



**PLANNING AND ZONING COMMISSION  
MEETING AGENDA**

August 10, 2022

7:00 p.m.

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ROLL CALL

APPROVAL OF MINUTES

1. Review and approval of the June 13, 2022 Planning & Zoning Commission Meeting Minutes. – [Packet Report Page #2](#)

ACCEPTANCE OF STAFF REPORTS AND CORRESPONDENCE

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

PUBLIC HEARINGS

1. None

UNFINISHED BUSINESS

1. None

NEW BUSINESS

1. Avery Adventures – Conditional Use Permit request for a Family Child Care Home (FCCH) at 303 Midway Street (Project # PZ-22-00273) [Report Packet Page 16](#)
2. Request for an informal review of a Sketch Plat for Aspen Mountain Medical Center, submitted by Curtis Mayse (Steamboat Orthopedics) and represented by Shawn Arnoldi, PE (WHS Engineering, Surveying, Planning). (Project #: PZ-22-00292 Staff Representative: Cathy Greene, City Planner) [Report Packet Page 45](#)
3. Sweet Little Smiles Daycare – Conditional Use Permit request for a Child Care Center (CCC) at 1220 9<sup>th</sup> Street (Project # PZ-22-00298) [Report Packet Page 71](#)

NOTIFICATION OF MINOR SITE PLANS AND STAFF APPROVED CONDITIONAL USE PERMITS

1. Jared McAfee – Special Purpose Fence – CUP at 510 Daytona Drive (Project #: PZ22-00248)

Total of 39 projects input in July, and 28 approved or closed out. These are a combination of: CUP, Residential Site Plans, Signs, Administration, Research, Occupation Tax Applications, Home Occupations, Minor Site Plans, Zoning Certifications, and Preliminary Application Reviews.

PETITIONS AND COMMUNICATIONS

1. Written petitions and communications.
  - a. Update Business Licenses – [Packet Report Page #104](#)
  - b. Update on City Council actions -none
2. Petitions and communications from the floor.

ADJOURNMENT

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**PLANNING AND ZONING  
COMMISSION MINUTES**  
**July 13, 2022**  
**Wednesday, 7:00 p.m.**  
**City Hall, Rock Springs, Wyoming**

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Commissioners Present:	Chairman Justin Lemon Dan Kennedy Zane Isaacson	Blake Manus Kevin Hardesty Emily Lopez Lacey Brown
Commissioners Absent:	Cody Wylie	Ken Fortuna
Staff Present:	Cathy Greene, Planner Amy Clark, Senior Administrative Planning Technician Jordan Allen, Assistant City Attorney Ryan Schmidt, City Engineer	

**CALL TO ORDER**

Chairman Lemon 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 Lemon asked the Commission for any corrections or additions to the Minutes from the June 8, 2022, Planning and Zoning Commission Meeting. With no corrections or additions, Chairman Lemon asked for a motion to accept the Minutes as presented.

Commissioner Lopez: Motion to approve the Minutes as presented.

Commissioner Kennedy: Second.

Vote: All in favor. Motion carried unanimously.

**ACCEPTANCE OF STAFF REPORTS AND CORRESPONDENCE**

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

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

Commissioner Manus: Second.

Vote: All in favor. Motion carried unanimously.

**CHANGES TO THE AGENDA**

None.

### **PUBLIC HEARINGS**

1) Request to amend the Master Plan Land Use Map from LDR to HDR and amend the Official Zoning Map from R-3 to R-5, filed by Travis Manus (Project#: PZ-22-00208)

Commissioner Manus stated he would be abstaining from this item as he is related to the applicant.

Commissioner Kennedy state he would be abstaining from this item as his employer, JFC is listed as the engineer on the application.

Commissioner Lopez asked if there were still enough people to vote. Ms. Greene confirmed there is a voting quorum present.

#### **Staff Report**

Ms. Greene presented the Staff Report to the Commission and noted the wastewater comment in the packet is not for this item and the correct wastewater comment has been provided to the Commission.

Notifications were sent out on June 27, 2022, and published in the Rocket Miner in the June 29, 2022.

#### **Commissioner Questions for Staff**

None.

#### **Commissioner Questions for Applicant**

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

Mr. Travis Manus came forward to explain his proposed reasons for the zone change and master plan amendment. He explained the request to move from R-3 to R-5 would allow him to reconfigure the lot to give him more space to build some more affordable housing and will still be single-family dwellings.

Chairman Lemon asked Mr. Manus how many units are you proposing there? Mr. Manus answered, possibly eight, but maybe five to ten. Chairman Lemon asked if they would be single-family attached dwellings. Mr. Manus confirmed and stated they would similar to a row house.

Chairman Lemon asked Ms. Greene if the maximum unit number would be nine units for a row house. Ms. Greene noted that townhouse clusters are four units minimum and two hundred feet in length maximum, plus take into consideration setbacks and parking requirements. Commissioner Lopez asked what the maximum length was. Ms. Greene stated two hundred feet. Chairman Lemon asked if they would be subject to the largest setback requirements of fifteen feet on each side, then found the information in the packet. Ms. Greene noted that the parcel is a corner lot. Chairman Lemon asked if that makes the setbacks twenty-five feet. Ms. Greene stated that it will be subject to a full site plan review once they do submit. Chairman Lemon noted trying to get an idea of what can fit there and what could actually be done.

#### **Public Comments**

Chairman Lemon asked for anyone who would like to comment on the project to come forward.

Greg Buel lives to the west on Adams Avenue came forward to discuss his concerns. He came to see what the proposition is and what the plans to build there are. He had several concerns: we are already having issues with the low-income housing in the area and that seems to be the direction of this. Traffic and parking in the area is also a concern as it is a smaller lot. I understand the lot needs to be used wisely and there is a mine subsidence issue with this property.

Ronald Fowler lives to the west on Adams Avenue came forward to discuss his concerns. Is this going to change the property values of our property? I know that there was an open mine shaft about one hundred fifty feet into the

property and I have two of the rails that were in there. We were told at one time that that property could not be sold, because of the problems of subsidence. I was wondering if that is going to decrease the property value of our homes.

Commissioner Lopez stated that she doesn't think that there is ever a guarantee on something like that, to respond to that, I am a real estate broker and live south of this area. I don't particularly have concerns about value. For me, it's neither here nor there. I don't think when you already have the city housing there, to add some additional lower density city residential housing, my professional opinion is that, if there was nothing there and someone wanted to add it, it might be a little bit different, but with you having that surrounding already, my opinion would be that it wouldn't have an impact on it, and of course there's no guarantee, but owning a property in the area it doesn't concern me having a property in the area. But that's just my personal opinion to answer your question.

Ronald Fowler (in audible)

Chairman Lemon stated as part of the abandoned mines there are funds that are devoted to mitigating any further subsidence risk and then the city has a stringent process for requiring engineered open holes for the construction of the property.

Ms. Greene stated they will do mine subsidence and work through the project and if not they'll also work with the building department on engineered designed foundation. Whatever works through the process.

Chairman Lemon stated I will also speak a little bit about the property values as well, because I have done a number of redevelopment projects myself. They've consistently raised property values in the neighborhood, particularly with the current cost of construction. Whatever is put in there will have a higher value, at least every time that I have done a redevelopment and whatever I put in there benefits. Trying to be more affordable is typically more expensive than the existing area. If anything, it helps raise your property values in the neighborhood. Is what I have seen, every property is unique and there's no guarantees.

Greg Buel added that parking is an issue if they put in apartments like what they have there now. They could park just the same way that they are. But I would prefer that actually, but with the zoning change to R-5 is it possible they could put apartments on the property, could they put an apartment complex in?

Ms. Greene confirmed yes, R-5 does allow for apartments.

Greg Buel continued that he did know that the property was up for sale recently and I don't know if this is part of a contingency on the sale or not. Ms. Greene stated we do not know. Mr. Buel continued, would R-3 be a good enough zoning to put the townhomes in.

Chairman Lemon stated no, R-5 is the minimum zoning for the town homes.

Greg Buel stated it's a risk to whoever owns the property as to what they put in it.

Ms. Greene confirmed yes.

Chairman Lemon stated the parking requirements are more stringent for something like apartments versus a townhome actually.

Travis Manus responded, I guess to address property value, it would all be new construction. Obviously our goal would be to be able to put townhouse clusters with individual driveways and/or single garages. So it would be more, just to utilize the space to be able to fit to make it more economical for everybody. I think to address the parking, obviously there is going to be a little bit of infrastructure upgrades, curb and gutter, sidewalk, that sort of thing. So that is going to help on Merchant and Thomas right there. As far as mining subsidence, we've been in contact with AML and we're working through that. Obviously, we are not going to do anything unless it is safe for whoever we are going to sell to or to protect our investment as far as the land use itself. As far as how quick we would, I can't say that for certain.



Chairman Lemon reminded Mr. Manus that there were expressed concerns about problems with low income housing with the kids in the neighborhood.

Travis Manus responded that affordable housing doesn't necessarily mean low-income. We are looking to meet the demands of families starting out. We're looking to single families.

Commissioner Lopez stated to be fair, just so we are not overstepping or anything, familial status is a protected class and just to avoid any discrimination I don't really think that we, we can't consider it, so I don't even know that that should be part of our, we really just can't, so I would just avoid that point because that might lead us astray.

Chairman Lemon asked, your intent at this point is for single families for sale. Mr. Manus answered yes, that is correct.

Chairman Lemon then asked for a staff recommendation.

#### Staff Recommendation

Ms. Greene addressed a couple of the items that were brought up. Traffic and parking, minimum requirements for parking on townhomes are two off-street parking spaces per unit, they can be in the garage or driveway, but they do require two per unit. So when a site plan is submitted, everything will be taken into consideration, the setbacks, the parking, the sidewalks, walkways, open spaces, etc. It will all be addressed at that point. Mine subsidence, I think we've covered on how it is going to be handled. The property values comes up with almost every development and it's always an unknown.

Ms. Greene recommended approval to move forward to City Council.

#### Commission Vote

Commissioner Hardesty: Motion to approve with staff recommendations.

Commissioner Isaacson: Second.

Vote: Commissioner Kennedy and Commissioner Manus Abstained, all others in favor, motion passes.

### **UNFINISHED BUSINESS**

1) Required Update – Request for Major Site Plan Approval, submitted by FedEx Freight, Inc., located at 600 Mitchelson Street. (Project# PZ-20-00339) packet report page 47.

Commissioner Kennedy state he would be abstaining from this item as his employer, JFC prepared the site plan for this project along with the turning analysis.

Ms. Greene stated, thank you, we also have Amy Iberlin and Amy Strickland; Amy Iberlin is representing MJR Rentals and Amy Strickland with FedEx Freight, they are both on the line.

#### Staff Report

*Ms. Greene stated, staff report update, so project number PZ-20-00339, um, received conditional approval and this is the conditional approval update by FedEx Freight major site plan. I am just going to do a little recap to bring, a, our new commissioners up to speed and kind of a reminder to everybody where we're at with it.*

*November 3<sup>rd</sup> 2020 a major site plan application was received we moved forward with utility review meetings and communications with the applicants and the attorneys. And then in April, um, April 14<sup>th</sup> 2021, it first came in front of the Planning and Zoning Commission. The applicant property owner was asked if they were okay with all the requirements including Mitchelson improvements. No, not all of the Mitchelson but Milne and Soulsby, um, they were*

okay with. The item ended up being tabled with Commissioner Lemon motion to table, a bit of the work was left to do and expansion to other parcel. Commissioner Lopez stated this isn't the boards place to determine, that, what needs to be done. Commissioner Isaacson seconded the motion. Vote, all were in favor, motion carried. Uh, Commissioner Wylie and Commissioner Kennedy abstained. May 12<sup>th</sup> 2021, Planning and Zoning Commission, property owner requested it to remain tabled. June 9<sup>th</sup> 2021, Planning and Zoning Commission, it was request to remain tabled. July 14<sup>th</sup> 2021, it was removed from the table and voted on with ten of the twelve recommended conditions. Reversed their earlier comment and are now okay with Mitchelson improvements, but not Soulsby and Milne. Condition number ten, uh, present an update to the Planning and Zoning Commission at the October 13, 2021 meeting as to the status of the improvements, for further consideration and possible confirmation by the Commission. October 13<sup>th</sup> 2021, Planning and Zoning Commission, staff recommended a deadline to complete the work, the Commission was not comfortable doing that, staff then recommended another 6 month update. April 13<sup>th</sup> 2022, Planning and Zoning Commission, staff recommended the Commission request construction schedule and timeframe instead of six month updates. Mr. Eggers stated that maybe a few months they can come up with a date. Staff then changed recommendation to a three month update to provide a construction complete date. Uh, a portion of the minutes, from that meeting are attached in the staff packet.

June 15<sup>th</sup>, 2022, reminder introduction, um, the City hadn't heard or received anything, since the April meeting, so I sent out a quick introduction email letting the parties involved know that I was the new city planner and that Laura had departed us and that we had a submittal deadline of June 27<sup>th</sup> coming up for this meeting. June 27<sup>th</sup> 2022, I got a letter from Mr. Walter Eggers, Mr. Eggers submitted a letter addressing the mag chloride application, pallets, and auto-turn analysis, stating the property owner would submit a report addressing the other conditions. June 28<sup>th</sup> 2022, a phone call with Amy Iberlin, uh, who is the attorney for Ms. Rasmussen, we discussed Mr. Eggers submittal not addressing all of the items and went through each of the ten conditions from the approval letter. July 5<sup>th</sup> 2022, email from Walter Eggers, attorney for FedEx, addressing my phone conversation with Ms. Iberlin, regarding the auto-turn analysis not being complete. While the actual study is complete, the recommendations in the report have not been addressed, we need construction plans showing the required reconstruction of the intersection and then construction of such needs to take place. July 5<sup>th</sup> 2022, I received an email from Cathy Davis, paralegal to Amy Iberlin, Ms. Iberlin addressed, um, item number one from the approval letter, the site plan correction, uh sorry, item number one in her letter, the site plan corrections were made and completed June 30<sup>th</sup> 2021, number two the waterline installation to be completed by July of 2022, number three improvements to Mitchelson, they are seeking bids, number four, drainage not to impede other properties, they stated not applicable, number five bonding and permitting in the right-of-way they stated the contractor's blanket bond covers the waterline project so it's not applicable. On July 6<sup>th</sup> 2022, um, I sent an email off to the parties involved after receiving the partial responses from the different parties and my email is in the staff report and it goes through all of the ten approval items for the condition of approval that was issued in July of last year. The approval letter stated number one, approval is for the property addressed at 600 Mitchelson Street only, approval does not authorize use of the property owned by GDC, LLC, and we stated this will be addressed in the near future. Number two, at a minimum mag chloride shall be applied to the property annually to control dust, and we stated that we acknowledge that it was treated in July of '21 and will be treated again in July of '22, we would like an agreement in writing between the landowner, MJR Rentals and the tenant FedEx Freight, stating that the mag chloride will be applied each year, not later than July 31<sup>st</sup>, by either the landowner or the tenant. Number three, per the Fire Department, pallets shall be stored away from the building ten feet, will make sure the Fire Inspector or Fire Department performs and inspection to ensure this has taken, been taken care of. Number four, site plan correction as follows: a) Correct the waterline as shown on site plan to show the proposed parallel line to the property and correct the tie-in location, as noted by the Rock Springs Water Department, tie-in to the new existing service will need to be past the existing trailers on Andrew May's property, the new service will only feed 600 Mitchelson Street. And we concur the waterline location was corrected on the revised plan that was submitted on July 30<sup>th</sup> of 2021, and is currently under construction. Uh, four b) Site plan corrections shall be submitted no later than July 30<sup>th</sup> 2021, and we agree the attached site plan was submitted on July 30<sup>th</sup> 2021, which now needs to be followed for the waterline installation, Mitchelson repairs, and overlay. Number five, waterline installation and materials shall meet the City of Rock Springs and Joint Power Water Board specifications. This is currently under construction, they have pulled a permit for it. Number six, per WYDOT, perform an auto-turn analysis of turning vehicles at the intersection with Elk Street, modifications to the radius returns may be necessary to minimize off-tracking of semi-trailers, pulling multiple trailers that could potentially damage sidewalk and ADA ramps, an approach permit obtained by WYDOT would be

*necessary if mitigation is determined, improvements within the WYDOT right-of-way shall be approved and permitted through WYDOT. And we are in agreement that an auto-turn analysis was completed and acknowledged in this latest staff report on page 33 as being completed. We do need construction drawings, acceptable and approved by the City Engineer, WYDOT, and the Water Reclamation Facility, and a construction plan and timeframe submitted to accomplish what the auto-turn analysis shows. I can only assume this will be done in conjunction with the Mitchelson Street improvements. Number seven, improvements to Mitchelson Street shall be made in conformance with the revised site plan dated July 2<sup>nd</sup> 2021, and the damaged failed pavement areas on Mitchelson Street need to be field verified with the City Engineer and repairs completed. Then the overlay needs to be completed. We need the schedule of both these items submitted. Number eight, all improvements shall not impede drainage, nor create drainage problems with adjacent properties. This has not been satisfied, this will be deemed completed only after all construction has taken place and the City Engineer signs off that the drainage has not altered in any way and will not impede adjacent properties. Number nine, excavation to the City's public right-of-way will require bonding and permitting through the City Engineering Department, I believe this will require permitting through the engineering department. Number ten, present an update to the Planning and Zoning Commission at the October 13<sup>th</sup> 2021 meeting, as to the status of the improvements for further consideration and possible confirmation by the Commission. And you can see below I included in my email, were the minutes, um, the outcome from the October and April meeting, a construction timeline and completion date must be presented at this meeting, being July of 2022.*

*Then I just want to recap, the, how we got where we are now. Um, out of the Ordinance Section 13-904 procedure for site plan approval, general requirements, site plan approval shall be required for all new residential, commercial, or industrial construction or uses or expansions or additions to existing residential, commercial, or industrial uses. Site plan approval shall be obtained prior to commencement of use, or issuance of building permit. The design of public street improvements shall comply with Article 16-8 and 16-9 of the Subdivision ordinances. It further goes on, in considering applications for Major Site Plan Approval under this ordinance, the Planning and Zoning Commission shall consider the following relationship of the plan elements to conditions, both on and off the property, conformance to the City Zoning Ordinance; the impact of the plan, on the existing and anticipated traffic, and parking conditions, the adequacy of the plan with respect to land use, pedestrian and vehicular ingress and egress, building locations and heights, landscaping, lighting, provisions for utilities, site drainage, open space, loading, unloading, grading, signage, screening, setbacks, and other related matters. The Planning and Zoning Commission shall consider oral or written statements from the applicant, the public, City staff members, or its own members. And any question the applicant and approve, deny, or table the development proposal. The application may not be tabled more than two regular meetings of the Commission. If the Commission shall determine by motion that the proposed site plan will not be detrimental to the health, safety, or welfare of the community nor will cause traffic congestion or seriously depreciate surrounding property values and at the time is in harmony with the purposes and intent of this Ordinance, the plan for the area, and the Comprehensive Plan, the Commission may grant such site plan approval and impose such conditions and safeguards as they deem necessary.*

*So, after I sent the email, um, I, we did have a conference call, yesterday, July 12<sup>th</sup> 2022, with Mr. Eggers, Ms. Iberlin, Paul Kauchich, Ryan Schmidt, Jordan Allen and myself. We reviewed the ten conditions, in which now the applicant feels like they want to revisit and shouldn't be responsible for such improvements. At this point the staff and the Commission have been more than accommodating, to work with the applicant by tabling the item more than allowed by ordinance, the Commission removed two of the conditions that were required by staff and the continued delays at each meeting and non-submittal of a construction completion date. As stated in the Ordinance, these are regular requirements on projects, no matter who the applicant is, we have had many developments, commercial, industrial, medical, subdivisions, that have to make up grades, upgrades the City's infrastructure, this is not unusual. A few examples; Aspen Medical Center had to make improvements to College and Stagecoach, an application for Maverick is going to require street improvements and a traffic signal, um, subdividers who have proposed and built out subdivisions have had to make improvements at times, often widening roads, adding turning lanes, and all of these require curb, gutter, turn radius work, if intersections are involved. And then I have an example, we did a site plan approval in 2015 for a different FedEx facility, FedEx Ground, that went in out on Killpecker, it was for a brand new facility, their site plan approval letter that was issued included all utility review conditions shall be met, all new signage had to be permitted, development plan shall conform with the approved site plan, any changes shall require approval by the City prior to making changes, applicants shall obtain a building permit for the project within one year of site*

*plan approval, failure to obtain a permit within one year timeframe shall require resubmittal of a new site plan application and review consideration and approval including compliance with ordinances in effect of the time of resubmittal, all site improvements including parking, lot paving, perimeter curb, gutter and striping shall be installed prior to planning sign off or occupancy permit. Also, site maintenance and dust control plans submitted by May 15<sup>th</sup> shall be strictly adhered to, any valid dust complaints from nearby residents will cease in a stop work order. So these are not unusual conditions that went with this site plan approval.*

*While we do feel compassion for the applicant, the financial aspect of doing business is not something the City gets involved with, with the exception of we do require developers and applicants to prove their financial ability to do what is being proposed. On applications, it is between the applicant, property owner, or leasee to determine who covers the costs of the development requirements, it is not up to the City. We are faced with the situation, they have significantly expanded the use with no prior approvals. As we all know the shipping industry has only grown substantially in the last seventeen years with e-commerce. If they or another applicant were to bring this site plan to us, prior to occupying the building, they would not be issued a business license to operate until all conditions were met. Or if new construction, they would not be issued an occupancy certificate until all conditions were met. Typically when site plan approval is given, the applicant has one year to obtain all permitting. It has been twenty months since, we, the City received the application, and one year since conditional site plan approval. It is staff's recommendation at this time for the Commission to no longer allow this to drag out and set deadline of December 31<sup>st</sup> 2022 for all items to be completed or for the City Clerk, at that time, to revoke the business license for non-compliance of the conditional approval, and the violation of this ordinance.*

*Chairman Lemon stated, alrighty, thank you Cathy. So, is there any questions from the Commission for staff?*

*Commissioner Questions for Staff*

*Chairman Lemon stated, it was a lot of information, it appears that they've complied with the majority of it, but there's still a few sticking points.*

*Ms. Greene stated, I wouldn't say majority, they have removed the pallets, they've applied mag chloride, and they've obtained a permit for the waterline, construction was supposed to begin on the 28<sup>th</sup> of June, which has not begun yet.*

*Commissioner Lopez stated, to me it seems like a refusal, we've had this drag, I mean every time this comes up, it's like okay we can't tell you when it's going to be done, and then now that they're saying, that the quote, quote "applicant wants to revisit", I feel like there was no intention all along to do any of this and we've given them so much leeway that it's been taken advantage of, and they've shown, we're not gonna do it, and as the City, I was gonna ask what, what is the consequence? Everyone else has to follow the rules, we have to keep all the property safe, um, when you now come back over a year later and say we want to revisit it and we haven't done the things we said we're gonna do, to me it seems like there was never any intent, why didn't that project start in June? Every time, it's we can't do it because the weather, we have to wait for the weather, we need an extension, but then it hasn't been started, like, I don't think the intention was there.*

*Commissioner Hardesty stated, I totally agree, we put stipulations on three or four of them....*

*Commissioner Lopez stated, everybody else also.*

*Commissioner Hardesty continued, and they've already done everything, everything is done, so, I totally agree.*

*Commissioner Questions for Applicant*

*Chairman Lemon asked, would the applicant like to come up and address the Commission.*

*Excuse me. Good evening Mr. Chairman, Members of the Commission, nice to appear before you again, um, Walter Eggers, from Cheyenne, and I am here representing FedEx Freight. As, Ms. Greene said, we have uh, Ms. Amy Iberlin on the phone who's representing MJR, the landowner, property owner, and also, I got, uh, Amy Strickland, who's with FedEx Freight, also on the line.*

*Thank you Commission for considering this again, I hear loud and clear the two comments that were just made by the two commissioners, um, and I want to just take a little bit of time, to go through where we stand today. I think, Ms. Greene did an excellent job of summarizing the background, both the procedural background, which is law, um, and also the communications that we've had recently, the outlining of the conditions, and the conversations we've had both written, and as recently as yesterday, over the telephone. Um, I do want to stress the work that has been done, and I know that this will likely hit some of you as, um, trying to push the ball down the road or kick the can so to speak, that's not my intent in saying this. Um, we, we need to go back half a step here, uh, Ms. Greene outlined the ordinance, the site plan, the requirements of the site plan, the legal authority that the, the City and the Planning and Zoning Commission has in this kind of case, and I completely agree with the summary that she gave. One thing that we need to recognize about this particular property, unlike some of the others that she cited, is that this was not new construction.*

*What brought us here and what put us into this situation, that has been going on now for almost two years, is the fact that this was property that was being used in this manner for many years and after conversations with the City, and this is going back quite a ways, there was a concern, about whether, um, what was the proper process for addressing the issues that the City had noticed. Because this is not new construction, we're not going in and saying okay here's our site plan, we're going to do this construction, here are the additional construction conditions that will be imposed, go forth, do it within a year, solid deadline. This is a different kind of case, because of the background and use of the property. Now I completely understand the City Planner's position that this was expanded use over time, and so the site plan was required, and we voluntarily submitted the site plan and that's what kicked off the process in front of this Commission. But I do think it's important to recognize that this was sort of an existing use, this was not a construction project, um, that led to a site plan, which then, frequently, I'm sure has conditions of construction that go along with it. That's not the case here.*

*So, what has been done? There are ten conditions, the first condition is really a, sort of defining which property this is going to apply to so it's not really a condition, but the other conditions are numerous and I would say, respectfully disagree, I think the majority of the conditions have been addressed. Um, and some of those, seem, may seem small, to the Commission, application of mag chloride, that's something that that we have done. We did last July and we are in the process of doing it this month, we will continue to do it. The pallet requirement, I'm sure seems small, uh, for the Commission on what you deal with on a regular basis, but that has been addressed, confirmed again this week that the, the pallets are being properly maintained. And the email message from Ms. Greene addresses how that's going to be addressed going forward. Um, the, the, the, revised site plan was completed by the deadline and submitted, um, and that revised site plan had a waterline, and I'm not going to go too far into this because I want Ms. Iberlin to address the issues that her client has been working on directly. But, the site plan, the main revision to the site plan is a waterline revision and, um, that, that condition, and that work has been contracted to do. It's true that it was, um, was originally scheduled for the end of last month, Ms. Iberlin will address the specific status of that one. Coming back to the FedEx side of it, the auto-turn analysis, um, we did complete the auto-turn study. And I have to say that, when we came to the April hearing, the, the introduction to the packet had a note at the bottom of it that said, "auto-turn analysis condition completed", written by the former City Planner, and, you know, we recognize that there were some issues with the Mitchelson Street, um, repair, um, and Ms. Iberlin will address that, but in terms of doing the auto-turn analysis, that was done and complete even before the last meeting. So, I just, in going through all of that, and not, I don't mean to be making an excuse, I want to instead just stress upon the Commission the amount of work that actually has been done through this time. It's true that the latest communication between the parties and the City was based on uh, uh, an email from Ms. Greene in June that sort of, um, started the communication. But there was a lot of work that was being done between April and June. Between the last time I've appeared before you and, and, and now, and so it's not as though we sort of started working when the email came from Ms. Greene getting ready for this, this hearing. Those conditions have been, we've been working through. So where do we stand, um, I completely understand the uh, the, the staff's recommendation here, I also understand and hear, the frustrations and concerns voiced by, um, a couple of the Commissioners before I stood up. Um, but this is a project that has taken time and we intend to keep working on these issues. Um, but we've got some concerns, and I think we got instead of "we'd like to revisit the order", that I don't think that's actually correct. I think what we have is a misunderstanding about what the details of the requirements are. Um, because, for example, um, there's a, just to take the auto-turn analysis as an example, we did the auto-turn study and now there's a question about whether there'll be*

