Dr.
Rock Springs, WY 82901

Project Location

88 Center Street
Tulip and Sunnyside Drives

Existing Zoning

B-3 (Central Business)

Property Owner Notification

Mailed out.

Staff Representative

Steve Horton AICP
City Planner

Attachments

- Application
- Site Plan
- Utility Review Comments
- Adjacent Property Notifications

Request

This request is for an existing lot on Center Street which is Zoned B-3 Central Business District. The request is to remodel an existing building and construct a new 2-story office building on the rear portion of the lot.

Background

The existing building is proposed to be remodeled with a front portion of the building to be demolished. This will provide 7,350 sq ft remodeled building for proposed Health Clinic. There is an existing building to the rear of the property that will be demolished. The new 2-story building on the rear portion of the lot is proposed for office use. The proposed building size is 19,950 sq ft.

Floodplain

The entire property is located within the 100 Year Floodplain. The rear office building must be constructed with the lowest floor at or above the Base Flood Elevation. The front building is located within the Floodway, which involves more strict floodplain regulations. Renovations costs for the front building cannot exceed 50% of the value of the building prior to renovations.

Surrounding Land Use and Zoning

North – B-2 (Community Business)

South – B-3 (Central Business)

West – B-2 (Community Business)

East – B-3 (Central Business)

Parking

This property is zoned B-3, which encourages development to take place in an intensive fashion to facilitate pedestrian circulation and to maximize the use of valuable locations. The Zoning Ordinance states that parking requirements in the B-3 District shall be determined by the City in conjunction with the site plan review and shall be established in light of the parking availability on and near the property and its potential impact on traffic circulation and parking on facilities within the area.

Required Parking: 82 spaces

Provided Parking: 47 spaces

Street Access

Existing street access is from Center Street. The site plan shows a proposed access from Grant Street which crosses a lot owned by the City of Rock Springs.

Analysis

This proposed health clinic and office project is consistent with the B-3 Zone which encourages intensive development. The floodplain issues can be mitigated by meeting the ordinance requirements for floodplain properties. Access from Grant Street must will require approval by the City Council. Parking could potentially be a problem, and the owner should be encouraged to approach the City Council for construction of a parking lot for the property at the corner of Grant Street and Center Street.

Property Owner Notification

Notices to property owners located within 200 feet of the boundaries have been mailed out.

Staff Recommendation

Staff will provide a recommendation following public comment at the meeting.



2018
CITY OF ROCK SPRINGS
SITE PLAN
APPLICATION

Planning & Zoning Division
212 D Street
Rock Springs WY 82901
307.352.1540 (phone)
307.352.1545 (fax)

City Use Only:

Date Received 3.15.18 File Number: P2-18-00044
Payment Information:
Owner Signature needed Amount Received: \$100 Received by: [Signature]
Cash or Check Number: 43166 Receipt Number: R-2018-03-16-01988
Date Certified as Complete Application: 3-16-2018 By: [Signature]

A. PROPERTY ADDRESS: 88 Center St.

(NOTE: IF THE PROPERTY DOES NOT HAVE AN EXISTING ASSIGNED ADDRESS, LEGAL DOCUMENTATION OF THE LOCATION MUST BE SUBMITTED - i.e. Property Tax ID Number, Legal Description, etc.)

B. CONTACT INFORMATION:

NOTE: The City of Rock Springs will only send correspondence to the names and mailing addresses provided on this application. Attach a separate sheet if necessary.

Petitioner Information:

Petitioner Name: Ron McMurry
Company Name: MCM Properties, LLC
Street Address: 5684 Old West Yellowstone Highway
City: Casper State: WY Zip Code: 82604
Email Address: ronmc@mrmco.net
Phone Number: 307-262-2591 Fax Number: _____
(including area code) (including area code)

Property Owner Information:

Name: Ron McMurry
Company Name: MCM Properties, LLC
Street Address: 5684 Old West Yellowstone Highway
City: Casper State: WY Zip Code: 82604
Email Address: ronmc@mrmco.net
Phone Number: 307-262-2591 Fax Number: _____
(including area code) (including area code)

Engineer / Architect Information: Name: Matthew Devitt, EIT

Company Name: JFC Engineers & Surveyors
Street Address: 1682 Sunset Dr.
City: Rock Springs State: WY Zip Code: 82901
Email Address: mdevitt@jfc-wyo.com
Phone Number: (307) 362-7519 Fax Number: (307) 362-7569
(including area code) (including area code)

C. PLEASE ANSWER THE FOLLOWING ON THE SPACES PROVIDED (if applicable):

1. What new structure(s), if applicable, do you propose to build? Describe (include construction type, foundation type and dimensions for each structure). If necessary, attach a separate sheet of paper.

The plan is to construct a new 95x105 SF, two-story, office building and to remodel the existing building on site. The existing building will be reduced in size to a 70'x105' building. The new foundation will either be a deep or shallow foundation depending on the findings of the soils report.

