



## PLANNING AND ZONING COMMISSION MEETING AGENDA

June 14, 2023

7:00 p.m.

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### ROLL CALL

### APPROVAL OF MINUTES

1. Review and approval of the May 10, 2023, Planning & Zoning Commission Meeting Minutes. – [Report Packet Page 2](#)

### ACCEPTANCE OF STAFF REPORTS AND CORRESPONDENCE

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

### PUBLIC HEARINGS

1. Petition for **Zoning Ordinance Language Amendment**, submitted by Greg Carr to modify the PUD language to allow for minimum lot size of PUD's without a subdivision, working with Plan One Architects and JFC Engineers and Surveyors. (Project #: PZ-23-00193, Staff Representative: Cathy Greene, City Planner) – [Report Packet Page 7](#)

### UNFINISHED BUSINESS

1. None

### NEW BUSINESS

1. Request for an informal review of a **Planned Unit Development (PUD) Concept Plan** from the requirements of §13-812 and §13-906.C of the City of Rock Springs Ordinances for Top Hat Leasing, submitted by Greg Carr, working with Plan One Architects and JFC Engineers & Surveyors. (Project #: PZ-23-00199, Staff Representative: Cathy Greene, City Planner) – [Report Packet Page 21](#)

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

1. Approval of a Conditional Use Permit for a new Electronic Message Board to be located at 1549 Elk Street, submitted by Mega Sign representing Bombers & Marty's Restaurant / Horse Palace. (Project #: PZ-23-00156, Staff Representative: Cathy Greene, City Planner)
2. Approval of a Conditional Use Permit for a Special Purpose Fence at 410 Agate St, submitted by Gene Batey. (Project #: PZ-23-00153, Staff Representative: Cathy Greene, City Planner)

### PETITIONS AND COMMUNICATIONS

1. Written petitions and communications.
  - a. Update on City Council actions – [Report Packet Page 46](#)
  - b. Update on Business License (all of 2023, we've missed some months) – [Report Packet Page 47](#)
2. Petitions and communications from the floor.

### ADJOURNMENT

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**PLANNING AND ZONING  
COMMISSION MINUTES**  
**May 10, 2023**  
**Wednesday, 7:00 p.m.**  
**City Hall, Rock Springs, Wyoming**

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Commissioners Present:	Lacey Brown Dave Jarrell Dan Kennedy Zane Isaacson	Blake Manus Kevin Hardesty Emily Lopez
Staff Present:	Cathy Greene, City Planner Kacie Turner, Sr. Admin. Planning Tech.	
Commissioners Absent:	Justin Lemon	Ken Fortuna

**CALL TO ORDER**

Chairman Lopez 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 Lopez asked the Commission for any corrections or additions to the Minutes from the April 12, 2023 Planning and Zoning Commission Meeting.

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

Commissioner Hardesty: Motion to approve the Minutes as presented.

Commissioner Isaacson: Second.

Vote: All in favor. Motion carried unanimously

**ACCEPTANCE OF STAFF REPORTS AND CORRESPONDENCE**

Chairman Lopez 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**

There was none.

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## **PUBLIC HEARINGS**

1. Petition for **Preliminary Plat** approval of Mustang Ridge Properties consisting of 2 phases to be developed totaling 36.2 acres, submitted by Rob DeBernardi (DeBernardi Construction Company) and represented by Dan Kennedy (JFC Engineers and Surveyors). (Project #: PZ-23-00140, Staff Representative: Cathy Greene, City Planner)

Commissioners Dan Kennedy excused himself to represent his client and Lacy Brown abstained from the vote and stated a conflict of interest.

### **Staff Report**

Ms. Greene presented the Staff Report to the Commission.

Notifications were mailed May 1, 2023 to adjacent property owners; public hearing notice was published on April 22, 2023.

Ms. Greene stated that Lacey Brown had come into City Hall to ask questions about the drainage. Ms. Greene informed her that the stamped drainage report is not due or submitted until the final plat and that good resources are also the City Engineer and project Engineer about drainage questions.

### **Commissioner Questions for Staff**

None.

### **Commissioner Questions for Applicant**

Chairman Lopez asked the applicant or a representative for the project to come forward. Dan Kennedy, representative for JFC Engineers and Surveyors stepped to the podium.

Commissioner Emily Lopez asked if the retention basin was made larger. Dan Kennedy replied, yes.

### **Public Hearing**

Chairman Lopez opened the public hearing.

Chairman Lopez asked for anyone who was in favor of the project to come forward.  
There were none.

Chairman Lopez asked for anyone opposed to the project to come forward.

Mr. Luke Geffre at 2625 Thunder Gulch Lane stated he did not receive a letter and acknowledged he was over the 200 feet adjacent property owner notification.

Mr. Geffre stated he has a couple concerns of the drainage is always a concern and he was there with Phase 1. Little more concerned and something that has thrown up a red flag is that the developer has switched from Amundsen to DeBernardi, does the new developer need new approvals?

He felt Phase I, changes in elevation are a concern if it affects his side from Stagecoach Blvd with drainage. He stated this all dates back to the flooding issues as well. He asked if this is Phase II, now incorporates Phases II through VI and part of VII?

Without the drainage study complete, he is “against this next phase without it being completed.” Mr. Geffre stated that in 2012 they removed that portion of town from flood plain and is not in flood plain since the Summit drainage system was put in.

Mr. Geffre stated that improvements have been made but in comparison, Regan Avenue has three times more storm drains compared to Stagecoach and that if you take a hike along White Mountain you can see runoff.

Mr. Geffre is concerned with how much higher they are going to raise the elevation with this next phase. His solution to recommend is that the Summit drainage system is extended all the way North to the connecting Summit/Signal Drive to take care of the drainage issues.

Chairman Lopez asked if there were any other public comments or questions.

Ms. Greene responded to the questions asked during public comment.

First clarification is there is a new owner for a portion of the development. Previously on record is an approved ten phase Preliminary Plat of the Estates at Mustang Ridge approved by this Commission and City Council. Then Estates at Mustang Ridge, Final Plat of Phase I was approved by this Commission and City Council, which is now under construction. This applicant bought Phases II-VI and a small portion of VII of the Estates at Mustang Ridge, which did have 125 lots, and now consists of 119 lots.

The new developer Mr. DeBernardi is proposing Mustang Ridge Properties Phase I and II, which will go through all the approvals again, we are currently at the Preliminary Plat Phase, they will then move forward with Final Plat for Phase I. All the conditions that were met, will be met again. The stamped drainage report is not submitted until the final plat which is standard protocol in the ordinance. Notifications were sent out within 200 feet and included nine letters and also the Rocket Miner publication. Changes in elevation may be a question for Dan Kennedy the Project Engineer to address for proposed Phases I and II. Elevations for Estates at Mustang Ridge Phase I under construction will be built in accordance with the approved Final Plat. Ms. Greene stated that in 2012, she would have to look to see if that area was removed from Floodplain, however there is currently, no FEMA flood plain over this area.

Chairman Lopez asked Mr. Dan Kennedy if he would like to respond to any questions.

Dan Kennedy responded that a large portion of this drains to the North East detention basin which continues to drain out to the North. A large portion of this development does not go into Stagecoach.

Chairman Lopez asked if the elevation will match what they have already built? Dan Kennedy stated it breaks over when it starts to drain North at the end of the existing streets of Estates of Mustang Ridge, those streets going North currently drain to the South. Extension of these streets drain to the North. Chairman Lopez asked if the additional phases will also drain North? Subbed out additional to the North, there is a small portion in the West portion that will utilize the existing basin.

Chairman Lopez asked for further questions, and closed public hearing with no additional questions.



Discussion throughout the chambers required Chairman Lopez to reopen as Mr. Geffre stepped to the podium. Mr. Geffre stated that when the original subdivision was started in Phase I, concerned citizens were told to come to City Council meetings to express their concerns. Frustration at City Council as it seems they just go off the recommendation of Planning & Zoning.

Chairman Lopez spoke of examples where the discussions have been diverted and discussed at all levels. Ms. Greene stated that City Council does hear the constituents and they have multiple packets, public comments, and reports to decide their final vote at City Council. Discussion of the process on the steps, drainage study in final plat approval were again discussed.

Chairman Dave Jarrell asked Mr. Geffre if there have been drainage issues with the current subdivision. Mr. Geffre noted that maintenance and upkeep of storm drains on Stagecoach, along with a slow melt off have not made for any issues. He stated without another substantial storm it's hard to say, all he can currently point at is the runoff coming off White Mountain right now. He stated with the fast pace of the builds, he would recommend anyone wanting to buy do their homework.

Chairman Lopez closed the public hearing.

Chairman Lopez then asked for a staff recommendation.

#### Staff Recommendation

At a minimum, Ms. Greene recommended approval with the following conditions:

- 1) All Utility Review Comments shall be met prior to scheduling for City Council review.
- 2) The Final Plat shall conform to the Preliminary Plat. Any modifications will require resubmittal of the Preliminary Plat.

#### Commission Vote

Commissioner Hardesty: Motion to approve with staff recommendations.

Commissioner Isaccson: Second.

Vote: All in favor. Motion carried with the two noted abstentions.

#### **UNFINISHED BUSINESS**

There was none.

#### **NEW BUSINESS**

There was none.

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

1. Conditional Use Permit Approval of a front yard fence at four (4) feet in height and rear yard fence six (6) feet in height to be situated on a retaining wall up to four (4) feet in height, be located at 832 Walnut Street, submitted by Jose Gonzalez.  
(Project #: PZ-23-00131, Staff Representative: Cathy Greene, City Planner)

2. Approval to install wireless telecommunications equipment at 514 G Street, submitted by Chris Kennard of Elevation Wireless for Verizon.  
(Project #: PZ-23-00122, Staff Representative: Cathy Greene, City Planner)

### **PETITIONS AND COMMUNICATIONS**

- 1) Written petitions and communications.
  - a. Update on City Council Actions  
May 2, 2023 - David Jarrell appointed to fill the unexpired term of Kylee Wylie.
- 2) Petitions and communications from the floor.

### **ADJOURNMENT**

With no further business, the meeting was adjourned at 7:32 p.m..

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

\_\_\_\_\_ day of \_\_\_\_\_ 2023.

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Cathy Greene, Secretary, Planning & Zoning Commission



**PLANNING & ZONING COMMISSION**  
**STAFF REPORT**  
**June 14, 2023**  
**7:00 p.m., Rock Springs City Hall**

REPORT SUMMARY			
<b>Agenda Item:</b>	Public Hearing #1	Project Number:	PZ-23-00193
<b>Project Name:</b>	Planned Unit Development (PUD) Language Amendment		
<b>Project Location:</b>	City Wide		
<b>Project Description:</b>	Petition filed by the Greg Carr to modify the PUD language to allow for minimum lot size of PUD's without a subdivision. (Article 13-812 of the City of Rock Springs Ordinances)		
<b>Applicant/Property Owner:</b>	Greg and Careea Carr Top Hat Leasing 708 Talladega Drive Rock Springs, WY 82901		
<b>Architect:</b>	Plan One 4020 Dewar Drive, Ste. A Rock Springs, WY 82901		
<b>Public Notification:</b>	Adjacent Property Letters Mailed: N/A Public Hearing Notice: 05/27/2023		
<b>References:</b>	Chapter 13 - Zoning Ordinance - §13-812 Planned Unit Development Overlay Zone §13-901 Procedure for Amendments to the Ordinance Rock Springs Master Plan		
<b>Exhibits:</b>	A – B-2 Language Proposed by Applicant & Application B – Redlined Ordinance C - Public Hearing Notice		

## PETITION:

Adjust the existing language to allow better use of infill properties within the City. Currently a PUD is limited to an area of at least five (5) acres. This proposed language will provide more diversity in development throughout the City.

## HISTORY

The applicant inquired in February of 2022 about residential and commercial mixed use in B-2, former staff responded stating that it was not permitted. However informed him that due to the constraints on that specific lot, a two story structure was the right direction for development, however to consider retail/services on the first floor and office space on the second floor.

Then in the summer of 2022, the applicant inquired again to see if there was any way to accomplish the residential and commercial mixed use project. They asked about getting a zone change to B-3 and were informed, that they could not. With the current language for B-2 there was no allowance for this proposal, but I would look into language amendment options and was thinking possibly a Conditional Use Permit.