*reconstruction of the intersection at Mitchelson and Elk, um and I, I personally had a conversation with the Department of Transportation analyst who is working on this particular case, his comment to me, and I'm not gonna, this is paraphrasing, I'm not representing to you that I am saying you know the words that he said to me, but he said that work on Mitchelson Street could include work that goes to the intersection of Mitchelson and Elk, and that might be guided by the auto-turn analysis. But we're not at a point where we can say to you, here's the work that would be done on the curb at Mitchelson and Elk, and with respect, there's not a condition that says that either of these parties, FedEx or MJR will fund that road work. That will be done at the intersection that was not an agreement that was made. Um, the, thee, the requirement was the auto-turn analysis, so my main point is to say, I believe there has be a lot done, I completely understand the fact that this case is unusual, because it's gone on and on and you've had many, many hearing on this and I'm sure that's not customary. Um, but I think that's mostly due to the status of the property when all of this started the concerns that were originally raised through a notice of violation, um, to the property, which then turned to a site plan analysis, which seemed to be the, the focus of the notice of violation. So, um, I'm, I'm happy to answer any questions, but I do want to give Ms. Iberlin an opportunity to talk on behalf of her client, the landowner, MJR. So, happy to answer questions now or whenever and thank you.*

*Hey everyone this is Amy Iberlin on behalf of MJR Rentals and Marylyn Rasmussen and I hope you can hear me okay. Um, I was struggling, I am on the phone trying to get a full picture of what everyone is actually saying, but, um, if you need me to speak louder I can, but I would just like to echo everything that Mr. Eggers just represented to you. Um, I also understand the concerns from the folks that spoke up tonight about the delays and the length of time that this particular project has been outstanding and, um, I, I also wanna kind of highlight and focus on the fact that, it's not that there is a refusal to do these particular tasks. It's just, I think a misunderstanding, of what is actually required from, um, MJR Rentals as well as FedEx. Um, as all of you know, uh, MJR Rentals has been, uh, dealing with FedEx for a very long time, they have a very good relationship and so I'm certain that with the City's, um, willingness and help and guidance, we can certainly sit down and revisit some of these issues that may seem outstanding. But, I just want to give you all a little overall picture of MJR Rental's portion of the topic items and addresses, for, for everybody. Um, and mainly I want to focus on to, first the waterline and second the road. Um, as Ms. Greene accurately pointed out there has been an effort to repair the waterline issue. Um, that supposed to start on the 28<sup>th</sup>, that hasn't started yet; however, Wylie Construction is gonna be doing that. There's uh, um, they submitted all the documentation, uh, required to get the, uh, permit and, um, and the bond in place and be able to address the waterline issue. We're hopeful that that should start anytime. Candidly. Um, it's obviously as you know it's a busy time of year, but those folks are on board, lined up to get that done and we're hopeful that that can get started at least by the end of the month. I think that there is, uh, mention of that in the packet, but the projected completion date is expected to be around the end of July. So, I am still hopeful that that can still be in play. In terms of, um, the drainage issue, it's been represented to me by Wylie Construction that there won't be any drainage problems created by the installation of the waterline that Wylie Construction intends to do. And also with respect to the bonding and permitting through the City Engineering Department, I, um, believe that's, um, all handled and taken care of through Wylie Construction's blanket bond. So, those particular portions are in place, in progress, and hopefully gonna be complete by the end of this month.*

*With respect to the Mitchel, Mitchelson Street, um, related to the revised site plan of July 2<sup>nd</sup> 2021, there may have just been simply a misunderstanding as to what was required by the individual landowner verse, um, what's required for, um, and let me take a step back, what would be required for an individual landowner to perform on a City street in terms of repairs and, um, what the City would be expected to do. Now, I've now been educated in terms of this is a historical issue that has been passed two particular landowners and various different occurrences and on occasions, but, um, we have, I guess my folks, my, my, um, client has been seeking bids to repair the potholes, but it's been conveyed to me that, and that it actually needs to do a little more with regards to the Mitchelson Street. So, I'm certain that we can, um, continue discussing this and get some kind of plan in place for you folks. And I appreciate you being patient with this, I know that, um, that this has been long and outstanding and has taken quite some time and it seems like we're constantly tabling these issues, but I, I would just, I would just ask that each of you remember that this is an individual person that is tasked with very expensive changes to her particular property and so I can assure each of you that she is doing the very best she can to get these tasks taken care, to be able to maintain her property, and to be able to maintain FedEx's, um, (in audible word). So, I really appreciate your time, I really*

*appreciate your patience, and I really appreciate your understanding and hopefully we can get these items, um clarified and sorted out a little further for you. Thank you so much.*

*Ms. Greene and Ms. Clark thanked Ms. Iberlin.*

*Chairman Lemon asked, was that all the applicants that wanted to present.*

*Mr. Eggers stated, I am certainly happy to answer any questions you may have of me, but that was our presentation. Do want to make just one final point if I could, um, and then I'll sit down. Uh, this is, this is a, basically just a footnote to the recommendations and this has to do with the application of mag chloride. Again, small issue, um, there was a recommendation by the City, that the, uh, that the, uh, landowner and FedEx enter into an agreement and then file that agreement with the City, um, earlier it was explained that the City doesn't typically get into the relationship, the business relationship between parties, we think that is good policy, and think that applies here. My letter of June 27<sup>th</sup> represents that FedEx will continue to do this on an annual basis, if that in and of itself is not sufficient we can work on a communication between FedEx and the City, uh, but the, but ah, ah, we resist, uh, uh, uh, a requirement that would say that this is the way that this landowner and this tenant are going to do their business. Very small point, but did want to include that. And thank you for your time.*

*Chairman Lemon stated, um, I have a questions for Ryan, that even though you are familiar with stuff, that auto-turn, auto-turn thing means absolutely nothing to me.*

*Engineer Ryan Schmidt stated, so the auto-turn analysis was a requirement by WYDOT and what that analysis does it is, it uh, indicates what a designed vehicle, in this case a semi-tractor trailer, how that would negotiate that turn from Mitchelson onto Elk Street. So, in the auto-turn analysis that was done by JFC, uh, they recommend that, that radius be set back at a thirty foot radius instead of the current radius, which is smaller than that. In order for vehicles to negotiate without driving over the uh, the curb and gutter.*

*Chairman Lemon stated okay, that's typical for, um, semi entrance, that type of analysis is done.*

*Engineer Schmidt stated it is, it is typical for a semi-trailers and, uh, I thinks it's probably more of a typical analysis requirement by WYDOT, since Elk Street is WYDOT's street.*

*Commissioner Manus asked, how long does something like that normally take, start to finish?*

*Engineer Schmidt stated uh, the analysis I think is fairly automated with today's software, um, so I don't think it takes overly long to complete. So, day or two potentially.*

*Commissioner Manus asked, for the analysis and then you know any sort of recommendation after that, how long does that usually take? What's your guess?*

*Engineer Schmidt stated, I would assume a analysis and recommendation could be completed within a week's time.*

*Chairman Lemon stated, the WYDOT, um, my previous experience with WYDOT, nothing actually happens fast with them. If they.*

*Engineer Schmidt asked, as far as the review of the analysis?*

*Chairman Lemon stated yah.*

*City Engineer Schmidt stated, I'm not certain, um, that was a requirement by Darin Kaufman. I know that there was some emails back and forth from JFC and Darin Kaufman. Um, in the analysis, um, process, I'm not certain exactly how long that took. But, I believe a recommendation was completed by last fall, so that's been in place since last fall.*

*Chairman Lemon stated, and then, um, also on that bonding, the, the there's already been some bonding laid for the construction.*

*Engineer Schmidt stated, that is correct, so, um, Wylie has a, a blanket bond in place with the City of Rock Springs, so he went against that blanket bond for the, the bonding requirement for the waterline installation. Which involved the, um, installation of the waterline, um, and service improvements within the City right-of-way, Mitchelson.*

*Chairman Lemon asked, so should he fail, the City's already been covered.*

*Engineer Schmidt stated, correct.*

*Chairman Lemon stated, to complete the work.*

*Engineer Schmidt stated, complete the service improvements, so I guess I should correct myself, the bond doesn't cover the installation of the service, service, service, water service, just the reinstallation of the service improvements. So the, uh, the road base, and asphalt pavement.*

*Chairman Lemon stated, and because the City has a blanket bond, I assume Wylie is in good standing.*

*Engineer Schmidt stated, I'm sorry.*

*Chairman Lemon stated, Wylie's on this board, so I assume that Wylie is in good standing with the City and as for projects.*

*Engineer Schmidt asked, as far as for contractor's license? Yah there's no issue there.*

*Chairman Lemon stated, I guess that's more of a Cathy.*

*Engineer Schmidt stated, yah.*

*Chairman Lemon asked, any other questions from the Commission? Yah, go ahead Cathy.*

*Ms. Greene stated, in reference to a couple comments that were made by both Ms. Iberlin and Mr. Eggers, on not knowing what the detail of their work was. When the revised site plan, um, was submitted on July 30<sup>th</sup> the notes on that revised site plan dated July 30<sup>th</sup> 2021, state Mitchelson Street to be overlaid with one and half inch asphalt after damage failed pavement areas are repaired. Field verify locations and configuration of the one inch waterline service line, tie-in point, install shut-off valve within, propose servicing for parking and vehicle circulation areas on the FedEx parcel, Milne Street and Soulsby Street to be mag chloride applied annually or as necessary to control the creation of dust, new water service line can tie into existing service line at a location past the existing trailers on Andrew May's property, new service to feed. And, also on that, the auto-turn analysis was completed by July 30<sup>th</sup> and is shown on the site plan as well, so you have a document that was submitted of record that shows the improvements that were to be made, that have not been made. Um, in reference to the dust control plan, that we requested, that's a very common requirement of all developments, subdivisions or general construction, that they complete, whether it comes from the landowner or the applicant, or the leasee, um. And then Amy Iberlin stated that the, um, they're hoping the construction will start by the end of the month. The plan that we have laid out from the contractor agreement states it's gonna be completed by the end of the month and as of today, July 13<sup>th</sup>, they have not begun. Um. The bond that is in place, the blanket bond, is only for the waterline, depending on who they hire for the street improvements, they will have to put a bond for it as well, for the street project. The street project ties into because it is an intersection with a WYDOT road, WYDOT requirements along with Mitchelson, City Standards.*

*Chairman Lemon asked, are there any other questions from the Commission? Um, the, the, the, seems like they have already agreed to do dust control, and, um, similarly, I'm just thinking of, of, other conversations, we have said that, like, when it comes to an HOA, we're not gonna enforce private agreements. And, so*



*Ms. Greene stated, so dust control plans are supposed to be submitted, subdivisions, like I said, commercial site plans, one of the requirements is a dust control plan be submitted to the City. So we have something on file in the record, stating, so when we get complaints from adjacent property owners, neighbors, of dust issues, we can pull the plan back out and say, you're supposed to have this mag chlorided by July of every year.*

*Chairman Lemon asked, and that has been submitted, right? Or nope, I'm understanding.*

*Ms. Greene stated, no.*

*Chairman Lemon stated, so they've said it in an email, but not an actual formal dust control plan.*

*Ms. Greene stated, that is correct.*

*Chairman Lemon stated, okay. This is one of the more complex ones and I've dealt with some interesting ones. Alrighty, would there be, uh, staff recommendation?*

Public Comments

*None*

Staff Recommendation

*Commissioner Lopez stated, you made it right at the beginning after? So there, the staff recommendation was the requirement of all the conditions be met by December 31<sup>st</sup>, 20, well to be met by the end of the year or the business license to be revoked by December 31, 2022. Correct, right?*

*Ms. Greene confirmed, yes.*

*Commissioner Manus asked, so who's license gets revoked at that point? FedEx's? or MJR Rentals?*

*Ms. Greene stated, that would be up to the City Clerk, the City Clerk regulates and, uh, City Attorney Allen is here to elaborate on that.*

*Commissioner Lopez asked, will you elaborate on it?*

*Chairman Lemon stated, yah, what's, what's your?*

*Assistant City Attorney Jordan Allen stated, uh, this is the Assistant City Attorney Jordan Allen, I was gonna comment that there's uh, we did appear to look for a business license for MJR Rentals and there didn't appear to be one on our file. Um, I don't know if we could revoke, uh, that for that, um, but there are several remedies. Uh, business license I think is, uh, and so far as the recommendation of staff, for revoking certain things or, or, doing things of that nature I would not be my opinion that the, the remedies be limited in such a manner. Uh, there's several other things that come up, uh, as potential remedies for the City.*

*Commissioner Lopez stated, so that would be my question. I mean is, so not only do we have this delay for almost two years, but now we know this person doesn't even have a business license, like, it's like a complete disregard and for me, like, that there's so many people that follow the rules and have to follow the rules and there's been chance after chance, so what does, I mean is this even a place for us, does this need to go to City Council, do we need to push it, I mean how, this is like out of control it seems like.*

*Assistant City Attorney Allen stated, this is Jordan Allen again, um, please don't, guess please don't take that as, uh, we did a cursory search or a search of our records for MJR Rentals and it didn't show up, uh. I wanted to uh, I was hoping that uh, Amy Iberlin or, uh, Ms. Rasmussen would have a chance to respond necessarily before we, uh, go whole hog on that, um, but yes there appears to be an absence in that regard.*

*Ms. Greene stated, at a minimum in response to conditional approval number ten, that the applicant was supposed to come back to this Commission with an update and a plan, at minimum I would advise that you set a deadline for construction to be complete.*

*Commissioner Lopez stated, Yah, I, but then what. They're obviously every time they haven't done what the, what the requirement was for the next meeting, so we set it and then we get to December 31<sup>st</sup> and it's not done, then they'll say "its winter, its cold, we can't do it, the grounds hard", like every other time.*

*Ms. Greene stated, at that point it would be off your plate and would be turned over to the City Attorney's office.*

*Commissioner Lopez stated: So my recommendation, since it appears there probably is not a business license, but we don't know a hundred percent for sure, is that in regard to project PZ-20-00339, um, that all recommendations in their entirety be completed to the standard that they were set to before, by the end of the year, and if not this be turned over to the City Attorney's office to be handled, and not come back to our Commission anymore.*

*Commissioner Hardest stated, I'll second.*

*Chairman Lemon stated, um, I still think that still leaves some vague, 'cause there's the question about construction on that intersection where the auto-turn analysis was.*

*Commissioner Lopez stated, I don't think there is a question, they're saying there's a question, but the prior recommendations, they said to do the auto-turn analysis and they follow the recommendations of the auto-turn analysis, correct? So, follow the prior recommendation to a "T".*

*Chairman Lemon stated, alright, so we have a motion by Commissioner Lopez with the staff recommendations and a second by, um, Commissioner Hardesty, um, all in favor say "I".*

*Commissioners Manus, Isaacson, Hardesty, Lopez and Brown stated, "I".*

*Chairman Lemon asked, any opposed?*

*Commissioner Kennedy stated, abstain.*

*Chairman Lemon stated, and the motion passes.*

#### Commission Vote

Commissioner Lopez: Motion to approve in regard to project PZ-20-00339, that all recommendations in their entirety be completed to the standard that they were set to before, by the end of the year, and if not this be turned over to the City Attorney's office to be handled, and not come back to our Commission anymore..

Commissioner Hardesty: Second.

Vote: Commissioner Kennedy Abstained, all others in favor, motion passes.

#### NEW BUSINESS

There is none.

#### NOTIFICATION OF MINOR SITE PLANS / STAFF APPROVED CONDITIONAL USE PERMITS

- 1) Approval of a Minor Site Plan for change of use located at 535 N Front Street, submitted by Sweet Dayz Bakery and Café. (Project #: PZ-22-00211)
- 2) Approval of a Site Plan for a new communication tower on City owned property at 545 G Street, submitted by Union Telephone Company. (Project #: PZ-21-00456)

### **PETITIONS AND COMMUNICATIONS**

**1) Written petitions and communications.**

- a. Listing of June Business Licenses approved and an updated Mobile Vendors lists were provided for the commissioners.
- b. Update on City Council Actions

Date of Council Meeting	P&Z Item	Council Action
<i>June 7, 2022</i>	Appointment of Lacey Brown for 1 <sup>st</sup> term as Commissioner	<i>Approved</i>
<i>June 7, 2022</i>	Ordinance 2022-07: An Ordinance Amending the “Official Zoning Map” of the City of Rock Springs from Heavy Industrial to Medium Density Residential for a parcel of land totaling 59.43 acres, located near Springs Drive and Mineral Drive	<i>2<sup>nd</sup> Reading</i>
<i>June 7, 2022</i>	Ordinance 2022-08: An Ordinance Amending the “Official Zoning Map” of the City of Rock Springs from Medium Density Residential to Community Business District/Conditional District for a parcel of land totaling 14.470 acres, located near Lombard Drive and Interstate 80.	<i>2<sup>nd</sup> Reading</i>
<i>June 21, 2022</i>	Ordinance 2022-07: An Ordinance Amending the “Official Zoning Map” of the City of Rock Springs from Heavy Industrial to Medium Density Residential for a parcel of land totaling 59.43 acres, located near Springs Drive and Mineral Drive	<i>3<sup>rd</sup> Reading - Failed</i>
<i>June 21, 2022</i>	Ordinance 2022-08: An Ordinance Amending the “Official Zoning Map” of the City of Rock Springs from Medium Density Residential to Community Business District/Conditional District for a parcel of land totaling 14.470 acres, located near Lombard Drive and Interstate 80.	<i>3<sup>rd</sup> Reading - Passed</i>

**2) Petitions and communications from the floor.**

None.

### **ADJOURNMENT**

With no further business, the meeting was adjourned at 8:22 p.m.

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

\_\_\_\_\_ day of \_\_\_\_\_ 2022.

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Cathy Greene, Secretary, Planning & Zoning Commission



# Planning & Zoning Commission Staff Report

Dated: July 28, 2022

Meeting: August 10, 2022 at 7:00 p.m.

REPORT SUMMARY			
<b>Agenda Item:</b>	New Business #1	<b>Project Number:</b>	PZ-22-00273
<b>Project Name:</b>	Avery Adventure Academy (FCCH)		
<b>Project Location:</b>	303 Midway Street		
<b>Project Description:</b>	Consideration of Conditional Use Permit approval for a Family Child Care Home		
<b>Applicant:</b>	Kylah McConnell 303 Midway Street Rock Springs, WY 82901	<b>Property Owner:</b>	John Avery 303 Midway Street Rock Springs, WY 82901
<b>Engineer:</b>	N/A	<b>Surveyor:</b>	N/A
<b>Public Notification:</b>	Adjacent Property Letters Mailed 7/28/22; Public Hearing Notice : N/A		
<b>Current Master Plan Land Use Designation:</b>	LDR (Low Density Residential)	<b>Proposed Master Plan Land Use Designation:</b>	No Change
<b>Current Zoning District</b>	R-2 (Low Density Residential)	<b>Proposed Zoning District</b>	No Change
<b>References:</b>	Rock Springs Zoning Ordinance §13-816 Child Care and Preschool Facilities		
<b>Exhibits:</b>	A. Conditional Use Permit Application B. Avery Adventure Academy Policy Handbook C. Adjacent Property Owner Letter		

## PETITION SUMMARY:

The applicant is requesting Conditional Use Permit approval for a Family Child Care Home (FCCH) to provide childcare for up to a maximum of ten (10) children at any given time, Monday through Friday from 7:00 a.m. until 5:00 p.m. at her residence addressed as 303 Midway Street. The application can be found in **Exhibit A**.

Section 13-816 defines a Family Child Care Home (FCCH) as: "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."

Section 13-816.C.3.(c) provides:

"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 ten (10) per week. Preschool sessions shall be separated by a minimum of one hour from the time one session ends and the next session begins.

It should also be noted that the property is located in The Village subdivision. This subdivision, including this property, has shared driveway access. This property shares driveway access with 304, 305 and 306 Midway Street. Please refer to the Location Map shown in Figure 1. To help alleviate any parking concerns, the applicant will provide all clients with the attached Policy Handbook (see **Exhibit B**).



Figure 1: Location Map

## **REQUIRED CITY DEPARTMENT APPROVALS:**

The applicant must receive approval from the City's Chief Building Inspector and the City's Fire Inspector as a condition of approval.

## **PROPERTY OWNER NOTIFICATION:**

Property owners within 200' were notified of this application on July 28, 2022 and were invited to comment (see **Exhibit C**). At the time this report was written, no written or verbal comments were received from adjacent property owners. Any comments received after the preparation of this report shall be submitted to the Planning and Zoning Commission at the time of the scheduled meeting.

## **PROCEDURE:**

13-905.A. Generally: Certain uses, while generally not suitable in a particular Zoning District, may, under certain circumstances, be acceptable. When such circumstances exist, a Conditional Use Permit may be granted. The Permit may be issued for a specified period of time, with automatic cancellation at the end of that time unless it is renewed, or conditions may be applied to the issuance of the permit and periodic review may be required. The permit shall be granted for a particular use and not for a particular person or firm.

13-905. D. Review and Decision by Planning and Zoning Commission: The Commission shall consider the effect of the proposed use upon the health, safety and general welfare of occupants of surrounding lands, existing and anticipated traffic conditions including parking facilities on adjacent streets and land, and the effect of the proposed use on the Comprehensive Plan. The Commission may grant the application by motion, imposing such conditions and safeguards as it deems necessary or it may deny the application.

## **STAFF RECOMMENDATION:**

Staff will provide a formal recommendation after public comment at the Planning & Zoning Commission Meeting. At a minimum, the following conditions of approval should be attached:

1. Approval is for the provider, Ms. McConnell, to conduct childcare services at 303 Midway Street. Should the provider move to a new location, a new FCCH Conditional Use Permit shall be required.
2. Conditional Use Permit approval is for the hours from 7:00 a.m. to 5:00 p.m., Monday through Friday for a maximum of ten (10) children at any given time. Should the applicant wish to modify this approval, including changes to the number of children and/or the hours of operation, a new application shall be submitted to the City of Rock Springs Planning & Zoning Division.
3. By ordinance, 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 Department and Fire Department.
4. By ordinance, FCCH Conditional Use Permits shall not run with the land. Subsequent providers on the same property (303 Midway Street) shall require a separate FCCH Conditional Use Permit.
5. Should the applicant fail to operate a FCCH at this address for a period more than 365 consecutive calendar days, the Permit shall be deemed expired.
6. The Planning & Zoning Commission shall have the right to revoke or revise any FCCH Conditional Use Permit, should legitimate complaints be lodged by property owners located within 200 feet of the FCCH that the child care facility has adverse impacts on the health, safety and/or welfare of the neighborhood, or for failure to comply with the above conditions of approval.

# **EXHIBIT A**

## **Conditional Use Permit Application**





**CITY OF ROCK SPRINGS  
FAMILY CHILD CARE HOME (FCCH)  
CONDITIONAL USE PERMIT  
APPLICATION**

Planning & Zoning Division  
212 D Street  
Rock Springs WY 82901  
307.352.1540 (phone)  
city\_planner@rswy.net

**City Use Only:**

Date Received July 5<sup>th</sup> 2022

File Number: P2-22-00273

A. BUSINESS NAME: Avery Adventure Academy

B. PROPERTY ADDRESS: 303 Midway St. Rock Springs WY 82901

**C. 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.**

**Applicant:**

Kylah McConnell 307-371-0544 kylahal4@gmail.com  
Name Phone Number Email Address

303 Midway St. Rock Springs WY 82901  
Mailing Address City State Zip

**Property Owner:**

John Avery 307-679-7473 johnrileyavery@gmail.com  
Name Phone Number Email Address

303 Midway St. Rock Springs WY 82901  
Mailing Address City State Zip

**D. DEFINITIONS:**

The following definitions will assist you in completing this application. Please consider them carefully prior to submitting your request for Conditional Use Permit approval.

- ☒ 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.
- ☐ 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. [Note: In the City of Rock Springs, preschools may be conducted in a Child Care Center (CCC), Family Child Care Center (FCCC), or Family Child Care Home (FCCH).]



**E. PLEASE ANSWER THE FOLLOWING ON THE SPACES PROVIDED:**

Please be advised that your application will be reviewed based upon this submittal. Family Child Care Home (FCCH) Conditional Use Permits shall be restricted based upon the answers below, as well as the City's regulations. Should you want to increase the number of sessions, children, days, or hours of operation following approval, an amended application shall be required.

1. Proposed use is (mark only one):

☒ Child Care Only    ☐ Preschool Only    ☐ Child Care / Preschool Combination

2. Maximum number of children to be cared for at any given time OR per preschool session:

10

3. If application includes a preschool, please complete the following (otherwise, skip to question 4 below):

a. Number of preschool sessions per day (max. 2 allowed):

N/A

b. Number of preschool sessions per week (max. 10 allowed):

N/A

c. If more than one session per day, list the separation time between sessions (min. 1 hr. req.):

N/A

d. Days and times of preschool sessions (example: MWF, 9 a.m. - 11 a.m.):

N/A

4. Days and hours of operation (child care only):

M-F 7am-5pm

5. Parking and traffic circulation (number of available client parking spaces):

2-4

6. Is the property located on a cul de sac or court?

☐ Yes ☒ No

**F. TYPE OF FAMILY CHILD CARE HOME (FCCH) REQUESTED:**

Please check the appropriate permit type below and include any additional information required based upon the type of permit requested.

Staff Level Review:

- ☐ If **5 or fewer children** are proposed at any given time for child care OR per preschool session AND the property is NOT located on a cul de sac or court, the application may be reviewed at staff level. Please allow 5 business days following submission of a complete application for a staff determination.

**Please note: 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 one begins.**

Staff Level Review AND Neighborhood Notification:

- ☐ If **6 to 8 children** are proposed at any given time for child care OR per preschool session OR **6 or fewer children** are proposed but the property is **located on a cul de sac or court**, the application may be reviewed at staff level with neighborhood notification. Please allow 5 business days following receipt of a complete application for neighborhood notification and an additional minimum of 10 calendar days for receipt of neighborhood responses. Should more than 50 percent of the adjoining property owners respond in opposition to the application within the 10 calendar day protest period, the application will be forwarded to the next available Planning & Zoning Commission meeting for consideration. In no case will an application be forwarded to the Planning and Zoning Commission less than 9 days prior to the regularly scheduled meeting. See "Submittal Deadlines" listed below for meeting schedule.

**Please note: 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 one begins.**

Planning and Zoning Commission Review with Neighborhood Notification:

- ☒ If **9 or 10 children** are proposed at any given time for child care OR per preschool session, the application shall require review and approval by the Planning and Zoning Commission. Applications shall be submitted by the "Submittal Deadlines" listed below and will be forwarded to the next available Planning and Zoning Commission meeting.

**Please note: 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 one begins.**

## G. SUBMITTAL REQUIREMENTS:

The following items are required for submitting a complete Family Child Care Home (FCCH) Conditional Use Permit Application and must be submitted in accordance with the submittal deadlines listed on 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 - \$60.00
- ☒ Completed Family Child Care Home (FCCH) Conditional Use Permit Application.
- ☐ Local Zoning Approval Receipt Form signed by the Chief Building Inspector and the Rock Springs Fire Inspector.  
**NOTE:** The Planning Department will sign the receipt after Staff level review OR after receiving approval by the Planning and Zoning Commission (*if required*). After all signatures are received, this form will be forwarded to the State of Wyoming to provide documentation of the City's approval.