2. Describe the use of the proposed or existing structure(s). Include square footage of each use.
The new building will have offices (two stories @ 9975 SF/story), while the remodeled building will be set up as a health clinic (7350 SF).

D. SUBMITTAL REQUIREMENTS:

The following items are required for submitting a complete Conditional Use Permit / Site Plan Application and must be submitted in accordance with the submittal deadlines listed on Page 4 of this application. Applications submitted after the submittal deadlines as listed will be postponed until the following month. An incomplete application will not be reviewed and will be returned to the petitioner.

- ☒ Filing Fee - Major OR Minor Site Plan (Major = \$100.00/Minor = \$40.00)
- ☒ 10 - Full-size Site Plan drawings drawn to scale (folded)
- ☒ 1 - 11x17 Site Plan drawing drawn to scale (if full-size drawing is larger than 11x17)
- ☒ 1 - PDF scanned at full-size of Site Plan drawing (submitted electronically to city_planner@rswy.net)
- ☒ Building Elevations / Architectural Drawings (drawn to scale)

NOTE: Site Plan/Conditional Use approval does not constitute building permit approval. Contact the Rock Springs Building Department at (307) 352-1540 for submittal requirements.

E. SITE PLAN CHECKLIST

The following items shall be shown on your site plan (check them off as you consider each one). Failure to include these items could result in delays/denials:

- ☒ Project Address
- ☒ Location map
- ☒ Names and mailing addresses of developer / owner and engineer / architect
- ☒ Boundary line of property with all dimensions
- ☒ Adjacent streets and street rights-of-way
- ☒ Gross square footage of existing and proposed structures, including number of floors
- ☒ All paved and unpaved surfaces
- ☒ Parking facilities (including handicap parking) - including dimension of parking stalls, drive aisle widths, etc.
- ☒ Buildings and structures (existing and proposed), including setbacks from property lines for all structures
- ☒ Easements (access, utility, drainage, pedestrian, etc.)
- ☒ Utilities
- ☒ Landscaping
- ☒ Exterior signs
- ☒ Trash enclosures
- ☒ Surface water drainage arrows
- ☒ Location of Floodplain and/or Floodway on property, if applicable (separate Floodplain Development Permit Application also required)

F. MINOR SITE PLAN SUBMITTAL SCHEDULE:

- 1) Once a completed application is received, approximately 6-10 days after submittal, a Utility Review meeting will be held to discuss your application. It is required that the applicant or a representative attend this meeting. Notice will be sent stating the time, date and location of the meeting. Notices will be sent only to those listed on this application.
- 2) Applicant must make any necessary site plan revisions that are discussed during the Utility Review meeting.
- 3) After a revised site plan is submitted, planning approval of the site plan may be granted if all comments have been addressed and all issues have been resolved. Applicant will be notified via letter of Site Plan approval.
- 4) Once site plan approval has been granted, applicant may proceed with obtaining necessary building permits.

G. MAJOR SITE PLAN APPLICATION SUBMITTAL DEADLINES:

NOTE: Applications that are not received by Noon on the Application Deadline will be postponed until the following month's meeting. If a deadline falls near a City holiday, please contact the Planning Department to verify the days City Hall will be closed to ensure that your application is submitted on time.

A Site Plan will be processed as a Major Site Plan if it involves one or more of the following (other site plans will be processed as Minor Site Plans):

- Fifty (50) or more dwelling units in a multiple family structure or structures
- Twenty Thousand (20,000) or more square feet of retail or service commercial or industrial floor space
- Twenty Thousand (20,000) or more square feet of office floor space
- Fifty Thousand (50,000) or more square feet of exterior storage of materials or goods
- Parking for more than one hundred fifty (150) motor vehicles
- More than one (1) retail, service, office or industrial building under common ownership.
(Separate lot/building ownership must be processed as a Planned Unit Development (PUD), not as a Major Site Plan.)

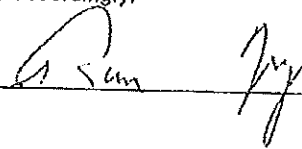
	January Meeting	February Meeting	March Meeting	April Meeting	May Meeting	June Meeting	July Meeting	August Meeting	September Meeting	October Meeting	November Meeting	December Meeting
Application Deadline	12/6/2017*	1/22/2018	2/19/2018	3/19/2018	4/16/2018	5/21/2018	6/18/2018	7/16/2018	8/20/2018	9/17/2018	10/22/2018	11/19/2018
Utility Review Meeting**	Utility Review Meetings are held <u>at least</u> 6 days after application submittal. Utility Review Meetings are generally held on Tuesday afternoons and are scheduled in the order in which applications are submitted. A memo will <u>only</u> be sent to the parties listed on the application. <u>The petitioner or an assigned representative is required to attend the meeting.</u>											
Adjacent Owner Notice	Property Owner Notices are prepared by the City of Rock Springs and are mailed to property owners within 200' of the effected property a minimum of seven (7) days prior to the Planning and Zoning Commission Public Meeting.											
P&Z Public Meeting Date	1/10/2018	2/14/2018	3/14/2018	4/11/2018	5/9/2018	6/13/2018	7/11/2018	8/8/2018	9/12/2018	10/10/2018	11/14/2018	12/12/2018

*Deadline moved due to Holiday.