The applicant proposed language for the B-2 zoning district in April. Then May 10th the applicant came in to submit an official application (**Exhibit A**), payment, and copies of other community's ordinances in Wyoming that have mixed use zones.

## RESEARCH

Upon reviewing what the applicant submitted, reading through the Ordinance and Master Plan, researching online, communication with other planners, and meeting with the applicant again, I was not comfortable pursuing the language amendment to the B-2 Zone. As we do not want to allow mixed use in the B-2 without more overview, and then to create a new zoning district, would need to start with the formation of an overview committee to study the request.

I found the best way to support a project like what the applicant is proposing is through a PUD process, mixed use, conveniences to the residents, open space for the tenants use, common ownership, etc. However the current language of the PUD states the area shall be no less than five (5) acres.....

A redline copy of the proposed amendment is attached to this report as **Exhibit B**. A summary of the proposed language amendments to the Zoning Ordinance is as follows:

### Amendment #1 – P.U.D. Area Regulations

Section 13-812 – PUD Overlay Zone

B. General Requirements and Standards.

(3) P.U.D. Area Regulations

(a) The minimum total P.U.D. area shall be no less than five (5) acres if it includes a subdivision, or shall meet the minimum lot size of the Zoning District where the parcel is situated, unless the applicant can show that the minimum P.U.D.....

**PUBLIC NOTIFICATION:**

A Public Hearing Notice was duly published in the Rock Springs *Rocket Miner* on Saturday, May 27, 2023, shown in **Exhibit C**. At the time of this report, staff had not received any public comments on the proposed amendment. Staff will advise the Commission of any comments received.

**STAFF RECOMMENDATION:**

Staff will provide formal recommendation after the public hearing.

However, staff supports the proposed language, as it will allow one more option for development of infill properties, however keeping them in conformance with the Master Plan as is a requirement of a PUD.

# EXHIBIT A

## Language Proposed by Applicant & Application



# CITY OF ROCK SPRINGS LANGUAGE AMENDMENT APPLICATION

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

## City Use Only:

Date Received 5-22-2023

File Number: P2-23-00193

## A. CONTACT INFORMATION:

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

### Primary Contact Person (Primary Petitioner):

<u>Greg Carr</u> Name	<u>307-922-1445</u> Phone Number	<u>gcarr307@gmail.com</u> Email Address	
<u>708 Talladega Drive</u> Mailing Address	<u>RKS</u> City	<u>WY</u> State	<u>82901</u> Zip

### Additional Petitioner (if applicable):

<u>Will Wheatley</u> Name	<u>307-352-2954</u> Phone Number	<u>wwheatley@plumrose.com</u> Email Address	
<u>4020 Dewar Drive Suite A</u> Mailing Address	<u>RKS</u> City	<u>WY</u> State	<u>82901</u> Zip

## B. PLEASE ANSWER THE FOLLOWING ON THE SPACES PROVIDED:

- Article and Section Number to be amended (The Rock Springs Ordinances are available online at [www.rswy.net](http://www.rswy.net)):

13-812 - PUD Overlay Zone  
B.(3) PUD Area Regulations

- Proposed Amendment (attached a separate sheet):

(a.) The minimum total PUD area shall be no less than five (5) acres, if it includes a subdivision, or shall meet the minimum lot size of the zoning district where the parcel is situated, unless....

- Describe the need for and purpose of the Proposed Amendment:

See attached.

**C. INSTRUCTIONS FOR FILING / SUBMITTAL CHECKLIST**

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

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

**BE ADVISED:**

After Planning and Zoning Commissions Recommendation, Language Amendments are voted on by Ordinance. Ordinances must be read at three consecutive meetings of City Council prior to being accepted. The above-listed dates represent the anticipated public hearing date only.

City Council Meetings - Meeting dates may be delayed due to the Rocket Miner's advertising deadlines.

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

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

Signature of Petitioner C. J. Am Date 5/10/2023 \*

Signature of Petitioner \_\_\_\_\_ Date \_\_\_\_\_

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

*\* Language not detailed out until May 22, 2023*



# Top Hat Leasing

2631 Foothill Blvd

Greg Carr

307-922-1445

gcarr307@gmail.com

Research - PZ-22-00431  
Lang Amend - PZ-23-00193

These two options  
didn't work.

## Mix use building talking points

- ~~Zoned as B2, proposing zone change to B3. The B3 would include parking accommodations for potential residents and businesses. Another option would be B2 with residential.~~
- JFC and Plan 1 have/are working on the design and engineering of building and area, will work with local businesses and contractors as much as possible
- Similar buildings found outside of "downtown" areas in Teton County, Fort Collins, Park City, Fargo, Bismarck, Moorhead, Austin, Dallas, Midland and many more
- Creates a buffer between business/commercial area into residential area
- Great addition to the community
- Locally owned and operated
- Attractive rates
- Luxury apartments designed for the traveling professional
- Fire suppression system
- Absolutely fabulous use of prime a Foothill Blvd lot
- ~~How does size of lot affect applying for special interest zone change?~~
- ~~How can B-3 zoning only be allowed in "downtown" Rock Springs?~~

- 1) Article and section number to be amended.  
B-2  
13.808.18 – Add language allowing for Mixed-use



- 2) Proposed amendment

- a. Conditional approval allowing Mixed-Use

The purpose of the Mixed-Use amendment is to provide the allowance of both business and residential land uses within the B-2 zoning district. Mixed-Use will allow retail, office and residential space within the same building. Where retail store fronts will primarily occupy first floor and residential living will occupy second and possibly third floor. Mixed-Use designated buildings will need to be located at the edge of residential neighborhood and commercial/retail corridors and will serve as a transition zone between higher intensity commercial/retail areas and residential neighborhoods.

- b. Parking refer to 13.815

Will be a combination of what is required for residential living and retail business.

Residential will follow:

Size of Unit	Space(s) Required
1 bedroom	1.5
2 bedrooms	2.0
3+ bedrooms	2.25

In accordance with 13.815(i) Retail Store and Service Establishment: At least one (1) off-street parking space for each two hundred fifty (250) square feet of floor area. In accordance with 13.815(p) Restaurants, Taverns: One (1) space for each three (3) seats plus one (1) for each two (2) employees.

Refer to General Building and Performance Requirements 13.815, for other retail businesses parking requirements.

- 3) Describe the need for and purpose of the proposed amendment.

- a. Close gap between residential and commercial/retail
  - b. Give a neighborhood community sensation outside of the downtown district
  - c. Work/live possibles
  - d. Attractive lease rates for potential businesses and residents due to the multi use
  - e. Location
  - f. Small footprint, large possibilities
  - g. Enhance community with attractive retail and residential leasing options

# EXHIBIT B

# REDLINED

# ORDINANCE



(1) The minimum setback from any lot line or public right-of-way shall be as set forth below:

(a) <u>Buildings:</u>	<u>Feet:</u>
1. Front	35
2. Interior side and rear	15
3. Corner side	30
4. Residential Zone boundary	75
(b) <u>Parking lots</u>	
1. Front	4
2. Interior side and rear	3
3. Corner side	4
4. Residential Zone boundary	3

(2) There shall be no maximum height of building, except that buildings over 45 feet in height shall be subject to additional fire protection precautions as determined by the City Fire Chief.

#### G. Lot Width and Lot Area.

(1) The minimum lot width shall be 100 feet.

(2) Minimum lot area shall be determined by building area, parking requirements and required setbacks.

#### H. Screening.

All Principal and Accessory Uses shall be screened from adjacent Residential Zones as described in 13-815.B.(2).

#### I. Landscaping.

All areas not designated for buildings, circulation, parking or storage shall be landscaped as described in 13-815.C.

#### J. Accessory Buildings.

Accessory buildings shall be setback a minimum distance of 3 feet from side and rear property lines.

(96-12, Amended, 08/20/1996; 95-21, Amended, 01/16/1996)

### 13-812 Planned Unit Development Overlay Zone.

#### A. Purpose.

As an alternative to conventional zoning and development approaches and processes, the Planned Unit Development (P.U.D.) procedures and regulations are set forth in

order that the public health, safety, morals, and general welfare be furthered in an era of increasing urbanization; to encourage innovations in residential, commercial, and industrial development renewal; so that greater opportunities for better housing and recreation, shops and industrial plants conveniently located to each other may extend to all citizens and residents of Rock Springs; to reflect changes in the technology of land development; to encourage a more creative approach in the utilization of land in order to accomplish a more efficient, aesthetic, and desirable development which may be characterized by special features of the geography, topography, size or shape of a particular property, and to provide a compatible and stable environment in harmony with that of the surrounding area.

The Planned Unit Development may include any development having one or more principal uses or structures on a single parcel of ground or contiguous parcels. The P.U.D. shall consist of a harmonious selection of uses and groupings of buildings, parking areas, circulation and open spaces, and shall be designed as an integrated unit, in such manner as to constitute a safe, efficient, and convenient urban area.

#### B. General Requirements and Standards.

##### (1) Ownership.

The tract shall be a development of land under unified control at the time of application, planned and scheduled to be developed as a whole. However, no authorizations or permits shall be granted for such development unless the applicant has acquired actual ownership of or executed a binding sales contract for all of the property comprising such tract. The term "single ownership" shall include ownership of portions of such development by two (2) or more wholly owned subsidiaries of a single owner, or by such single owner and one (1) or more of its wholly owned subsidiaries.

##### (2) Conformance with Comprehensive Plan.

The proposed Planned Unit Development shall be consistent with the City of Rock Springs' Comprehensive Plan.



(3) P.U.D. Area Regulations.

(a) The minimum total P.U.D. area shall be no less than five (5) acres if it includes a subdivision, or shall meet the minimum lot size of the Zoning District where the parcel is situated, unless the applicant can show that the minimum P.U.D. area requirements should be waived because the waiver would be in the public interest and that one or both of the following conditions exist:

1. Unusual physical features of the property itself or of the surrounding neighborhood are such that development under the standard provisions of the Residential Districts would not be appropriate in order to conserve a physical or terrain feature of importance to the neighborhood or community.

2. The property is adjacent to or across the street from property which has been developed under the provisions of this section and will contribute to the amenities of the neighborhood.

(4) Density in Residential P.U.D.'s: 10% increase.

(a) A residential P.U.D. may provide for a variety of housing types in any one of the basic residential zoning districts. In addition, the number of dwelling units allowed may be flexible relative to the number of dwelling units per acre that would otherwise be permitted by the zoning regulations applicable to the site. However, the total number of dwelling units allowed in a P.U.D. shall be consistent with the Land Use Element of the City's Comprehensive Plan and in no case shall the unit density be exceeded by more than 10% of that permitted by the Comprehensive Plan.

(b) If the unit density exceeds that permitted by the Comprehensive Plan, the applicant has the burden to show that such increase in density will not have an undue and adverse impact on existing public facilities or on neighboring properties.

(c) In determining the reasonableness of the increase in unit density, the Planning and Zoning Commission and City Council shall consider increased efficiency in public facilities and services based, in part, upon:

1. The location, amount and proposed use of common open space;

2. The location, design and type of dwelling units;

3. The physical characteristics of the site;

4. Particular distinctiveness and excellence in siting, design, and landscaping;

5. Dedication of more than the minimum required for public lands or open space.

(5) Front, Rear and Side Yard Building Setback Regulations.

Residential building setbacks from all property lines which form the perimeter of the P.U.D. or from all interior and exterior dedicated street right-of-way lines or from the paving of any private interior circulation streets shall be no less than 20 feet; commercial building setbacks shall be no less than 35 feet or the height of the building, whichever is greater.

(6) More Than One Building Per Lot.

More than one building may be placed on one platted or recorded lot in any P.U.D. Areas for single-family detached dwellings or other housing types providing privately owned lots must comply with the City's Subdivision Ordinance in all respects not specifically noted in this section as appropriate variances or waivers.

(7) One Housing Type Not Inconsistent With Intent.

A P.U.D. which only involves one housing type such as all detached or all attached units shall not be considered as inconsistent with the stated purposes and objectives of this section and shall not be the sole basis for denial or approval.

(8) Architectural Style, Appearance.

Architectural style of buildings shall not solely be a basis for denial or approval of a plan. However, the overall appearance and compatibility of individual buildings to other site elements or to surrounding development will be primary considerations in the review stages of the Planning and Zoning Commission and Council.