## H. SUBMITTAL DEADLINES:

**NOTE:** Applications that are not received by **5:00 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.

**BE ADVISED: THE APPLICANT (OR ASSIGNED REPRESENTATIVE) MUST ATTEND ALL SCHEDULED MEETINGS.**

	January Meeting	February Meeting	March Meeting	April Meeting	May Meeting	June Meeting	July Meeting	August Meeting	September Meeting	October Meeting	November Meeting	December Meeting
<b>Submittal Deadline</b>	12/28/2021*	1/24/2022	2/21/2022	3/28/2022	4/25/2022	5/23/2022	6/27/2022	7/25/2022	8/29/2022	9/26/2022	10/24/2022	11/28/2022
<b>Review of Completeness</b>	Within three (3) working days after the submittal, the planning Department shall review the application for conformance with the Conditional Use Permit submittal requirements. If the application does not conform to the submittal requirements, the application will be deemed as incomplete, the applicant will be notified, and the application will be returned.											
<b>Utility Review Comments and/or Meeting *</b>	Utility Review Meetings are held <u>at least 7 days</u> 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. <b>SEE NOTE BELOW.</b>											
<b>Adjacent Owner Notice</b>	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.											
<b>P&amp;Z Public Meeting</b>	1/12/2022	2/9/2022	3/9/2022	4/13/2022	5/11/2022	6/8/2022	7/13/2022	8/10/2022	9/14/2022	10/12/2022	11/9/2022	12/14/2022

## IMPORTANT NOTES:

\* 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.

**I. SIGNATURE(S) REQUIRED:**

I acknowledge that I have read and understand this application and the pertinent Family Child Care Home (FCCH) Conditional Use Permit approval regulations of the City of Rock Springs. I further agree that if the permit is approved, I will comply with all pertinent regulations and conditions as set forth by the City of Rock Springs and/or Planning and Zoning Commission. I also 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 City's Zoning Ordinance shall be reason to deny or revoke any application or permit.

Signature of Applicant Kyrah McInnell

Date July 1, 2022

Signature of Property Owner Donna Avery

Date 7-1-22

# **EXHIBIT B**

## **Policy Handbook**



Avery Adventure Academy

*Click image to visit website.*

## ***Avery Adventure Academy Policy Handbook***

Kylah McConnell, Owner  
303 Midway St.  
Rock Springs, WY 82901  
307-371-0544

[averyadventureacademy@gmail.com](mailto:averyadventureacademy@gmail.com)



## **Rates**

**One-Time Application Fee:**

**\$25.00**

**Weekly Rate per Child:**

**\$170.00 per week**

### **Rate Includes:**

- Meals, Snacks, and Drinks
- Preschool Activities
- Preschool Supplies (not to be taken home)
- Crafting Supplies
- Party Supplies
- Sleeping Mats for naptime

Rates are per child, individualized for each contract, and will not change for missed days. Your rate guarantees your spot in daycare. See "Rates/Payments" section of Handbook for detailed information.

**\*RATES SUBJECT TO CHANGE AT OWNER'S DISCRETION\***





## Mission Statement

Our mission is to provide exemplary and affordable childcare for families in need, and to create an environment in which our future generations will grow and thrive.

## **Enrollment**

The following forms need to be returned along with first week's payment by the first day of attendance:

1. Registration Checklist
2. Signed Contract
3. Child Record Form
4. Authorization of Medical Treatment Form
5. Medical Information
6. Consent for Child Care Program Activities
7. Permission to Photograph & Record
8. Policy Handbook Form
9. Immunization Record/Physician's Statement  
(I do not accept children that are not up to date on their required immunizations.)
10. Over-the-Counter Medication Form (if applicable)
11. Special Care Plan (if applicable)

The owner needs to be notified immediately of changes to any of the above forms.

Each year, in January, a new contract must be signed, your child's enrollment packet will need a new signature and date, and/or a new packet will need filled out if any information has changed. At this time, the owner will provide another copy of daycare policy if any changes have been made to it. The owner will also need updated immunization records every time your child gets a shot.



## Hours of Operation

1. Avery Adventure Academy's hours of operation are Monday-Friday at your contracted time. Available times are 7am-5pm Monday-Friday.
2. A contract with specific hours tailored to your needs will be signed by the owner and parents/guardians prior to enrollment.
3. Please have your child dressed and ready for the day and walk your child in at your contracted drop-off time.
4. If you need times outside of your previously selected hours, a new contract must be signed. The owner requires a 2-week notice prior to changing your contracted days and/or times.
5. Owner requires either a text or call if you plan to miss daycare for any reason.
6. Please remember to sign your child in and out daily using the provided Attendance Sheet.

We understand things come up. In that case, we ask for a courtesy phone call stating the time you expect to arrive.

## Holidays/Vacations

1. We will be closed on all major holidays. The owner will also need to take certain days off for various appointments. You will not be charged for any of these days.
2. The daycare will close for 3 weeks of unpaid vacation per year. You will be notified within at least 2 weeks of any vacation and holidays, and it will be your responsibility to find alternate care for that time.
3. You will be notified as soon as possible of any emergency that may affect your contract or our ability to provide care.
4. Regular Holiday closures will be:
  - a. New Year's Day
  - b. Memorial Day
  - c. Fourth of July
  - d. Labor Day
  - e. Thanksgiving
  - f. Day after Thanksgiving
  - g. Christmas Eve
  - h. Christmas Day
  - i. New Year's Eve

We celebrate holidays and birthdays at our daycare.





## Traffic/Parking Rules and Regulations

- In an ongoing effort to provide the safest care possible for the children in our care, we are asking all parents to continue abiding by the local and state traffic ordinances.
- Please make sure any approved persons picking up your children from our care are made aware of these traffic rules.
- We have contacted the City of Rock Springs and Rock Springs Police Department in an effort to provide the most thorough list of applicable traffic rules to make sure we are abiding by them.
- These traffic laws can be found online at <http://law.justia.com/codes/wyoming/2011/title31/chapter5>.

Thank you for your cooperation and willingness to keep our daycare and neighborhood safe!

### **2011 Wyoming Statutes**

#### **TITLE 31 - MOTOR VEHICLES**

#### **CHAPTER 5 - REGULATION OF TRAFFIC ON HIGHWAYS**

#### **31-5-504. Specific places where prohibited.**

**Universal Citation:** [WY Stat § 31-5-504 \(1997 through Reg Sess\)](#)

- a) Except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer or traffic-control device, no person shall:
  - i. Stop, stand or park a vehicle:
    - (A) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
    - (B) On a sidewalk;
    - (C) Within an intersection;
    - (D) On a crosswalk;
    - (E) Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by signs or markings;
    - (F) Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic;
    - (G) Upon any bridge or other elevated structure upon a highway or within a highway tunnel;
    - (H) On any railroad tracks;
    - (I) On any controlled-access highway;
    - (J) In the area between roadways of a divided highway, including crossovers;
    - (K) At any place where official traffic-control devices prohibit stopping.

# Avery Adventure Academy Policy Handbook



- ii. Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:
  - (A) In front of a public or private driveway;
  - (B) Within fifteen (15) feet of a fire hydrant;
  - (C) Within twenty (20) feet of a crosswalk at an intersection;
  - (D) Within twenty (20) feet upon the approach to any flashing signal, stop sign, yield sign or traffic-control signal located at the side of a roadway;
  - (E) Within twenty (20) feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five (75) feet of the entrance when properly signposted;
  - (F) At any place where official traffic-control devices prohibit standing.
- iii. Park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading property or passengers:
  - (A) Within fifty (50) feet of the nearest rail of a railroad crossing;
  - (B) At any place where official traffic-control devices prohibit parking.
- b) No person shall move a vehicle not lawfully under his control into any prohibited area or away from a curb such a distance as is unlawful.

## **2011 Wyoming Statutes**

### **TITLE 31 - MOTOR VEHICLES**

#### **CHAPTER 5 - REGULATION OF TRAFFIC ON HIGHWAYS**

##### **31-5-509. Requirements before leaving motor vehicle unattended.**

**Universal Citation:** [WY Stat § 31-5-509 \(1997 through Reg Sess\)](#)

No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition, removing the key from the ignition, effectively setting the brake thereon and, when standing upon any grade, turning the front wheels to the curb or side of the highway.



# **Avery Adventure Academy Policy Handbook**



## **2011 Wyoming Statutes**

### **TITLE 31 - MOTOR VEHICLES**

#### **CHAPTER 5 - REGULATION OF TRAFFIC ON HIGHWAYS**

##### **31-5-512. Parking alongside curbs or on edge of roadways; angle parking; power of highway department to place devices restricting parking.**

**Universal Citation:** [WY Stat § 31-5-512 \(1997 through Reg Sess\)](#)

- a) Except as otherwise provided in this section every vehicle stopped or parked upon a two-way roadway shall be stopped or parked with the right-hand wheels of the vehicle parallel to and within eighteen (18) inches of the right-hand curb or as close as practicable to the right edge of the right-hand shoulder.
- b) Except as otherwise provided by local ordinance, every vehicle stopped or parked upon a one-way roadway shall be stopped or parked parallel to the curb or edge of the roadway, in the direction of authorized traffic movement, with its right-hand wheels within eighteen (18) inches of the right-hand curb or as close as practicable to the right edge of the right-hand shoulder, or with its left-hand wheels within eighteen (18) inches of the left-hand curb or as close as practicable to the left edge of the left-hand shoulder.
- c) Local authorities may permit angle parking on any roadway, except that angle parking shall not be permitted on any federal-aid or state highway unless the highway department has determined that the roadway is of sufficient width to permit angle parking without interfering with the free movement of traffic.
- d) The highway department with respect to highways under its jurisdiction may place official traffic-control devices prohibiting, limiting or restricting the stopping, standing or parking of vehicles on any highway where in its opinion stopping, standing or parking, is dangerous to those using the highway or where the stopping, standing or parking of vehicles would unduly interfere with the free movement of traffic. No person shall stop, stand or park any vehicle in violation of the restrictions indicated by the devices.

## **2011 Wyoming Statutes**

### **TITLE 31 - MOTOR VEHICLES**

#### **CHAPTER 5 - REGULATION OF TRAFFIC ON HIGHWAYS**

##### **31-5-609. Right-of-way on sidewalks.**

**Universal Citation:** [WY Stat § 31-5-609 \(1997 through Reg Sess\)](#)

The driver of a vehicle crossing a sidewalk shall yield the right-of-way to any pedestrian and all other traffic on the sidewalk.



### Rates & Payment

1. Please see page 2 of this handbook for rates. Payment is due every Monday or your first contracted day of the week, for at least that week. You may pay as far ahead as you would like.
2. Your specific rate will be outlined in your contract and is expected to be paid regardless of attendance. Your weekly payment guarantees your child's slot in the daycare.
3. The only non-paid days will be your 2 weeks (10 working weekdays) of vacation per year; these may be used all together or split up. If your child becomes ill, you may use any available vacation days as sick days. These are days your child will not be in attendance.
4. When the daycare is closed for vacation or personal days, you will not be charged. Any other time missed will require payment in order to keep your child's slot.
5. Vacation days may not be used in lieu of payment for notice of intent to terminate your contract. Payment is still expected for a two-week notice.
6. You will receive a receipt via email every time you make a payment.
7. No later than January 31<sup>st</sup> each year and only upon request, you will be provided with a W-10 for your taxes stating all money paid for the previous year.
8. Late Fees: a late fee of \$20/day per child will be added if payment is not received according to the payment schedule listed above. Payment and late fee will be due immediately, and care will be unavailable until payment and fees are paid in full. If this happens more than twice, it will constitute grounds for termination of care.

Parents may be liable for significant damages caused by their children during operating hours.





### Sign In/Out

Parents must sign children in and out each day. This will be done using the Attendance Sheet, which will be provided by the daycare.

### Supplies

Certain supplies will be your responsibility to bring.

These include, but are not limited to:

1. changes of clothing in case of accidents
2. a personal water bottle or sippy cup for your child
3. diapers/pull ups
4. a blanket for nap time that you can leave here.
5. diaper rash cream
6. wipes

The daycare will supply sunscreen, bug spray, a Chapstick specific to your child, party supplies, and all preschool supplies. You may supply your own products if you prefer a specific brand or type.

Please remember that the weather can change at any time, even in the summer. Please be sure to dress your child appropriately and always send a coat or sweater.

### Toilet Training

1. When your child is developmentally ready for toilet training, the daycare is available to assist.
2. Whatever methods are being taught and used at home are the same methods the daycare will incorporate while your child is in attendance.



## Nutrition

1. The daycare will provide meals and snacks determined by your child's schedule.
2. If your child has any food allergies, please notify the owner immediately.
3. The daycare will have milk available during mealtimes; in between each meal, each child will have their own water bottle to use throughout the day, to be supplied by you. They may drink tap water or add a small, flavored water mix.
4. You do not need to provide food unless your child is on a special diet or breastfed.
5. The daycare does its best to accommodate all "picky-eaters." However, in extreme circumstances, the daycare may require that you provide food for your child.
6. Mealtimes are:

Breakfast	7:45-8:15am
A.M. Snack	9-9:15am (kids' choice)
Lunch	11:45am
P.M. Snack	3-3:15pm (kids' choice)

Your contracted time will determine what meals and snacks your child will receive. If your child is not here during listed food times, it will be your responsibility to feed them. If your child has specific dietary restrictions, you may be required to provide their meals.





## Daily Activities

1. A sample of what a day would look like:
  - 7:00am-9:00am: breakfast, free play
  - 9:00am-11:00am: preschool activities
  - 11:00am-11:45am: lunch prep
  - 11:45am-12:15pm: lunch, prepare for naptime
  - 12:15pm-2:45pm: naptime
  - 2:45pm-3:00pm: clean up cots, bathroom
  - 3:00pm-3:15pm: snack
  - 3:15pm-5:00pm: free play
2. Weather permitting, children will be allowed to play outside in the fenced-in yard during free time. If your child is 6+ or in kindergarten, they will be permitted to play in the fenced-in yard while the owner is inside with younger children. They will continue to be supervised through the kitchen windows.
3. Inside, children will have books, puzzles, coloring books, toys, and board games. We also do preschool-related activities at unspecified times throughout the week.
4. Outside, the children will have a slide, playhouse, soccer ball, basketball, football, etc.
5. The daycare will provide sunscreen if any children choose to play outside.
6. We may watch G and PG rated cartoons or movies during operating hours.

## Rest Time

1. The daycare does not require any child to take a nap. However, we do have quiet time daily from 12:15- 2:45pm. If you plan to visit -- as well as when picking up your child -- please consider doing so either before or after these hours, so as to avoid disrupting other resting children.
2. The daycare does its best to get the children to sleep, but cannot force them to.
3. Children who cannot sleep during quiet time will be given books, puzzles, coloring books, and/or G or PG rated cartoons.

## Transportation & Field Trips

1. Parents must sign a general permission slip at enrollment for field trips.
2. The owner will let you know upon sign in each day if we plan to visit the playground.



### Hazardous Conditions

1. I have steps outside the facility that may be hazardous if not used properly, but there are no stairs or steps located within the building.
2. I will use a baby gate in the kitchen if I am making food.
3. No tobacco, alcohol, or other potentially harmful substances will be used inside or directly outside the facility during hours of operation.
4. In the event of an emergency, all parents will be notified by phone and -- depending on the type of emergency -- will need to pick up their children immediately.

### Emergency Procedures

1. Depending on the emergency, we will exit through the closest and most convenient specified emergency exit and go to the mailbox, also known as SAFE SPOT.
2. The owner will have their cell phone in a place neutral to all exits, so that they can notify parents as soon as we make it to our SAFE SPOT.
3. The daycare will have a backpack stocked with snacks, drinks, and emergency contact info to take with us in the event of an evacuation.
4. If it is necessary for us to evacuate and use the SAFE SPOT for whatever reason, children will need to be picked up right away.
5. Reunification with your child will take place at the SAFE SPOT, and will need to happen as soon as possible.
6. Daycare will resume the following day, so long as the emergency has been cleared, and it is safe to resume daycare services.
7. If the emergency does not allow for us to resume the following day, parents will be notified as soon it is safe to return.
8. In the event of a power outage -- especially during winter months if the heater stops working -- the daycare will wait 1 hour to see if the power comes back on; if it does not, all children will need to be picked up immediately.





### Guidance

1. Children will be explained all daycare rules frequently.
2. If a child needs extra guidance in following the rules, the daycare will require a conference with you and your child.
3. The following are guidance techniques the daycare will use:
  - a. Redirection - trying to get your child to engage in a different activity or toy, in order to change the undesired behavior.
  - b. Speaking to the child - explaining to your child the inappropriate behavior and explaining the appropriate way to handle it – never yelling or being forceful.
  - c. Understanding of consequences - helping your child understand the consequences of their behavior.
  - d. Taking a break - separating your child from the group or activity, in order to allow them to calm down; they will still be supervised while separated. This method is not to be misinterpreted as a time-out; the child will not be punished, they will be given time and space to collect themselves.
  - e. Lots of praise - good behavior will always be recognized and praised. No punishment that is humiliating, degrading, or frightening to a child will be used. No yelling, hitting, spanking, shoving, pushing, shaking, or withholding of food or drink will take place. Food or drink will not be used as a reward for good behavior either.

### Suspension & Expulsion Policy

1. If your child is behaving in such a way that they become unsafe to workers, household members, or other children, the daycare will call to have them picked up for the day.
2. We strive to make every child's experience a positive and nurturing one. However, sometimes behavioral issues may arise that create a difficult learning environment for children. If we find your child is continually exhibiting inappropriate and/or disruptive behaviors, we will share our concerns as well as our intervention methods with you through written documentation and a phone call and/or conference.
3. Prior to suspension or expulsion, every effort will be made to connect staff and families with local and national resources that address challenging behaviors.



### Illness

1. The daycare is not authorized to provide care for sick children; to prevent the spread of sickness, please do not bring your child to daycare if they are sick.
2. The daycare requires a current health statement and immunization record to be kept on file.
3. Please do not bring your child to daycare if they are exhibiting any of the following:
  - a. fever over 100 degrees (cannot return until they have been fever free for 24 hours without the aid of a fever reducer. A fever is usually a sign of infection/sickness and therefore needs attention)
  - b. skin rashes
  - c. diarrhea, vomiting
  - d. eye discharge, pink eye
  - e. severe cough or cold (coughing uncontrollably, green snot)
  - f. severe pain or discomfort
  - g. difficulty breathing
  - h. untreated head lice or nits
  - i. being in the contagious stages of chicken pox, measles, mumps, pertussis, rubella, or diphtheria.
4. If your child has been seen by their physician due to any illness, the daycare will require a note from the physician stating that the child is not contagious and is able to return to normal daycare activities.
5. If your child has had a fever or thrown up, they will be required to stay home from daycare until 24 hours after they are fever free and throw-up free without the aid of medicine.
6. A full list of exclusions can be found in Chapter 8, section 5 of the Wyoming Licensing Rules, and the daycare supports the rules as stated.
7. We reserve the right to exclude children based on Section 5 paragraph XVII "Other conditions as may be determined by the health consultant or provider on an individual basis." Please call ahead if you are unsure whether to bring your child.
8. If your child becomes ill, they will be kept isolated, but still supervised, until you or someone on the pick-up list can come get them. Pick-up will need to happen within one hour of notification.
9. It is important that we keep an up-to-date authorized pick-up list.
10. It is recommended to have a backup plan in place if the provider becomes ill or has a personal emergency.





## First-Aid

The daycare will keep on-hand, a fully stocked first aid kit that includes

- a. Band-Aids
- b. sealed packages of alcohol wipes
- c. tweezers
- d. thermometer with covers
- e. bandage tape, sterile gauze, roller gauze, triangular bandages
- f. safety pins
- g. eye wash
- h. pen and notepad
- i. poison control phone number
- j. a cold pack
- k. disposable gloves
- l. a current American Red Cross First Aid Handbook

## Weapons

1. No firearms or weapons of any kind are kept on premises, with the exception of kitchen utensils and tools, which will be made inaccessible to the children.
2. No one entering the facility is permitted to bring a weapon inside.



## Parental Rights

1. The key for us to effectively care for your children is communication. We will always inform you of anything concerning that goes on in daycare while your child is here.
2. If you have questions and/or concerns, the owner is available to talk most of the day and has their cell phone close at all times. However, if we are in the middle of an activity, we may not answer right away. We will always return calls or texts as soon as possible.
3. If you need to speak with the owner, they are available in the evenings and on the weekend. If your call or message is not answered right away, we will return communication as soon as possible. If the owner is on vacation or using a personal day, you may not receive a response until the first business day after.

## Confidentiality

1. All information given to the daycare is confidential. Items are filed and kept separate from public areas.
2. Items will only be released to authorized persons such as, but not limited to: State Licensors, Police, Complaint and Compliance History, & Department of Family Services.
3. You may obtain a complaint and compliance history from me, DFS/Child Care Licensing at 307-871-1627, or the DFS website at [www.dfs.wyo.gov](http://www.dfs.wyo.gov). This would include fire, sanitation, building or licensing inspection, and any reported complaints.
4. All daycare workers are mandated reporters and are required by law to report any sign of abuse and/or neglect to RSPD and/or DFS.

## Waiver

1. Avery Adventure Academy reserves the right to make any changes to this policy handbook as deemed necessary.
2. You will be notified of all changes made.



### Termination

1. The daycare requires a two-week advance written termination notice from the parent.
2. We reserve the right to terminate our contract at any time, based on, but not limited to:
  - a. failure to pay on time
  - b. failure to comply with policies
  - c. lack of parent cooperation and/or communication
3. If no notice of intent to terminate a contract is given, parents will forfeit any payments made.
4. If we must terminate the contract for any reason, you will also forfeit any payments made.

# **EXHIBIT C**

## **Adjacent Property Owner Letter**



July 28, 2022

Dear Adjacent Property Owner/Interested Party:

This letter is to inform you that Ms. Kylah McConnell has submitted a request for Conditional Use Permit approval for property located at 303 Midway Street, Rock Springs, Wyoming. Records show that this property is adjacent to or near property you own (*see map below*). Per ordinance we notify all property owners within 200' feet of the subject property. The following summarizes the application:

The applicant is requesting Conditional Use Permit approval for the operation of a Family Child Care Home (FCCH) at her residence located at 303 Midway Street, Rock Springs, Wyoming. The proposed daycare would provide care for up to a maximum of 10 children at any given time, Monday through Friday from 7:00 a.m. until 5:00 p.m. In addition, to help alleviate potential parking concerns, Ms. McConnell has submitted "rules" that she will provide to the parents.

In accordance with Section 13-816.C(3)(c) of the Rock Springs Zoning Ordinance, Family Child Care Homes with up to ten (10) children at any given time are conditionally permitted uses which require approval from the Rock Springs Planning and Zoning Commission.

The Rock Springs Planning and Zoning Commission will consider this request at a public meeting to be held on Wednesday, August 10, 2022 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. Written comments will be accepted no later than Noon on August 10, 2022.

Sincerely,



Cathy Greene  
City Planner



BOURLAND KYLE T  
401 MIDWAY ST  
ROCK SPRINGS, WY 82901-4707

BROWN PHILIP S & RHONDA C/O WILLIAMS  
DONNA  
817 MCCARTY AVE  
ROCK SPRINGS, WY 82901-5920

CAMPBELL CHARLES S & MARJORIE A  
3107 WHITE MOUNTAIN BLVD  
ROCK SPRINGS, WY 82901-4740

CHASE TROY & COURTNEY  
3103 WHITE MOUNTAIN BLVD  
ROCK SPRINGS, WY 82901-4740

COLLEY MICHAEL A & TRACIE L  
3207 WHITE MOUNTAIN BLVD  
ROCK SPRINGS, WY 82901-4739

COOLEY MARGUERITE & CASEY  
3203 WHITE MOUNTAIN BLVD  
ROCK SPRINGS, WY 82901-4739

COVARRUBIAS JERONIMO  
307 PEAK RD  
ROCK SPRINGS, WY 82901-4725

CURTIS KENNETH C & TAMMY E  
201 MOUNTAIN RD  
ROCK SPRINGS, WY 82901-4720

DOWNS TIMOTHY C & KERRY R  
208 MOUNTAIN RD  
ROCK SPRINGS, WY 82901-4722

FOSTER TYLER & EMDEN CASSANDRA  
202 MIDWAY ST  
ROCK SPRINGS, WY 82901-4709

FULLER TED F  
205 MIDWAY ST  
ROCK SPRINGS, WY 82901-4709

G. KNEZ LIVING TRUST KNEZOVICH  
GREGORY ALLAN TRUSTEE  
404 SHORT ST  
ROCK SPRINGS, WY 82901-4731

HINER KATHLEEN P  
402 MIDWAY ST  
ROCK SPRINGS, WY 82901-4708

JOHNSON RICHARD WILLIAM  
403 PEAK RD  
ROCK SPRINGS, WY 82901-4726

LEDFORD MARK O  
304 MIDWAY ST  
ROCK SPRINGS, WY 82901-4709

MARTIN GENEVIEVE  
207 MOUNTAIN RD  
ROCK SPRINGS, WY 82901-4722

MORAN MATTHEW P & VICTORIA L  
203 MOUNTAIN RD  
ROCK SPRINGS, WY 82901-4720

MORRISON THERESA S  
16102 E BROADWAY AVE APT S106  
SPOKANE VALLEY, WA 99037-9850

PARKER SARAH MAREE  
204 MIDWAY ST  
ROCK SPRINGS, WY 82901-4710

PRICE DEVELOPMENT CO LP C/O  
BROOKFIELD PROPERTIES RETAIL  
PO BOX 3487  
CHICAGO, IL 60654-0482

PYZYNA JUSTIN P  
305 MIDWAY ST  
ROCK SPRINGS, WY 82901-4706

ROMERO TEOFILO M & BERNICE S  
306 MIDWAY ST  
ROCK SPRINGS, WY 82901-4751

SPANN RICHARD M & ANGIE M  
501 MONTE VISTA RD  
ROCK SPRINGS, WY 82901-4718

TOLHURST JACOB B & GONZALEZ  
MARIANNA  
309 PEAK RD  
ROCK SPRINGS, WY 82901-4725

TUCKER ROSS A  
206 MIDWAY ST  
ROCK SPRINGS, WY 82901-4710

TUCKER ROSS A & YUK MEI ETAL  
206 MIDWAY ST  
ROCK SPRINGS, WY 82901-4710

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

EVERY JOHN RILEY  
303 Midway St  
Rock Springs, WY 82901





# Planning & Zoning Commission Staff Report

Prepared August 4, 2022  
Meeting August 10, 2022 at 7:00 p.m.

REPORT SUMMARY			
<b>Agenda Item:</b>	New Business #2	<b>Project Number:</b>	PZ-22-00292
<b>Project Name:</b>	Aspen Mountain Medical Center Subdivision		
<b>Project Location:</b>	10 acres at the southeast corner of the intersection of Stagecoach Boulevard and College Drive.		
<b>Project Description:</b>	Sketch Plat for Minor Subdivision		
<b>Applicant:</b>	Curtis Mayse 705 Marketplace Plaza, Ste. 200 Steamboat Springs, CO 80487	<b>Property Owner:</b>	Aspen Mountain Real Estate LLC 11350 Tomahawk Creek Parkway, Ste. 150 Leawood, KS 66211
<b>Engineer:</b>	Shawn Arnoldi, PE WHS 1515 9 <sup>th</sup> Street, Ste. A Rock Springs, WY 82901	<b>Surveyor:</b>	Theron Weston, PLS WHS 1515 9 <sup>th</sup> Street, Ste. A Rock Springs, WY 82901
<b>Public Notification:</b>	N/A		
<b>Current Master Plan Land Use Designation:</b>	C (Commercial)	<b>Proposed Master Plan Land Use Designation:</b>	No proposed change
<b>Current Zoning District:</b>	B-2 and B-2(CD) (Community Business, Parallel Conditional)	<b>Proposed Zoning District</b>	No proposed change
<b>References:</b>	Rock Springs Zoning Ordinance §16-501 Sketch Plat		
<b>Exhibits:</b>	A. Aspen Mountain Medical Center MOB – Sketch Plat B. Application C. Utility Review Comment Forms July 27, 2022 D. Site Plan from 2014		

## PETITION:

WHS, is presenting a Sketch Plat for the proposed Aspen Mountain Medical Center Minor Subdivision. The Plan can be found in **Exhibit A**, and the application as **Exhibit B**.