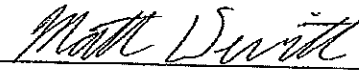
**** BE ADVISED:** Utility review meetings are scheduled in the order in which applications are submitted to the City. In the event that a utility review meeting cannot be scheduled prior to the Planning and Zoning Commission Meeting due to the number of applications that are received ahead of your application, your application will have to be postponed until the following month's Planning and Zoning Commission meeting. Therefore, it is in your best interest to submit your application prior to the application deadline listed on the above table. **

H. SIGNATURE(S) REQUIRED:

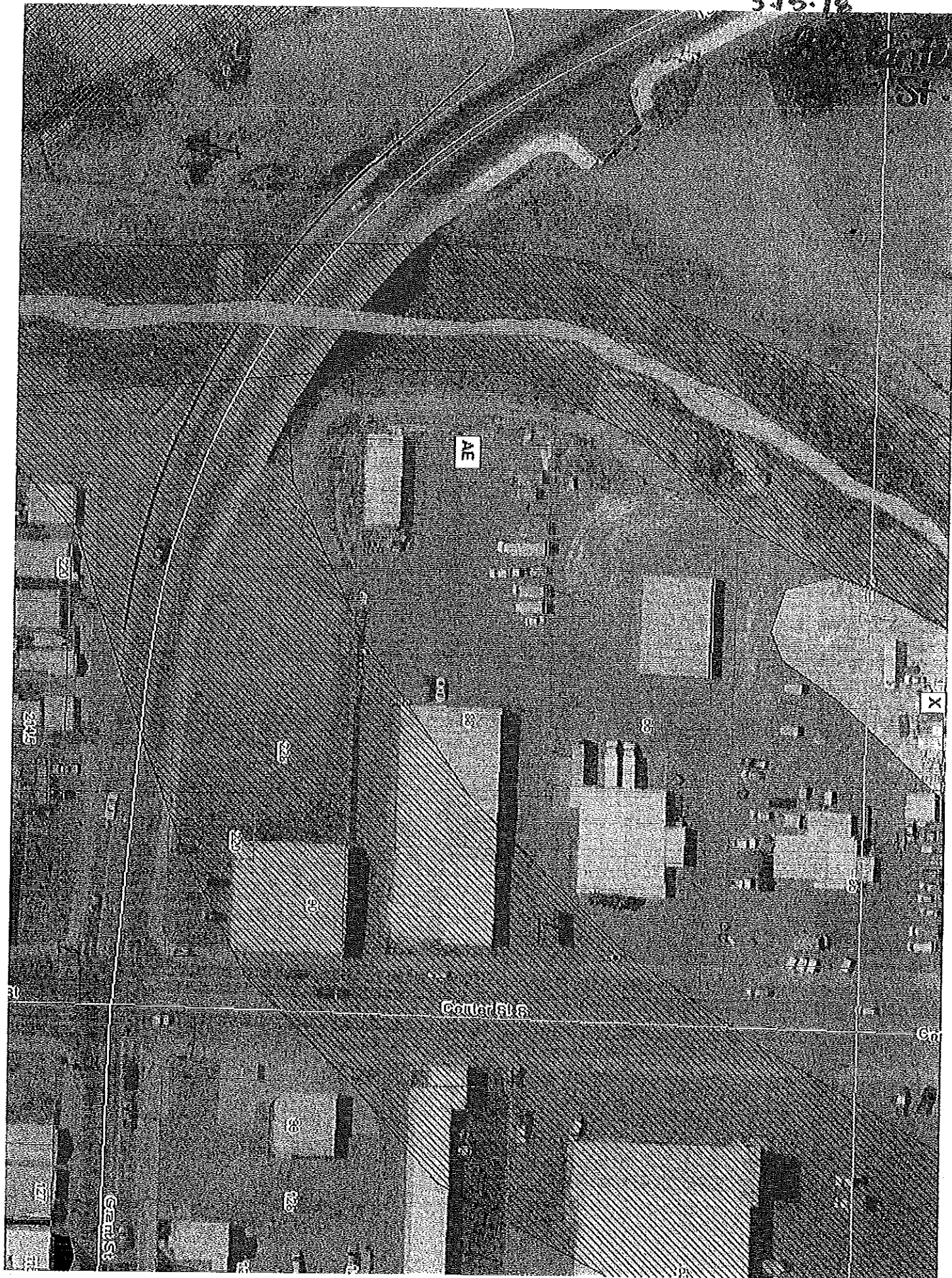
I acknowledge that I have read and understand this application and the pertinent Site Plan Approval regulations. I further agree if the permit is approved, I will comply with all pertinent regulations and conditions as set forth by the City of Rock Springs. I certify that the information provided with this application is true and correct and false or inaccurate information used by an applicant to secure compliance with the Zoning Ordinance shall be reason to deny or revoke any application or permit. I understand that it is the responsibility of the developer and/or property owner to secure any and all required Local, Federal and State Permits (i.e. DEQ permits, County Permits, etc.) and I agree to contact those agencies accordingly.