(9) Building Permits; When Issued.

No building permits shall be granted for

# EXHIBIT C

## PUBLIC HEARING

## NOTICE

# ADVERTISING INVOICE



PO Box 1570,  
Pocatello, ID 83204  
Ph. (307) 633-3112

BILLING DATE:	ACCOUNT NO:
05/24/23	53701

KRISTYN MUNIZ  
CITY OF ROCK SPRINGS  
212 D ST  
ROCK SPRINGS, WY 82901

AD #	DESCRIPTION	START	STOP	TIMES	AMOUNT
377375	June 14 Meeting	05/27/23	05/27/23	1	\$48.88

## Payments:

Date	Method	Card Type	Last 4 Digits	Check	Amount
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Discount: **\$0.00**  
Surcharge: **\$0.00**  
Credits: **\$0.00**

Gross: **\$48.88**  
Paid Amount: **\$0.00**

Amount Due: **\$48.88**

*We Appreciate Your Business!*

**PUBLIC HEARING NOTICE**

TAKE NOTICE that the Rock Springs Planning and Zoning Commission will hold a public hearing in the Rock Springs City Hall Council Chambers at 7:00 p.m., June 14, 2023, where all interested parties will have the opportunity to appear and be heard regarding the following:

An application submitted by Greg Carr with Top Hat Leasing, to consider amending Chapter 13 (Zoning) of the Ordinances of the City of Rock Springs as follows:

An application to consider amending Chapter 13 (ZONING) of the Ordinances of the City of Rock Springs to:

- MODIFY THE MINIMUM AREA REQUIRED FOR A PLANNED UNIT DEVELOPMENT OVERLAY ZONE ON NON-SUBDIVISION PROJECTS.

The following sections are proposed for amendment:

Section 13-812.B.3.a P.U.D. Area Regulations

For further information regarding these amendments, please contact the City Planner's Office at the Rock Springs City Hall, 212 D Street, Rock Springs, Wyoming, or by calling 307-352-1540.

Dated this 24th day of May 2023.

(s) Cathy Greene, City Planner  
Secretary to the Planning and Zoning Commission

Publish: Saturday, May 27, 2023

NO.





# Planning & Zoning Commission Staff Report

Meeting June 14, 2023 at 7:00 p.m.

REPORT SUMMARY			
<b>Agenda Item:</b>	New Business #1	<b>Project Number:</b>	PZ-23-00199
<b>Project Name:</b>	Top Hat Leasing Planned Unit Development (PUD) Concept Plan		
<b>Project Location:</b>	Lot 4 & 5 of the Final Plat of Foothill Business Plaza (intersection of Foothill Blvd and White Mountain Blvd)		
<b>Project Description:</b>	Concept Plan is Step One of a Planned Unit Development		
<b>Applicant:</b>	Greg & Careea Carr 708 Talladega Drive Rock Springs	<b>Property Owner:</b>	Same
<b>Architect:</b>	Plan One 4020 Dewar Drive, Ste. A Rock Springs, WY 82901	<b>Surveyor/ Engineer:</b>	JFC 1682 Sunset Drive 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	<b>Proposed Zoning District</b>	B-2 with PUD Overland <b>SUBJECT TO LANGUAGE AMENDMENT</b>
<b>References:</b>	Rock Springs Zoning Ordinance §13-812 PUD Overlay Zone Rock Springs Zoning Ordinance §13-906 Procedure for PUD		
<b>Exhibits:</b>	A. PUD Concept Plan – AS1.1 B. PUD Concept Plan Application C. Utility Review Comment Forms from June 6, 2023.		

## PETITION:

The applicant, is presenting a Concept Plan for a proposed Top Hat Leasing Planned Unit Development Plan. The plan submitted as a Concept Plan can be found in **Exhibit A**, and the application as **Exhibit B**.

## PROPERTY LOCATION AND DESCRIPTION:

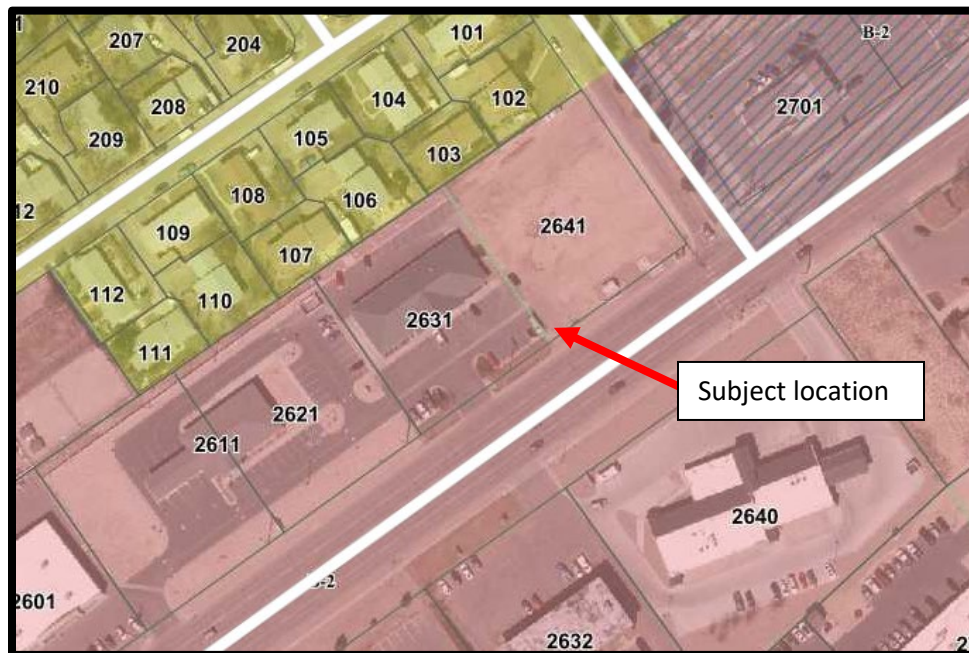
As shown in **Figure 1**, the property is located northwest of Foothill Blvd. The property is Lot 4 and Lot 5 on the Final Plat of Foothill Business Plaza plat and adjacent land uses are as follows:

Northwest – Residential homes in The Village / Zoned R-2

Southwest – WyHy Credit Unit, Lot 3/ Zoned B-2

Northeast– White Mountain Blvd / White Mountain Dental / Recent Zone change B-2/CD

Southeast – Foothill Blvd / Commerical Developed Properties / Zoned B-2



*Figure 1: Location Map*

## UTILITY REVIEW:

A Utility Review Meeting was held on June 6, 2023, to discuss the proposed Concept Plan. The Concept Plan stage of the process is for comment gathering only, no modifications shall be required until the Preliminary Plat application is filed. The submitted Utility Review Comments can be found in **Exhibit C**.

## CONCEPT PLAN REVIEW:

There are three items to note regarding the submittal of a PUD Concept Plan:

- (1) Submittal Requirements.

The Concept Plan shall indicate proposed land uses, general circulation patterns, general building massing, property boundaries, existing land uses on adjacent properties, special site conditions or

problems. A computation table showing proposed land use allocations in acres and percent of total site area shall be included on the Concept Plan.

(2) Planning and Zoning Commission Review.

The Zoning Administrator shall schedule an informal review by the Planning and Zoning Commission at its next regularly scheduled meeting. The Commission shall review the Concept Plan and shall determine whether the Plan is in conformance with the City Comprehensive Plan **Figure 2**. The Commission may instruct the applicant regarding features or design elements to be included in the Preliminary Development Plan and what exceptions or variances to this Ordinance it may be willing to allow in exchange for certain publicly beneficial design or planning features.

**TABLE 3.3**  
**2012 Master Plan - Official Land Use Map**  
**Land Use Designations**

Land Use Designation	Definition	Compatible Zoning Districts
LDR – Low Density Residential	Low intensity residential development at densities ranging from 0.5 to 7 dwelling units per acre.	R-E, R-1, R-2 & R-3
HDR – High Density Residential	High intensity residential development at densities ranging from 7.1 dwelling units per acre to 22 dwelling units per acre, as well as supporting small commercial development.	R-4, R-5, R-6 & B-1
MU – Mixed Use	A mixture of office, retail and residential development, with uses often mixed vertically in the same building. Commercial developments are typically of a small scale and are oriented toward pedestrians.	B-3 & B-R
C – Commercial	Automobile-oriented commercial development, as well as high intensity residential development.	B-2 & R-5
I – Industrial	Areas of light and heavy industrial development, including manufacturing, warehousing, and other, similar uses.	I-1 & I-2
PI – Public & Institutional	Development consisting of buildings for public uses, including government office buildings, fire stations and schools.	All residential and commercial zoning districts.
PRE – Parks, Recreation, & Environment	Areas devoted to public parks, cemeteries, open space and other, similar uses.	O-1 & all residential and commercial zoning districts.

*Figure 2: Comprehensive Plan Chart*

(3) City Council Review.

It is not required that the City Council review P.U.D. Concept Plans, however, the applicant may request a Concept Plan review by the Council following Commission review and comment. The scope of review and comment by the Council shall be the same as that of the Commission.

The applicant will provide the Planning and Zoning Commission with a presentation of the Concept Plan at the meeting. Also note that this is only a Concept Plan at this time. No action is necessary from the Planning and Zoning Commission at this meeting; however, the applicant would greatly appreciate your input at this time for preparation of the Preliminary Development Plan.

Approval and adoption of the language amendment.  
Step two is a Preliminary Development Plan.  
Step three is a Final Development Plan.

## **SUMMARY**

This application is SUBJECT to approval of the Language Amendment. It is the applicant's decision if they choose to move forward with addressing comments from the Utility Review and advancing with the Preliminary Development plan, prior to approval of the Language Amendment.

# EXHIBIT A

## AS1.1

Presented and processed  
as the  
“CONCEPT PLAN”



## KEYED NOTES

- |  |  |  |
|--|--|--|
| 1 (E) ACCESS EASEMENT - 20'                            | 13 (E) PAVED PARKING AREA  | 25 PROPOSED BUILDING MAINTENANCE ENTRY |
| 2 (E) UTILITY EASEMENT - 25'                           | 14 (E) TREE AND LANDSCAPE ISLAND   | 26 PROPOSED TENANT ENTRANCES, TYP.     |
| 3 (E) DRAINAGE EASEMENT - 10'                          | 15 (E) DUMPSTER LOCATION   | 27 PROPOSED ADA PARKING                |
| 4 (E) PIONEER PIPELINE EASEMENT, R/W - 50'             | 16 (E) SITE DRAINAGE VALLEY PAN  | 28 PROPOSED DRIVE-UP WINDOW DRIVE AREA |
| 5 (E) MOUNTAIN FUEL, R/W, AND POWERLINE EASEMENT - 25' | 17 PROPOSED 2-STORY WORK-LIVE SMALL BUSINESS BUILDING (6,000 SF FOOTPRINT)       | 29 (E) FIRE HYDRANT                    |
| 6 (E) UTILITY BUILDING                                 | 18 PROPOSED GAZEBO STRUCTURE   | 30 (E) POWER POLE                      |
| 7 (E) RETAIL / MEDICAL OFFICE BUILDING                 | 19 PROPOSED PARKING AREA   | 31 (E) TRAFFIC LIGHT POLE              |
| 8 (E) PRIVACY FENCING                                  | 20 PROPOSED WATER-EFFICIENT LANDSCAPE AREA                                       |  |
| 9 (E) DRIVEWAY ACCESS                                  | 21 PROPOSED DUMPSTER LOCATION WITH SCREENED ENCLOSURE                            |  |
| 10 (E) MONUMENT SIGN                                   | 22 PROPOSED LANDSCAPE ISLAND   |  |
| 11 (E) LANDSCAPING AREA                                | 23 PROPOSED OUTDOOR PATIO/GREEN SPACE WITH TREES AND WATER EFFICIENT LANDSCAPING |  |
| 12 (E) UTILITY VAULT                                   | 24 PROPOSED PRIVATE RESIDENTIAL ENTRY  |  |

## LEGEND

- |                             |                               |
|-----------------------------|-------------------------------|
| --- (E) PROPERTY BOUNDARY   | (E) PROPERTY CORNER           |
| --- (E) CONTOUR             | (E) FIRE HYDRANT              |
| --- (E) EDGE OF PAVEMENT    | (E) SIGNAGE                   |
| --- (E) FENCE LINE          | (E) POWER /TRAFFIC POLE       |
| --- (E) POWER LINE          | (E) TREE                      |
| --- (E) WATERLINE           | --- DIRECTION OF TRAFFIC      |
| --- (E) GAS LINE            |                               |
| --- (E) SANITARY SEWER LINE |                               |
| --- (E) TELEPHONE / CABLE   |                               |
| --- SETBACK/EASEMENTS       |                               |
| (E) SITE DRAINAGE           | CONCRETE SIDEWALKS            |
| (E) PAVED AREA              | PAVED AREA                    |
| BUILDING LIMITS             | LANDSCAPING - GRASS           |
| (E) LANDSCAPING             | LANDSCAPING - WATER EFFICIENT |
| (E) CONCRETE                |                               |

## GENERAL NOTES

1. EXISTING TOPOGRAPHICAL INFORMATION, PROPERTY LINES AND EASEMENTS ARE INFORMATION OBTAINED FROM A SITE SURVEY PERFORMED BY JFC ENGINEERING & SURVEYING, DATED JULY 27, 2022. ADDITIONAL SITE INFORMATION WAS PROVIDED FROM EXISTING MUNICIPAL RECORDS WHERE AVAILABLE, AND ARE NOT GUARANTEED AS ACCURATE OR THAT UTILITIES OTHER THAN THOSE SHOWN ARE NOT PRESENT. THE ARCHITECT IS NOT RESPONSIBLE FOR ACCURACY.