## PROPERTY LOCATION AND DESCRIPTION:

As shown in **Figure 1**, the property is located south of Stagecoach Blvd. The property was developed by Major Site Plan approval and adjacent land uses are as follows:

North – Stagecoach Blvd / Vacant Land Zoned B-2

South – Vacant Land / Zoned B-2

West – College Drive / College Estates Subdivision Zoned R-1

East – Vacant Land / Zoned B-2

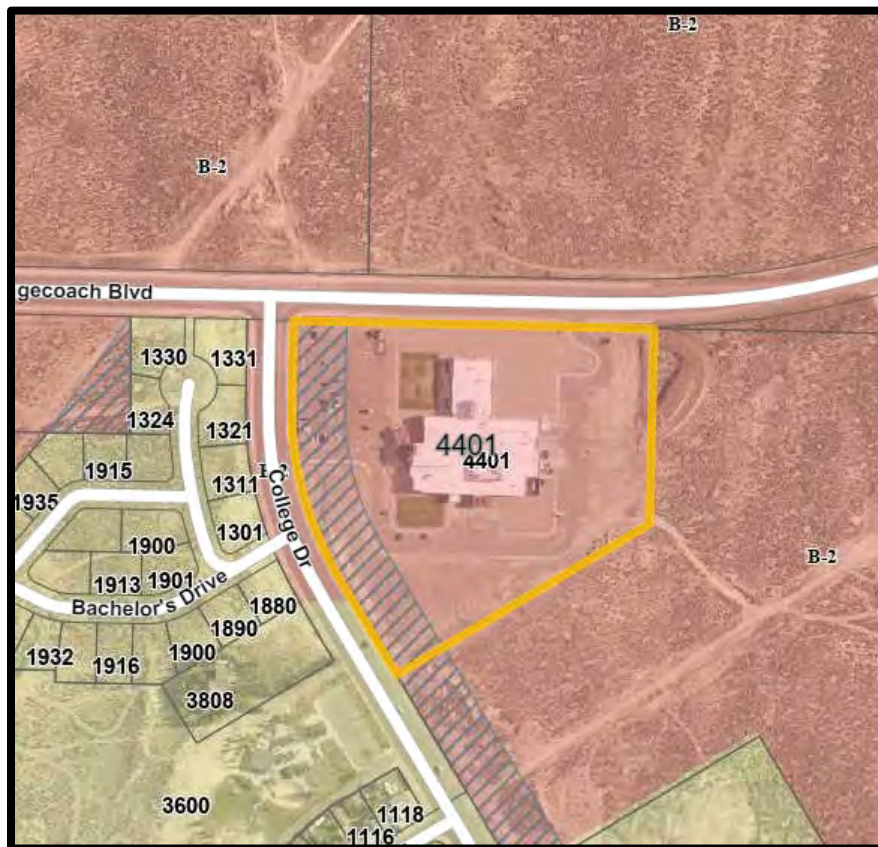


Figure 1: Location Map

## SUMMARY

A Utility Review Meeting was first scheduled on May 17, 2022, when it was determined that a PUD would be required with the proposed building being attached with a corridor. Another Utility Review Meeting was held on May 31, 2022 to discuss the proposed PUD Concept Plan. It was then decided that due to Building and Fire Codes the connected building was not feasible.

July 19, 2022, we received a new Subdivision Sketch Plat and Site Plan Application, going back to the original 2014 location of the Medical Office Building (MOB). However, instead of a site plan with single ownership, they are proposing to create and sell Lot 2 through the minor subdivision process.

On July 27, 2022, another Utility Review Committee meeting was held with the new application and minor subdivision plan, see **Exhibit C** for comments forms.

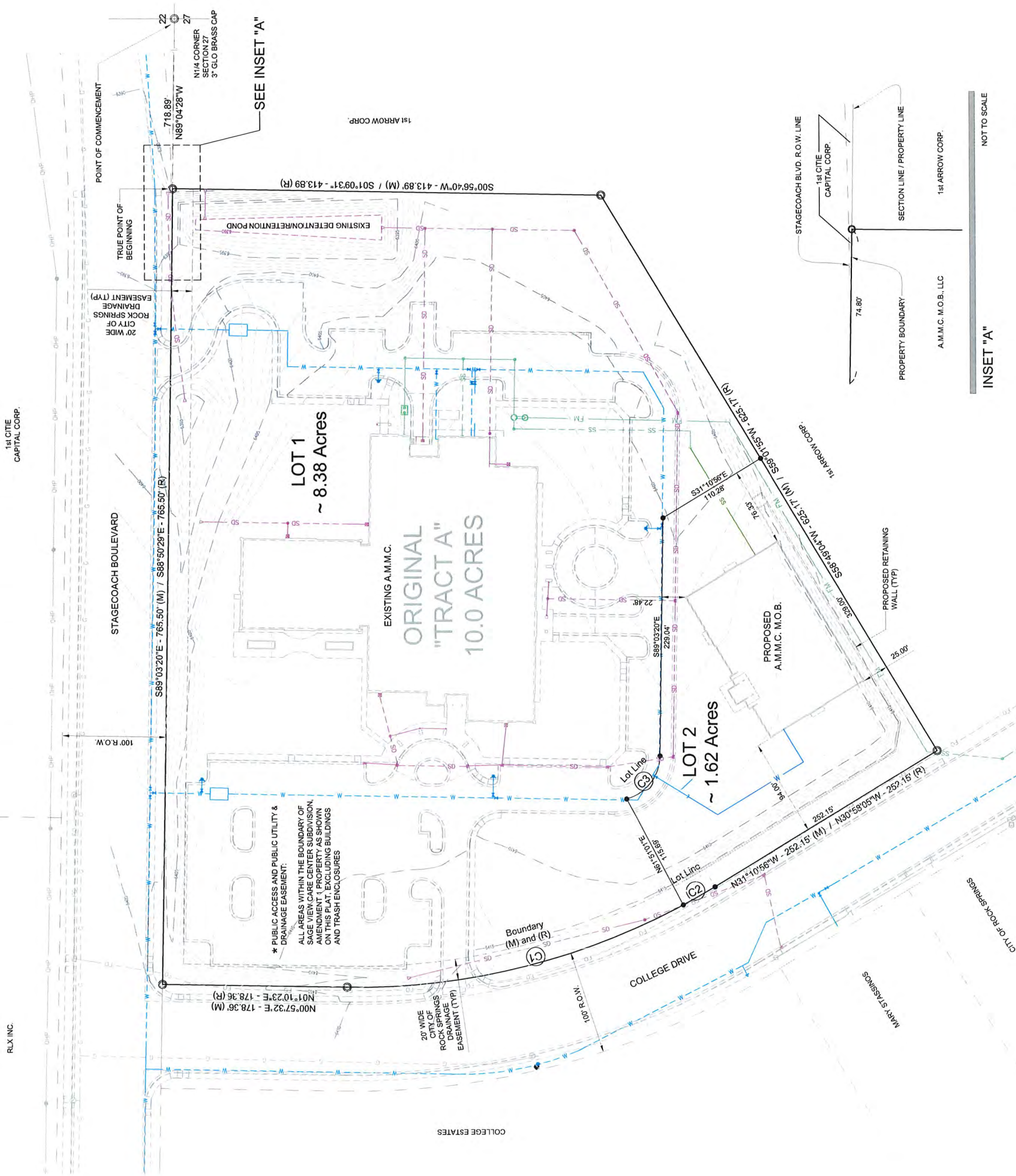
The Major Site Plan as approved in 2014, of Aspen Mountain Medical Center, LLC is attached as **Exhibit D**.

# EXHIBIT A

## SKETCH PLAT



SKETCH PLAT  
SAGE VIEW CARE CENTER SUBDIVISION, AMENDMENT 1  
A Re-Subdivision of "TRACT A" of Sage View Care Center Subdivision  
LOCATED IN SECTION 27, T.19N., R.105W., 6TH P.M.  
ROCK SPRINGS, SWEETWATER COUNTY, WY



NOTES:  
EASEMENTS: ★ THE SUBDIVISION WILL HAVE A BLANKET EASEMENT THAT WILL APPLY TO ALL ACCESSES AND ALL UTILITIES.  
WATER: SAGE VIEW CARE CENTER SUBDIVISION WILL BE SERVED BY THE CITY OF ROCK SPRINGS WATER SYSTEM.  
SANITARY: SAGE VIEW CARE CENTER SUBDIVISION WILL BE SERVED BY THE CITY OF ROCK SPRINGS SANITARY SEWER SYSTEM.  
STORM: SAGE VIEW CARE CENTER SUBDIVISION WILL BE SERVED BY A DETENTION/RETENTION POND AS SHOWN.  
ZONING: CURRENT ZONING IS B-2 (COMMUNITY BUSINESS).  
SOILS/DRAINAGE: PRELIMINARY SOILS/DRAINAGE INVESTIGATIONS HAVE BEEN COMPLETED AND THERE IS NO EVIDENCE OF ANY SPECIAL MEASURES OR MITIGATION PROCEDURES REQUIRED.  
FEMA: THIS SUBDIVISION IS NOT LOCATED IN THE 100 YEAR FLOODPLAIN AS DEFINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

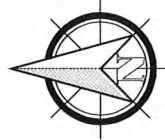
SITE / PROPERTY INFORMATION	
ZONE :	B-2
SITE AREA	435.00 SF ~10.00 ACRES
SETBACK REQUIREMENTS	
FRONT YARD	35'-0"
SIDE YARD	25'-0" & *15'-0"
REAR YARD	15'-0"
ADD 2'-0" TO SETBACKS PER RULE OF ADDITION PER EVERY 3' THAT BLD'G IS OVER 35' MAX HT.	

CERTIFICATE OF DEDICATION:  
SAGE VIEW CARE CENTER SUBDIVISION, AMENDMENT 1, A RE-SUBDIVISION OF SAGE VIEW CARE CENTER SUBDIVISION, ROCK SPRINGS, SWEETWATER COUNTY, WYOMING, AS DESCRIBED IN PLAT RECORDED NOVEMBER 17, 1997 IN BOOK OF PLATS, PAGE 388, AND AS FOLLOWS:  
COMMENCING AT THE NORTH 1/4 CORNER OF SECTION 27, T.19 N., R. 105 W., 6TH P.M.;  
THENCE N89°04'28"W, A DISTANCE OF 718.89 FEET (M) - (TIE) TO THE TRUE POINT OF BEGINNING;  
THENCE S00°58'40"W, A DISTANCE OF 413.89 FEET (M);  
THENCE N31°10'56"W, A DISTANCE OF 252.15 FEET (M);  
THENCE N31°10'56"W, A DISTANCE OF 252.15 FEET (M) TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT AND HAVING A RADIUS OF 660.20 FEET (M);  
THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 32°08'29" 373.72 FEET, SAID CURVE HAVING A CHORD BEARING OF N15°06'42"W AND A CHORD DISTANCE OF 368.84 FEET (M);  
THENCE N00°57'32"E, A DISTANCE OF 173.36 FEET (M);  
THENCE S89°09'29"E, A DISTANCE OF 765.50 FEET (M) TO THE TRUE POINT OF BEGINNING.

SKETCH PLAT LEGEND	
PROPOSED WATER MAIN	W
EXISTING WATER MAIN	W
PROPOSED SANITARY SEWER MAIN	SS
EXISTING SANITARY SEWER MAIN	SS
PROPOSED STORM SEWER MAIN	SD
EXISTING STORM SEWER MAIN	SD
EXISTING PROPERTY BOUNDARY W/ CORNER	—●—
PROPOSED PROPERTY LINE W/ CORNER	—●—
EXISTING CONTOURS (1' INTERVAL)	—○—
PROPERTY BOUNDARY FOUND OR TO BE SET MEASURED / RECORD	(M) / (R)

TOTAL PLAT ACREAGE	10.00 ACRES
TOTAL LOTS - ALL PHASES	10.00 ACRES    2 LOTS
LOT A1	8.38 ACRES
LOT A2	1.62 ACRES

LAND DEVELOPER  
ASPEN MOUNTAIN REAL ESTATE, LLC  
11350 TOMAHAWK CREEK PKWY., STE 150  
LEAWOOD, KS 66211



CURVE TABLE				
CURVE #	LENGTH	RADIUS	TANGENT	CHORD BEARING
C1	373.72'	666.20'	191.92'	S15°06'42"E
C2	35.26'	666.20'	17.63'	S29°39'58"E
C3	58.47'	43.50'	33.01'	S51°51'59"E



VICINITY MAP



PROJECT NO.: 22017	DATE: 07-19-22	REV.: +	LAND OWNER ASPEN MOUNTAIN REAL ESTATE, LLC 4401 COLLEGE DRIVE ROCK SPRINGS, WYOMING
SHEET NO. <b>C1.1</b>	DRAWN BY: <b>KBK</b>	SAGE VIEW CARE CENTER SUBDIVISION, AMENDMENT 1 SKETCH PLAT SHEET 1 OF 1	
	REVIEWED BY: <b>SMA</b>		



SITE PLAN  
SAGE VIEW CARE CENTER SUBDIVISION, AMENDMENT 1 SITE PLAN  
LOCATED IN SECTION 27, T.19N., R.105W., 6TH P.M.  
ROCK SPRINGS, SWEETWATER COUNTY, WY



SITE INFORMATION	
ZONE: COMMUNITY BUSINESS (B-2) *OVERALL SITE TO SUBDIVIDED	
PROPOSED TRACT "A2" SITE AREA: ~70,760 SF (~1.62 ACRES)	
PROPOSED DEVELOPMENT AREA FOR MOB: ~75,500 SF (~1.73 ACRES)	
YARD REQUIREMENTS (SETBACKS): EXISTING AMMC (PROPOSED TRACT "A1"): BUILDING: PARKING: FRONT: 37'-0" FRONT: 4'-0" SIDE: 27'-0" SIDE: 4'-0" SIDE: 17'-0" SIDE: 3'-0" REAR: 17'-0" REAR: 3'-0" *ADD 2'-0" TO SETBACKS PER RULE OF 1' ADDITIONAL PER EVERY 3' OF BUILDING HEIGHT OVER 35'-0" MAX. HT. EX. AMMC BLD'G HT. = 42'-0" PROPOSED MOB (PROPOSED TRACT "A2"): BUILDING: PARKING: FRONT: 35'-0" FRONT: 4'-0" SIDE: 15'-0" SIDE: 3'-0" REAR: 15'-0" REAR: 3'-0"	
BUILDING AREA: EXISTING AMMC, LLC BUILDING: EXISTING: 51,500 GSF FUTURE EXPANSION: ~46,000 GSF TOTAL: ~97,500 GSF AMMC MOB, LLC: PROPOSED: 16,856 GSF TOTAL: 16,856 GSF	
PARKING REQUIREMENTS: EXISTING AMMC, LLC BUILDING: *SEE CALCULATIONS WITHIN BUILDING FOOTPRINT ON SITE PLAN PROPOSED AMMC MOB, LLC BUILDING: REQUIRED: 1.5 STALLS PER 1,000 SF = 1/667 *SF = 10% REDUCTION FROM GSF 16,856 GSF X .90 = 15,171/667 = 23 STALLS PROVIDED: PROPOSED: 68 STALLS TOTAL: 68 STALLS STANDARD STALL SIZE: 9'-0" X 20'-0" STANDARD DRIVE SIZE: 25'-0" X 26'-0" (FIRE)	

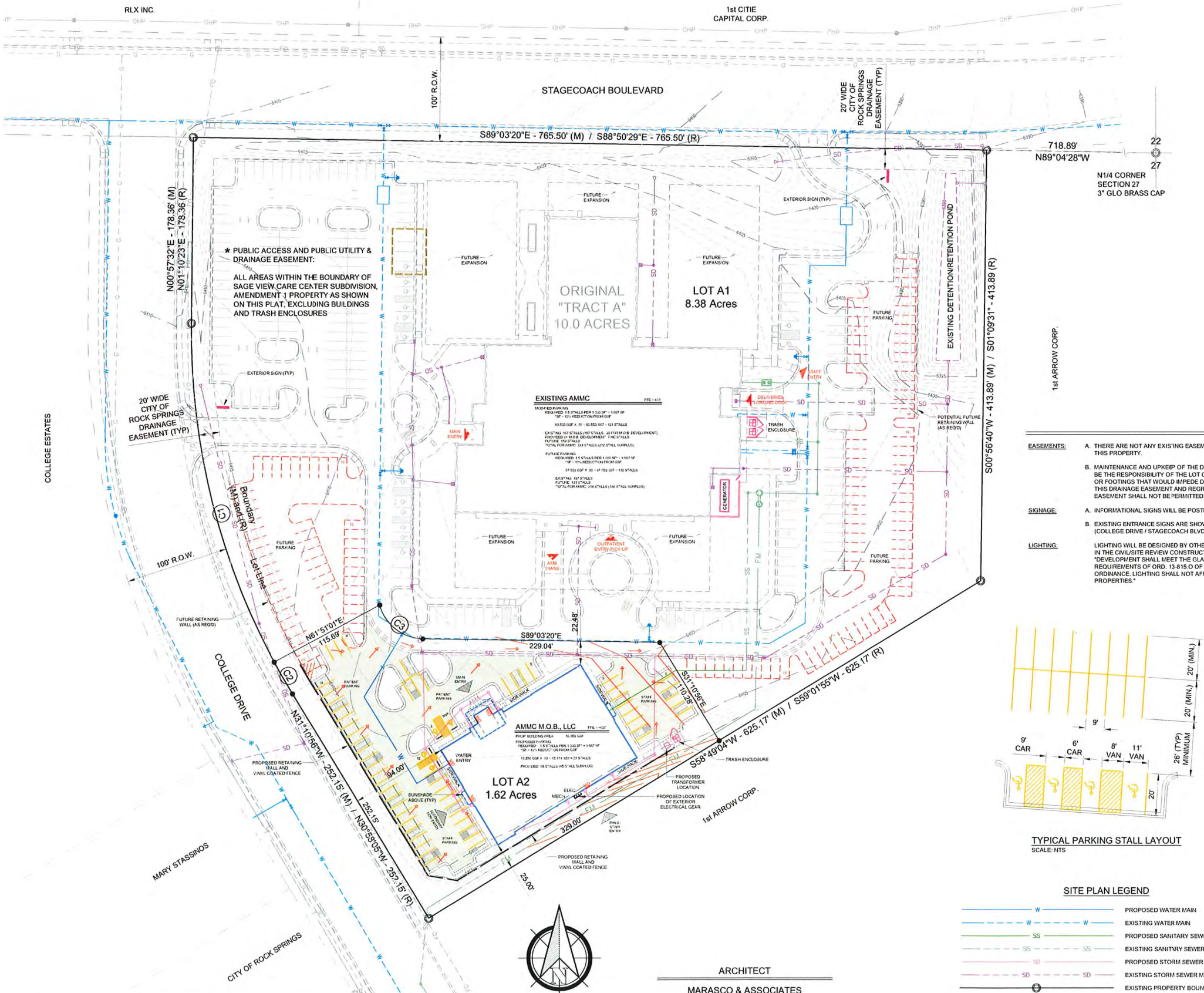


1515 9th Street - Suite A | Rock Springs, WY 82901  
Phone 307-362-6065 | Fax 307-362-6064

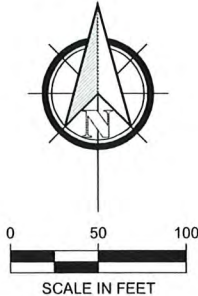
LAND OWNER  
ASPEN MOUNTAIN REAL ESTATE, LLC  
4401 COLLEGE DRIVE  
ROCK SPRINGS, WYOMING

REV. +  
DATE: 07-19-22  
SAGE VIEW CARE CENTER SUBDIVISION, AMENDMENT 1  
SITE PLAN APPLICATION - AMMC M.O.B., LLC  
SHEET 1 OF 1

PROJECT NO.: 22017  
DRAWN BY: KBK  
REVIEWED BY: SMA  
SHEET NO.  
C1.1

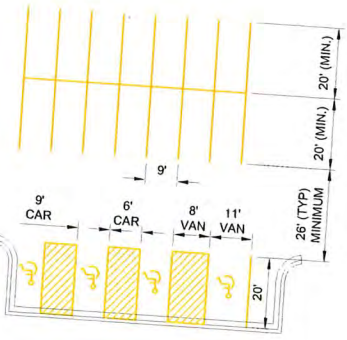


CURVE TABLE						
CURVE #	LENGTH	RADIUS	TANGENT	DELTA	CHORD BEARING	CHORD LENGTH
C1	373.72'	666.20'	191.92'	32°08'29"	S15°06'42"E	368.84'
C2	35.26'	666.19'	17.63'	3°01'57"	S29°39'58"E	35.26'
C3	56.47'	43.50'	33.01'	74°22'42"	S51°51'59"E	52.59'

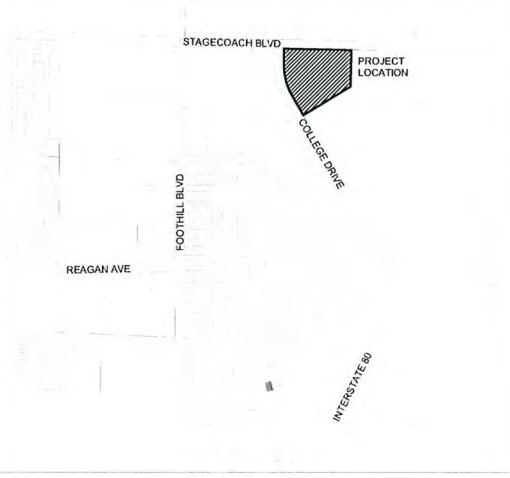


ARCHITECT  
MARASCO & ASSOCIATES  
1301 SPEER BLVD., SUITE A  
DENVER, CO 80204  
JUSTIN BARENT, 1-303-832-2887  
LAND DEVELOPER  
ASPEN MOUNTAIN REAL ESTATE, LLC  
11350 TOMAHAWK CREEK PKWY, STE 150  
LEAWOOD, KS 66211

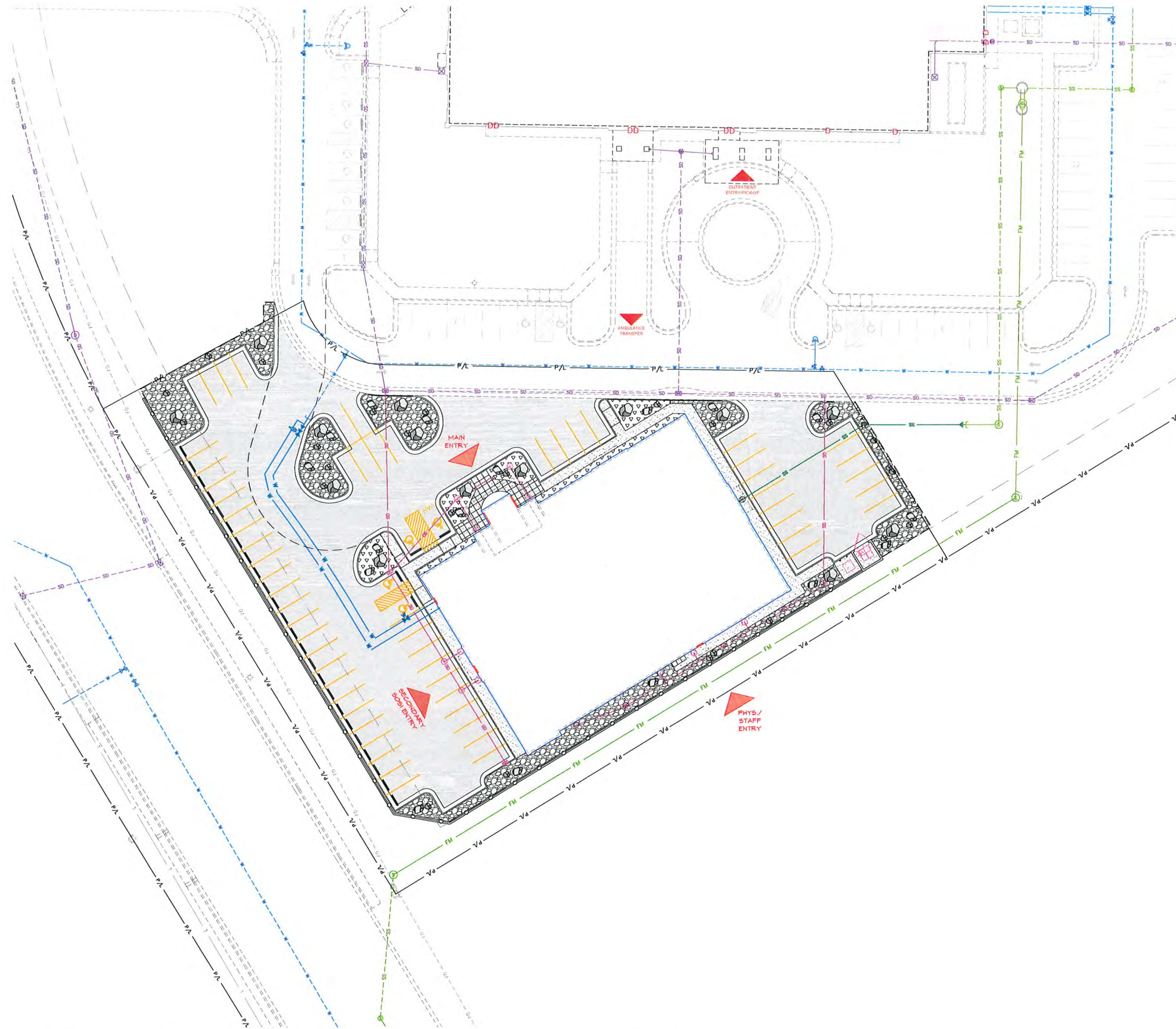
- SITE PLAN NOTES**
- EASEMENTS:** A. THERE ARE NOT ANY EXISTING EASEMENTS WHICH AFFECT THIS PROPERTY.  
B. MAINTENANCE AND UPKEEP OF THE DRAINAGE EASEMENT WILL BE THE RESPONSIBILITY OF THE LOT OWNER. FENCES, WALLS OR FOOTINGS THAT WOULD IMPEDE DRAINAGE FLOWS WITHIN THIS DRAINAGE EASEMENT AND REGRADING OF THE DRAINAGE EASEMENT SHALL NOT BE PERMITTED.
- SIGNAGE:** A. INFORMATIONAL SIGNS WILL BE POSTED ON THE BUILDING.  
B. EXISTING ENTRANCE SIGNS ARE SHOWN ON THE SITE PLAN (COLLEGE DRIVE / STAGECOACH BLVD ENTRANCES).
- LIGHTING:** LIGHTING WILL BE DESIGNED BY OTHERS AND WILL BE INCLUDED IN THE CIVIL/SITE REVIEW CONSTRUCTION DRAWINGS. \*DEVELOPMENT SHALL MEET THE GLARE AND LIGHTING REQUIREMENTS OF ORD. 13-815.0 OF THE CITY'S ZONING ORDINANCE. LIGHTING SHALL NOT AFFECT ADJACENT PROPERTIES.\*
- LANDSCAPING:** \*ALL LANDSCAPING AREAS, AS DELINEATED AND DESCRIBED ON LANDSCAPING PLAN SHEET L-100, SHALL BE LANDSCAPED WITH CITY APPROVED LANDSCAPING MATERIALS PRIOR TO OCCUPANCY\*.
- DRAINAGE PLAN:** DRAINAGE ARROWS SHOWN FOR GENERAL RUN OFF FLOW DIRECTION.
- MINE SUBSIDENCE:** THIS SITE IS NOT LOCATED WITHIN THE MINE SUBSIDENCE ARE A
- FLOODPLAIN:** THIS SITE IS NOT LOCATED IN A FLOODPLAIN OR FLOODWAY ZONE AS INDICATED BY FIRM PANEL #560051 0005 E - REV. JULY 20, 1998.
- PARKING LOTS:** ALL PARKING LOT GRADES SHOWN ARE LESS THAN 3.0% GRADE.  
ALL PARKING LOTS AND DRIVEWAYS SHALL BE PAVED WITH ASPHALT OR CONCRETE AND SHALL BE BOUND BY PERIMETER CONCRETE CURB AND GUTTER.
- FIRE:** THIS BUILDING WILL BE SERVED BY A FIRE SPRINKLER SYSTEM.