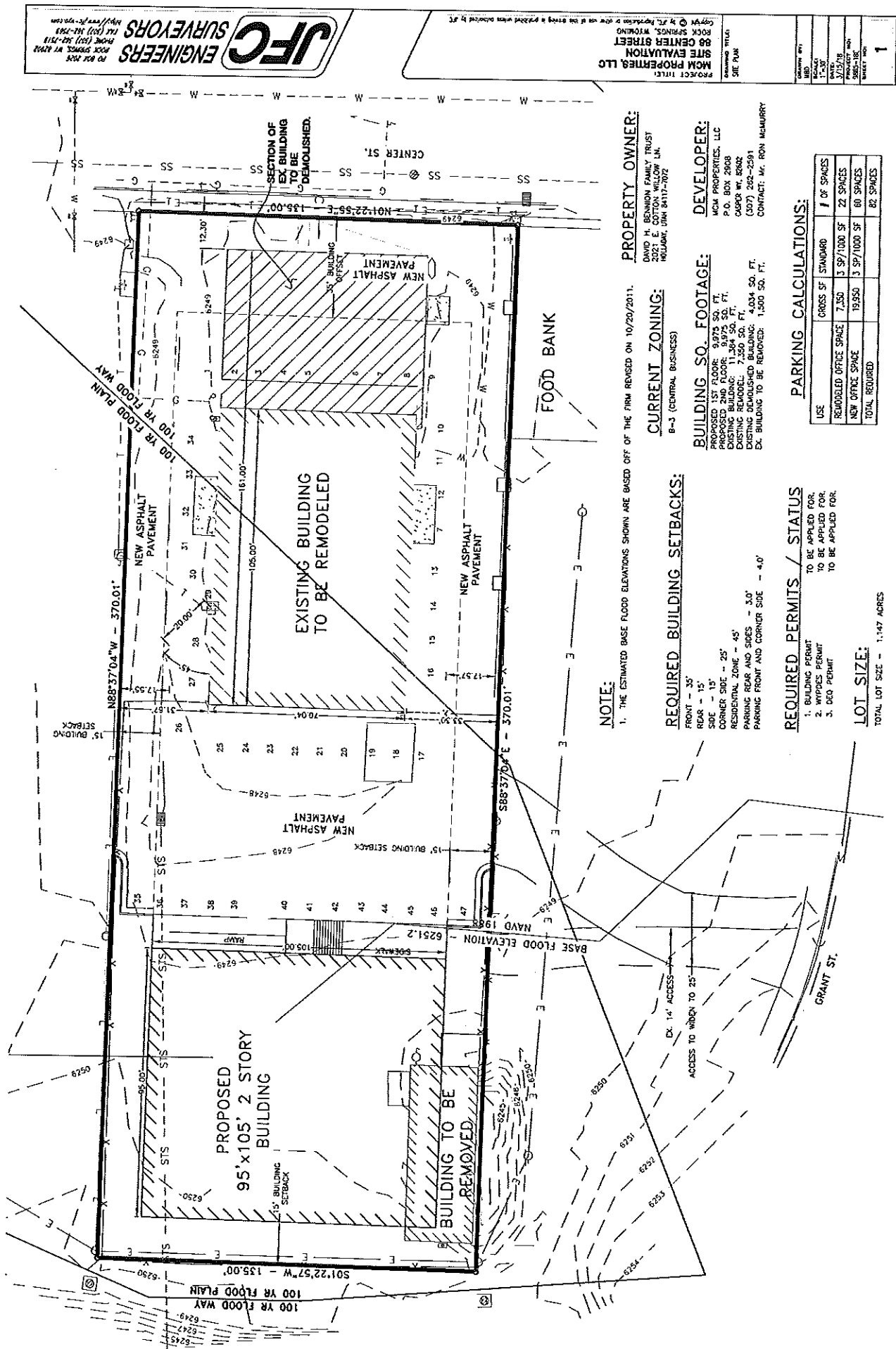
Signature of Applicant  Date 3/15/18

Signature of Owner _____ Date _____

Signature of Engineer/Architect (if applicable)  Date 3/15/18

3.15.12





JFC ENGINEERS
 ROCK SPRINGS, WY 82401
 PHONE (307) 341-7343
 FAX (307) 341-7343
 WWW.JFC-ENGINEERS.COM

MCM PROPERTIES, LLC
 88 CENTER STREET
 ROCK SPRINGS, WY 82401
 PROJECT TITLE: SITE EVALUATION
 SHEET NO. 1
 DATE: 3/15/18
 PREPARED BY: JFC
 CHECKED BY: JFC
 APPROVED BY: JFC