## PROJECT DATA

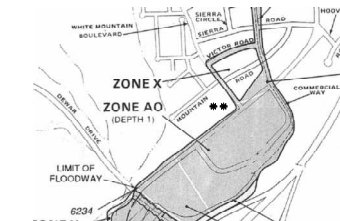
OWNER: TOP HAT LEASING, LLC  
708 TALLADEGA DR  
ROCK SPRINGS, WYOMING 82901

APPLICABLE BUILDING CODES:  
2021 INTERNATIONAL BUILDING CODE  
2020 NATIONAL ELECTRICAL CODE

PROJECT ADDRESS:  
2631 FOOTHILL BLVD  
ROCK SPRINGS, WYOMING 82901

## GENERAL NOTES:

1. FILL: NO BE MORE THAN 1000 C.Y. OF FILL MATERIAL REQUIRED FOR THIS SITE
2. SETBACKS: BUILDING (FRONT) = 35' BUILDING (INTERIOR SIDE) = 15'  
BUILDING (REAR) = 15' BUILDING (CORNER SIDE) = 3'
- SETBACKS: PARKING (FRONT) = 4' PARKING (INTERIOR SIDE) = 3'  
PARKING (REAR) = 3' PARKING (CORNER SIDE) = 4'
3. THIS SITE DOES NOT APPEAR TO BE LOCATED IN A FLOODPLAIN OR FLOODWAY ZONE AS INDICATED BY FIRM PANEL #560051 0005 E - REV. JULY 20, 1998. ZONE AO (DEPTH 1) APPEARS TO OCCUR ALONG ADJACENT PROPERTY/STREETS.



## SITE - GENERAL INFORMATION

1. LOTS 4 & 5, FOOTHILL BUSINESS PLAZA SUBDIVISION:  
LOT 4, DEVELOPED - TOP HAT LEASING, LLC = (.66 ACRES) 28,801 S.F.  
LOT 5, UNDEVELOPED - TOP HAT LEASING, LLC = (.70 ACRES) 30,476 S.F.
2. ZONING:  
CURRENT ZONING IS B-2 (COMMUNITY BUSINESS)
- ADJACENT PROPERTIES ARE B-1 (NEIGHBORHOOD BUSINESS), B-2 (COMMUNITY BUSINESS) AND R-2 (LOW DENSITY RESIDENTIAL)



3. LOT 5 - STRUCTURES:  
EXISTING STRUCTURE LOT COVERAGE = 137 S.F.  
PROPOSED STRUCTURE LOT COVERAGE = 6,200 S.F.  
PERCENTAGE OF LOT COVERED BY STRUCTURES = 20.7%
4. LOT 5 - LANDSCAPING:  
EXISTING UNDEVELOPED LOT = 30,139± S.F.  
PROPOSED LOT COVERED BY LANDSCAPING = 5,436± S.F.  
PERCENTAGE OF LOT COVERED BY LANDSCAPING = 17.8%
5. LOT 5 - PARKING:  
EXISTING PARKING SPACES (9'x19') x 0 SPACES + 0 HANDICAP = 0 S.F.  
PROPOSED PARKING SPACES (9'x19') x 28 SPACES + 2 HANDICAP = 4,656± S.F.  
PERCENTAGE OF LOT COVERED BY PARKING = 15.2%

## PARKING CALCULATIONS:

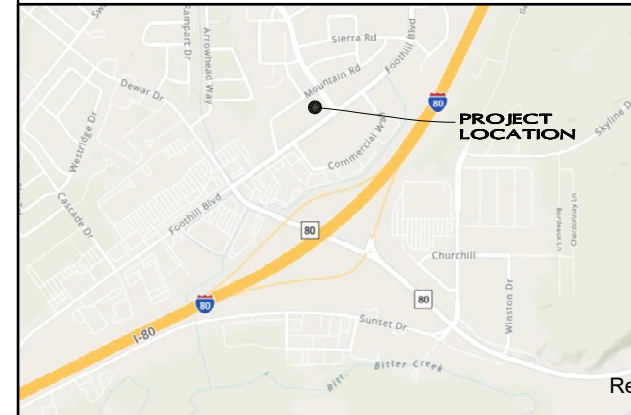
SHOPPING CENTER: 6,000 S.F.  
PARKING STANDARD: 1 SPACE/300 S.F. = 20 SPACES  
(E) MEDICAL OFFICES: 6,440 S.F.  
PARKING STANDARD: 3.6 SPACES/1000 S.F. = 23 SPACES  
MULTI-FAMILY:  
ONE-BEDROOM 1 EACH (1.5 SPACES) = 1.5 SPACES  
TWO-BEDROOM 1 EACH (2 SPACES) = 2 SPACES  
THREE-BEDROOM 2 EACH (2.25 SPACES) = 4.5 SPACES  
8 SPACES

PARKING REQUIRED: 51 SPACES  
PARKING PROVIDED: 54 SPACES

6. LOT 5 - MISCELLANEOUS:  
EXISTING LOT COVERED BY CONCRETE, ASPHALT & MISC. = 200± S.F.  
PROPOSED LOT COVERED BY CONCRETE, ASPHALT & MISC. = 13,850± S.F.  
PERCENTAGE OF LOT COVERED BY MISCELLANEOUS = 46.3%

TOTAL AREA = 30,476 S.F.  
TOTAL LOT PERCENTAGE = 100.00%

## VICINITY MAP



# FOOTHILL BUSINESS PLAZA ROCK SPRINGS, WYOMING PLAN ONE / ARCHITECTS



plan one / architects

ARCHITECTS

The professional services of the architect are undertaken for and are performed in the strictest confidence and are not to be disclosed to any other person without the written consent of the architect.

project: 2224

date: 9/13/2022

REDUCED TO 11x17  
FOR PERMITTING ONLY

Report packet page 26

AST.1

# EXHIBIT B

# APPLICATION



## PLANNED UNIT DEVELOPMENT CONCEPT PLAN APPLICATION

Planning & Zoning – 212 D Street – Rock Springs, WY 82901  
Office: (307) 352-1540 Email: city\_planner@rswy.net

City Use Only:

Date Received: 5-30-2023

File Number: PZ-23-00199

PROJECT/SUBDIVISION NAME: Top Hat Leasing - Mixed use building

PROPERTY ADDRESS/LOCATION: 2641 Foothill Blvd RS. WY

If no address is assigned to the property, provide the Tax ID Number (PIN).

### CONTACT INFORMATION

Primary Contact/Applicant:

Name Greg Carr Email gcarr307@gmail.com  
Company Name Top Hat Leasing Phone No. ~~307~~ 307-922-1445  
Mailing Address 708 Talladega Dr. City Rock Springs State WY Zip 82901

Property Owner:

Name Same Email \_\_\_\_\_  
Company Name \_\_\_\_\_ Phone No. \_\_\_\_\_  
Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Engineer/Surveyor:

Name JFC Email \_\_\_\_\_  
Company Name 1682 Sunset Dr. Phone No. 307-362-7519  
Mailing Address \_\_\_\_\_ City Rock Springs State WY Zip 82901

Additional Contact: (attach separate sheet if needed)

Name William Wheatley Email wwheatley@planone.com  
Company Name Plan one Phone No. 307-389-1609  
Mailing Address 4020 Dewar Dr. City Rock Springs State WY Zip 82901



***AT A MINIMUM, THE FOLLOWING INFORMATION SHALL APPEAR ON THE CONCEPT PLAN:***

- ☐ Proposed land uses and general design plan and layout.
- ☐ General circulation patterns.
- ☐ Property boundaries.
- ☐ Existing land uses of adjacent properties.
- ☐ Special site conditions or problems.
- ☐ Computation table showing proposed land use allocations in acres and percent of the total site area.

***DPLANNED UNIT DEVELOPMENT CRITERIA CHECKLIST:***

The following checklist outlines the Planned Unit Development criteria to be considered when laying out the development. This checklist must be completed and submitted as part of the Concept Plan Application. The Planned Unit Development shall conform to the following:

- ☐ Ownership: The tract shall be a development of land under unified control at the time of application, planned and scheduled to be developed as a whole. However, no authorizations or permits shall be granted for such development unless the applicant has acquired actual ownership of or executed a binding sales contract for all of the property comprising such tract. The term "single ownership" shall include ownership of portions of such development by two (2) or more wholly owned subsidiaries of a single owner, or by such single owner and one (1) or more of its wholly owned subsidiaries.
- ☐ Conformance with Comprehensive Plan: The proposed Planned Unit Development shall be consistent with the City of Rock Springs' Comprehensive Plan.
- ☐ P.U.D. Area Regulations: The minimum total P.U.D. area shall be no less than five (5) acres unless the applicant can show that the minimum P.U.D. area requirements should be waived because the waiver would be in the public interest and that one or both of the following conditions exist:
  1. Unusual physical features of the property itself or of the surrounding neighborhood are such that development under the standard provisions of the Residential Districts would not be appropriate in order to conserve a physical or terrain feature of importance to the neighborhood or community.
  2. The property is adjacent to or across the street from property which has been developed under the provisions of this section and will contribute to the amenities of the neighborhood.
- ☐ Density in Residential P.U.D.'s: 10% increase:
  1. A residential P.U.D. may provide for a variety of housing types in any one of the basic residential zoning districts. In addition, the number of dwelling units allowed may be flexible relative to the number of dwelling units per acre that would otherwise be permitted by the zoning regulations applicable to the site. However, the total number of dwelling units allowed in a P.U.D. shall be consistent with the Land Use Element of the City's Comprehensive Plan and in no case shall the unit density be exceeded by more than 10% of that permitted by the Comprehensive Plan.
  2. If the unit density exceeds that permitted by the Comprehensive Plan, the applicant has the burden to show that such increase in density will not have an undue and adverse impact on existing public facilities or on neighboring properties.
  3. In determining the reasonableness of the increase in unit density, the Planning and Zoning Commission and City Council shall consider increased efficiency in public facilities and services based, in part, upon:
    - (a) The location, amount and proposed use of common open space;
    - (b) The location, design and type of dwelling units;
    - (c) The physical characteristics of the site;
    - (d) Particular distinctiveness and excellence in siting, design, and landscaping;
    - (e) Dedication of more than the minimum required for public lands or open space.