**NOTES:**  
**EASEMENTS:** \* THE SUBDIVISION WILL HAVE A BLANKET EASEMENT THAT WILL APPLY TO ALL ACCESSES AND ALL UTILITIES.  
**WATER:** SAGE VIEW CARE CENTER SUBDIVISION WILL BE SERVED BY THE CITY OF ROCK SPRINGS WATER SYSTEM.  
**SANITARY:** SAGE VIEW CARE CENTER SUBDIVISION WILL BE SERVED BY THE CITY OF ROCK SPRINGS SANITARY SEWER SYSTEM.  
**STORM:** SAGE VIEW CARE CENTER SUBDIVISION WILL BE SERVED BY A DETENTION/RETENTION POND AS SHOWN.







**LEGEND**

DESCRIPTION	SIZE	QUANTITY
PROPOSED 2'-3' RIVER ROCK (MATCH PHASE 1 RIVER ROCK)	4" DEPTH	5,700 SF
DECORATIVE LANDSCAPE ROCK (MATCH PHASE 1 BY ENTRANCE)	4" DEPTH	1,400 SF
LANDSCAPE BOULDERS (MATCH PHASE 1 BOULDERS)	1'-2' DIA	25
	2'-3' DIA	17
	3'-4' DIA	14

**NOTES:**

- CONTRACTOR TO VERIFY LOCATION OF ALL UTILITIES PRIOR TO INSTALLATION, EXCAVATION, OR PLANTING OPERATIONS. ANY DAMAGE TO EXISTING UTILITIES ON SITE OR ON ADJACENT FACILITY SHALL BE CONTRACTOR'S RESPONSIBILITY.
- ALL AREAS DISTURBED BY CONSTRUCTION ACTIVITIES SHALL BE PREPARED AND SEEDING AS SPECIFIED. A DISTURBED AREA SHALL BE WHERE CONSTRUCTION ACTIVITIES INCLUDING TREES, GRASS, OR OTHER VEGETATION, EARTHWORK, MATERIAL STORAGE, STAGING AND PARKING, OR ANY OTHER FORM OF EXCAVATION, COMPACTION, OR TRAFFIC THAT RESULTS IN THE REMOVAL OR DISPLACEMENT OF EXISTING GROUND COVER OR GRADE. IT IS THE CONTRACTOR'S RESPONSIBILITY TO REVIEW ALL OTHER CONTRACT DOCUMENTS TO DETERMINE FULL SCOPE OF POTENTIAL SITE DISTURBANCE TO BE RECLAIMED.
- IN THE EVENT OF DISCREPANCY OR UNFORESEEN CIRCUMSTANCES, NOTIFY THE LANDSCAPE ARCHITECT IMMEDIATELY.
- NO SUBSTITUTIONS WILL BE ALLOWED WITHOUT WRITTEN CONSENT FROM THE LANDSCAPE ARCHITECT.
- MAINTENANCE SERVICES TO BE PERFORMED BY THE CONTRACTOR. THE CONTRACTOR WILL BE EXPECTED TO FURNISH AND MAINTENANCE OF ALL LANDSCAPED AREAS THROUGH FINAL COMPLETION OF PROJECT OR AS REQUIRED FOR THE REQUIREMENTS OF THE PROJECT WARRANTY PERIOD.
- BOULDERS ENCOUNTERED DURING EXCAVATION FOR THE PROJECT SHALL BE HANDLED TO PREVENT SCRAPING AND USED AS PART OF THE LANDSCAPE THERE, PLACE AS DIRECTED BY THE OWNER.
- REFER TO DETAILS AND SPECIFICATIONS FOR ADDITIONAL INFORMATION.



**MARASCO & ASSOCIATES, INC.**  
HEALTHCARE ARCHITECTS  
AND CONSULTANTS  
1301 SPEER BLVD., SUITE A  
DENVER, COLORADO 80204  
PH: (303) 632-2887  
FAX: (303) 641-0160  
WWW.MARASCO.COM

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**JOB TITLE**

A.M.M.C.  
M.O.B., LLC  
(ASPEN  
MOUNTAIN  
MEDICAL  
CENTER)

PRELIMINARY  
PRICING SET

ROCK SPRINGS,  
WYOMING

job no.	22-D06
date	01/21/22
revision	
drawn by	KK

**SHEET TITLE**

CIVIL LANDSCAPE  
PLAN

**SHEET NUMBER**

L-100

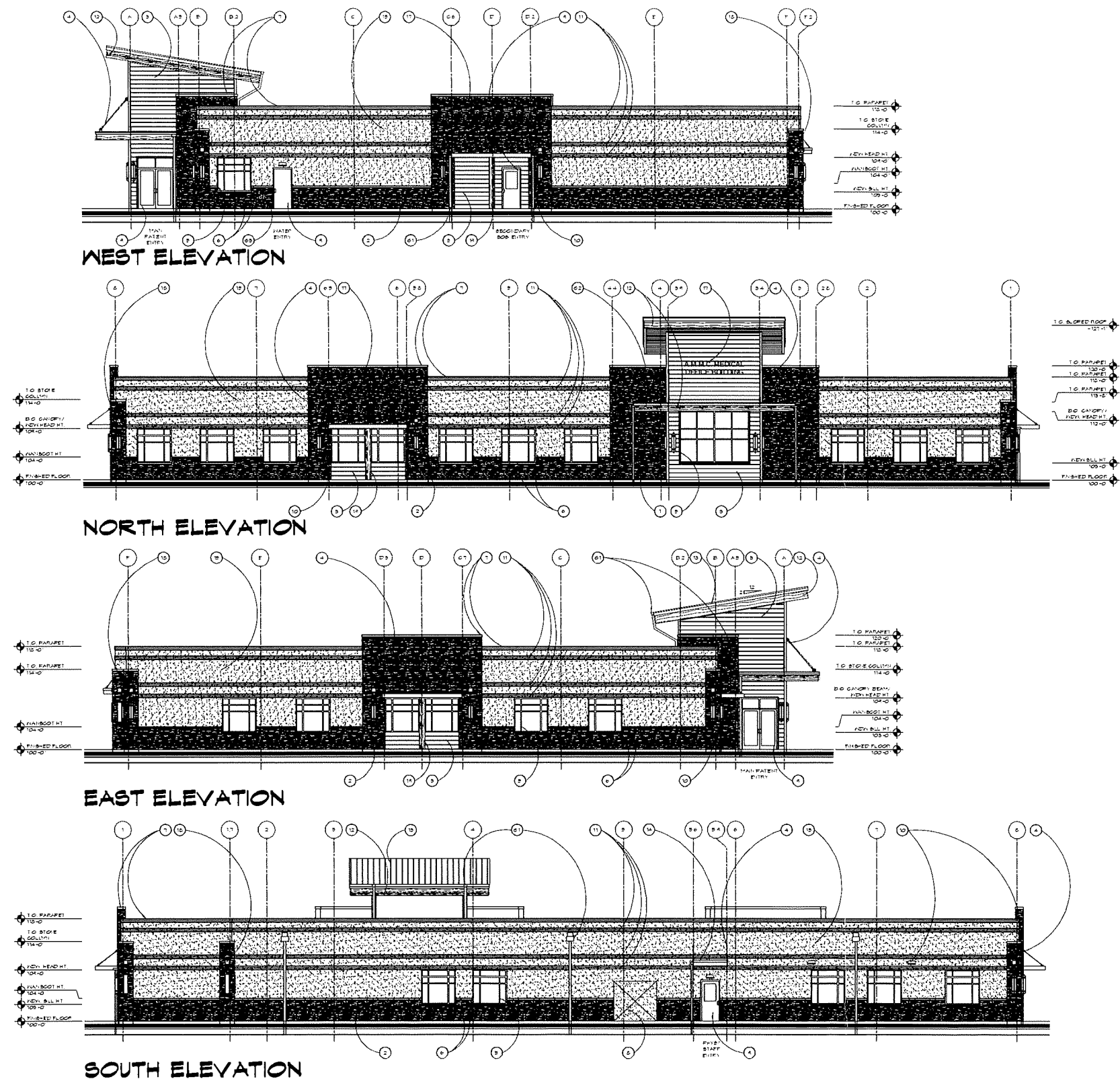
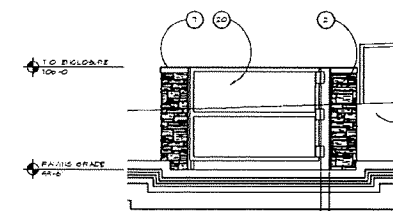
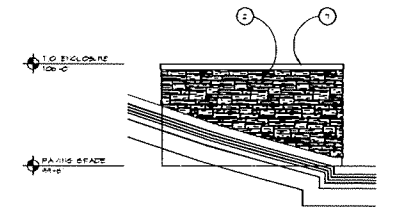
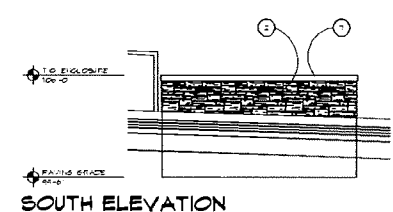
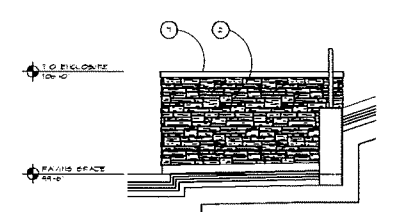
**CIVIL LANDSCAPE PLAN**



**PRELIMINARY**  
NOT FOR CONSTRUCTION

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[illegible]

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PARABASCO & ASSOCIATES IS  
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& ASSOCIATES IS NOT RESPONSIBLE  
FOR ERRORS AND OMISSIONS WITHIN  
THESE DRAWINGS DUE TO  
MISPRESEN OF CHANGES. ACTS  
OF GOD OR FORCE MAJEURE  
CHANGES AFTER CONSTRUCTION HAS  
STARTED OR FAILURE OF  
CONTRACTOR TO REQUEST  
PERTINENT INFORMATION PRIOR TO  
START OF CONSTRUCTION. THE USE  
OF THESE DOCUMENTS CONSTITUTE  
FULL ASSUMPTION OF THESE TERMS  
AND CONDITIONS.

**JOB TITLE**

A.M.M.C.  
M.O.B., LLC  
(ASPEN  
MOUNTAIN  
MEDICAL  
CENTER)

**SITE PLAN  
SUBMITTAL**

ROCK SPRINGS,  
WYOMING

joc no	22-206
date	07/15/22
revision	
drawn by	TJB

**SHEET TITLE**

PROPOSED  
EXTERIOR  
BUILDING/TRASH  
ENCLOSURE  
ELEVATIONS

**SHEET NUMBER**

A4.0



# EXHIBIT B

# APPLICATION



# CITY OF ROCK SPRINGS SUBDIVISION SKETCH PLAT APPLICATION

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

Laura Leigh, City Planner  
Email: laura\_leigh@rswy.net

**STAFF USE ONLY:**

Date Received: 7-19-2022

Project Number: P2-22-00292

A. **SUBDIVISION NAME:** Aspen Mountain Medical Center Subdivision

**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.*

**Primary Contact Person (Applicant):**

Curtis Mayse

Name

970-875-3001

Phone Number

cmayse@steamboatortho.com

Email Address

705 Marketplace Plaza, Suite 200

Mailing Address

Steamboat Springs

City

CO

State

80487

Zip

**Property Owner Information:**

Aspen Mountain Real Estate, LLC

Name

Phone Number

Email Address

11350 Tomahawk Creek Parkway, Suite 150

Mailing Address

Leawood

City

KS

State

66211

Zip

**Engineer Information:**

Eric Harris

Engineer's Name

eharris@whsmithpc.com

Email

WHS

Company Name

307-362-6065

Phone Number

Fax Number

1515 Ninth Street, Suite A

Mailing Address

Rock Springs

City

WY

State

82901

Zip

**Surveyor Information:**

Theron Weston

Surveyor's Name

tweston@whsmithpc.com

Email

WHS

Company Name

307-362-6065

Phone Number

Fax Number

1515 Ninth Street, Suite A

Mailing Address

Rock Springs

City

WY

State

82901

Zip

**C. PLEASE ANSWER THE FOLLOWING (Attach a separate sheet if necessary):**

1. General location and acreage of the property (Township, Range, Section, etc.)  
Tract A of Sage View Care Center Subdivision located in Sect. 27, T19N, R105W. (10 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 boundaries on the Sketch Plat):  
Current and Proposed Zoning is B-2 (Community Business).
3. List the intended use(s) within the proposed subdivision. If the intended use is not permitted in the current zoning district, a Zone Change will be required with Preliminary Plat.  
Medical Clinic
4. What is the estimated number of lots in the proposed subdivision? Will the subdivision be developed in phases? If so, how many phases?  
2 Lots - 1 Phase.

**D. INSTRUCTIONS FOR FILING / SUBMITTAL CHECKLIST:**

**This checklist must be completed and submitted as part of the Sketch Plat Application. All items as listed within this checklist shall be submitted and/or addressed with the Sketch Plat Application. Any missing items 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.**

- ☒ Sketch Plat Application completed and signed. NOTE: The application shall be signed by all property owners of record of all property located fully or partially within the boundaries of the Final Plat. Applications missing the property owner of record's signature shall be deemed as incomplete.
- ☒ Sketch Plat Filing Fee. (\$50.00)
- ☒ Sketch Plat drawing, printed to scale. If the full-size scaled drawing is on a size larger than 11" x 17", 5 full size printed copies (to scale) must be submitted along with one reduced copy no larger than 11" x 17".
- ☒ In addition to the hard copies listed above, a PDF file (scanned at full-size) of the Sketch Plat drawing and all supporting documentation shall be submitted electronically to [city\\_planner@rswy.net](mailto:city_planner@rswy.net) or to [laura\\_leigh@rswy.net](mailto:laura_leigh@rswy.net).
- ☒ At a minimum, the Sketch Plat and/or supporting documentation shall contain the following information:
  - ☒ The Sketch Plat shall indicate the layout of streets and lots, street connections, and the phasing of the development.
  - ☒ Drainage: A drainage plan shall be submitted which adequately illustrates how the 25-year flow will be handled in the subdivision. The drainage plan must indicate how drainage within the Sketch Plat will match up with drainage of adjacent properties. The manner in which each lot will drain must be shown. Subdivision drainage may be managed with such measures as retaining walls, alleys or easements.
  - ☒ The Sketch Plat shall provide a statement on the availability of public water and sewer. A plan indicating the proposed location and sizing of water and sewer lines shall be provided.
  - ☒ Zoning requirements of the property.
  - ☒ Requirements of the Comprehensive Plan for land use, arterial and collector streets, schools, parks, and other public open spaces.
  - ☒ The Sketch Plat shall show the location and extent of any floodplains (and floodways) -- as designated on the Rock Springs Flood Insurance Rate Map.

#### E. SKETCH PLAT REVIEW PROCESS:

- The purpose of the Sketch Plat procedure is to determine any problems with the proposed development before expenses are incurred in the preparation of a Preliminary Plat. No official action is required of the Planning Department or other agencies other than to offer appropriate comments on the proposal.
- Prior to submission of a Sketch Plat Application, the subdivider shall schedule a meeting with the City Planner to discuss and determine the procedures and requirements for filing the Sketch Plat Application.
- After determining the procedures and filing requirements, the subdivider shall submit a Sketch Plat Application.
- Once a complete application submittal is received (see Section D of this application), approximately 6-10 days after submittal, a Utility Review Committee meeting will be held to discuss the Sketch Plat. Utility Review Committee Meetings are typically scheduled for Tuesday afternoons. Notice will be sent stating the time, date and location of the meeting. Notices will be sent only to those listed on this application. It is required that the applicant or a representative attend this meeting.
- 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 due to the number of applications that are received ahead of your application, your application will have to be postponed until the following week's Utility Review Committee Meeting.
- Optional: The subdivider has the option to request the opportunity to introduce the proposed subdivision Sketch Plat to the Planning and Zoning Commission at the next regularly scheduled meeting (contact the Planning Department for meeting submission deadlines). This step is optional but highly recommended for larger subdivisions, subdivisions with multiple phases, or subdivisions that will require a zone change.
- The Planning Department will then compile all comments received from the Utility Review Committee and Planning and Zoning Commission (if applicable), and provide them to the subdivider.
- The comments shall be incorporated into the Preliminary Plat.
- The Sketch Plat review will remain valid for twelve (12) calendar months from the date the Sketch Plat comments are distributed to the subdivider.

#### F. SIGNATURE(S) REQUIRED:

I acknowledge that I have read and understand this application and the pertinent regulations of the City of Rock Springs. I certify that the information provided with this application is true and correct. I further certify that.

##### Applicant Certification:

I, the applicant, hereby certify the following:

- I have read, reviewed and understand the Sketch Plat submission requirements and review process.
- I understand that any missing items shall constitute an INCOMPLETE application and that INCOMPLETE applications will be returned, and will NOT be reviewed until a complete application is submitted.
- The information provided with this application is true and correct, and false or inaccurate information used by an applicant to secure compliance with the Ordinances of the City of Rock Springs shall be reason to deny or revoke any application or permit.

Applicant's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

##### Property Owner Consent:

By signature hereon, I certify that I am the owner of the property that is the subject of this application and that I have read this application and consent to its filing.

Owner's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

# EXHIBIT C

## COMMENT FORMS





Department of Public Services/Planning

212 'D' Street, Rock Springs, WY 82901

Tel: 307-352-1540

Cathy Greene, City Planner

UTILITY REVIEW - COMMENT SHEET

To:	Utility Review Committee
From:	Cathy Greene
Date:	July 21, 2022
Project #:	PZ-22-00292
Project Name:	Aspen Mountain Medical Center Subdivision
Address/Location:	4401 College Drive
Description:	Proposed minor subdivision to create a second lot for the construction of a Medical Office Building (MOB).



There will be no meeting for this item, therefore, please provide detailed comments below. Please submit your Comment Sheet by 5:00 p.m. on WED., JULY 27, 2022. Thank you!

I Cathy Greene (name) have reviewed the plans on behalf of Planning & Zoning (Dept./Organization) for the above-referenced project.

Email: cathy\_greene@rswy.net Phone #: 307-352-1540

Please check as applicable:

- ☐ No issues - plans approved as submitted.  
☒ Revisions required to the Site Plan/Plat/Drawing (attach separate sheet if necessary):

Correct the zoning to show B-2 (CD) Community Business, Parallel Conditional Zone along College.

Add phone number to the land developer information block on sketch plat.

Plat must be rotated before prelim/final, as ordinance calls for 24" high by 36" wide, with 1-1/2" left margin and 1/2" on remaining 3 sides.

With Minor Subdivisions, it is possible for Preliminary and Final Plats to be one and the same instrument. In this case there is no preliminary fee.

All required signature blocks will be required on the plat.

- ☒ Other Comments/Issues (attach separate sheet if necessary):

Lot A2 will be required to have a deeded access/driveway easement over Lot A1.

Lot A2 may be required to have a deeded utility easement if the water or sewer lines cross A1.

A maintenance/use agreement will be required between the two lots.

Is the 20' drainage easement along College proposed? See Engineering Department's comments regarding drainage and easement language.

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

Cathy Greene  
Signature of Reviewer

7/27/2022  
Date



Department of Public Services/Planning

212 'D' Street, Rock Springs, WY 82901

Tel: 307-352-1540

Cathy Greene, City Planner

UTILITY REVIEW - COMMENT SHEET

To:	Utility Review Committee
From:	Cathy Greene
Date:	July 21, 2022
Project #:	PZ-22-00292
Project Name:	Aspen Mountain Medical Center Subdivision
Address/Location:	4401 College Drive
Description:	Proposed minor subdivision to create a second lot for the construction of a Medical Office Building (MOB).

NO MEETING  
COMMENTS  
ONLY

There will be no meeting for this item, therefore, please provide detailed comments below. Please submit your Comment Sheet by 5:00 p.m. on WED., JULY 27, 2022. Thank you!

I Meghan Jackson (name) have reviewed the plans on behalf of Engineering Dept.  
(Dept./Organization) for the above-referenced project.

Email: meghan\_jackson@rswy.net Phone #: 307-352-1540

Please check as applicable:

- ☐ No issues - plans approved as submitted.
- ☐ Revisions required to the Site Plan/Plat/Drawing (attach separate sheet if necessary):

☐ Other Comments/Issues (attach separate sheet if necessary):

1. Drainage easement statement shall cover the property in its entirety.
2. On final plat: "Maintenance and upkeep of drainage easements will be the responsibility of the individual lot owner. Fence, walls, or footings that would impede drainage flows within in the drainage easements and regrading of drainage easements shall not be permitted."
3. Access easement required for cross property access.
4. Provide all necessary construction drawings, engineers estimate, etc. for public infrastructure by Final Plat.
5. Existing detention pond is required to be re established at full design capacity by subdivision acceptance.

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

  
Signature of Reviewer

7/27/2022  
Date





Department of Public Services/Planning

212 'D' Street, Rock Springs, WY 82901

Tel: 307-352-1540

Cathy Greene, City Planner

UTILITY REVIEW - COMMENT SHEET

To:	Utility Review Committee
From:	Cathy Greene
Date:	July 21, 2022
Project #:	PZ-22-00292
Project Name:	Aspen Mountain Medical Center Subdivision
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There will be no meeting for this item, therefore, please provide detailed comments below. Please submit your Comment Sheet by 5:00 p.m. on WED., JULY 27, 2022. Thank you!

I JEFF Tuttle (name) have reviewed the plans on behalf of Building Inspections (Dept./Organization) for the above-referenced project.

Email: jeff\_tuttle@rswy.net Phone #: 307-352-1540

Please check as applicable:

☐ No issues - plans approved as submitted.

☒ Revisions required to the Site Plan/Plat/Drawing (attach separate sheet if necessary):

water & sewer service lines for new structure and lot must run to city water and sewer main lines. Tie in's to the private system currently on site is not allowed by city ordinance and the plumbing code.

☐ Other Comments/Issues (attach separate sheet if necessary):

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

Jeff Tuttle  
Signature of Reviewer

7/27/22  
Date



## UTILITY REVIEW - COMMENT SHEET

To:	Utility Review Committee
From:	Cathy Greene
Date:	July 21, 2022
Project #:	PZ-22-00292
Project Name:	Aspen Mountain Medical Center Subdivision
Address/Location:	4401 College Drive
Description:	Proposed minor subdivision to create a second lot for the construction of a Medical Office Building (MOB).

**NO MEETING  
COMMENTS  
ONLY**

**There will be no meeting for this item, therefore, please provide detailed comments below. Please submit your Comment Sheet by 5:00 p.m. on WED., JULY 27, 2022. Thank you!**

I Nathan Reese (name) have reviewed the plans on behalf of Rock Springs Fire Department (Dept./Organization) for the above-referenced project.

Email: nathan\_reese@rswy.net Phone #: 307-352-1484

Please check as applicable:

- ☐ No issues - plans approved as submitted.
- ☐ Revisions required to the Site Plan/Plat/Drawing (attach separate sheet if necessary):

☒ Other Comments/Issues (attach separate sheet if necessary):

-May need to add hydrant. Verify hydrants are in accordance 2021 International Fire Code section 507.5.1: Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrant and mains shall be provided where required by the fire code official.

-Will also need a fire alarm with fire sprinkler.

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

Nathan Reese  
Signature of Reviewer

7/27/2022  
Date





Department of Public Services/Planning

212 'D' Street, Rock Springs, WY 82901

Tel: 307-352-1540

Cathy Greene, City Planner

UTILITY REVIEW - COMMENT SHEET

To:	Utility Review Committee
From:	Cathy Greene
Date:	July 21, 2022
Project #:	PZ-22-00292
Project Name:	Aspen Mountain Medical Center Subdivision
Address/Location:	4401 College Drive
Description:	Proposed minor subdivision to create a second lot for the construction of a Medical Office Building (MOB).



There will be no meeting for this item, therefore, please provide detailed comments below. Please submit your Comment Sheet by 5:00 p.m. on WED., JULY 27, 2022. Thank you!

I Stephen Bacon (name) have reviewed the plans on behalf of Colorado Interstate Gas Co (Dept./Organization) for the above-referenced project.

Email: steve\_bacon@kindermorgan.com Phone #: 719-659-5936

Please check as applicable:

- ☒ No issues - plans approved as submitted.  
☐ Revisions required to the Site Plan/Plat/Drawing (attach separate sheet if necessary):

☐ Other Comments/Issues (attach separate sheet if necessary):

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

Stephen Bacon  
Signature of Reviewer

7/27/2022  
Date



## UTILITY REVIEW - COMMENT SHEET

To:	Utility Review Committee
From:	Cathy Greene
Date:	July 21, 2022
Project #:	PZ-22-00292
Project Name:	Aspen Mountain Medical Center Subdivision
Address/Location:	4401 College Drive
Description:	Proposed minor subdivision to create a second lot for the construction of a Medical Office Building (MOB).



There will be no meeting for this item, therefore, please provide detailed comments below. Please submit your Comment Sheet by 5:00 p.m. on WED., JULY 27, 2022. Thank you!

I Josh Sargent (name) have reviewed the plans on behalf of Dominion Energy (Dept./Organization) for the above-referenced project.

Email: joshua.sargent@dominionenergy.com Phone #: 307-708-0860

Please check as applicable:

- ☒ No issues - plans approved as submitted.  
☐ Revisions required to the Site Plan/Plat/Drawing (attach separate sheet if necessary):

☐ Other Comments/Issues (attach separate sheet if necessary):

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

Joshua Sargent  
Signature of Reviewer

7-27-2022  
Date



**Department of Public Services/Planning**

212 'D' Street, Rock Springs, WY 82901

Tel: 307-352-1540

Cathy Greene, City Planner

**UTILITY REVIEW - COMMENT SHEET**

To:	Utility Review Committee
From:	Cathy Greene
Date:	July 21, 2022
Project #:	PZ-22-00292
Project Name:	Aspen Mountain Medical Center Subdivision
Address/Location:	4401 College Drive
Description:	Proposed minor subdivision to create a second lot for the construction of a Medical Office Building (MOB).



There will be no meeting for this item, therefore, please provide detailed comments below. Please submit your Comment Sheet by 5:00 p.m. on WED., JULY 27, 2022. Thank you!

I Clint Zambai (name) have reviewed the plans on behalf of RS Water Dept (Dept./Organization) for the above-referenced project.

Email: clint\_zambai@rswy.net Phone #: 307-352-1405

Please check as applicable:

- ☐ No issues - plans approved as submitted.
- ☒ Revisions required to the Site Plan/Plat/Drawing (attach separate sheet if necessary):

The water service for the new lot must be from the City of Rock Springs system.  
A new water service must be installed with a three way valve set in College Drive.  
All plans, materials and install must meet City of Rock Springs and Joint Powers Water Board specs.

- ☐ Other Comments/Issues (attach separate sheet if necessary):

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

  
Signature of Reviewer

7/27/2022  
Date





## UTILITY REVIEW - COMMENT SHEET

To:	Utility Review Committee
From:	Cathy Greene
Date:	July 21, 2022
Project #:	PZ-22-00292
Project Name:	Aspen Mountain Medical Center Subdivision
Address/Location:	4401 College Drive
Description:	Proposed minor subdivision to create a second lot for the construction of a Medical Office Building (MOB).

NO MEETING  
COMMENTS  
ONLY

**There will be no meeting for this item, therefore, please provide detailed comments below. Please submit your Comment Sheet by 5:00 p.m. on WED., JULY 27, 2022. Thank you!**

I Justin Stewart (name) have reviewed the plans on behalf of WRF  
(Dept./Organization) for the above-referenced project.