PROPERTY OWNER:
 DAVID H. BENNING FAMILY TRUST
 2021 E. COTTON WILLOW LN.
 WILMANT, WY 84117-0022

CURRENT ZONING:
 B-2 (CENTRAL BUSINESS)

DEVELOPER:
 MCM PROPERTIES, LLC
 P.O. BOX 2908
 CASPER, WY 82402
 (307) 262-2391
 CONTACT: MR. RON MCMAURY

BUILDING SQ. FOOTAGE:
 PROPOSED 1ST FLOOR: 9,975 SQ. FT.
 PROPOSED 2ND FLOOR: 9,975 SQ. FT.
 TOTAL PROPOSED: 19,950 SQ. FT.
 EXISTING REMOVED: 7,125 SQ. FT.
 EXISTING DEMOLISHED BUILDING: 4,034 SQ. FT.
 EX. BUILDING TO BE REMOVED: 1,500 SQ. FT.

NOTE:

1. THE ESTIMATED BASE FLOOD ELEVATIONS SHOWN ARE BASED OFF OF THE FIRM REVISED ON 10/20/2011.

REQUIRED BUILDING SETBACKS:

- FRONT - 35'
- REAR - 15'
- SIDE - 15'
- CORNER SIDE - 25'
- RESIDENTIAL ZONE - 45'
- PARKING REAR AND SIDES - 3.0'
- PARKING FRONT AND CORNER SIDE - 4.0'

REQUIRED PERMITS / STATUS

- 1. BUILDING PERMIT TO BE APPLIED FOR.
- 2. WIDEN PERMIT TO BE APPLIED FOR.
- 3. DEO PERMIT TO BE APPLIED FOR.

LOT SIZE:

TOTAL LOT SIZE - 1.147 ACRES

PARKING CALCULATIONS:

USE	GROSS SF	STANDARD	# OF SPACES
REMODELLED OFFICE SPACE	7,350	3 SP/1000 SF	22 SPACES
NEW OFFICE SPACE	19,950	3 SP/1000 SF	60 SPACES
TOTAL REQUIRED			82 SPACES



Proposed Development: 88 Center Street Proposed Office & Health Clinic
Utility Review Meeting: March 27, 2018

Utility Review Committee Comments:

City of Rock Springs Engineering Department (Meghan Jackson)

1. Storm sewer (private) not shown on plans
2. There will be no access off of Grant Street
3. All deficient infrastructure, sidewalk, curb/gutter, etc shall be brought up to City Standards
4. Access shall be approved by WYDOT
5. Obtain an NPDES/SWPPP permit from WYDEQ
6. Excavation into state or public ROW will require bonding & permitting
7. Landscaping required in state ROW

Rocky Mountain Power (Kyle Graham)

1. Customer will need to maintain at least 8' of horizontal separation from the arm phase of the power line along the back and side of the property to meet NESC separation requirements. To construct the building there is to be no encroachment less than 10' of the power line per OSHA guidelines. Power line arm phase is currently at 28' above the ground. Line may be raised to have 14' vertical separation or taken underground.
2. There are other power lines on the property that are not shown on the Engineers drawing. Power line serving the property is only two phase and three phase could be extended to the property from the power pole at the bank building to the North if requested.

City of Rock Springs Water Department (Nick Seals)

1. Show City sewer on west side of property
2. Show location of new sewer service
3. City of Rock Springs Sand/Oil Policy may apply
4. Existing sewer service location unknown

City of Rock Springs Building Inspections (Jeff Tuttle)

Show which spaces are to be handicapped

Show accessible route from parking spaces to entrance of buildings along with all grades for review

Complete Construction Plans will need to be submitted for review. Once review is complete, review comments satisfied and all fees paid and all other City Departments approve the Building Permit will be issued.

Dominion Energy:

1. Possibly running a main and feed both buildings, or just run a long service line
2. If building is torn down, we may have to move service line(meter) to different spot

City of Rock Springs Water Department (Clint Zambai)

1. No comment

City of Rock Springs Fire Department (David Rhodes)

1. Add hydrant. Placement off of Grant Street may eliminate the requirement to sprinkle the Rear Building.
2. Recorded easement for Grant Street Easement?
3. Turn around required if Grant Street access approved
4. Knox Boxes required for both buildings
5. If no easement from Grant Street, multiple issues such as Fire Access Lane width, distance from hydrant to rear building.