- ☐ Front, Rear and Side Yard Building Setback Regulations: Residential building setbacks from all property lines which form the perimeter of the P.U.D. or from all interior and exterior dedicated street right-of-way lines or from the paving of any private interior circulation streets shall be no less than 20 feet; commercial building setbacks shall be no less than 35 feet or the height of the building, whichever is greater.
- ☐ More Than One Building Per Lot: More than one building may be placed on one platted or recorded lot in any P.U.D. Areas for single-family detached dwellings or other housing types providing privately owned lots must comply with the City's Subdivision Ordinance in all respects not specifically noted in this section as appropriate variances or waivers.
- ☐ One Housing Type Not Inconsistent With Intent: A P.U.D. which only involves one housing type such as all detached or all attached units shall not be considered as inconsistent with the stated purposes and objectives of this section and shall not be the sole basis for denial or approval.
- ☐ Building Permits; When Issued: No building permits shall be granted for any building on land for which an application for a P.U.D. is in the process of City review or which does not conform to the approved P.U.D.
- ☐ Architectural Style, Appearance: Architectural style of buildings shall not solely be a basis for denial or approval of a plan. However, the overall appearance and compatibility of individual buildings to other site elements or to surrounding development will be primary considerations in the review stages of the Planning and Zoning Commission and Council.
- ☐ Staging of Development.
  1. Any P.U.D. plan proposed to be constructed in stages shall include full details relating thereto, and the City Council may approve or modify where necessary any such proposals.
  2. The staging shall include the time for beginning and completion of each stage. Such timing may be modified by the City on the showing of good cause by the developer.
  3. The land owner or developer shall make such easements, covenants, and other arrangements and shall furnish such performance bond or bonds as may be determined by the City to be reasonably required to assure performance in accordance with the plan and to protect the public.
- ☐ Streets, Utilities, Services and Public Facilities: The uniqueness of each proposal for a P.U.D. may allow specifications and standards for streets, utilities and services to be subject to minor modifications of the specifications and standards established in this and other City ordinances governing their construction. The City may, therefore, waive or modify the specifications or standards where it is found that they are not required in the interests of the residents of the P.U.D. or of the City. The plans and profiles of all streets, utilities and services shall be reviewed, modified if necessary, and approved by the City prior to the final approval of the P.U.D. All P.U.D.'s shall be served by public or community water and sewer systems.
- ☐ Open Space Provision: At least ten (10%) percent of the total P.U.D. area shall be set aside for public and/or private open space and recreational use in the manner required by the City Subdivision Ordinance. The City shall determine what portion of the ten (10%) percent, if any, shall be private. In no case shall less than five (5%) percent of the total P.U.D. area be dedicated for public use or no less than five (5%) percent of the assessed value of the land prior to its development be paid as fee-in-lieu-of the public land dedication.
- ☐ Operating and Maintenance Requirements for Planned Unit Development Common Facilities: In the event that certain land areas or structures are provided within the Planned Unit Development for private recreational use or as service facilities, the owner of such land and buildings shall enter into an agreement with the City to assure the continued standard. These common areas may be placed under the ownership of one of the following, depending which is more appropriate:
  1. Dedicated to public where a community-wide use would be anticipated.
  2. Landlord control.

3. Landowners association, provided all of the following conditions are met:

- (a) The landowners association must be established prior to any sale.
- (b) Membership must be mandatory for each owner and any successive buyer.
- (c) The open space restrictions must be permanent, not for a given period of years.
- (d) The association must be responsible for liability insurance and the maintenance of recreational, service, and other facilities as deemed necessary by the City.
- (e) Landowners must pay their pro rate share of the cost and the assessment levied by the association that can become a lien on the property in accordance with Wyoming Statutes.
- (f) The association must be able to adjust the assessment to meet changed needs.

☐ Building Height and Setbacks: In general, a building's setback from property adjacent to a Planned Unit District site shall approximate its height.

☐ Landscaping: Landscaping and/or fencing shall be provided according to a plan approved by the City and shall include a detailed planting list with sizes indicated.

☐ Utilities: All utilities, including electricity and telephone, shall be installed underground.

**INSTRUCTIONS FOR FILING / SUBMITTAL CHECKLIST:**

This checklist must be completed and submitted as part of the Planned Unit Development Concept Plan Application. All items as listed within this checklist shall be submitted with the Planned Unit Development Concept Plan 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.

- ☐ \$50.00 Filing fee.
- ☐ Completed PUD Concept Plan Application Form.
- ☐ Legal description and location map of the property included in the Concept Plan. If the legal description is lengthy, please provide on disk in Word format or email to [city\\_planner@rswy.net](mailto:city_planner@rswy.net).
- ☐ 5 – Full-size Concept Plan drawings drawn to scale (folded).
- ☐ 1 – 11x17 Concept Plan drawing drawn to scale (if full-size drawing is larger than 11x17).
- ☐ 1 – PDF scanned at full-size of Concept Plan drawing (submitted electronically to [city\\_planner@rswy.net](mailto:city_planner@rswy.net)).

**SUBMITTAL DEADLINES SHALL BE OBTAINED BY THE PLANNING DEPARTMENT OR FOUND ON THE CITY WEBSITE.**

**SIGNATURE(S) REQUIRED:**

I acknowledge that I have read and understand this application and the pertinent regulations (Section 13-906.C. of the Ordinances of the City of Rock Springs). I certify that the information provided with this application is true and correct. I further certify that I understand that any missing items shall constitute an INCOMPLETE application and that INCOMPLETE applications will be returned and will NOT be reviewed by the City of Rock Springs until a complete application is submitted.

Signature of Petitioner Gray Carr Date 5/30/2023

Signature of Owner CMC Date 5/30/2023

Signature of Engineer / Architect William W. Wootley Date 05.30.23

# EXHIBIT C

## UTILITY REVIEW COMMENT FORMS



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, City Planner
Date:	Tuesday, May 30, 2023
Project #:	PZ-23-00199
Project Name:	PUD Concept Plan Mixed Use
Address/Location:	2631 Foothill Blvd
Description:	Proposed mixed used PUD Concept Plan review for information gathering stage of the process.



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 MELIE TARDON (name) have reviewed the plans on behalf of JPW3  
(Dept./Organization) for the above-referenced project.

Email: MTARDON@JPW3.ORG Phone #: \_\_\_\_\_

Please check as applicable:

☒ No issues - plans approved as submitted.

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

CHANGES TO WATER UTILITIES WILL FOLLOW  
R.S. AND JPW3 RULES & REGULATIONS

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

PLEASE PROVIDE CONSTRUCTION DRAWINGS WHEN  
AVAILABLE.

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

Michael L. L.  
Signature of Reviewer

JUNE 6 2023,  
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, City Planner
Date:	Tuesday, May 30, 2023
Project #:	PZ-23-00199
Project Name:	PUD Concept Plan Mixed Use
Address/Location:	2631 Foothill Blvd
Description:	Proposed mixed used PUD Concept Plan review for information gathering stage of the process.



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. Provide a drainage report, grading plan, construction drawings of public infrastructure by Final Plat.
2. Drainage shall not affect adjacent properties. Additional drainage easements may be required.
3. Any excavation into the public ROW will require permitting and bonding. SUBDIVISION BOND for public improvements
4. All deficient infrastructure along property frontage shall be brought up to City standards prior to acceptance.
5. Obtain all necessary DEQ permits.

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

[Signature]  
Signature of Reviewer

6/6/2023  
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, City Planner
Date:	Tuesday, May 30, 2023
Project #:	PZ-23-00199
Project Name:	PUD Concept Plan Mixed Use
Address/Location:	2631 Foothill Blvd
Description:	Proposed mixed used PUD Concept Plan review for information gathering stage of the process.

**MEETING**  
**2:00 p.m.**  
Tuesday, June 6th

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):

- Move existing hydrant to a more accessible location. (see attached)
- Because of the distance around both buildings from the existing hydrant, a second hydrant will be needed. (see attached)
- Because back parking lot being over 150' in length a turnaround is required. If an access road is put between the buildings, no access road is needed.

*TURN AROUND*

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

- Building will need both a fire sprinkler system and fire alarm system installed.

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

*Nathan Reese*

Signature of Reviewer

6/5/2023

Date



# NOTES

- 1 (E) ACCESS EASEMENT - 20'
- 2 (E) UTILITY EASEMENT - 25'
- 3 (E) DRAINAGE EASEMENT - 10'
- 4 (E) PIONEER PIPELINE EASEMENT, R/W - 50'
- 5 (E) MOUNTAIN FUEL, R/W, AND POWERLINE EASEMENT - 25'
- 6 (E) UTILITY BUILDING
- 7 (E) RETAIL / MEDICAL OFFICE BUILDING
- 8 (E) PRIVACY FENCING
- 9 (E) DRIVEWAY ACCESS
- 10 (E) MONUMENT SIGN
- 11 (E) LANDSCAPING AREA
- 12 (E) UTILITY VAULT
- 13 (E) PAVED PARKING AREA
- 14 (E) TREE AND LANDSCAPE ISLAND
- 15 (E) DUMPSTER LOCATION
- 16 (E) SITE DRAINAGE VALLEY PAN
- 17 PROPOSED 2-STORY WORK-LIVE SMALL BUSINESS BUILDING (6,000 SF FOOTPRINT)
- 18 PROPOSED GAZEBO STRUCTURE
- 19 PROPOSED PARKING AREA
- 20 PROPOSED WATER-EFFICIENT LANDSCAPE AREA
- 21 PROPOSED DUMPSTER LOCATION WITH SCREENED ENCLOSURE
- 22 PROPOSED LANDSCAPE ISLAND
- 23 PROPOSED OUTDOOR PATIO/GREEN SPACE WITH TREES AND WATER EFFICIENT LANDSCAPING
- 24 PROPOSED PRIVATE RESIDENTIAL ENTRY
- 25 PROPOSED BUILDING MAINTENANCE ENTRY
- 26 PROPOSED TENANT ENTRANCES, TYP.
- 27 PROPOSED ADA PARKING
- 28 PROPOSED DRIVE-UP WINDOW DRIVE AREA
- 29 (E) FIRE HYDRANT
- 30 (E) POWER POLE
- 31 (E) TRAFFIC LIGHT POLE

# LEGEND

- |                         |                               |
|-------------------------|-------------------------------|
| (E) PROPERTY BOUNDARY   | (E) PROPERTY CORNER           |
| (E) CONTOUR             | (E) FIRE HYDRANT              |
| (E) EDGE OF PAVEMENT    | (E) SIGNAGE                   |
| (E) FENCE LINE          | (E) POWER / TRAFFIC POLE      |
| (E) POWER LINE          | (E) TREE                      |
| (E) WATERLINE           |                               |
| (E) GAS LINE            |                               |
| (E) SANITARY SEWER LINE |                               |
| (E) TELEPHONE / CABLE   |                               |
|                         | DIRECTION OF TRAFFIC          |
| SETBACK/EASEMENTS       |                               |
| (E) SITE DRAINAGE       | CONCRETE SIDEWALKS            |
| (E) PAVED AREA          | PAVED AREA                    |
| BUILDING LIMITS         | LANDSCAPING - GRASS           |
| (E) LANDSCAPING         | LANDSCAPING - WATER EFFICIENT |
| (E) CONCRETE            |                               |

# GENERAL NOTES

1. EXISTING TOPOGRAPHICAL INFORMATION, PROPERTY LINES AND EASEMENTS ARE INFORMATION OBTAINED FROM A SITE SURVEY PERFORMED BY JFC ENGINEERING & SURVEYING, DATED: JULY 27, 2022. ADDITIONAL SITE INFORMATION WAS PROVIDED FROM EXISTING MUNICIPAL RECORDS WHERE AVAILABLE, AND ARE NOT GUARANTEED AS ACCURATE OR THAT UTILITIES OTHER THAN THOSE SHOWN ARE NOT PRESENT. THE ARCHITECT IS NOT RESPONSIBLE FOR ACCURACY.

## PROJECT DATA

**OWNER:** TOP HAT LEASING, LLC  
705 TALLADEGA DR  
ROCK SPRINGS, WYOMING 82901

**PROJECT ADDRESS:** 2631 FOOTHILL BLVD  
ROCK SPRINGS, WYOMING 82901

**APPLICABLE BUILDING CODES:** 2021 INTERNATIONAL BUILDING CODE  
2020 NATIONAL ELECTRICAL CODE

## GENERAL NOTES:

1. FILL: NO BE MORE THAN 1000 C.Y. OF FILL MATERIAL REQUIRED FOR THIS SITE
2. SETBACKS: BUILDING (FRONT) = 35' BUILDING (INTERIOR SIDE) = 15'  
BUILDING (REAR) = 15' BUILDING (CORNER SIDE) = 30'

- SETBACKS: PARKING (FRONT) = 4' PARKING (INTERIOR SIDE) = 5'  
PARKING (REAR) = 3' PARKING (CORNER SIDE) = 4'

3. THIS SITE DOES NOT APPEAR TO BE LOCATED IN A FLOODPLAIN OR FLOODWAY ZONE AS INDICATED BY FIRM PANEL #560051 0005 E - REV. JULY 20, 1995. ZONE AO (DEPTH 1) APPEARS TO OCCUR ALONG ADJACENT PROPERTY/STREETS.



