

**PLANNING AND ZONING COMMISSION MEETING**

**DOUGLAS CITY HALL, DOUGLAS, WYOMING**

**MARCH 20, 2023**

**REGULAR MEETING – 5:30 P.M.**

PLANNING AND ZONING COMMISSION MEETINGS ARE RECORDED AND BROADCAST LIVE ON CABLE CHANNEL 7.

THE PLANNING AND ZONING COMMISSION IS AN ADVISORY BODY TO THE CITY COUNCIL. ITEMS APPEARING ON THIS AGENDA WILL BE CONSIDERED BY THE CITY COUNCIL ON MARCH 27TH, 2023. ALL APPLICANTS ARE STRONGLY ENCOURAGED TO ATTEND BOTH MEETINGS.

**I. CALL TO ORDER**

**II. PLEDGE OF ALLEGIANCE**

**III. ROLL CALL**

**IV. APPROVAL OF THE AGENDA FOR MARCH 20, 2023**

**V. APPROVAL OF THE MINUTES FOR FEBRUARY 21, 2023**

**VI. PLANNING AND ZONING MATTERS**

- A. CUP 02-23: Application by Jessica Renz for a Conditional Use Permit to operate a Preschool in an R-1 Residential zone at 302 S. 5th Street, Original Town of Douglas, Block 26, Lots 1&2.

**VII. CODE CONSIDERATIONS**

**VIII. STAFF REPORT – CITY COUNCIL ACTION ON FORWARDED ITEMS**

- A. CCSUB 01-23: Application by PRB Holdings, LLC for the proposed PRB County Minor Subdivision, Lots 4 and 5.
- B. CUP 01-23: Application by Claire Mayes for a Conditional Use Permit to operate a Preschool in an R-2 Residential zone at 321 N. 4th Street, Original Town of Douglas, Part of Outlot F.

**IX. OTHER BUSINESS**

**ADJOURNMENT**



## **Douglas Planning and Zoning Commission**

February 21, 2023

City of Douglas – Council Chambers

101 North 4<sup>th</sup> Street

Douglas, Wyoming 82633

### **Call to Order**

Chairman Hancock called the Douglas Planning and Zoning Commission to order at 5:30 p.m. In response to the Chairman's request for roll call, the following were found present:

**Members Present:** Jay Hancock  
Becky Renstrom  
Robin Velasquez  
Dave Patterson  
Scott Bauman

**City Staff Present:** Clara Chaffin, Community Development Director  
Chaz Kokesh, City Clerk

Commissioner Bauman was sworn in for his appointment to the commission.

### **Agenda**

Chairman Hancock introduced the agenda. Commissioner Renstrom moved to accept the agenda. Commissioner Velasquez seconded the motion, and the motion carried 5-0.

### **Minutes**

Chairman Hancock introduced the minutes of the October 17, 2022, meeting. Commissioner Patterson made a motion to accept the minutes. Commissioner Renstrom seconded. The motion carried 5-0.

### **Planning & Zoning Matters**

#### **A. CCSUB 01-23: Application by PRB Holdings, LLC for the proposed PRB County Minor Subdivision, Lots 4 and 5**

Chairman Hancock opened the public hearing at 5:34 p.m. Director Chaffin reviewed the location, zoning data, surrounding land uses, and compliance with the Douglas Master Plan. Staff

recommendation was for approval. There were no public comments. Chairman Hancock closed the public hearing at 5:37 p.m. and called for a motion. Commissioner Renstrom moved to recommend approval to the City Council, Commissioner Bauman seconded the motion. Chairman Hancock called for the vote; the motion passed 5-0.

**B. CUP 01-23: Application by Claire Mayes for a Conditional Use Permit to operate a Preschool in an R-2 Residential Zone at 321 N. 4<sup>th</sup> Street, Original Town of Douglas, Part of Outlot F**

Chairman Hancock opened the public hearing at 5:38 p.m. Director Chaffin reviewed the location, zoning data, surrounding land uses, and compliance with the Douglas Master Plan. Staff recommendation was for approval with conditions, that the permit be specific to the applicant and that the applicant adheres to the state’s licensure requirements for a childcare facility. The applicant indicated they were planning to make some improvements to the property. There were no other public comments. Chairman Hancock closed the public hearing at 5:41 p.m. and called for a motion. Commissioner Renstrom moved to recommend approval to the City Council, Commissioner Velasquez seconded the motion. Chairman Hancock called for the vote; the motion passed 5-0.