City of Rock Springs Planning Department (Steve Horton)

1. Property is in the Regulatory Floodplain, the 100 Year Floodplain and the front building is located within the Floodway. Office Building to the rear of the lot must have Lowest Floor elevated at or above the Base Flood Elevation. The existing building must be brought in to compliance with Floodplain Regulations if the renovation costs exceed 50% the post construction value of the building.
2. The required number of parking spaces is not provided. The Zoning Ordinance requires 82 spaces, and there are only 47 spaces provided. This is Zoned B-3, which provides flexibility, however without street parking there will be problems. The petitioner could approach the City of Rock Springs (owner of the adjacent lot) and request to lease land for parking use. The petitioner would be required to pave the lot if an agreement was made with the City.
3. The access shown from Grant Street crosses land owned by the City. An agreement from the City Council would be required, and the petitioner would be required to construct the access to City Standard.
4. A revised Site Plan will be required and all Utility Review Comments must be satisfied before Staff will recommend action on this Site Plan Request.

Stephen A. Horton, AICP, City Planner

Date

March 27, 2018

Dear Property Owner / Interested Party:

This letter is to inform you that Ron McMurry, representing MCM Properties, has submitted a requests for a proposed 2-story office building with renovation of an existing building at 88 Center Street, Rock Springs, Wyoming. Records show that this property is adjacent to or near property you own (*see the location map below*). The following summarizes the requests:

- 1) The applicant is requesting **Major Site Plan** approval for a new 19,950 sq. ft. 2 –story office building and renovation of an existing building on site. In accordance with Section 13-904 of the Rock Springs Zoning Ordinance, proposed developments consisting of 20,000 or more square feet of floor area, as well as developments with parking for one-hundred fifty (150) or more motor vehicles, shall be considered as a Major Site Plan application which requires approval by the Rock Springs Planning and Zoning Commission. The Rock Springs **Planning and Zoning Commission** will review this request at a public meeting to be held on **Wednesday, April 11, 2018 at 7:00 p.m.** in the Rock Springs City Hall Council Chambers, 212 'D' Street, Rock Springs, Wyoming. Interested persons or parties are encouraged to attend the meeting or submit written comments.

If you would like to comment on any part of this project, you may attend the meeting or hand deliver, fax, email or mail your written comments to the following:

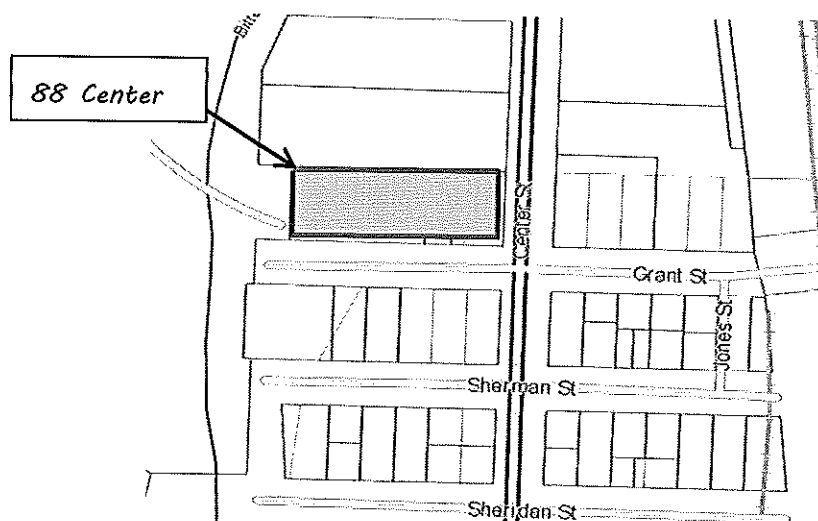
Planning and Zoning Division
Attn: Stephen Horton, City Planner
212 'D' Street
Rock Springs, WY 82901
steve_horton@rswy.net

Written comments will be accepted no later than Noon on April 11, 2018. If you have any questions regarding this information, please contact the Planning and Zoning Division at (307) 352-1540.

Sincerely,

Stephen Horton, AICP
City Planner

Enc.



Name		Add2
MISTER ED LLC	110 CENTER ST	ROCK SPRINGS, WY 82901-5135
CITY OF ROCK SPRINGS	212 D ST	ROCK SPRINGS, WY 82901-6235
PLEMEL LUDWIG J & FRANCES L	1217 HILLTOP DR	ROCK SPRINGS, WY 82901-5818
R AND J FUTURES INC	907 APPLEWOOD DR	ROCK SPRINGS, WY 82901-4497
BENNION DAVID H FAMILY TRUST	2021 E COTTON WILLOW LN	HOLLADAY, UT 84117-7042
CODY MOTEL INC	75 CENTER ST	ROCK SPRINGS, WY 82901-5121
RS COLLEGE HILL INVESTMENTS	PO BOX 2390	CASPER, WY 82602-2390
SOUTHERN FOODS GROUP LP	C/O ASSOCIATED TAX APPAISERS	PO BOX 91119
FORSHAW JUDITH M	C/O VONREMBOW JUDITH	1700 SWANSON DR LOT 73
JOHNSON PAUL	15448 CREEK HILLS RD	EL CAJON, CA 92021-2593

Ms. Amy Cox, Planning Technician
Department of Public Services
212 D Street
Rock Springs, Wyoming 82901

Ms. Cox,

Thank you for informing us of the request for a Conditional Use Permit for a Family Child Care Home. We live on the corner lot at 1111 Whitewater Drive.