## SITE - GENERAL INFORMATION

1. LOTS 4 & 5, FOOTHILL BUSINESS PLAZA SUBDIVISION:  
LOT 4, DEVELOPED - TOP HAT LEASING, LLC = (.66 ACRES) 28,801 S.F.  
LOT 5, UNDEVELOPED - TOP HAT LEASING, LLC = (.70 ACRES) 30,476 S.F.
2. ZONING:  
CURRENT ZONING IS B-2 (COMMUNITY BUSINESS)  
ADJACENT PROPERTIES ARE B-1 (NEIGHBORHOOD BUSINESS), B-2 (COMMUNITY BUSINESS) AND R-2 (LOW DENSITY RESIDENTIAL)

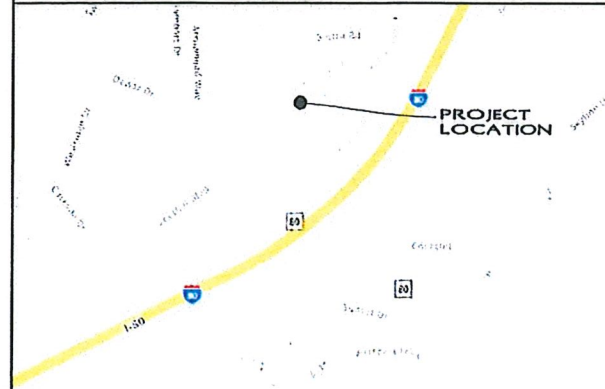
3. LOT 5 - STRUCTURES:  
EXISTING STRUCTURE LOT COVERAGE = 137 S.F.  
PROPOSED STRUCTURE LOT COVERAGE = 6,200 S.F.  
PERCENTAGE OF LOT COVERED BY STRUCTURES = 20.7%
4. LOT 5 - LANDSCAPING:  
EXISTING UNDEVELOPED LOT = 30,139 S.F.  
PROPOSED LOT COVERED BY LANDSCAPING = 5,456 S.F.  
PERCENTAGE OF LOT COVERED BY LANDSCAPING = 17.8%
5. LOT 5 - PARKING:  
EXISTING PARKING SPACES (9'x19') x 0 SPACES + 0 HANDICAP = 0 S.F.  
PROPOSED PARKING SPACES (9'x19') x 26 SPACES + 2 HANDICAP = 4,656 S.F.  
PERCENTAGE OF LOT COVERED BY PARKING = 15.2%

**PARKING CALCULATIONS:**  
SHOPPING CENTER: 6,000 S.F.  
PARKING STANDARD: 1 SPACE/300 S.F. = 20 SPACES  
(E) MEDICAL OFFICES: 6,440 S.F.  
PARKING STANDARD: 3.6 SPACES/1000 S.F. = 23 SPACES  
MULTI-FAMILY:  
ONE-BEDROOM 1 EACH (1.5 SPACES) = 1.5 SPACES  
TWO-BEDROOM 1 EACH (2 SPACES) = 2 SPACES  
THREE-BEDROOM 2 EACH (2.25 SPACES) = 4.5 SPACES  
B SPACES  
PARKING REQUIRED: 51 SPACES  
PARKING PROVIDED: 54 SPACES

6. LOT 5 - MISCELLANEOUS:  
EXISTING LOT COVERED BY CONCRETE, ASPHALT & MISC. = 200 S.F.  
PROPOSED LOT COVERED BY CONCRETE, ASPHALT & MISC. = 13,850 S.F.  
PERCENTAGE OF LOT COVERED BY MISCELLANEOUS = 46.3%

TOTAL AREA = 30,476 S.F.  
TOTAL LOT PERCENTAGE = 100.00%

## VICINITY MAP



FOOTHILL BUSINESS PLAZA  
ROCK SPRINGS, WYOMING  
PI AN ONE / ARCHITECTS

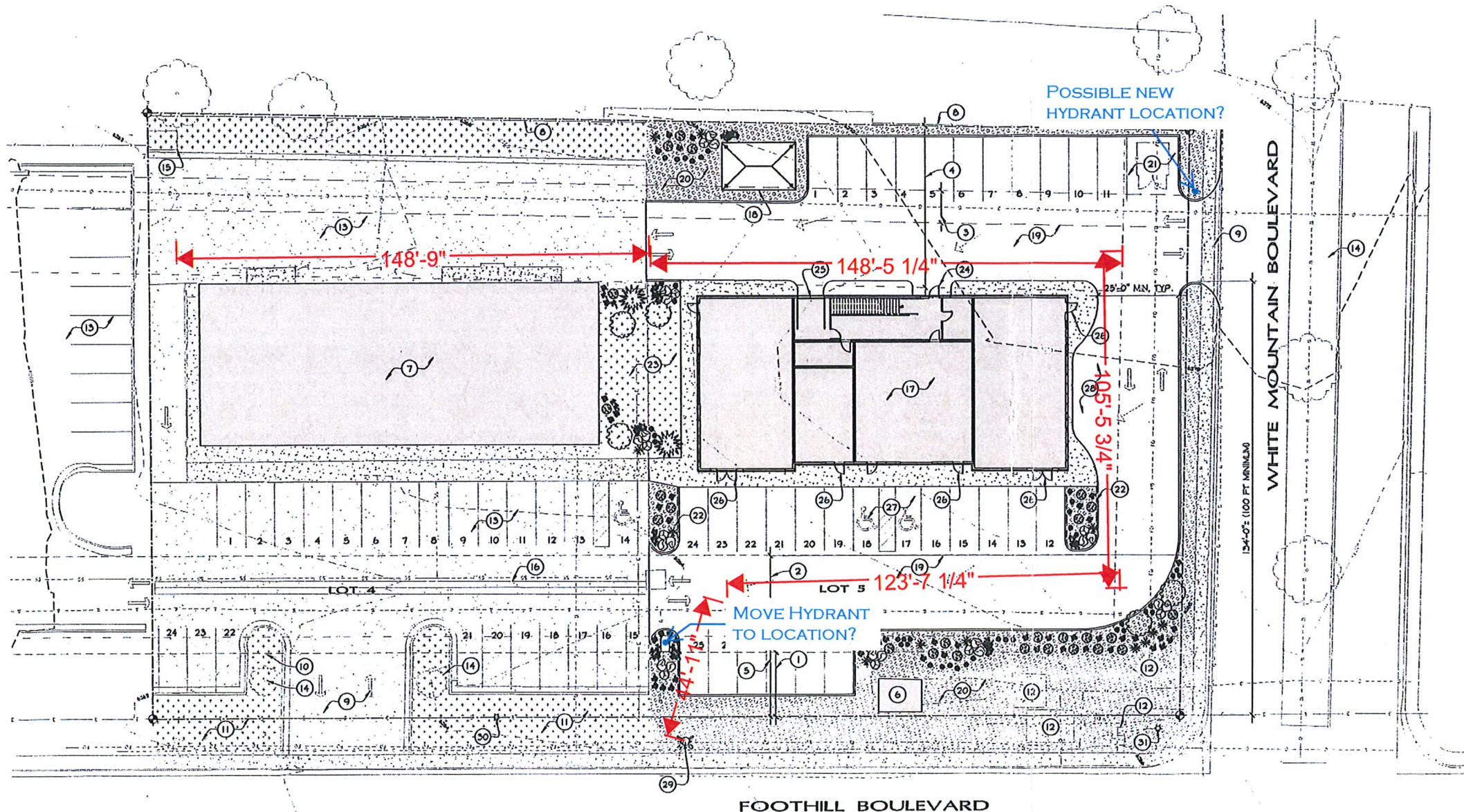
**PLAN**  
plan one / architect

ARCHITECT:

**Draft Print**  
09/13/2022

The professional services of the architect are provided for and are performed on the basis of a contract between the architect and the client. The architect is not responsible for the accuracy of the information provided by the client or for the accuracy of the information provided by the client's representatives.

project: 22  
date: 9/13/2022  
revisions:



OVERALL SITE PLAN  
SCALE: 1"=20'-0"  
0' 10' 20' 40'





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, City Planner
Date:	Tuesday, May 30, 2023
Project #:	PZ-23-00199
Project Name:	PUD Concept Plan Mixed Use
Address/Location:	2631 Foothill Blvd
Description:	Proposed mixed used PUD Concept Plan review for information gathering stage of the process.

**MEETING**  
**2:00 p.m.**  
Tuesday, June 6th

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 COLIN JAHNKE (name) have reviewed the plans on behalf of ALL WEST COMMUNICATIONS (Dept./Organization) for the above-referenced project.

Email: COLIN.JAHNKE@ALLWEST.COM Phone #: 307-371-0918

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.

COLIN JAHNKE

Digitally signed by COLIN JAHNKE  
Date: 2023.06.06 08:20:17 -06'00'

Signature of Reviewer

6/6/2023

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

Email: christy.austin@pacifiCorp.com Phone #: 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 when ready for power

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

[Signature]  
Signature of Reviewer

6/6/23  
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: 6/2/2023

Project #: PZ-23-00199

Project Address: 2631 Foothill Blvd

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

6/2/2023  
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, City Planner
Date:	Tuesday, May 30, 2023
Project #:	PZ-23-00199
Project Name:	PUD Concept Plan Mixed Use
Address/Location:	2631 Foothill Blvd
Description:	Proposed mixed used PUD Concept Plan review for information gathering stage of the process.



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 #: 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):

See attached

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

See attached

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

Cathy Greene  
Signature of Reviewer

06-05-2023  
Date

**June 5, 2023**

**Top Hat Leasing PUD Concept Plan Utility Review  
Planning and Zoning Review Comments**

***Subject to the final approval of the Language Amendment.***

If language amendment is approved, the PUD will allow for the mixed use as that is in accordance with the Master Plan. The PUD will allow for 4 residential units instead of 5, the minimum requirement in R-5.

Exterior setbacks for PUD Commercial are 35', however with the fact that the existing building on Lot 4 meets the 15' B-2 Setback, it will be permitted.

Density is met, add density calculation in general notes, master plan allows for 7.1 to 22 units per acre.

**General Information**

**Step 1: Concept Plan**

- a. Submitted in accordance with deadlines – no but allowed 4 days late as there is no public notification at this phase and current work load allowed such
- b. At a minimum....
  - i) Proposed land uses
  - ii) General circulation
  - iii) General building massing
  - iv) Property boundaries
  - v) Existing land uses on adjacent properties
  - vi) Special site conditions or problems
  - vii) Computation table showing proposed land use allocations in acres
  - viii) Percent of total site area
- c. PUD General requirements and standards checklist shall be submitted with the concept application

**Plan specs, corrections, questions:**

- 1) Even though there is no subdivision with this PUD, the PUD Development Plat needs to meet recording plat requirements (those of a subdivision plat).
- 2) Name of project top and center
- 3) General location by section, township, range, county, and state – centered under name
- 4) Reference to Lots 4 & 5 of sub÷ plat..... – centered under name
- 5) North rotated to top of page
- 6) Date to include revision dates moving forward
- 7) Label square footage of each building (outside footprint)
- 8) Label all aisle widths
- 9) Show all existing and proposed setbacks
- 10) Add lot line with bearing and distance between Lot 4 & 5