**Code Considerations**

Director Chaffin stated there are none currently in draft format, however, City Council has been discussing changes. Chaffin hopes to have an update at the next meeting.

**Staff Report – City Council Action on Forwarded Items**

**A. CUP 03-22: Application by Leoma Kriebel for a Conditional Use Permit for a Daycare in an R-1 Residential Zone at 720 Hamilton Street, Original Town of Douglas, Lot 7, Block 56**

At the Chairman’s request, Director Chaffin reported that the item from the October 17, 2022, meeting had been approved by the City Council as recommended by the Commission.

**B. VAC 01-22: Petition by the City of Douglas to vacate the south 20 feet of the West Clay Street Right-of-Way from West Grant Street to the northeast corner of Riverview, Lots 11 and 12, Block 3, and vacate the east 15 feet of the First Street West Right-of-Way from West Clay Street to West Poplar Street**

At the Chairman’s request, Director Chaffin reported that the item from the October 17, 2022, meeting had been approved by the City Council as recommended by the Commission. There has been a Single-Family Residential Permit filed since its approval.

**C. VAC 02-22: Petition by Willox Properties to vacate the alley between Lot 8 and Lots 9, 10, 11, and 12, Block 46 in the Original Town of Douglas Subdivision**

At the Chairman’s request, Director Chaffin reported that the item from the October 17, 2022, meeting had been approved by the City Council as recommended by the Commission. There was one resident who was opposed to the approval but because they had no legal rights, their opposition did not impact the approval of the application. There was extensive discussion during the review and approval of the

application. The owner of Willox Properties has come in with a minor plat amendment for developing the property.

**Other Business**

**A. Election of Chairman and Vice Chairman**

At the Chairman’s request, nominations were taken for a Chairman of the Commission. Commissioner Renstrom nominated Commissioner Hancock for Chairman of the Planning & Zoning Commission. Commissioner Patterson seconded. The motion carried 5-0. At the Chairman’s request, nominations were taken for a Vice Chairman of the Commission. Commissioner Renstrom nominated Commissioner Patterson for Vice Chairman of the Planning & Zoning Commission. Commissioner Velasquez seconded. The motion carried 5-0.

**Adjournment**

There being no other business, Chairman Hancock called for a motion to adjourn the meeting. A motion to adjourn was made by Commissioner Velasquez and seconded by Commissioner Renstrom. With a unanimous vote of 5-0, Chairman Hancock adjourned the meeting at 5:46 p.m.

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**Chairman, Planning & Zoning Commission**

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**Secretary, Planning & Zoning Commission**

**DOUGLAS PLANNING COMMISSION  
STAFF REPORT  
MARCH 20, 2023**

**302 S. 5<sup>TH</sup> STREET  
PRESCHOOL – CONDITIONAL USE PERMIT**

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**CASE NUMBER:** CUP 02-23

**PREPARED BY:** Heidi McCullough, Planning Technician

**MEETING DATES:** March 20, 2023 – Planning and Zoning Commission  
March 27, 2023 – City Council

**REQUEST:** Conditional Use Permit, R-1 Residential zone

**PURPOSE:** To operate a Preschool.

**RECOMMENDATION:** The Community Development Department recommends approval, with conditions, of this Conditional Use Permit to allow Jessica Renz to operate a Preschool in an R-1 Neighborhood Residential Zone at 302 S. 5<sup>th</sup> Street.

**VICINITY MAP:**



**OWNER:** Church of St. James  
P.O. Box 1500  
Douglas, WY 82633

**APPLICANT:** Jessica Renz  
748 Powder River Court  
Douglas, WY 82633

**LOCATION:**

- (1) Legal Description: Original Town of Douglas, Block 26, Lots 1 & 2
- (2) General Location: The subject property is located on the southwest corner of the intersection of South 5<sup>th</sup> Street and Elm Street.

**LOT SIZE:** 16,800 square feet

**ZONING:** R-1 Neighborhood Residential



**ZONING DATA:** The property is currently zoned R-1, Neighborhood Residential. This district “is intended to provide for low-density, single-family residential development and to provide for such community facilities and services as will serve the area residents while protecting the residential character and quality of the area.” According to the Douglas Municipal Code, daycare/preschool facilities are permitted as a Conditional Use in an R-1 zone.