Email: justin\_stewart@rswy.net Phone #: 307-352-1466

Please check as applicable:

- ☐ No issues - plans approved as submitted.
- ☒ Revisions required to the Site Plan/Plat/Drawing (attach separate sheet if necessary):

Lot A2 will require a separate connection to City of Rock Springs sewer

☐ Other Comments/Issues (attach separate sheet if necessary):

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

Justin Stewart

Digitally signed by Justin Stewart  
Date: 2022.07.26 15:17:35 -06'00'

Signature of Reviewer

7/26/2022

Date



Department of Public Services/Planning

212 'D' Street, Rock Springs, WY 82901

Tel: 307-352-1540

Cathy Greene, City Planner

UTILITY REVIEW - COMMENT SHEET

To:	Utility Review Committee
From:	Cathy Greene
Date:	July 21, 2022
Project #:	PZ-22-00292
Project Name:	Aspen Mountain Medical Center Subdivision
Address/Location:	4401 College Drive
Description:	Proposed minor subdivision to create a second lot for the construction of a Medical Office Building (MOB).

NO MEETING  
COMMENTS  
ONLY

There will be no meeting for this item, therefore, please provide detailed comments below. Please submit your Comment Sheet by 5:00 p.m. on WED., JULY 27, 2022. Thank you!

I Christy Austin (name) have reviewed the plans on behalf of Rocky Mountain Power (Dept./Organization) for the above-referenced project.

Email: christy.austin@pacificorp.com Phone #: 307-352-5213

Please check as applicable:

- ☐ No issues - plans approved as submitted.
- ☐ Revisions required to the Site Plan/Plat/Drawing (attach separate sheet if necessary):

☐ Other Comments/Issues (attach separate sheet if necessary):

Please call 888-221-7070 to generate a request for power when you are ready to discuss power needs.

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

Digitally signed by Christy Austin  
Date: 2022.07.27 11:58:29 -06'00'

Signature of Reviewer

Date





BRS, Inc.

1130 Major Ave.

Riverton, WY 82501

E-Mail: [brs@brsengineering.com](mailto:brs@brsengineering.com)

307-857-3079 Fax: 307-857-3080

**City of Rock Springs, Wyoming  
Utility Review  
Wyoming Abandoned Mine Lands**

To: Utility Review Committee

From: Ryan Reed, BRS Inc., P.E.

Date: 7/26/2022

Project #: PZ-22-00292

Project Address: 4401 College Drive

I, Ryan Reed, have reviewed the Project location(s) in relation to potential for abandoned mine subsidence and determined:

- ☐ Property is undermined by abandoned mine workings at an approximate depth of \_\_\_\_\_
- ☐ Property is adjacent to abandoned mine workings at an approximate depth of \_\_\_\_\_
- ☒ Property is not impacted by any known abandoned mine workings.

Based upon potential for abandoned mine subsidence:

- ☐ It is Recommended that Remediation efforts be made at the Project location(s).
- ☐ It is Recommended that Exploratory Drilling be completed at the Project location(s).
- ☒ No Remediation Action is Recommended at this time.

Other Comments/Issues:


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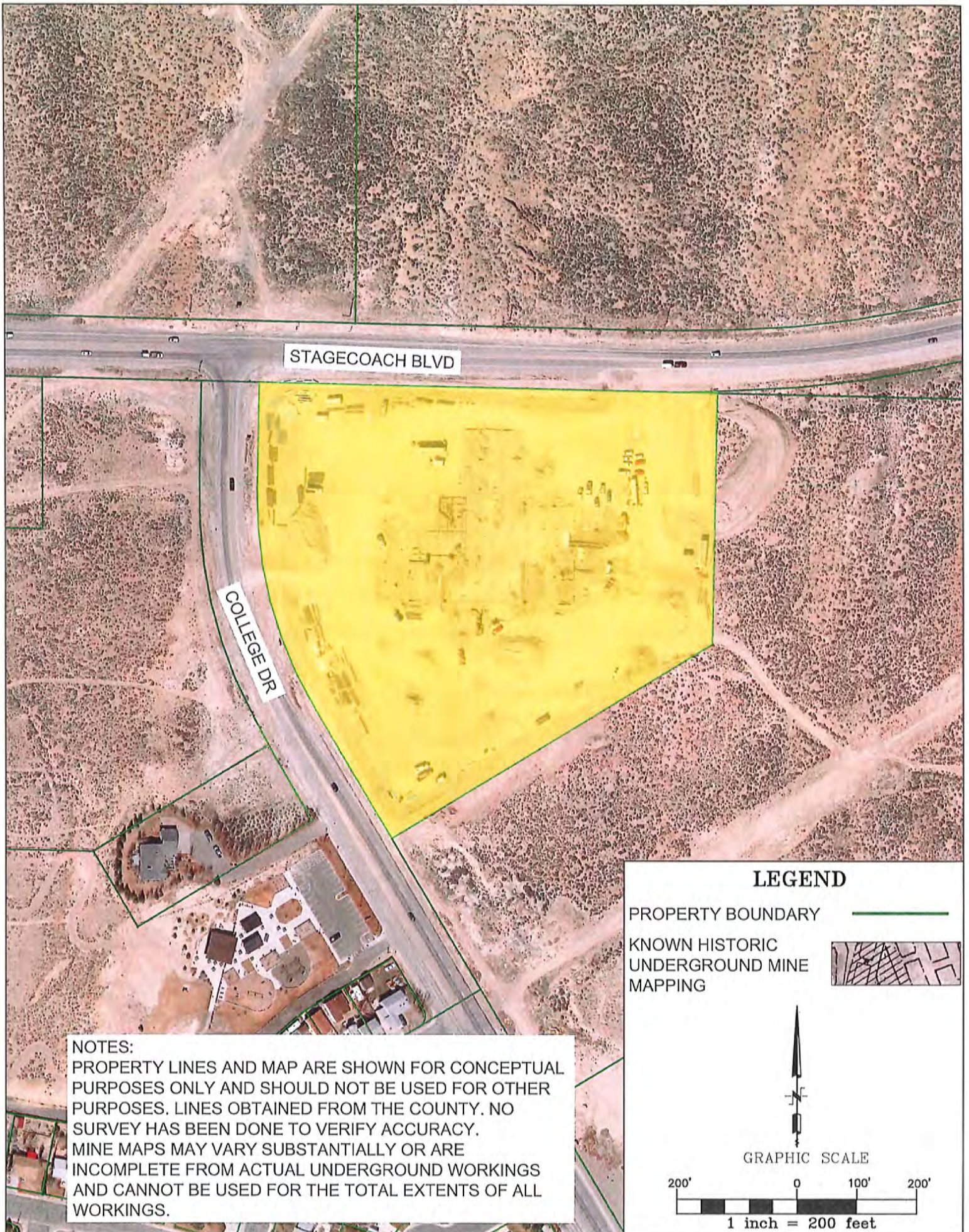
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Signature

7/26/22  
Date





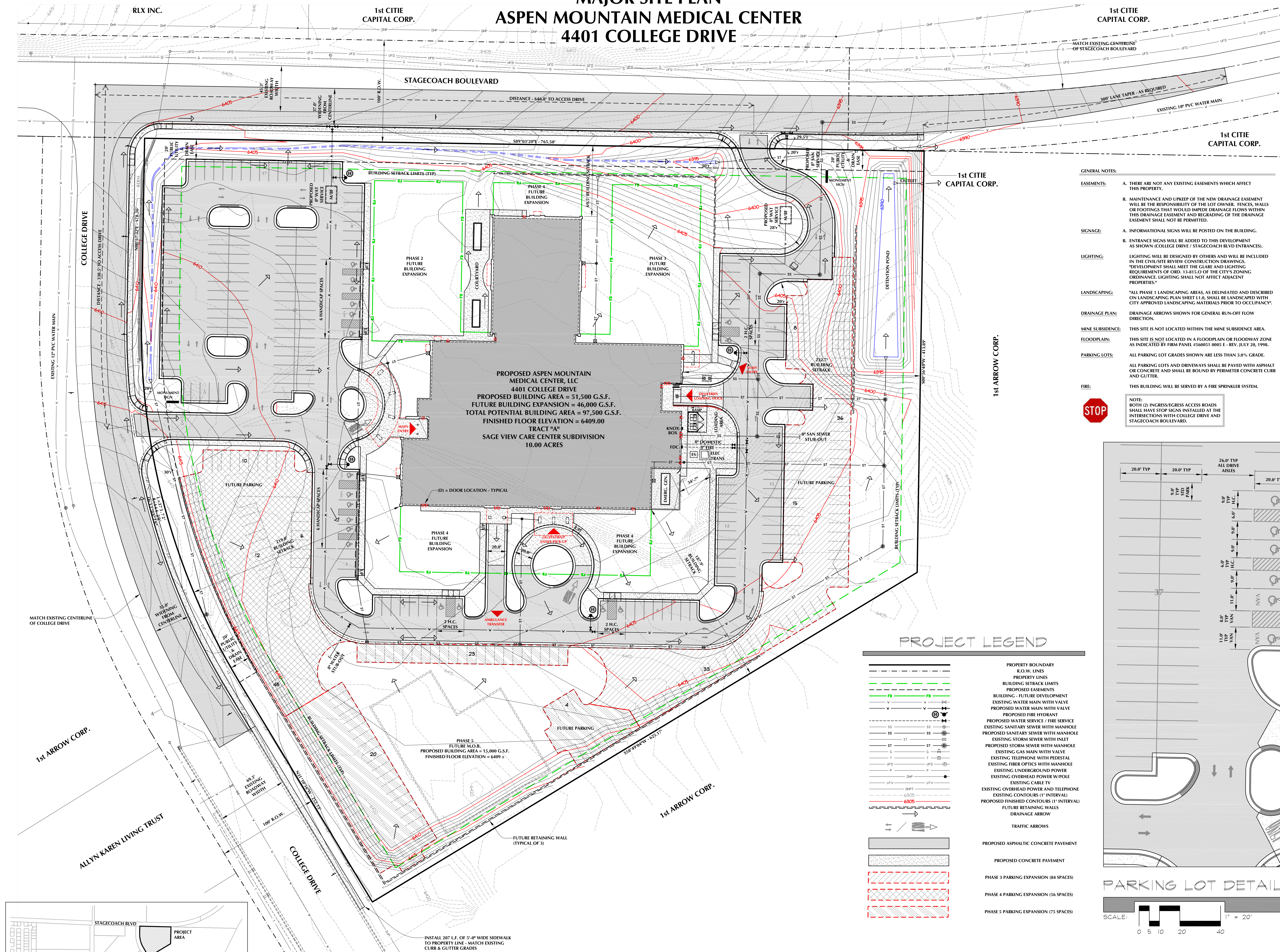


# EXHIBIT D

## 2014 Approved Site Plan

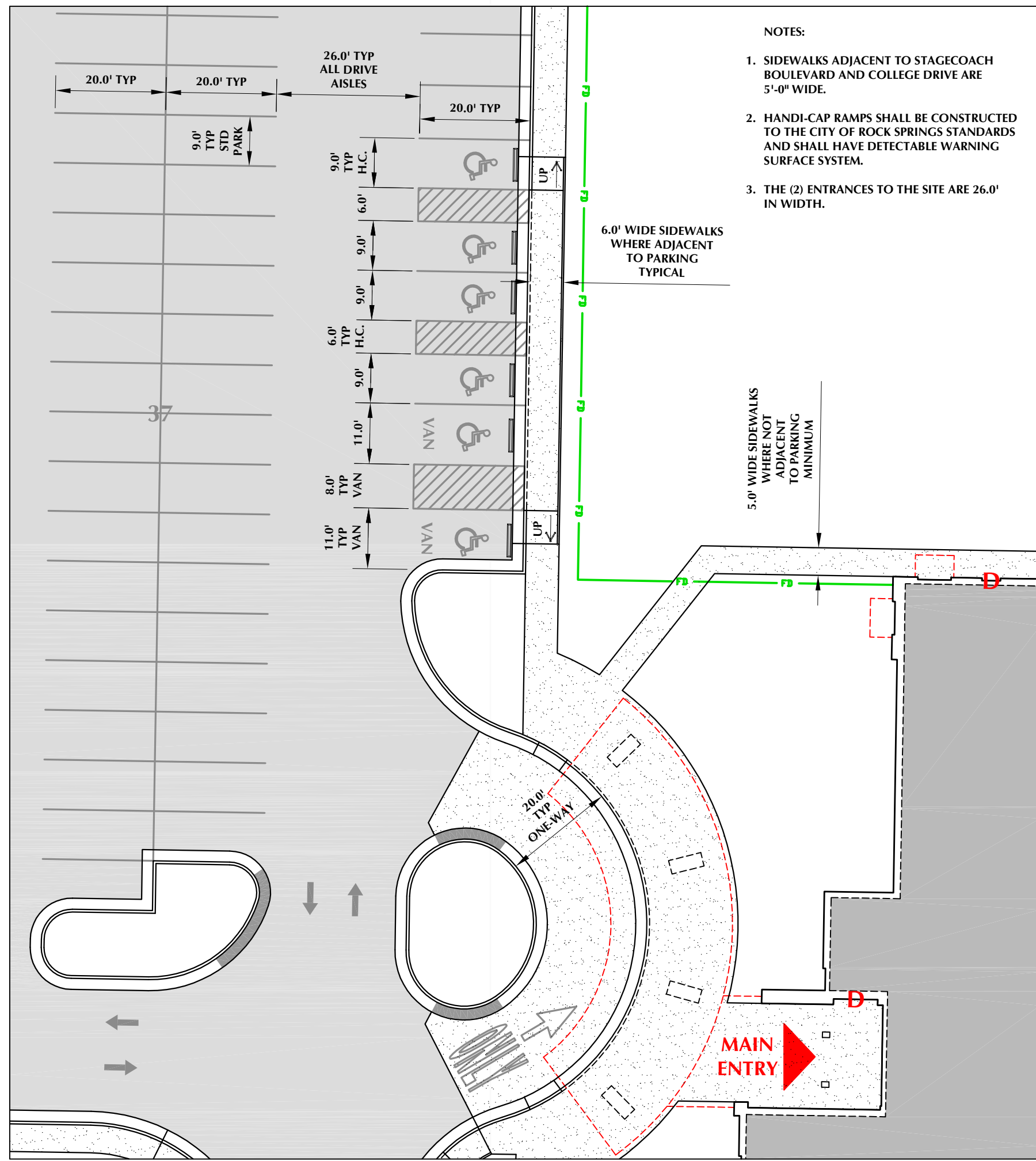
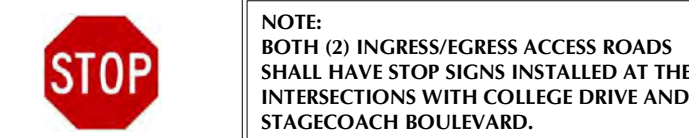


MAJOR SITE PLAN  
ASPEN MOUNTAIN MEDICAL CENTER  
4401 COLLEGE DRIVE

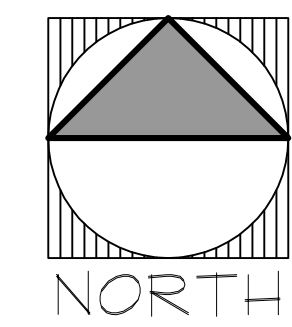
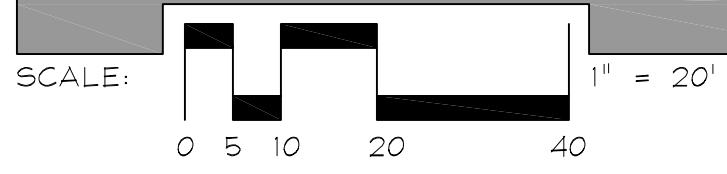


SITE INFORMATION	
ZONE	B-2 & B-2(CD)
SITE AREA	~435,600 SF ~10.00 ACRES
SETBACK REQUIREMENTS	
FRONT	*35'-0"
SIDE	*25'-0" & *15'-0"
REAR	*15'-0"
* ADD 2'-0" TO SETBACKS PER RULE OF 1" ADDITIONAL PER EVERY 3' THAT BLD'G IS OVER 35' MAX HT. = 42'	
PHASE 1 BUILDING AREA	51,500 GSF
PHASE 2 EXPANSION AREA	46,000 GSF
TOTAL POTENTIAL BUILDING AREA	97,500 GSF
M.O.B. AREA	15,000 GSF
PARKING	
REQUIRED FOR ASPEN MOUNTAIN MEDICAL CENTER, LLC: 1.5 STALLS PER 1,000 SF = 1 / 667 S.F. (SF = 10% REDUCTION FROM GSF)	
PROPOSED BUILDING CALCULATIONS: 51,500 GSF X .90 = 46,350 SF 46,350 SF / 667 = 70 STALLS	
FUTURE EXPANSION CALCULATIONS: 46,000 GSF X .90 = 41,400 SF 41,400 SF / 667 = 62 STALLS	
REQUIRED PARKING FOR FUTURE M.O.B.: 1 STALL PER 200 SF (SF = 10% REDUCTION FROM GSF) 15,000 GSF X .90 = 13,500 SF / 200 = 68 STALLS	
TOTAL REQUIRED PARKING FOR FULL BUILD-OUT: 70 + 62 + 68 = 200 TOTAL STALLS	
PROPOSED NUMBER OF STALLS = 188 STALLS - PHASE 1 ADDITIONAL STALLS PROPOSED IN FUTURE EXPANSION & FUTURE M.O.B. = 215 STALLS	
TOTAL NUMBER OF STALLS (PROPOSED, FUTURE EXPANSION & M.O.B.) = 403 STALLS	
STD STALL SIZE: = 9' X 20'	

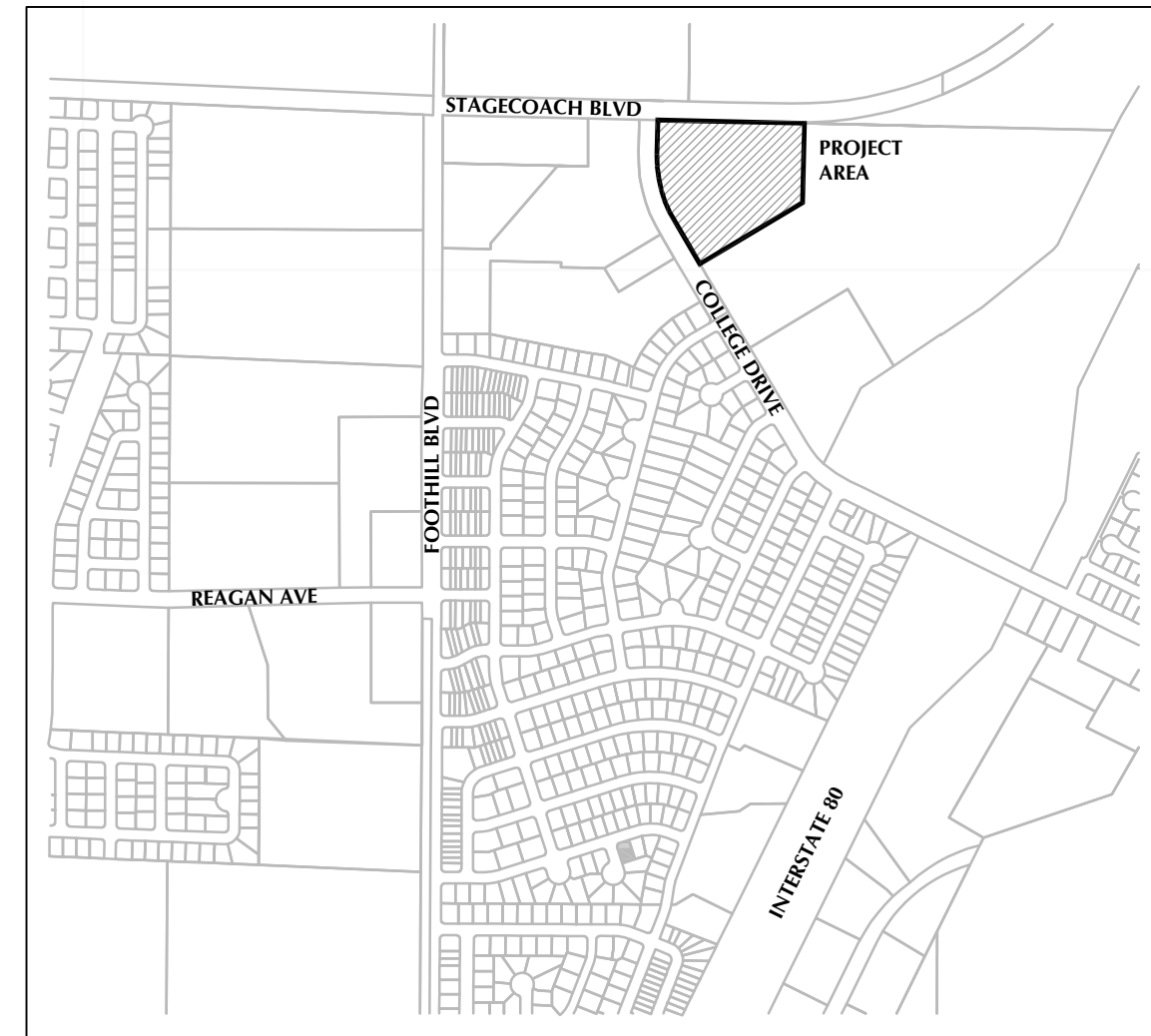
- GENERAL NOTES:
- EASEMENTS: A. THERE ARE NOT ANY EXISTING EASEMENTS WHICH AFFECT THIS PROPERTY.
- B. MAINTENANCE AND LIMEUP OF THE NEW DRAINAGE EASEMENT WILL BE THE RESPONSIBILITY OF THE LOT OWNER. FENCES, WALLS OR FOOTINGS THAT WOULD IMPED DRAINAGE FLOWS WITHIN THIS DRAINAGE EASEMENT AND REGRADING OF THE DRAINAGE EASEMENT SHALL NOT BE PERMITTED.
- SIGNAGE: A. INFORMATIONAL SIGNS WILL BE POSTED ON THE BUILDING.
- B. ENTRANCE SIGNS WILL BE ADDED TO THIS DEVELOPMENT AS SHOWN (COLLEGE DRIVE / STAGCOACH BLVD ENTRANCES).
- LIGHTING: LIGHTING WILL BE DESIGNED BY OTHERS AND WILL BE INCLUDED IN THE CIVIL/SITE REVIEW CONSTRUCTION DRAWINGS. DEVELOPMENT SHALL MEET THE GLARE AND LIGHTING REQUIREMENTS OF ORD. 11.01.15.0 OF THE CITY'S ZONING ORDINANCE. LIGHTING SHALL NOT AFFECT ADJACENT PROPERTIES.
- LANDSCAPING: \*ALL PHASE 1 LANDSCAPING AREAS, AS DELINEATED AND DESCRIBED ON LANDSCAPING PLAN SHEET L1.0, SHALL BE LANDSCAPED WITH CITY APPROVED LANDSCAPING MATERIALS PRIOR TO OCCUPANCY.
- DRAINAGE PLAN: DRAINAGE ARROWS SHOWN FOR GENERAL RUN-OFF FLOW DIRECTION.
- MINE SUBSIDENCE: THIS SITE IS NOT LOCATED WITHIN THE MINE SUBSIDENCE AREA.
- FLOODPLAIN: THIS SITE IS NOT LOCATED IN A FLOODPLAIN OR FLOODWAY ZONE AS INDICATED BY FEMA PANEL #60071 000 L. REV. JULY 26, 1996.
- PARKING LOTS: ALL PARKING LOT GRADES SHOWN ARE LESS THAN 3.0% GRADE.
- FIRE: ALL PARKING LOTS AND DRIVEWAYS SHALL BE PAVED WITH ASPHALT OR CONCRETE AND SHALL BE BOUND BY PERIMETER CONCRETE CURB AND GUTTER.
- THIS BUILDING WILL BE SERVED BY A FIRE SPRINKLER SYSTEM.



PARKING LOT DETAIL



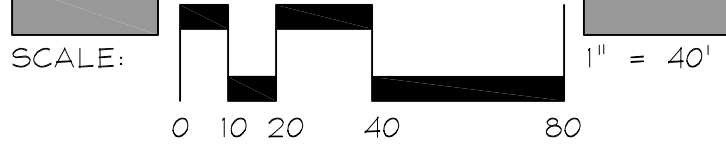
PROPOSED SITE - GENERAL NOTES - PHASE 1	
1. TRACT "A" OF THE FINAL PLAT OF SAGE VIEW CARE CENTER (4401 COLLEGE DRIVE):	435,600 S.F.
2. ZONING:	ASPEN MOUNTAIN MEDICAL = (10.00 ACRES)
3. BUILDINGS:	ASPEN MOUNTAIN MEDICAL = 51,500 S.F. PERCENTAGE OF LOT COVERED BY BUILDING = 11.82%
4. LANDSCAPING:	TOTAL LOT COVERED BY LANDSCAPING = 16,000 S.F. PERCENTAGE OF LOT COVERED BY LANDSCAPING = 3.67%
5. PARKING:	TOTAL LOT COVERED BY PARKING = 38,600 S.F. PERCENTAGE OF LOT COVERED BY PARKING = 8.86%
6. MISCELLANEOUS:	DRIVE AISLES, SIDEWALKS, APPURTENANCES, TRASH RECEPTACLES, FUTURE ETC. = 334,100 S.F. PERCENTAGE OF LOT COVERED BY MISCELLANEOUS = 76.70%
TOTAL AREA =	435,600 S.F.
TOTAL LOT PERCENTAGE =	100.00%



VICINITY MAP

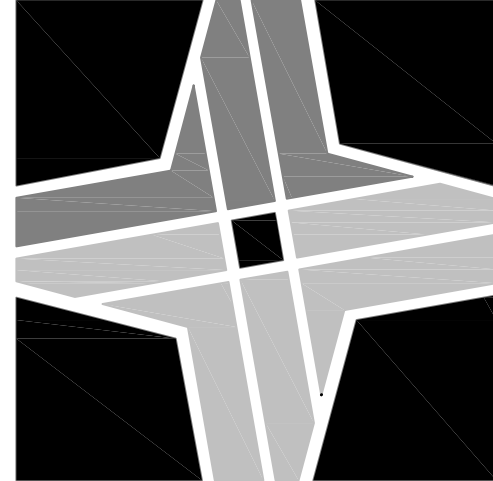


SITE PLAN



DEVELOPER INFORMATION  
NUETERRA PROPERTIES GROUP, LLC  
11221 ROE AVE, SUITE 300  
LEAWOOD, KS 66211  
PHONE: 913-647-6461

OWNER INFORMATION  
1ST ARROW, CORP.  
6905 SOUTH 1300 EAST, #277  
MIDVALE, UT 84047  
PHONE: N/A



MARASCO &  
ASSOCIATES, INC.  
HEALTHCARE ARCHITECTS  
AND CONSULTANTS  
475 LINCOLN ST., SUITE 150  
DENVER, COLORADO 80203  
PH. (303) 852-2887  
FAX (303) 861-0760

CHOICE ENGINEERING SERVICES  
404 "N" Street - Suite 201 | Rock Springs, WY 82901  
Phone: 307-362-6065 | Fax: 307-362-6064



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JOB TITLE

ASPEN MOUNTAIN MEDICAL CENTER, LLC

MAJOR SITE PLAN

4401 COLLEGE DRIVE  
ROCK SPRINGS, WYOMING

job no. 13-76  
date 02/18/14  
revision 03/04/14  
03/12/14  
drawn by Keith Kolar

SHEET TITLE  
SITE PLAN

SHEET NUMBER

C1.0





# Planning & Zoning Commission Staff Report

Dated: August 5, 2022

Meeting: August 10, 2022 at 7:00 p.m.