- 11) Continue drive aisle arrows onto lot 4, need to see traffic pattern on and off site. Show existing traffic patterns onto White Mountain Blvd (WMB) and Foothill, right turn only arrow at WMB.
- 12) Entrance to be minimum of 100' from intersection, measured to center (meets the 100' fine, just a label correction)
- 13) Two-way drive aisles must be at least 25' wide, 26' if a fire lane
- 14) One-way drive aisles must be at least 15' wide, 20' if a fire lane
- 15) Drive-up window, what is the anticipated use?? Restaurant, bank, coffee, pharmacy? Need to know for parking calcs and also need to provide stack of 4 vehicles (20' each) from mid window or from mid menu board (if drink or food driven) without interfering or blocking traffic flow or parking.
- 16) Parking ALL spaces must be a minimum of 9' x 20' in size with 4" painted striping
- 17) Parking calcs call for medical offices, but keyed notes call for retail/offices, retail and services are the same which is currently a use in Lot 4 building, so parking will need to be adjusted.
- 18) Shopping center parking calcs will limited the use of the tenant spaces to retail/services.
- 19) There is a "garage" shown for maintenance, but it is not of size to be a garage, relabel maintenance work area or resize.
- 20) Parking setbacks are not met in the south corner and north corner of project
- 21) Show drainage arrows on Lot 4 as well (side and rear)
- 22) Provide further details to the rear of building on Lot 4, there are AC units, back doors, etc (and existing parking.
- 23) Site must contain at least one loading berth 10' x 70' that does not block traffic flow or parking, and will also meet turning radius for larger trucks to navigate
- 24) Label pergola with dimensions
- 25) Add dumpster enclosure to Lot 4 (however both dumpster enclosures and pergola will need the written permission from all easement holders in that location).
- 26) Add Note: Subject to any declarations of covenants and restrictions.
- 27) Add Note: Subject to access easement (agreement) with Lot 3 or others, whatever is found to have egress/ingress rights to the Foothill entrance.
- 28) Landscaping plan to be separate and include common and botanical names of proposed plantings, show areas that are, or are to be irrigated. Also include note as stated in 13-815.C.6
- 29) Any proposed retaining walls to be shown, both length and height
- 30) Adjacent land uses to be labeled on plat, specifically the four residential lot lines to the northwest of the project and the zoning labeled. There is an error as the land across WMB is zoned B-2(CD) – not reflected on the zoning map, our GIS consultant has not updated it yet.
- 31) Label open space, which is still shy of 10%, keep in mind you are allotted 400 SF (total) for the balconies.
- 32) Submit an entire operating and maintenance plan for the PUD and all common area, a declaration of covenants to be recorded.
- 33) Add all site statistics for Lot 4, including building height
- 34) Shall install a 6' (minimum) privacy fence or wall along entire residential boundary.

- 35) Will any B-2 uses be prohibited (parking calcs might automatically prohibit some).
- 36) Add developer's phone number to plan
- 37) Correct setback information on plan 35' for commercial to all exterior boundary lines
- 38) List out all required Federal, State, or City permits.
- 39) What is unlabeled square in front drive aisle, label or remove?
- 40) Show all proposed exterior lighting building and site.
- 41) Signage is not permitted to be located in existing easements (show any proposed signage)
- 42) All utilities must be underground
- 43) Several of the "keyed notes" need to be shown on the plat and labeled with size/width.
- 44) Once parking and drive aisle requirements are met for fire and planning, the one way aisle will need proposed painting and signage.
- 45) Scale to vicinity map and label (either 1" = 1000' or 1" = 2000')





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, City Planner
Date:	Tuesday, May 30, 2023
Project #:	PZ-23-00199
Project Name:	PUD Concept Plan Mixed Use
Address/Location:	2631 Foothill Blvd
Description:	Proposed mixed used PUD Concept Plan review for information gathering stage of the process.

**MEETING**  
**2:00 p.m.**  
Tuesday, June 6th

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 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):  
Any connections or modifications to the City's sewer system must be approved

Construction plans must be approved prior to construction

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

Justin Stewart  
Signature of Reviewer

Digitally signed by Justin Stewart  
Date: 2023.06.06 15:07:15 -06'00'

6/6/2023  
Date



## Department of Public Services

212 D Street, Rock Springs, WY 82901  
Tel: [307] 352-1540 • FAX [307] 352-1545  
www.rswy.net

June 9, 2023

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

### Re: May/June 2023 City Council Action Report

Dear Honorable Commissioners:

Please find a City Council Action Report for the following City Council meeting(s):

Date of Council Meeting	P&Z Item	Council Action
<i>May 16, 2023</i>	A public hearing on an application to revise Chapter 13 of the City's Ordinances, including sign regulations, mini-warehouse regulations, and adjustment of accessory building and garage door language (Ordinance #2023-04)	<i>Public Hearing</i>
<i>May 16, 2023</i>	1st Reading: An Ordinance Amending Chapter 13 of the City's Ordinances, including sign regulations, mini-warehouse regulations, and adjustment of accessory building and garage door language (Ordinance #2023-04)	<i>1<sup>st</sup> Reading</i>
<i>June 6, 2023</i>	A Public Hearing regarding a request filed by DeBernardi Construction Company, Inc. for Preliminary Plat Approval for the Mustang Ridge Properties Subdivision near Stagecoach and Foothill Boulevards ( <i>Resolution #2023-66</i> )	<i>Public Hearing</i>
<i>June 6, 2023</i>	A Resolution approving and accepting the Preliminary Plat for the Mustang Ridge Properties Subdivision.	<i>Approved</i>
<i>June 6, 2023</i>	2nd Reading: An Ordinance Amending Chapter 13 of the City's Ordinances, including sign regulations, mini-warehouse regulations, and adjustment of accessory building and garage door language (Ordinance #2023-04)	<i>2<sup>nd</sup> Reading</i>

Sincerely,

*Cathy Greene*

City Planner

# January 2023

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

## **Halter's Clutter Hut—Home Occupation**

Craft and homemade items sold exclusively through vendor fairs, consignment, retailers and online.

Carrie Halter at (307)389-7104 or cldavis842002@gmail.com

## **Edgewater Construction, LLC.—Home Occupation**

Lawn care and snow removal.

Ronald Williams at (307)871-2149 or ronaldwilliams34@hotmail.com

## **One Raven Media — Home Occupation**

Media production, commercial, safety videos, social media and drone videography.

Casey Evans at (307)389-3225, oneravenmedia.com or casey@oneravenmedia.com

## **Ajna Beauty—617 Broadway Suite C**

Full service salon providing hair, nail, and skin services.

Jonathon Ratcliff (307)389-7596 & Graci Troester (307)922-2025

## **Sweetwater Soap Shop—Home Occupation**

Retail and wholesale of bath and body products.

Jennifer Tedder (850)842-0392 or website: [www.sweetwatersoapshop.com](http://www.sweetwatersoapshop.com)

## **Marie Adams, LM, CPM—Home Occupation**

Midwife providing assistance at home births, prenatal appointments, deliveries, and after care.

Marie Adams at (307)679-0291 or marieadams82930@yahoo.com

## **Western-EGI— 1103 Rockies Cr.**

Engineering services.

Brandt Lyman (307)362-5180 or [western@westernegi.com](mailto:western@westernegi.com)

## **Joy's—810 Dewar Dr.**

Reiki treatments, tarot readings, classes, one-on-one emotional freedom techniques.

Joy Turner at (757)979-4341

## **Steed Metals Rock Springs—3029 Killpecker Dr.**

Loading & unloading of ferrous, nonferrous & dumpster recycling metal.

Hollie Batey at (307)362-7680 or [hollie@steedmetals.com](mailto:hollie@steedmetals.com)

***SUPPORT LOCAL BUSINESSES***



# January 2023

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

## **Wildly Kind Yoga & Massage—810 Dewar Dr.**

Massage therapy, energy healing , and yoga classes.  
Jennifer Elmore (307)389-6193 at boojenn3116@gmail.com

## **Luxury Nails—1425 Dewar Dr.**

Nail salon.  
Man Nguyen (605)545-7665 or thucanh9567@gmail.com

## **LaGuatemalteca and Money Services Etc.—722 Pilot Butte Ave.**

Money services & retail of balloons, candy, sodas & party decorations.  
Melvin Suchite Hernandez at (307)382-3615

## **Andrea Johnson Fitness, LLC— Home Occupation**

Train and coach clients in home, online, and at local gyms.  
Andrea Johnson at (307)371-9351 or andreajohnsonfitness@gmail.com

## **Randall's Hollistics—2712 Commercial Way**

Hemp derived products, CBD, Legal THC.  
Randall Tryzbiak at (307)389-4323 or randallsholistics@gmail.com

## **Olivia's Sweet Delights, LLC—Home Occupation**

Baking and selling of homemade goods from home bakery.  
Olivia Iturrio at (775)385-0456 or oliviaiturrio@yahoo.com

## **Keltic Danes—Home Occupation**

Behavioral dog training and breeding for AKC registered Great Danes off site locations.  
Kelly Boyles at (307)371-4326 or kelly.boyles@hotmail.com

## **Patty Cakes—Home Occupation**

Bake and decorate homemade cupcakes.  
Trish Farrell at (307)705-0499 or trish9304@gmail.com

## **HOT POT—1571 Dewar Dr.**

Baked bread, traditional Vietnamese noodle soup, fresh vegetables, drinks, ice cream.  
Phuong V. Nguyen at (303)8568866 or landscash@yahoo.com

## **Comer—810 Dewar Dr.**

Tarot Oracle readings. Enchanted eats and magical food in clients homes.  
Brooke Faler at (307)371-0295 or comerbmf@gmail.com

***SUPPORT LOCAL BUSINESSES***



# February 2023

*Planning & Zoning approved the following business licenses.*

## **Bailey Enterprises, INC DBA Red Horse Energy —16 Brewery Rd**

Bulk fuel, chemicals, and lubricant sales.

Michael Bailey at (307)362-3649 or [www.gowithbailey.com](http://www.gowithbailey.com)

## **Russell Cellular — 101 Gateway Blvd, STE F**

Cellular retail.

Ryan Lee at (307)382-0704

## **Diamond In The Ruff — Home Occupation**

Brushing, cutting, and bathing dogs.

Holly Pettigrew at (785)821-3270 or [Hpttgrw@hotmail.com](mailto:Hpttgrw@hotmail.com)

## **Hidden Harmony Creations — Home Occupation**

Homemade gifts/arts/crafts including macramé, candle making, and metaphysical rocks.

Kiera May at [hiddenharmonycreations@yahoo.com](mailto:hiddenharmonycreations@yahoo.com) and Etsy

## **Chill N Grill LLC — 1525 Elk Street**

Restaurant serving burgers, shakes, salads, ice cream, fried food & flavored drinks.

Freddie Salgado at (307)362-9000 or [fredsalgado\\_44@yahoo.com](mailto:fredsalgado_44@yahoo.com).

## **Sweet Soul Healing— 810 Dewar Drive**

Reiki and Oracle readings.

Aly Sweet at (307)389-2348 or [sweetsoulhealing171@gmail.com](mailto:sweetsoulhealing171@gmail.com)

## **TEAM design, LLC — Home Occupation**

Helping with home and interior design needs in customers homes.

Sarah Wurst at (913)579-7606 or [sarah@teamdesignwy.com](mailto:sarah@teamdesignwy.com)

## **Kiarra Zampedri Photography — Home Occupation**

Photography to include but not limited to family, individuals, events, etc.

Kiarra Zampedri at (307)871-8525 or [kiarrazampedriphotography@gmail.com](mailto:kiarrazampedriphotography@gmail.com)

# ***SUPPORT LOCAL BUSINESSES***



# February 2023

*Planning & Zoning approved the following business licenses.*

## **Monster Buck Coffee, LLC — Home Occupation**

Coffee business through e-commerce and drop shipment.

Stephanie & John Mullen at (307)389-8806 or [info@monsterbuckcoffee.com](mailto:info@monsterbuckcoffee.com)

## **Peak Disposal, LLC — 520 Winton Circle**

Solid waste pick up to residents and businesses within Sweetwater County.

Ryan McGuire at (307)212-6665 or [peakdisposalwy@gmail.com](mailto:peakdisposalwy@gmail.com)

## **Terrapin Rock Springs LLC, Studio 6 Rock Springs — 1635 Elk St**

Hotel for guests to stay.

Stephen Smith at (307)382-1155 or [stephen.smith@aimbridge.com](mailto:stephen.smith@aimbridge.com)

## **Kirk's Silver Sales — 1535 9th Street**

Buy, sell, trade US silver & gold coins, Bullion coins, sterling silver & SW Indian jewelry.

Kirk Meredith at (307)705-6838 or [kss\\_909@msn.com](mailto:kss_909@msn.com)

## **U-Haul Moving and Storage of Rock Springs — 2450 Foothill Blvd**

Truck and storage rental.

Paul Johnson at (307)448-2157 or [792\\_EA@uhaul.com](mailto:792_EA@uhaul.com)

## **Sunshine & Joy — 3250 Sphinx Way**

Airbnb, vacation home, short term rental.