**EXISTING LAND USE:** Preschool facility

**SURROUNDING LAND USE:**

**North:** Residential  
**South:** Residential  
**East:** Residential/ Church  
**West:** Commercial

**ZONING**

R-3  
R-1  
R-1  
B-1

**ANNEXATION STATUS**

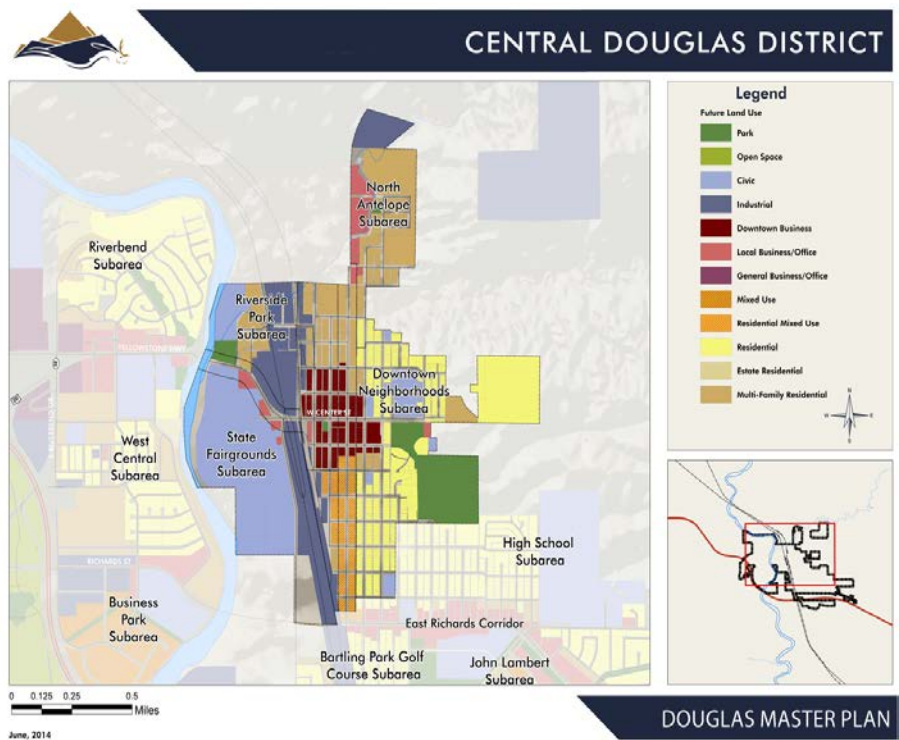
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**DESCRIPTION OF SITE AND SURROUNDINGS:** The property is owned by St. James Catholic Church and has been predominantly utilized for educational purposes. It includes a large fenced and landscaped play area in addition to the classroom building. The surrounding land uses are noted above. The subject property is adjacent to single family residences to the north and south, St. James Catholic Church to the east, and a commercial building to the west. According to the city-data.com website, there are 2 sex offenders living within a block of the location.

**SPECIFICS OF THE PROPOSED USE:** This conditional use permit would be in keeping with others for the same purpose by different applicants, which Council has approved over the last ten years. There are expected to be three to four different individuals conducting preschools from that location at staggered times. Pre-schools have been operating simultaneously in different sections of the location with no difficulties and no complaints from neighboring property owners. The applicant’s stated hours of operation would be Monday-Thursday, from 8:00 AM to 12:00 PM, with a capacity for up to ten (10) children no additional employees. St. James Church has approved the application, as the property owner. The applicant is in the process of completing state licensing, pending the issuance of the conditional use permit.

**DOUGLAS MASTER PLAN:**

The Douglas Master Plan, adopted June 23, 2014, designates the property as part of the Downtown Neighborhoods Subarea of the Central Douglas District. According to the Master Plan, the existing character of this area *“can be considered an extension of Downtown. Its future desired condition combines the preservation of adjacent historic neighborhoods with new medical facilities. Existing buildings should be redeveloped in a manner than complements this emerging medical and downtown residential district.”*



The addition of a pre-school facility in this location conforms with the Douglas Master Plan.

**STAFF RECOMMENDATION:** The Community Development Department recommends approval of the request for a conditional use permit to allow for a Preschool in an R-1 Mixed Residential Zone at 302 S. 5<sup>th</sup> Street with the following conditions:

1. The conditional use permit to operate a day care facility is specific to Jessica Renz. If this applicant, in the future, ceases operation or moves the facility to another location, the Conditional Use Permit will be null and void for the subject property.
2. The applicant shall adhere to the required State regulations pertaining to a daycare/pre-school facility.