REPORT SUMMARY			
<b>Agenda Item:</b>	New Business #3	<b>Project Number:</b>	PZ-22-00298
<b>Project Name:</b>	Sweet Little Smiles Daycare (CCC)		
<b>Project Location:</b>	1220 9 <sup>th</sup> Street		
<b>Project Description:</b>	Consideration of Conditional Use Permit approval for a Child Care Center		
<b>Applicant:</b>	Brittany Wagnone 107 Mountain Road Rock Springs, WY 82901	<b>Property Owner:</b>	Jackman Rentals PO Box 218 Rock Springs, WY 82902
<b>Engineer:</b>	N/A	<b>Surveyor:</b>	N/A
<b>Public Notification:</b>	Adjacent Property Letters Mailed 8/1/22; Public Hearing Notice : N/A		
<b>Current Master Plan Land Use Designation:</b>	MU (Mixed Use)	<b>Proposed Master Plan Land Use Designation:</b>	No Change
<b>Current Zoning District</b>	B-R (Business Residential) AE - Floodplain	<b>Proposed Zoning District</b>	No Change
<b>References:</b>	Rock Springs Zoning Ordinance §13-816 Child Care and Preschool Facilities		
<b>Exhibits:</b>	A. Conditional use permit application, site plan and parking policy. B. Adjacent property owner letter. C. Utility review comment sheets.		

## PETITION SUMMARY:

The applicant is requesting Conditional Use Permit (CUP) approval for a Child Care Center (CCC) to provide childcare for up to a maximum of forty (40) children at any given time, Monday through Friday from 7:00 a.m. until 6:00 p.m. at 1220 9<sup>th</sup> Street (**Figure 1**). The applicant is also proposing two sessions of preschool 8:30 – 11:30 and 12:30 to 3:30, Monday through Friday. The application can be found in **Exhibit A**.

Section 13-816 defines a Child Care Center (CCC) as: “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.”

Section 13-816.E for a CCC at any given time:

1. The FCCH application shall be processed in accordance with the provisions of §13-905, Conditional Use Permits.
2. CCC’s shall obtain all required licenses from the State of Wyoming and be approved by the City of Rock Springs Building and Fire Departments.
3. Parking shall be .25 off-street parking spaces per child, plus one per employee, it must be installed, inspected and approved prior to commencement of use.
4. CCC CUP’s are issued to the property, however any changes to the original approval will require a revised CUP. This was previously approved as a CCC, however has been vacation for more than 365 days and the number of children and hours have changed.

It should also be noted that the parking as shown on the site plan does not accurately reflect what is there. The smaller parking area in front of the outdoor recreation area is dirt as well as a portion of the primary parking area (as a lot of the asphalt is missing).



*Figure 1: Location Map*



## **REQUIRED CITY DEPARTMENT APPROVALS:**

The applicant must receive approval from the City's Chief Building Inspector and the City's Fire Inspector as a condition of approval.

## **PROPERTY OWNER NOTIFICATION:**

Property owners within 200' were notified of this application on August 1, 2022 and were invited to comment (see **Exhibit B**). At the time this report was written, no written or verbal comments were received from adjacent property owners. Any comments received after the preparation of this report shall be submitted to the Planning and Zoning Commission at the time of the scheduled meeting.

## **UTILITY REVIEW:**

A meeting of the Utility Review Committee was held on Tuesday, August 2, 2022, comments are attached (**see Exhibit C**).

## **PROCEDURE:**

13-905. D. Review and Decision by Planning and Zoning Commission: The Commission shall consider the effect of the proposed use upon the health, safety and general welfare of occupants of surrounding lands, existing and anticipated traffic conditions including parking facilities on adjacent streets and land, and the effect of the proposed use on the Comprehensive Plan. The Commission may grant the application by motion, imposing such conditions and safeguards as it deems necessary or it may deny the application.

## **STAFF RECOMMENDATION:**

Staff will provide a formal recommendation after public comment at the Planning & Zoning Commission Meeting.

1. Approval is for the provider, Ms. Wagnone, to conduct childcare services at 1220 9<sup>th</sup> Street. Should the provider make any changes to the number of children, employees or hours, a new CCC Conditional Use Permit shall be required.
2. Conditional Use Permit approval is for the hours from 7:00 a.m. to 6:00 p.m., Monday through Friday for a maximum of forty (40) children at any given time, including two sessions of pre-school per day 8:30 a.m. to 11:30 a.m. and 12:30 p.m. to 3:30 p.m..
3. By ordinance, CCC CUP's shall obtain all required licenses from the State of Wyoming and shall also be approved by the City of Rock Springs Building Department and Fire Department.
4. By ordinance, CCC CUP's shall run with the land. Subsequent providers on the same property (1220 9th Street) can continue to use this CCC with no modifications.
5. The Planning & Zoning Commission shall have the right to revoke or revise any CCC CUP, should legitimate complaints be lodged by property owners located within 200 feet of the FCCH that the child care facility has adverse impacts on the health, safety and/or welfare of the neighborhood, or for failure to comply with the above conditions of approval.

**EXHIBIT A**

**Conditional Use Permit Application,  
Site Plan, and Parking Plan**



**CITY OF ROCK SPRINGS  
FAMILY CHILD CARE CENTER (FCCC)  
OR CHILD CARE CENTER (CCC)  
CONDITIONAL USE PERMIT  
APPLICATION**

Planning & Zoning Division  
212 D Street  
Rock Springs WY 82901  
307.352.1540 (phone)  
city\_planner@rswy.net

**City Use Only:**

Date Received July 26, 2022

File Number: PZ-22-00298

A. BUSINESS NAME: Sweet Little Smiles Daycare

B. PROPERTY ADDRESS: 1220 9th Street

**C. 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.**

**Applicant:**

Brittany Wagnone 307-371-4051 wagnonebrittany@yahoo.com  
Name Phone Number Email Address

107 mtn Rd Rock Springs WY 82901  
Mailing Address City State Zip

**Property Owner:**

Jackman Rentals (Lynn Jackman) 307-382-2243 stonewalljackman@gmail.com  
Name Phone Number Email Address

1620 W 2nd lot 102 Rock Springs WYO 82902  
Mailing Address City State Zip

**D. DEFINITIONS:** manager - Sadie McGuire.

The following definitions will assist you in completing this application. Please consider them carefully prior to submitting your request for Conditional Use Permit approval.

- ☐ **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. (**NOTE:** In the City of Rock Springs, FCCCs shall be permitted only in non-residential structures).
- ☒ **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.
- ☐ **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. [Note: In the City of Rock Springs, preschools may be conducted in a Child Care Center (CCC), Family Child Care Center (FCCC), or Family Child Care Home (FCCH).]



**E. PLEASE ANSWER THE FOLLOWING ON THE SPACES PROVIDED:**

Please be advised that your application will be reviewed based upon this submittal. Family Child Care Center (FCCC) or Child Care Center (CCC) Conditional Use Permits shall be restricted based upon the answers below, as well as the City's regulations. Should you want to increase the number of sessions, children, days, or hours of operation following approval, an amended application shall be required.

1. Proposed use is (*mark only one*):

☐ Child Care Only    ☐ Preschool Only    ☒ Child Care / Preschool Combination

2. Maximum number of employees on site at any given time:

3. Maximum number of children to be cared for on site at any given time:

4. Number of sessions per day:

5. If more than one session per day, list the separation time between sessions (ex. 1 hour):

6. Days and times of sessions (*example: MWF, 9 a.m. - 11 a.m.*):

7. Number of available parking spaces on site:

5  
40  
2  
1  
M-F  
8:30-11:30 / 12:30-3:30  
~~12:30-3:30~~ 14  
7:00-10:00 Daycare

**F. SUBMITTAL REQUIREMENTS:**

The following items are required for submitting a complete Family Child Care Center (FCCC) or Child Care Center (CCC) Conditional Use Permit Application, and must be submitted in accordance with the submittal deadlines listed on 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 - \$60.00
- ☐ 2 - 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](mailto:city_planner@rswy.net))
- ☐ If the FCCC or CCC is proposed for an existing building or property **with other businesses / uses**, provide a parking analysis or breakdown of parking needs for each business / use.
- ☐ Building Elevations / Architectural Drawings (to scale), if a new structure is proposed.
- ☐ Local Zoning Approval Receipt Form signed by the Chief Building Inspector and the Rock Springs Fire Inspector.

**NOTE:** The Planning Department will sign the receipt after Staff level review **OR** after receiving approval by the Planning and Zoning Commission (*if required*). After all signatures are received, this form will be forwarded to the State of Wyoming to provide documentation of the City's approval.

**G. SIGNATURE(S) REQUIRED:**

I acknowledge that I have read and understand this application and the pertinent Family Child Care Center (FCCC) or Child Care Center (CCC) Conditional Use Permit approval regulations of the City of Rock Springs. I further agree that if the permit is approved, I will comply with all pertinent regulations and conditions as set forth by the City of Rock Springs and Planning and Zoning Commission. I also 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 City's Zoning Ordinance shall be reason to deny or revoke any application or permit.

Signature of Applicant Brittany Waggoner

Date 7/26/22

Signature of Property Owner Scott McGinnis

Date 7/26/2022

## **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, aisles, 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)

## **CONDITIONAL USE PERMIT REVIEW PROCEDURES**

- ❖ Within three (3) working days of submittal, the Planning Department shall review the application for completeness with the Conditional Use Permit submittal requirements. A complete Conditional Use Permit Application must be received by the deadlines outlined in the the submittal schedule below.
- ❖ If the application does not conform to the submittal requirements, the application will be deemed as incomplete, the applicant will be notified, and the application will be returned.
- ❖ Agency Review –the Planning Department may refer material to appropriate agencies for review and comment. Comments will be due from the Utility Review Committee members at least seven (7) days after forwarding the Conditional Use Permit Application to the agencies.
- ❖ Based on the complexity of the project, a Utility Review Committee meeting may be scheduled to provide the applicant the opportunity to discuss the project with the Utility Review Committee. Utility Review Meetings are generally held on Tuesday afternoons and are scheduled in the order in which applications are submitted. Meeting notice only will be sent to the parties listed on the application, so be sure to provide all email address of whom you would like to be invited to the meeting. It is required that the petitioner or an assigned representative attend the Utility Review Meeting.
- ❖ At least seven (7) days prior to the Planning and Zoning Commission at which the Conditional Use Permit is to be considered, the Planning Department shall notify the property owners of land within 200 feet of the boundaries of the proposed Conditional Use Permit of the time and date of the meeting.
- ❖ The Planning and Zoning Commission shall review the Conditional Use Permit request at a public meeting. The Commission shall consider oral or written statements from the applicant, the public, City staff, and the Commission. The following shall be considered by the Commission:
  - Compliance with any conditions specified within the Zoning Ordinance regarding the particular Conditional Use;
  - Effect of the proposed use upon the health, safety, and general welfare of occupants of surrounding lands;
  - Existing and anticipated traffic conditions, including parking facilities on adjacent streets and land; and,
  - The effect of the proposed use on the Comprehensive plan.
- ❖ The Commission may grant the application by motion, imposing such conditions and safeguards as it deems necessary, or it may deny the application.
- ❖ Conditional Use Permit applications may be denied by motion of the Commission. The denial shall constitute a finding that the applicant has not shown that the conditions required for approval do exist.
- ❖ The applicant shall be notified in writing of the action taken by the Commission. If the applicant is granted, any conditions, automatic terminations date, or period of review shall be stated on the Conditional Use Permit.
- ❖ No application for a Conditional Use Permit which has been denied wholly or in part shall be resubmitted for a period of six (6) months from the date of said order of denial, except on grounds of new evidence or proof of change of conditions found to be valid by the Commission.

- ❖ Conditional Use Permit approval does not constitute approval of any additional required applications for the development (including Floodplain Development Permit, Site Plan approval for new construction, Variances, etc.)
- ❖ Conditional Use Permit approval does not constitute Building Permit approval. Contact the Rock Springs Building Department at (307) 352-1540 for submittal requirements.
- ❖ Conditional Use Permit approval does not constitute annual Business License Approval.

#### **CONDITIONAL USE PERMIT SUBMITTAL DEADLINES:**

**NOTE:** Applications that are not received by **5:00 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.

**BE ADVISED: THE APPLICANT (OR ASSIGNED REPRESENTATIVE) MUST ATTEND ALL SCHEDULED MEETINGS.**

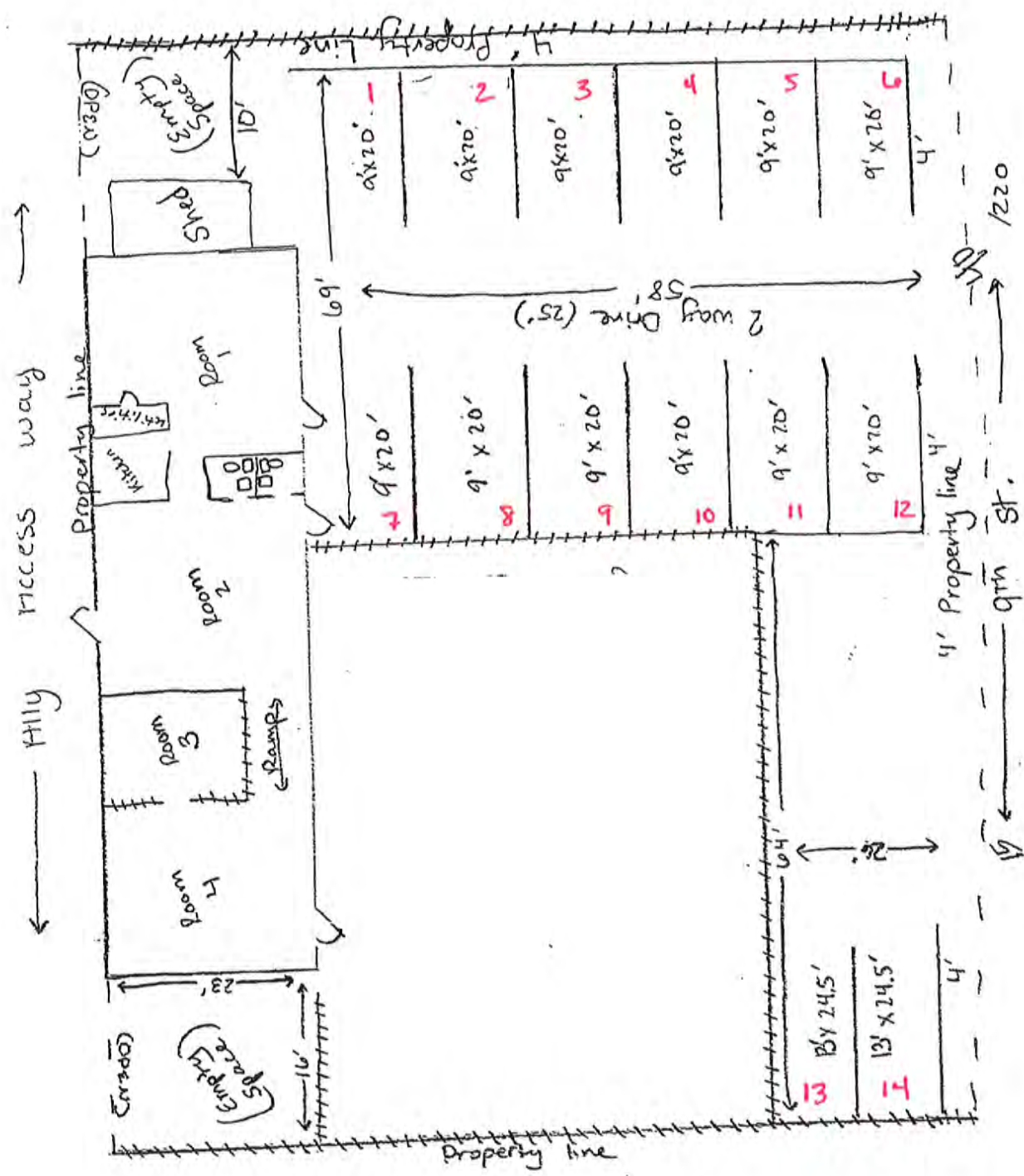
	January Meeting	February Meeting	March Meeting	April Meeting	May Meeting	June Meeting	July Meeting	August Meeting	September Meeting	October Meeting	November Meeting	December Meeting
<b>Submittal Deadline</b>	12/28/2021*	1/24/2022	2/21/2022	3/28/2022	4/25/2022	5/23/2022	6/27/2022	7/25/2022	8/29/2022	9/26/2022	10/24/2022	11/28/2022
<b>Review of Completeness</b>	Within three (3) working days after the submittal, the planning Department shall review the application for conformance with the Conditional Use Permit submittal requirements. If the application does not conform to the submittal requirements, the application will be deemed as incomplete, the applicant will be notified, and the application will be returned.											
<b>Utility Review Comments and/or Meeting *</b>	Utility Review Meetings are held <u>at least 7 days</u> 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. <b>SEE NOTE BELOW.</b>											
<b>Adjacent Owner Notice</b>	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.											
<b>P&amp;Z Public Meeting</b>	1/12/2022	2/9/2022	3/9/2022	4/13/2022	5/11/2022	6/8/2022	7/13/2022	8/10/2022	9/14/2022	10/12/2022	11/9/2022	12/14/2022

#### **IMPORTANT NOTES:**

\* 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.



9/30/16



*Sweet Little Smiles Daycare-Preschool*

*1220 9th Street*

*Hours of operation Monday-Friday 7:00AM-6PM*



*Parking Rules:*

- *Please do not block the drive-way*
- *10 minute parking only if dropping off children*
- *Please do not leave vehicle unattended while running*
  - *No loud music*
  - *No littering*
- *Please do not park in handicap parking spot if you don't have the handicap sticker*
  - *No overnight parking*

**EXHIBIT B**

**Adjacent Property Owner Letter**



August 1, 2022

Dear Adjacent Property Owner/Interested Party:

This letter is to inform you that Ms. Brittany Wagnone, on behalf of Sweet Little Smiles Daycare, has submitted a request for Conditional Use Permit approval for property located at 1220 9<sup>th</sup> Street, Rock Springs, Wyoming. Records show that this property is adjacent to or near property you own (*see map below*). The following summarizes the application:

The applicant is requesting Conditional Use Permit approval for the operation of a Child Care Center (CCC) at 1220 9<sup>th</sup> Street, Rock Springs, Wyoming. The proposed daycare would provide care for up to a maximum of 40 children at any given time, Monday through Friday from 7:00 a.m. until 6:00 p.m. In addition, to help alleviate potential parking concerns, Ms. has submitted the attached "rules" that she will provide to the families to follow. Wagnone.

In accordance with Section 13-816.E of the Rock Springs Zoning Ordinance, Child Care Centers are conditionally permitted uses which require approval from the Rock Springs Planning and Zoning Commission.

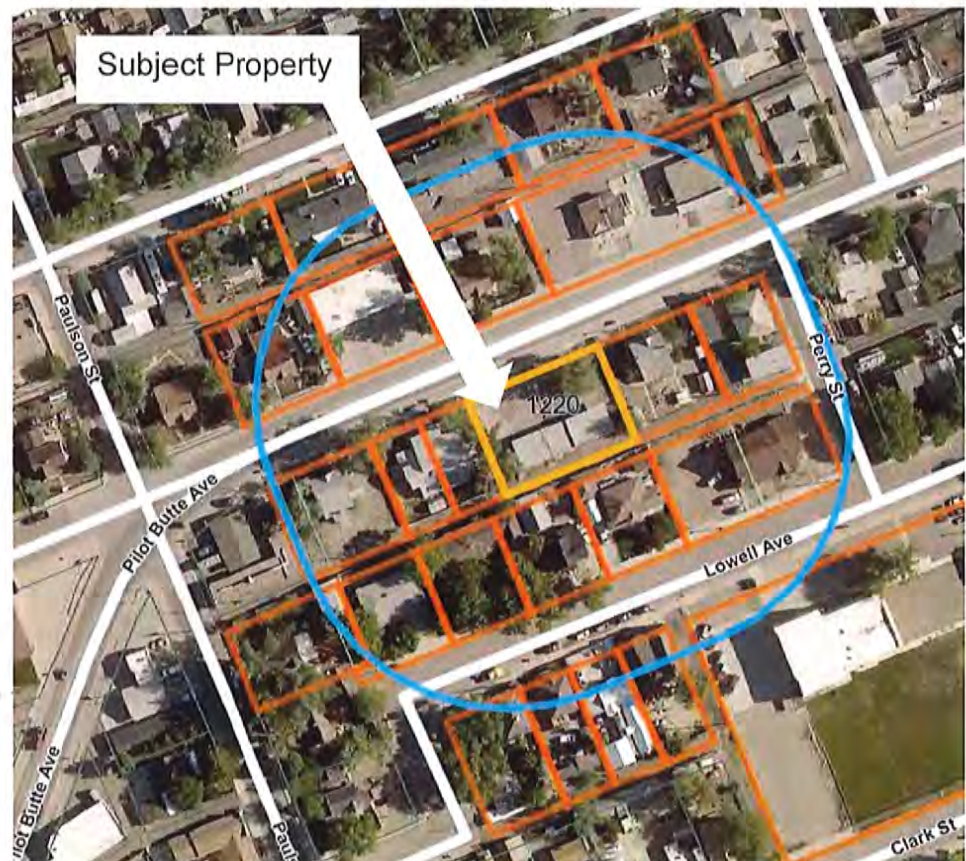
The Rock Springs Planning and Zoning Commission will consider this request at a public meeting to be held on Wednesday, August 10, 2022 at 7:00 p.m. in the Rock Springs City Hall Council Chambers, 212 'D' Street, Rock Springs, Wyoming. Interested persons or parties are encouraged to attend the meeting or submit written comments. Written comments will be accepted no later than Noon on August 10, 2022.

Sincerely,



Cathy Greene  
City Planner

Enc.



*Sweet Little Smiles Daycare-Preschool*

*1220 9th Street*

*Hours of operation Monday-Friday 7:00AM-6PM*



*Parking Rules:*

- *Please do not block the drive-way*
- *10 minute parking only if dropping off children*
- *Please do not leave vehicle unattended while running*
  - *No loud music*
  - *No littering*
- *Please do not park in handicap parking spot if you don't have the handicap sticker*
- *No overnight parking*

BEARD CHERIE  
1208 9TH ST  
ROCK SPRINGS, WY 82901-5419

BITTER CREEK ENTERPRISES LLC  
1305 SAND POINTE WAY  
ROCK SPRINGS, WY 82901-7901

BOTNAN INNOVATIVE MECHANICAL INC  
624 B ST  
ROCK SPRINGS, WY 82901-6215

BOYAK MARGARET  
1209 LOWELL AVE  
ROCK SPRINGS, WY 82901-5439

BULLARD JOSHUA A  
414 PAULSON ST  
ROCK SPRINGS, WY 82901-5450

COVEY RONALD L JR & ANNE M  
36 LONG DR  
ROCK SPRINGS, WY 82901-3218

FLAIM JOSEPH G  
1301 LIBERTY DR  
ROCK SPRINGS, WY 82901-6500

GARCIA JULIAN & MARIA E  
1210 10TH ST  
ROCK SPRINGS, WY 82901-5425

GILLEN LEAH R  
1215 LOWELL AVE  
ROCK SPRINGS, WY 82901-5439

J&A ENTERPRISES LLC  
1619 W 2ND ST APT A  
ROCK SPRINGS, WY 82901-7601

JACKMAN RENTALS LLC  
PO BOX 218  
ROCK SPRINGS, WY 82902-0218

MCGOWAN PATRICK K  
1220 LOWELL AVE  
ROCK SPRINGS, WY 82901-5440

MICHAEL A FERMELIA LIVING TRUST  
FERMELIA MICHAEL A & TONI L TRUSTEES  
2128 WESTVIEW AVE  
ROCK SPRINGS, WY 82901-6756

MORGANDO JOLYNN FAMILY TRUST  
2513 SILVER CREEK DR  
ROCK SPRINGS, WY 82901-4366

NELSON LENA K & JOHN T  
1229 LOWELL AVE  
ROCK SPRINGS, WY 82901-5439

OTERO MANUEL JR  
1218 9TH ST  
ROCK SPRINGS, WY 82901-5419

PEDERSEN JULIE  
1214 9TH ST  
ROCK SPRINGS, WY 82901-5419

RESOLVE HOME BUYERS LLC  
6948 CLEARWATER ST  
CARLSBAD, CA 92011-3272

ROBINSON AARON D & LIDDIA  
1216 LOWELL AVE  
ROCK SPRINGS, WY 82901-5440

ROBINSON SCOTT J & BONNIE J  
10 N DEXTER AVE  
ATLANTIC CITY, WY 82520-8805

RODRIGUEZ BLANCA  
1231 LOWELL AVE  
ROCK SPRINGS, WY 82901-5439

ROSENBACH RANDELL R & SANDRA K C/O  
ROSENBACH FAMILY IRREVOCABLE TRUST  
1220 10TH ST  
ROCK SPRINGS, WY 82901-5425

SUNLITE SERVICES INC  
1301 LIBERTY DR  
ROCK SPRINGS, WY 82901-6500

SWEETWATER CO SCHOOL DIST #1  
PO BOX 1089  
ROCK SPRINGS, WY 82902-1089

TURNBOO RICHARD D & ANGELA M  
1210 LOWELL AVE  
ROCK SPRINGS, WY 82901-5440

VAZQUEZ JOSE C & LILIA  
855 BENEDICT RD  
WINSTON, OR 97496-9687

PLANNING & ZONING  
CITY OF ROCK SPRINGS  
212 D STREET  
ROCK SPRINGS, WY 82901

BRITTANY WAGNONE  
107 MOUNTAIN ROAD  
ROCK SPRINGS, WY 82901

JACKMAN RENTALS  
1620 W 2<sup>ND</sup> AVE  
ROCK SPRINGS, WY 82901



# **EXHIBIT C**

## **Utility Review Comment Sheets**



Department of Public Services/Planning

212 'D' Street, Rock Springs, WY 82901

Tel: 307-352-1540

Cathy Greene, City Planner

Email: cathy\_greene@rswy.net

UTILITY REVIEW - COMMENT SHEET

To:	Utility Review Committee
From:	Cathy Greene
Date:	July 26, 2022
Project #:	PZ-22-00298
Project Name:	Sweet Little Smiles Daycare
Address/Location:	1220 9th Street
Description:	Close a FCCH (Family Child Care Home) center at 107 Mountain Road and open a CCC (Child Care Center) at 1220 9th Street (last use was also a CCC).

**MEETING**  
**2:00 p.m.**  
August 2, 2022

If you cannot attend the meeting, please submit this comment sheet prior to the scheduled meeting time. If you attend the meeting, please finalize your comments and submit your comment sheet by 5:00 p.m. on the day of the meeting. Thank you!

I Nathan Reese (name) have reviewed the plans on behalf of Rock Springs Fire Department (Dept./Organization) for the above-referenced project.

Email: nathan\_reese@rswy.net Phone #: 307-352-1484

Please check as applicable:

- ☐ No issues - plans approved as submitted.  
☐ Revisions required to the Site Plan/Plat/Drawing (attach separate sheet if necessary):

☒ Other Comments/Issues (attach separate sheet if necessary):

- Will need to verify extinguishers are mounted and spaced correctly prior to signing business license.
- If the kitchen has a stove, it may need to have a type 1 hood with a fire suppression system installed.

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

Nathan Reese

Signature of Reviewer

8/2/2022

Date



Department of Public Services/Planning

212 'D' Street, Rock Springs, WY 82901

Tel: 307-352-1540

Cathy Greene, City Planner

Email: cathy\_greene@rswy.net

UTILITY REVIEW - COMMENT SHEET

To:	Utility Review Committee
From:	Cathy Greene
Date:	July 26, 2022
Project #:	PZ-22-00298
Project Name:	Sweet Little Smiles Daycare
Address/Location:	1220 9th Street
Description:	Close a FCCH (Family Child Care Home) center at 107 Mountain Road and open a CCC (Child Care Center) at 1220 9th Street (last use was also a CCC).