This location, 1104 Whitewater Drive, has previously been a group home. With this facility we put up with traffic during shift changes, visitations and with their bus activity. This was approved somehow. It is our opinion that approval for the Conditional Use Permit should be denied based on this past history.

We're the bus stop corner which brings more traffic in the early morning and after school. These are the same times that the FCCH would experience some of their pick up and drop off traffic. This amount of traffic is unacceptable to us and our neighbor. In the past, people going to the group home would often drive up on our sidewalk to make a U-turn to park in front of the house. It was obviously too much to ask or too much work to drive to the corner and make a U-turn or to drive around the block to be able to park on the right side of the street. In the winter our neighbor as well as ourselves got the joy of packed snow on the sidewalk along with smelly and noisy exhaust during drop off and pick up times.

We built our home in this neighborhood expecting a nice quiet residential area. With this new proposal we are going to be back to living next to a revolving door of a business not a single family dwelling.

We are totally opposed to the approval of this Conditional Use Permit. We don't want the traffic and extra activity that would go along with a FCCH.

Now that the number of clients has been changed to 6 a conditional use permit has been issued in house not by the planning and zoning board as a whole. I want a denial until the whole board meets on this appeal. I understand that if there are no complaints the number could go to 12 after 6 months of operation. I don't want the FCCH across from our house period.

Sincerely,

Russell Anderson
Teresa Anderson

Russ and Teresa Anderson
1111 Whitewater Drive
Rock Springs, Wyoming 82901

3-20-16


Steven R. Wilson
1103 Whitewater Drive
Rock Springs, WY 82901

March 16, 2018

City of Rock Springs
Planning and Zoning Commission
212 D Street
Rock Springs, WY 82901

Dear Commission Members:

I request a hearing before the commission regarding the granting of a conditional use permit for Hyatt Daycare at 1104 Whitewater Drive. I would like to be added to the agenda for the April 11, 2018 meeting. I would anticipate participation by several other residents from homes located nearby.

Thank You

Steven R. Wilson

City of Rock Springs
Planning and Zoning Commission
212 D Street
Rock Springs, WY 82901

Dear Planning and Zoning Commission Members,

I oppose the conditional use permit for a daycare located at 1104 Whitewater Drive. I am opposed as this facility will generate unacceptable noise and present a real danger due to a huge increase in traffic through our neighborhood. I believe this facility will negatively affect our quality of life and enjoyment of our property.

Thank you,

Signed

[Signature]

Address

1012 Whitewater

City of Rock Springs
Planning and Zoning Commission
212 D Street
Rock Springs, WY 82901

Dear Planning and Zoning Commission Members,

I oppose the conditional use permit for a daycare located at 1104 Whitewater Drive. I am opposed as this facility will generate unacceptable noise and present a real danger due to a huge increase in traffic through our neighborhood. I believe this facility will negatively affect our quality of life and enjoyment of our property.

Thank you,

Signed

Steve Profanis

Address

3009 Driftwood Lane

City of Rock Springs
Planning and Zoning Commission
212 D Street
Rock Springs, WY 82901

Dear Planning and Zoning Commission Members,

I oppose the conditional use permit for a daycare located at 1104 Whitewater Drive. I am opposed as this facility will generate unacceptable noise and present a real danger due to a huge increase in traffic through our neighborhood. I believe this facility will negatively affect our quality of life and enjoyment of our property.

Thank you,

Signed Jeffrey S. Hairbark

Address 1112 WHITEWATER DR - 82901

City of Rock Springs
Planning and Zoning Commission
212 D Street
Rock Springs, WY 82901

Dear Planning and Zoning Commission Members,

I oppose the conditional use permit for a daycare located at 1104 Whitewater Drive. I am opposed as this facility will generate unacceptable noise and present a real danger due to a huge increase in traffic through our neighborhood. I believe this facility will negatively affect our quality of life and enjoyment of our property.

Thank you,

Signed John L.

Address 2931 Disturbed Lane

City of Rock Springs
Planning and Zoning Commission
212 D Street
Rock Springs, WY 82901

Dear Planning and Zoning Commission Members,

I oppose the conditional use permit for a daycare located at 1104 Whitewater Drive. I am opposed as this facility will generate unacceptable noise and present a real danger due to a huge increase in traffic through our neighborhood. I believe this facility will negatively affect our quality of life and enjoyment of our property.