Debra Broadbent at [1897yellowstone@gmail.com](mailto:1897yellowstone@gmail.com)

***SUPPORT LOCAL BUSINESSES***



# March 2023

*Planning & Zoning approved the following business licenses.*

## **DeadOn Studios—2624 Commercial Way Suite B**

Spiritual practitioner, death doula, mediumship & energy healer.

Cassie Gobbo (307)361-8110 or deadonstudios@gmail.com

## **Lucie Goosey Essentials, LLC—home occupation**

Custom essential oil rollers, bath salts, ointments, herbal remedies and body care.

Lucille M. Oeder at (541)409-5848 or luciegooseyessentials@gmail.com

## **SADOY Assistants—home occupation**

Virtual assistant services such as copywriting, web development, and graphic design.

Shayla Miller at (307)352-9008 or hello@sadoyllc.com

## **Bad Apple Energy's Magickal Menagerie—2624 Commercial Way Ste.B**

Wellness center with energy healing such as Reiki & retail to help your healing journey.

Alicia Adkison (307)371-6101 or bad.apple.energy@outlok.com

## **PACSEL, LLC dba Bargain Mart—518 Broadway Street**

Retail merchandise.

Lawrence Pacheco at (307)362-7755 or bargainmart.82901@gmail.com

## **Wildly Kind Yoga & Massage—2624 Commercial Way Ste. B**

Massage therapy, Reiki, and Yoga.

Jennifer Elmore at (307)389-6193 or boojenn3116@yahoo.com

## **Blossom 2 Bloom Healing—2624 Commercial Way Ste. B**

Certified foot zone practitioner and Reiker healer.

Angel Bennett at (307)389-1356 or blossomtwobloom@gmail.com

## **Tory Tyme Cleaning—home occupation**

Commercial & residential cleaning.

Tory Pierson at (385)235-1378 or torytymecleaning@gmail.com

## **Grounded Roots Garden Supply—1554 9th Street**

Specialized garden supply. Year round gardening for homes and gardens.

Crystal Egbert at (801)803-2496 or groundedrootsgardensupply@gmail.com

## **Wells Marketing Specialists dba Schmell Goods—home occupation**

Online retail sales & social media marketing of soaps and home items.

Teresa Wells (801)472-0454 or wellsmarketing307@gmail.com

***SUPPORT LOCAL BUSINESSES***



# April 2023

*Planning & Zoning approved the following business licenses.*

## **Boar's Tusk Steakhouse—404 N Street**

Full service restaurant serving certified angus beef, fresh fish & cocktails.  
Daryl Fellbaum at 307-522-5450 or boarstusksteakhouse@outlook.com

## **Wild West Candy Parlor—617 Broadway Suite 2**

Mini donuts, soft serve ice cream, bulk candy, Boba tea, specialty drinks, and gifts.  
Tammy Johnson at 218-851-9830 or tammyelfering@gmail.com

## **xfactor supplements—Home Occupation**

E-commerce selling supplements online.  
Jed Smith at 307-371-3326 or xfactorsupplementsusa@gmail.com

## **Superior Vending LLC**

Vending machines for businesses providing snacks, candy, and beverages.  
Kyle Luck at 307-871-5868 or superiorvending307@gmail.com

## **Studio Nine Twenty Two Art—Home Occupation**

Craft and art- sewing, painting, pottery selling online and at craft fairs.  
Mariah McDowell at 307-371-9087 or studioninetwentytwo@gmail.com

## **Jelly Beans Children's Boutique—Home Occupation**

Children's clothing & toys sold at Wild Flower & Co, craft fairs, & farmers markets.  
Chad Banks at 307-389-3310 or chadmbanks17@gmail.com

## **Upstyle Wyoming, LLC.—157 K Street**

Hair salon, make up studio, bridal, and hairstylist classes.  
Margaret Laporte at 307-209-8540 or margaretmlaporte@gmail.com

***SUPPORT LOCAL BUSINESSES***

# April 2023

*Planning & Zoning approved the following business licenses.*

## **Upstyle Wyoming, LLC.—157 K Street**

Hair salon, make-up studio, bridal, and hairstylist classes.  
Margaret Laporte at 307-209-8540 or margaretmlaporte@gmail.com

## **Studio Designs Floral & Co.—165 K Street**

Flowers for all occasions, gifts, gourmet treats with delivery services.  
Nichole Martin at 307-264-3238 or studiodesignsfloralco@gmail.com

## **Rebel and Roots Boutique—165 K Street**

Clothing boutique selling items in Studio Designs Floral.  
Rebecca Wheeler at 307-389-0110 or rebelandroots@gmail.com

## **Changxing Inc.—1758 Elk Street**

Restaurant serving Asian and Thai food.  
John Helin Huang at 307-382-0052 or changxingwy@gmail.com

## **Authentic By Fitz Imagery—165 K Street**

Photography studio for maternity, family, and newborn.  
Kayla Fitzgerald at 307-389-6008 or authentic.fitz@gmail.com

## **Sweet Soul Healing—2624 Commercial Way Suite B**

Alternative spiritual wellness & healing through Reiki & oracle readings.  
Aly Sweet at 307-389-2348 or sweetsoulhealing171@gmail.com

## ***SUPPORT LOCAL BUSINESSES***



# May 2023

*Planning & Zoning approved the following business licenses.*

## **Isaac's Lawn Mowing Services— Home Occupation**

Lawn care needs— mowing, power raking, & trimming.

Isaac Frandsen at 307-389-9247 or isaacslawncareservices@gmail.com

## **Authentics Core Coaching—Home Occupation**

Life coaching over zoom with clients to get them where they want to be.

Courtney Chase at 307-212-1974 or chasec12@hotmail.com

## **Sodfather Lawn Care—Home Occupation**

Lawn care— mowing, trimming, laying mulch, sod or grass seed & fertilizing.

Chandler Marsh 307-389-9555 or chan42197@yahoo.com

## **Misfits Industries, LLC— Home Occupation**

Long term rental properties.

Gavin Cross at 307-371-2497 or misfitindustriesllc@outlook.com

## **Stacy's Sheets & Gifts—Home Occupation**

Sheet sets and gifts sold at home shows, craft fairs and on social media.

Stacy Zampedri at 307-389-1424 or stacydalek@gmail.com

## **SRP Wyoming I, LLC dba Sweetwater Estates—1660 Blair Ave**

Mobile home park with 89 lots.

Six Rock Properties at 844-749-7625 or erin@sixrockprop.com

## **307 Resources Inc.—360 Signal Drive**

Oilfield and pumping.

Shane Neher at 307-749-6008 or shaneneher79@gmail.com

## **The Radiance Room, LLC—215 Winston Drive**

Skincare services such as facials, body waxing, & eyelash extensions.

Lacy Smith at 307-382-3090 or theradroom307@yahoo.com

## **Carniceria El Primo—1520 9th Street**

Mexican grocery store with fresh cut meats, cheeses, fruits & vegetables.

Jessica & Jorge Arellano at 602-574-1800 or heflin\_jessica@yahoo.com

# ***SUPPORT LOCAL BUSINESSES***

# 2023 Mobile Vendors

*Planning & Zoning approved the following business licenses.*

## **Native Sun, LLC.**

Mobile food vendor featuring catering, events, and food prep.  
Michelle DePoyster at (307)413-5788 michelle@follownativesun.com

## **Tip's Kitchen, LLC**

Mobile food vendor catering & selling chicken, cartwheels, and pasta.  
Kat Tipton at (307)371-4367 or tipskitchen@yahoo.com

## **Wing It**

Mobile food vendor selling chicken wings & specialty fries.  
Cheryl Aguiar at (970)231-9965 or wingit307@gmail.com

## **On the Hook Fish and Chips**

Mobile food vendor selling fish and chips meals.  
William Gottwalt at (320)309-0879 or William@onthehookfishandchips.com

## **Cornman's Kettle Corn, LLC**

Mobile food vendor selling kettle corn.  
Debra Cornman at (307)389-7732 or puglady45@msn.com

## **The Snak Shak, LLC**

Mobile food vendor selling snacks, concession foods, and drinks.  
RaNae Johnson at (307)871-3540 or snakshak14@gmail.com

## **Lola B. Boutique, LLC**

Mobile vendor selling women's & men's clothing, accessories, shoes, & jewelry.  
Crystan Wilkinson at (307)389-8725 or crystanw@hotmail.com

## **Wing & Burger Box**

Mobile food vendor selling wings, burgers, and fries.  
Jonathan Bruhl at (307)359-2626 bruhl\_jonathan@yahoo.com

## **Cool Arrows INC DBA Double Dub's**

Mobile food vendor selling chicken wings, fries, and tots.  
Dallas or Emily Lopez at (307)399-2088 or emilyannlopez@hotmail.com

## **Buffalo 44 Wood Fired Pizza**

Mobile food vendor selling wood fired pizza.  
Mike Nauenburg at (308)641-6907 or buffalo44pizza@gmail.com

## **The Food Dude**

Mobile vendor serving Philly cheesesteaks, bacon cheeseburgers, loaded fries.  
William Adkins (307)389-2905 or dollarshopper2003@yahoo.com

## **Hartlees Deja Brew Mobile**

Mobile vendor serving espresso, Redbull, smoothies and specialty drinks.  
Mandy Evans (307)389-2440 or dejabrewrs@gmail.com



# 2023 Mobile Vendors

*Planning & Zoning approved the following business licenses.*

## **Food For Thought**

Mobile vendor serving burgers, hand-cut fries, grilled cheese, and specialty drinks.

Roselyn Chavez (307)389-2604 or roselynnchavez1@gmail

## **Ye Olde Kettle Corn**

Mobile vendor serving Kettle corn, ice cream, cotton candy, Snocone, pickles, and candy.

Robyn Skorcz (307)371-7529 or robyndunbar@rocketmail.com

## **The Hungry Buddha Food Truck**

Mobile vendor serving breakfast, lunch, dinner with beverages, desserts, & appetizers.

Wing Lew (307)389-1309 or wingsands@yahoo.com

## **Fresh Prince of Steaks, LLC**

Mobile vendor serving Philadelphia cheesesteaks, fries, and root beer.

Marc Delquadro (307)899-2586 or wyocheesesteaks@gmail.com

## **Tacos Mi Sinaloa**

Mobile vendor selling Mexican food— tacos, tortas, sodas, and snacks.

Ileana Castro at 307-371-5607 or tacosmisinaloa@gmail.com

## **Tumbleweed Cotton Candy**

Mobile vendor selling cotton candy, water, and ice cream.

Eva Thomas at 307-371-1139 or tumbleweedcottoncandycomp@yahoo.com

## **Cream On The Moove**

Mobile vendor selling prepackaged novelty ice cream.

Cherell O'Driscoll at 307-213-0595 or creamonthemoove@gmail.com

## **Countryside Mobile RV Repair, LLC**

Mobile vendor providing repair services on RV's.

Jody & Shawn Larson 701-895-8978 or countrysidemobilerv@gmail.com

## **Tona Mama's Kitchen & Catering**

Mobile vendor selling Italian: pasta, ravioli, meatball subs and drinks

Robert Loomis at 307-371-8656-Tonya or tonamama'skitchen@gmail.com

## **Hutt's Texas Style Barbeque**

Mobile vendor selling wood fired pit smoked pork, beef, chicken and condiments.

Fred Hutton at 307-362-7450 or huttonfred@msn.com

## **Innovative Dining Concepts, LLC dba IDC**

Mobile vendor with a rotating menu including produce, meat, fish, poultry, fried & baked.

Leah Lassise 307-212-2063 or innovativediningconcepts@hotmail.com

## **Valley Farms Meat Company**

Mobile vendor selling frozen prepackaged meat and seafood.

Roderick Paupore 520-442-9205 or r.paupore@yahoo.com

# 2023 Mobile Vendors

*Planning & Zoning approved the following business licenses.*

## **307 Sasquatch LLC**

Mobile vendor selling sub sandwiches, salads, soups, sides and beverages.

Kelly Goodrich JR 307-350-2407 or birdfan3333@msn.com

## **307 Meatheads LLC**

Mobile vendor selling BBQ—ribs, pork shoulder, brisket, chips, water, Gatorade & twinkies.

Daniel Swiatek at 910-778-6089 or swiatek49@gmail.com

New  
Business

***SUPPORT LOCAL BUSINESSES***