If you cannot attend the meeting, please submit this comment sheet prior to the scheduled meeting time. If you attend the meeting, please finalize your comments and submit your comment sheet by 5:00 p.m. on the day of the meeting. Thank you!

I Cathy Greene (name) have reviewed the plans on behalf of Planning & Zoning (Dept./Organization) for the above-referenced project.

Email: cathy\_greene@rswy.net Phone #: 307-352-1540

Please check as applicable:

- ☐ No issues - plans approved as submitted.
- ☒ Revisions required to the Site Plan/Plat/Drawing (attach separate sheet if necessary):

Parking is one space short per ordinance requirements you will need 15 parking spaces for 40 enrolled children and 5 employees.  
Parking will need to be striped.

- ☒ Other Comments/Issues (attach separate sheet if necessary):

Must have Bldg and Fire Inspections signed off.  
Must have Wyoming State DFS sign off and total enrolled children approved.  
Any proposed signs need a sign application submitted and reviewed before installation.  
Subject to additional review by Planning & Zoning Commission on 8/10/22.  
Any changes in child or employee count must apply for Amended CUP

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

Cathy Greene  
Signature of Reviewer

Aug 2, 2022  
Date





Cathy Greene <cathy\_greene@rswy.net>

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**Utility Review - Tuesday, August 2nd at 2 p.m. - Sweet Little Smiles Daycare - 1220 9th Street**

---

Darin Kaufman <darin.kaufman@wyo.gov>  
To: Cathy Greene <cathy\_greene@rswy.net>

Wed, Jul 27, 2022 at 11:04 AM

Cathy,  
Thank you for the opportunity to comment.

WYDOT has no issues and no objections.

This has a previously permitted access permit for a similar use, therefore nothing further is required from WYDOT.

Thank you,  
Darin Kaufman, P.E., PTOE  
WYDOT District 3 Traffic Engineer  
[3200 Elk Street](#)  
[Rock Springs, WY 82902](#)  
[Office: 307.352.3034](#)  
[Cell: 307.389.0235](#)

[Quoted text hidden]

E-Mail to and from me, in connection with the transaction of public business, is subject to the Wyoming Public Records Act and may be disclosed to third parties.



Department of Public Services/Planning

212 'D' Street, Rock Springs, WY 82901

Tel: 307-352-1540

Cathy Greene, City Planner

Email: cathy\_greene@rswy.net

UTILITY REVIEW - COMMENT SHEET

To:	Utility Review Committee
From:	Cathy Greene
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Project #:	PZ-22-00298
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**MEETING**  
**2:00 p.m.**  
August 2, 2022

If you cannot attend the meeting, please submit this comment sheet prior to the scheduled meeting time. If you attend the meeting, please finalize your comments and submit your comment sheet by 5:00 p.m. on the day of the meeting. Thank you!

I Christy Austin (name) have reviewed the plans on behalf of Rocky Mountain Power (Dept./Organization) for the above-referenced project.

Email: christy.austin@pacificorp.com Phone #: 307-352-5213

Please check as applicable:

- ☐ No issues - plans approved as submitted.
- ☐ Revisions required to the Site Plan/Plat/Drawing (attach separate sheet if necessary):

☒ Other Comments/Issues (attach separate sheet if necessary):

This building already has power, should your power needs change please call 888-221-7070

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

Digitally signed by Christy Austin  
Date: 2022.08.02 13:23:38 -06'00'

Signature of Reviewer

Date



Department of Public Services/Planning

212 'D' Street, Rock Springs, WY 82901

Tel: 307-352-1540

Cathy Greene, City Planner

Email: cathy\_greene@rswy.net

UTILITY REVIEW - COMMENT SHEET

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From:	Cathy Greene
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**MEETING**  
**2:00 p.m.**  
August 2, 2022

**If you cannot attend the meeting, please submit this comment sheet prior to the scheduled meeting time. If you attend the meeting, please finalize your comments and submit your comment sheet by 5:00 p.m. on the day of the meeting. Thank you!**

I Sean Strain (name) have reviewed the plans on behalf of ALI West Communications (Dept./Organization) for the above-referenced project.

Email: sean.strain@allwest.com Phone #: 435-783-4994

Please check as applicable:

- ☒ No issues - plans approved as submitted.  
☐ Revisions required to the Site Plan/Plat/Drawing (attach separate sheet if necessary):

☐ Other Comments/Issues (attach separate sheet if necessary):

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

Sean Strain

Digitally signed by Sean Strain  
Date: 2022.07.27 07:31:29 -06'00'

Signature of Reviewer

Date





Department of Public Services/Planning

212 'D' Street, Rock Springs, WY 82901

Tel: 307-352-1540

Cathy Greene, City Planner

Email: cathy\_greene@rswy.net

UTILITY REVIEW - COMMENT SHEET

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Project #:	PZ-22-00298
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**MEETING**  
**2:00 p.m.**  
August 2, 2022

**If you cannot attend the meeting, please submit this comment sheet prior to the scheduled meeting time. If you attend the meeting, please finalize your comments and submit your comment sheet by 5:00 p.m. on the day of the meeting. Thank you!**

I Josh Sargent (name) have reviewed the plans on behalf of Dominion Energy  
(Dept./Organization) for the above-referenced project.

Email: joshua.sargent@dominionenergy.com Phone #: 307-708-0860

Please check as applicable:

- ☒ No issues - plans approved as submitted.  
☐ Revisions required to the Site Plan/Plat/Drawing (attach separate sheet if necessary):

☐ Other Comments/Issues (attach separate sheet if necessary):

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

Josh Sargent  
Signature of Reviewer

7-27-2022  
Date



Department of Public Services/Planning

212 'D' Street, Rock Springs, WY 82901

Tel: 307-352-1540

Cathy Greene, City Planner

Email: cathy\_greene@rswy.net

UTILITY REVIEW - COMMENT SHEET

To:	Utility Review Committee
From:	Cathy Greene
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Project #:	PZ-22-00298
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**2:00 p.m.**  
August 2, 2022

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I Nichole Jensen (name) have reviewed the plans on behalf of Tesoro Logistics Northwest Pipeline LLC (Dept./Organization) for the above-referenced project.

Email: ndjensen@marathonpetroleum.com Phone #: 307-922-2218

Please check as applicable:

- ☒ No issues - plans approved as submitted.  
☐ Revisions required to the Site Plan/Plat/Drawing (attach separate sheet if necessary):

☐ Other Comments/Issues (attach separate sheet if necessary):  
From the plans provided, no activity is determined to be near Marathon's pipeline or easement.

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

Nichole Jensen

Signature of Reviewer

8/1/2022

Date





BRS, Inc.  
1130 Major Ave.  
Riverton, WY 82501  
E-Mail: [brs@brsengineering.com](mailto:brs@brsengineering.com)  
307-857-3079 Fax: 307-857-3080

**City of Rock Springs, Wyoming  
Utility Review  
Wyoming Abandoned Mine Lands**

To: Utility Review Committee  
From: Ryan Reed, BRS Inc., P.E.  
Date: 8/2/2022  
Project #: PZ-22-00298  
Project Address: 1220 9th Street

I, Ryan Reed, have reviewed the Project location(s) in relation to potential for abandoned mine subsidence and determined:

- ☐ Property is undermined by abandoned mine workings at an approximate depth of \_\_\_\_\_  
☐ Property is adjacent to abandoned mine workings at an approximate depth of \_\_\_\_\_  
☒ Property is not impacted by any known abandoned mine workings.

Based upon potential for abandoned mine subsidence:

- ☐ It is Recommended that Remediation efforts be made at the Project location(s).  
☐ It is Recommended that Exploratory Drilling be completed at the Project location(s).  
☒ No Remediation Action is Recommended at this time.

Other Comments/Issues:

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Signature

8/2/22  
Date



NOTES:  
PROPERTY LINES AND MAP ARE SHOWN FOR CONCEPTUAL  
PURPOSES ONLY AND SHOULD NOT BE USED FOR OTHER  
PURPOSES. LINES OBTAINED FROM THE COUNTY. NO  
SURVEY HAS BEEN DONE TO VERIFY ACCURACY.  
MINE MAPS MAY VARY SUBSTANTIALLY OR ARE  
INCOMPLETE FROM ACTUAL UNDERGROUND WORKINGS  
AND CANNOT BE USED FOR THE TOTAL EXTENTS OF ALL  
WORKINGS.

PILOT BUTTE AVE

PERRY STREET

LOWELL AVE

### LEGEND

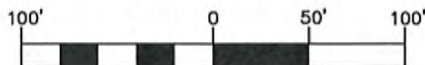
PROPERTY BOUNDARY



KNOWN HISTORIC  
UNDERGROUND MINE  
MAPPING



GRAPHIC SCALE



1 inch = 100 feet





Department of Public Services/Planning

212 'D' Street, Rock Springs, WY 82901

Tel: 307-352-1540

Cathy Greene, City Planner

Email: cathy\_greene@rswy.net

UTILITY REVIEW - COMMENT SHEET

To:	Utility Review Committee
From:	Cathy Greene
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If you cannot attend the meeting, please submit this comment sheet prior to the scheduled meeting time. If you attend the meeting, please finalize your comments and submit your comment sheet by 5:00 p.m. on the day of the meeting. Thank you!

I Jeff Tuttle (name) have reviewed the plans on behalf of Building Inspections (Dept./Organization) for the above-referenced project.

Email: jeff-tuttle@rswy.net Phone #: 307-352-1540

Please check as applicable:

☐ No issues - plans approved as submitted.

☒ Revisions required to the Site Plan/Plat/Drawing (attach separate sheet if necessary):

One van handicapped parking space needed with Loading/unloading area and signage.

☐ Other Comments/Issues (attach separate sheet if necessary):

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

Jeff Tuttle  
Signature of Reviewer

8/2/22  
Date

**Department of Public Services/Planning**

212 'D' Street, Rock Springs, WY 82901

Tel: 307-352-1540

Cathy Greene, City Planner

Email: cathy\_greene@rswy.net

**UTILITY REVIEW - COMMENT SHEET**

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**If you cannot attend the meeting, please submit this comment sheet prior to the scheduled meeting time. If you attend the meeting, please finalize your comments and submit your comment sheet by 5:00 p.m. on the day of the meeting. Thank you!**

I Clint Zambai (name) have reviewed the plans on behalf of RS Water Dept  
(Dept./Organization) for the above-referenced project.

Email: \_\_\_\_\_ Phone #: 307-352-1405

Please check as applicable:

- ☐ No issues - plans approved as submitted.  
☐ Revisions required to the Site Plan/Plat/Drawing (attach separate sheet if necessary):

☒ Other Comments/Issues (attach separate sheet if necessary):  
A double check backflow preventer must be installed after the meter.

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

Clint Zambai  
Signature of Reviewer

8/2/2022  
Date



**Department of Public Services/Planning**

212 'D' Street, Rock Springs, WY 82901

Tel: 307-352-1540

Cathy Greene, City Planner

Email: cathy\_greene@rswy.net

**UTILITY REVIEW - COMMENT SHEET**

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**MEETING**  
**2:00 p.m.**  
August 2, 2022

If you cannot attend the meeting, please submit this comment sheet prior to the scheduled meeting time. If you attend the meeting, please finalize your comments and submit your comment sheet by 5:00 p.m. on the day of the meeting. Thank you!

I Meghan Jackson (name) have reviewed the plans on behalf of Engineering Dept.  
(Dept./Organization) for the above-referenced project.

Email: meghan\_jackson@rswy.net Phone #: 307-352-1540

Please check as applicable:

- ☐ No issues - plans approved as submitted.
- ☐ Revisions required to the Site Plan/Plat/Drawing (attach separate sheet if necessary):

☒ Other Comments/Issues (attach separate sheet if necessary):

*1. All Access Requirements per WYDOT.*

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

*WJT*  
Signature of Reviewer

8/2/2022  
Date



Department of Public Services/Planning

212 'D' Street, Rock Springs, WY 82901

Tel: 307-352-1540

Cathy Greene, City Planner

Email: cathy\_greene@rswy.net

UTILITY REVIEW - COMMENT SHEET

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August 2, 2022

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I Justin Stewart (name) have reviewed the plans on behalf of WRF  
(Dept./Organization) for the above-referenced project.

Email: justin\_stewart@rswy.net Phone #: 307-352-1466

Please check as applicable:

- ☒ No issues - plans approved as submitted.  
☐ Revisions required to the Site Plan/Plat/Drawing (attach separate sheet if necessary):

☒ Other Comments/Issues (attach separate sheet if necessary):

Grease interceptor will have to be pumped out and inspected empty.

Must follow City of Rock Springs Grease Interceptor Sector Control Policy (attached)

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

Justin Stewart

Digitally signed by Justin Stewart  
Date: 2022.08.02 15:06:17 -06'00'

Signature of Reviewer

08/02/2020

Date



# City of Rock Springs

## Grease Interceptor Sector Control Policy



This Grease Interceptor Sector Control Policy is to aid the City of Rock Springs in complying with all Pretreatment Regulations set out in Article 7-4 Section 7-420.

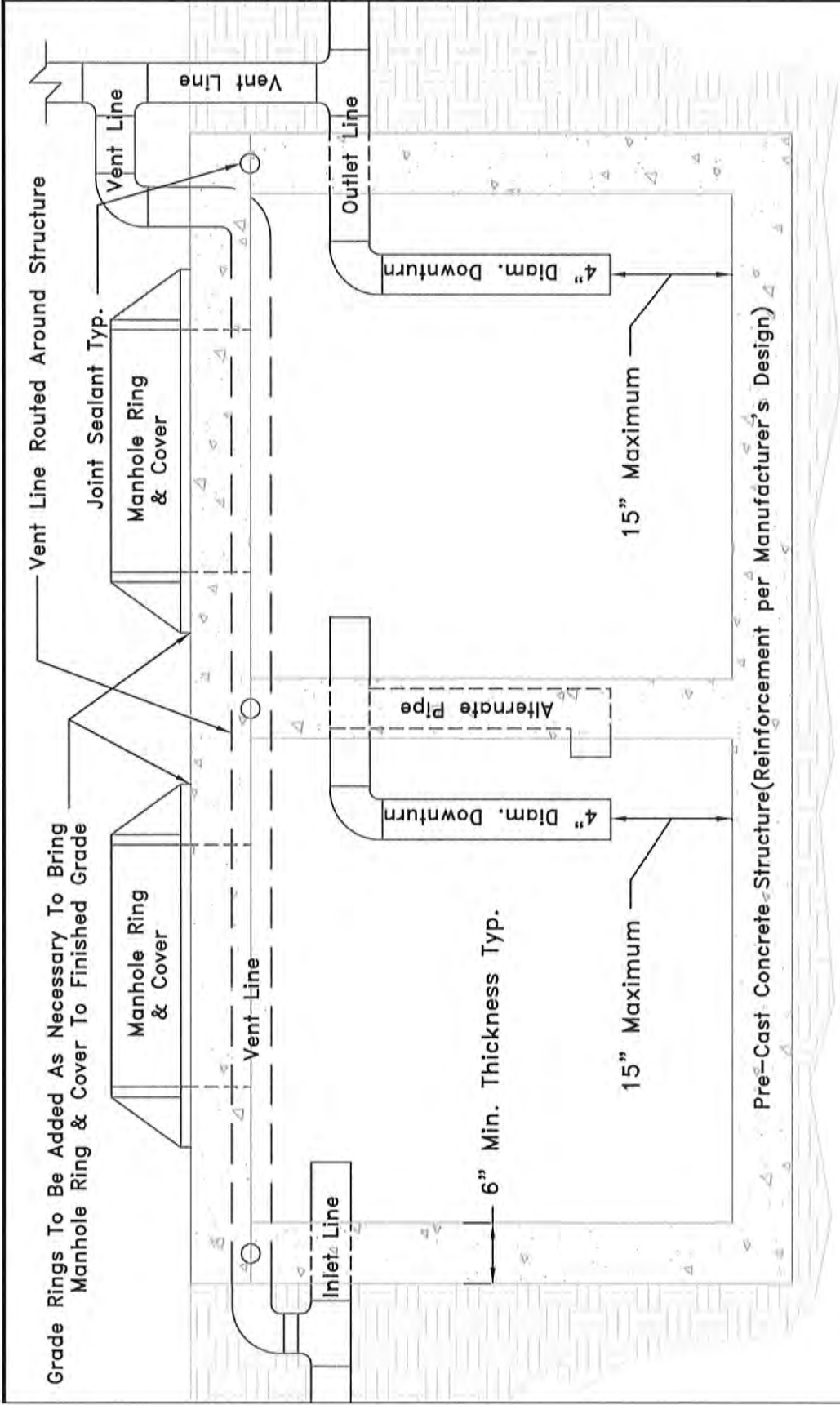
- 1) A Grease Interceptor may be required by the City of Rock Springs for any facility that has a discharge that may contain fats, oils and grease (FOG). Grease Interceptors will not be required for private living quarters or dwelling units.
- 2) Design Requirements
  - a) All Grease Interceptors shall be of a type and capacity approved by the City of Rock Springs and shall be located as to be readily and easily accessible for cleaning and inspection.
  - b) Grease Interceptors shall be sized appropriately according to flow and approved by the City of Rock Springs.
  - c) Existing installations may need to be modified to meet City of Rock Springs requirements due to poor or inadequate performance of Grease Interceptor.
  - d) It shall be the responsibility of the user(s), owner(s) or tenant(s) to contact the City for the purpose of plan review. The plan review shall determine the need, method, and size of interceptor required to pretreat or otherwise control the wastes in order to make them acceptable for discharge into the POTW. Upon completion of the review, user(s) shall submit a set of complete plans and details of the proposed installation along with computations relative to sizing. User(s) shall retain a duplicate set of such records for the life of the Grease Interceptor. The records shall remain with the property through changes of ownership or tenancy.
  - e) All plans must have stamped approval prior to issuance of building permit.
  - f) Inlet and outlet pipe sizes shall be determined by user's or owner's Architect/Engineer, or by manufactures recommendation.
  - g) The standards set forth in the Grease Interceptor Detail at the end of this policy are shown to convey the conceptual standard requirements for interceptors. All Grease Interceptor Design and Installation must be approved by the City of Rock Springs.
  - h) Clean outs may be required according to the City of Rock Springs Building Department. Clean outs are always recommended.
- 3) Location
  - a) Grease Interceptors should be located as close to the source of grease as necessary to not allow plugging of lines flowing to Grease Interceptor.
  - b) Grease Interceptors that will be located in traffic should be designed to handle such loads.
  - c) The City of Rock Springs recommends that Grease Interceptors not be located near facility openings.
- 4) Venting
  - a) The influent and effluent pipes must be vented.
  - b) The vents can connect together but only when one foot above the final grade and one vent run to the building roof.
- 5) Cleaning
  - a) All grease interceptors must be cleaned at least once per year. More frequent cleaning may be mandated by the City of Rock Springs.



## Grease Interceptor Sector Control Policy



- b) Cleaning is required when the clear liquid contents of the interceptor, as measured by a sludge judge, is less than or equal to 75% of the interceptors capacity (25% grease and solids combined or greater).
  - c) The user(s), owner(s) and tenant(s) shall be jointly and severally responsible for the proper inspection, removal and disposal of the material captured by any interceptor installed, and shall maintain records of the dates and means of disposal of this material. These records shall be made available to the City of Rock Springs upon request. The collected intercepted materials shall be disposed of in accordance with the appropriate local, state and federal regulations and laws.
  - d) All interceptors shall be maintained by the user(s), owner(s) or tenant(s), by a regular maintenance schedule, which shall be performed before the retention capacity of the interceptor is exceeded. At a minimum, a monthly inspection of the interceptor by the user(s), owner(s), or tenant(s) shall be performed to assess the need for cleaning. Documentation will be maintained by the user(s), owner(s), or tenant(s) on site, in order to verify when the interceptor was inspected and cleaned.
- 6) Mobile Food Vendors
- a) A Mobile Food Vendor is defined as any food service establishment designed to move to varying locations within the City of Rock Springs.
  - b) Mobile Food Vendors wastes must be disposed of in accordance with this policy.
  - c) Discharge locations must be approved by the City of Rock Springs, prior to any discharge.
  - d) The Water Reclamation Facility will accept Mobile Food Vendor waste during normal operation hours.
- 7) Access
- a) The user(s), owner(s) or tenant(s) shall allow City personnel ready access at all reasonable times to all parts of the premises for the purpose of inspection, sampling, record examination, or in the performance of any other duties related to the interceptor on the premises. All cleaning records must be kept and maintained on-site for a minimum of three (3) years, pursuant to the provisions of City of Rock Springs Ordinance 7-420 Section 6-13 – Recordkeeping.
- 8) Enforcement
- a) Enforcement according to Article 7-4 Section 7-420 of the City of Rock Springs Ordinance may be enforced.
  - b) The City of Rock Springs reserves the right, in the event of noncompliance, to physically disconnect the Grease Interceptor or inspection manhole from its existing sewer system. The user(s), owner(s) and tenant(s) shall be responsible for all costs and expenses incurred by the City associated with disconnecting and reconnecting the facilities.



- General Notes:**
1. Minimum Grease Interceptor capacity shall be 750 gallons.
  2. This design is general and is not prepared for any specific application.
  3. Structural design shall be by manufacturer.
  4. The outlet line should be 2-4 inches lower than the inlet line. The inlet and/or outlet may enter the trap from the ends or sides of the trap.
  5. All fittings must be glued in place.
  6. Cleanouts must be installed per IBC.
  7. The center/dividing wall(s) shall contact the lid. No gap or space is allowed.
  8. See the City of Rock Springs "Grease Interceptor Sector Control Policy" for additional sizing, design, maintenance, and installation requirements.

RESOLUTION NO. 2019- 46

A RESOLUTION ACCEPTING AND APPROVING AN AMENDED GREASE INTERCEPTOR SECTOR CONTROL POLICY, AND AUTHORIZING TIMOTHY A. KAUMO, AS MAYOR OF THE CITY OF ROCK SPRINGS, WYOMING, AND MATTHEW L. MCBURNETT, AS CITY CLERK OF THE CITY OF ROCK SPRINGS, WYOMING, TO EXECUTE SAID AMENDED POLICY ON BEHALF OF THE CITY.

WHEREAS, the City of Rock Springs, Wyoming, Waste Water Treatment Plant submitted a Grease Interceptor Sector Control Policy to aid the City in complying with all Pretreatment Regulations set out in Article 7-4 Section 7-420 of the Ordinances of the City of Rock Springs, which policy was accepted and approved by Resolution 2013-156 on October 1, 2013; and,

WHEREAS, the City of Rock Springs, Wyoming, Waste Water Treatment Plant staff has presented proposed amendments to said Grease Interceptor Sector Control Policy, which amendments are attached hereto.

WHEREAS, the Governing Body of the City of Rock Springs has said amended policy before it and has given it careful review and consideration.

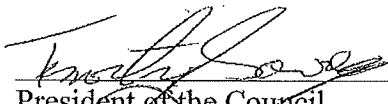
NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF ROCK SPRINGS, STATE OF WYOMING:

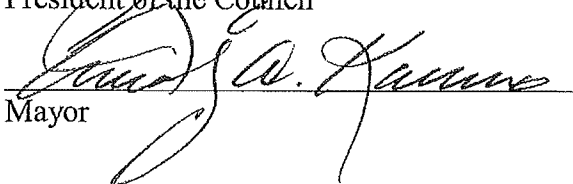
Section 1. That the terms and provisions of the amended Grease Interceptor Sector Control Policy, attached hereto and by this reference made a part hereof, are hereby accepted and approved by the City of Rock Springs, Wyoming.

Section 2. That the Mayor of said City be, and he is hereby, authorized, empowered and directed to execute said amended policy on behalf of said City; and that the City Clerk of said City, be and he is hereby, authorized and directed to attest said amended policy, and to attach to said amended policy a certified copy of this resolution.

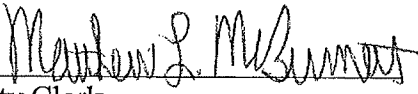
PASSED AND APPROVED this 2nd day of April, 2019.



  
\_\_\_\_\_  
President of the Council

  
\_\_\_\_\_  
Mayor

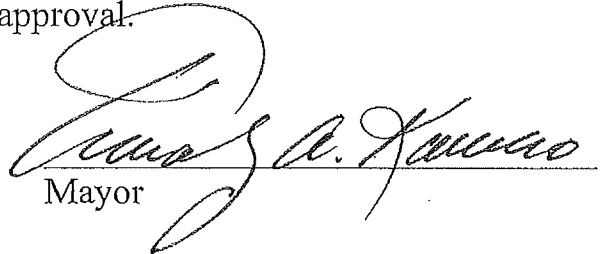
Attest:

  
\_\_\_\_\_  
City Clerk



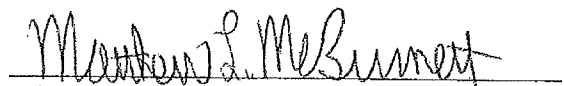
THE STATE OF WYOMING )  
COUNTY OF SWEETWATER) ss.  
CITY OF ROCK SPRINGS )

I, Timothy A. Kaumo, Mayor of the City of Rock Springs, Wyoming, do hereby proclaim that the foregoing Resolution of the said City of Rock Springs was, on the date thereof, duly and regularly passed and approved by the City Council of the said City of Rock Springs and by the Mayor of said City and attested by the City Clerk of said City, and I do hereby proclaim the same to be in full force and effect from and after the date of its passage and approval.

  
Mayor

THE STATE OF WYOMING )  
COUNTY OF SWEETWATER) ss.  
CITY OF ROCK SPRINGS )

I, Matthew L. McBurnett, City Clerk of the City of Rock Springs, Wyoming, do hereby certify that on this 2<sup>nd</sup> day of April, 2019, the foregoing Resolution of the City of Rock Springs was proclaimed by the Mayor of said City to be in full force and effect from and after the passage thereof as set forth in said Resolution, and that the same was posted by me in the office of the City Clerk as directed by the City Council on the 2<sup>nd</sup> day of April, 2019, at 8:00 p.m. of said day.

  
City Clerk

# July 2022

*Planning & Zoning approved the following business licenses.  
Also see: Approved Mobile Vendors*

## **On Point Barbershop — 2528 Foothill Blvd.**

Full service men's salon.

Neftali Vargas at 307-871-8483 or onpointbarbershop307@gmail.com

## **WYO Brain Integration — 706 Elk Street**

Kinesiology, Physiology, and Acupressure Meridian System

Ruth Casey at 307-247-1571 or wyobrainintegration@gmail.com

## **Circle C Customs & Upholstery — Home Occupation**

Custom automobile upholstery.

Brody Costigan at 307-212-1185 or bcostigan03@gmail.com

## **Boys n Berrys LLC — 1539 Foothill Blvd.**

Warehouse and RV storage space rentals.

Levi Berry at 307-760-5231 or leviberry@yahoo.com

## **Bruce Advertising & Design LLC — Home Occupation**

Advertising design and consulting, graphic design, branding, marketing, etc.

Bruce Stigler at 360-621-7609 or bigman@bruceaplusd.com

## **Mythical Trinkets — Home Occupation**

On-line sales of jewelry, dream catchers, and other crafts.

CodeaJay Pacheco at 307-209-0472 or mythicaltrinkets@gmail.com

## **Desert Keep Games — 410 Broadway Street**

Retail sales of board and card games. Tournament host location.

Dann Vondenkamp at 307-389-8509 or desertkeepgames@gmail.com

## **Branded Wyo Co. — Home Occupation**

Online sales of custom t-shirts

Jordon Smith at 307-705-2101 or jordonsmith14@icloud.com

## **Decker Glass — 1307 Elk Street**

Windshield replacement and chip repair.

Jason Bullard at 307-237-7466 or Jason.bullard@deckerglass.com

***SUPPORT LOCAL BUSINESSES***