Thank you,

Signed



Address

2925 SUNDANCE LN, RS,

City of Rock Springs
Planning and Zoning Commission
212 D Street
Rock Springs, WY 82901

Dear Planning and Zoning Commission Members,

I oppose the conditional use permit for a daycare located at 1104 Whitewater Drive. I am opposed as this facility will generate unacceptable noise and present a real danger due to a huge increase in traffic through our neighborhood. I believe this facility will negatively affect our quality of life and enjoyment of our property.

Thank you,

Signed



Address

2925 Sundance Ln RS

City of Rock Springs
Planning and Zoning Commission
212 D Street
Rock Springs, WY 82901

Dear Planning and Zoning Commission Members,

I oppose the conditional use permit for a daycare located at 1104 Whitewater Drive. I am opposed as this facility will generate unacceptable noise and present a real danger due to a huge increase in traffic through our neighborhood. I believe this facility will negatively affect our quality of life and enjoyment of our property.

Thank you,

Signed Elly Mita

Address 1015 Whitewater Dr

City of Rock Springs
Planning and Zoning Commission
212 D Street
Rock Springs, WY 82901

Dear Planning and Zoning Commission Members,

I oppose the conditional use permit for a daycare located at 1104 Whitewater Drive. I am opposed as this facility will generate unacceptable noise and present a real danger due to a huge increase in traffic through our neighborhood. I believe this facility will negatively affect our quality of life and enjoyment of our property.

Thank you,

Signed Bobby Anderson

Address 2924 Sundance Ln

City of Rock Springs
Planning and Zoning Commission
212 D Street
Rock Springs, WY 82901

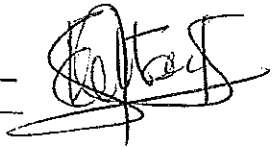
Dear Planning and Zoning Commission Members,

I oppose the conditional use permit for a daycare located at 1104 Whitewater Drive. I am opposed as this facility will generate unacceptable noise and present a real danger due to a huge increase in traffic through our neighborhood. I believe this facility will negatively affect our quality of life and enjoyment of our property.

Thank you,

Signed

Samer Kottam



Address

1019 Stillwater Dr

Rock Springs WY 82901

City of Rock Springs
Planning and Zoning Commission
212 D Street
Rock Springs, WY 82901

Dear Planning and Zoning Commission Members,

I oppose the conditional use permit for a daycare located at 1104 Whitewater Drive. I am opposed as this facility will generate unacceptable noise and present a real danger due to a huge increase in traffic through our neighborhood. I believe this facility will negatively affect our quality of life and enjoyment of our property.

Thank you,

Signed

Kelly + Mina Pruitt

Address

1103 Stillwater Dr.

R.S., WY 82901

City of Rock Springs
Planning and Zoning Commission
212 D Street
Rock Springs, WY 82901

Dear Planning and Zoning Commission Members,

I oppose the conditional use permit for a daycare located at 1104 Whitewater Drive. I am opposed as this facility will generate unacceptable noise and present a real danger due to a huge increase in traffic through our neighborhood. I believe this facility will negatively affect our quality of life and enjoyment of our property.

Thank you, Henry Gruer

Signed Henry Gruer

Address 3025 Portland Lane
Rock Springs WY.

City of Rock Springs
Planning and Zoning Commission
212 D Street
Rock Springs, WY 82901

Dear Planning and Zoning Commission Members,

I oppose the conditional use permit for a daycare located at 1104 Whitewater Drive. I am opposed as this facility will generate unacceptable noise and present a real danger due to a huge increase in traffic through our neighborhood. I believe this facility will negatively affect our quality of life and enjoyment of our property.

Thank you,

Signed Floyd Boeckmann


Address 1003 Stillwater Dr.

City of Rock Springs
Planning and Zoning Commission
212 D Street
Rock Springs, WY 82901

Dear Planning and Zoning Commission Members,

I oppose the conditional use permit for a daycare located at 1104 Whitewater Drive. I am opposed as this facility will generate unacceptable noise and present a real danger due to a huge increase in traffic through our neighborhood. I believe this facility will negatively affect our quality of life and enjoyment of our property.

Thank you,

Signed 

Address 1103 Whitewater Dr

City of Rock Springs
Planning and Zoning Commission
212 D Street
Rock Springs, WY 82901

Dear Planning and Zoning Commission Members,

I oppose the conditional use permit for a daycare located at 1104 Whitewater Drive. I am opposed as this facility will generate unacceptable noise and present a real danger due to a huge increase in traffic through our neighborhood. I believe this facility will negatively affect our quality of life and enjoyment of our property.

Thank you,

Signed 

Address 1103 Whitewater Dr.