

ORIGINAL ORDINANCE NO.: 1773

INTRODUCED BY: McCracken

ENROLLED ORDINANCE NO.: 1550

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF LARAMIE, WYOMING, TO PERMIT CONSTRUCTION AND OPERATION OF A MINI STORAGE FACILITY AS A CONDITIONAL USE, ON A 3.12 ACRE PARCEL OF LAND ZONED B1 (LIMITED BUSINESS) LOCATED AT 1575 CENTENNIAL DRIVE, LARAMIE, WYOMING.

Whereas, on October 9, 2008, Paris Powell/Kurt Hoeven of Westfield Village Self-Storage, LLC filed a petition with the City for a conditional use of a tract of land commonly known as 1575 Centennial Drive for construction of a Mini Storage Facility within the city and more particularly described in Attachment A (Cover Sheet), B (Site Plan), C (Roof Plan), D (Exterior Elevations) and E (Landscape Plan) which are attached hereto and incorporated herein, for a 3.12 acre parcel of land zoned B1 (Limited Business); along with a list of the names and addresses of property owners within 140 feet of the property;

Whereas, this tract of land is zoned B1 and pursuant to Section 17.22.030 of the City Municipal Code, the conditional use is a permissible conditional use in a B1 district;

Whereas, on January 12, 2009, the City Planning Commission recommended approval of the conditional use subject to all staff conditions and including two added conditions;

Whereas, City Clerk gave notice of a public hearing by publishing the notice in the Laramie Boomerang on February 8, 2009.

Whereas, the City Council held a public hearing on February 24, 2009 in Council Chambers, City Hall, to consider all comments, remonstrances and objections and as a condition to adopting the ordinance approving the conditional use herein shall make the following findings as required by Section 17.09.040 and 17.22.030 of the Code of the City of Laramie, Wyoming:

Laramie Municipal Code Section 17.09.040

- (1) That the proposed use shall not adversely affect the public interest;
- (2) That the City Council has been presented with such plot plans, elevations, building plans, specifications and covenants as has been required by it including, but not limited to:
 - (a) Ingress and egress to property and proposed structures thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.
 - (b) Off-street parking and loading areas where required, and the regulation of the economic, noise, glare or odor effects of the conditional use on adjoining properties and properties generally in the district.

- (c) Refuse and service areas.
- (d) Utilities, with reference to locations, availability and compatibility.
- (e) Screening and buffering, with reference to type, dimensions and character.
- (f) Signs, if any, and proposed exterior lighting, with reference to glare, traffic safety, economic effect and compatibility and harmony with properties in the district.
- (g) Required yards and other open space.

Laramie Municipal Code Section 17.22.030

- (C) Mini storage facilities, that are architecturally compatible with the surrounding development. The Planning Commission shall consider and determine the architectural compatibility of the proposed min storage facility. If a facility abuts a residential zoned property or residential development, the mini storage structure shall have a sloped roof, and relief features, exterior materials and colors consistent with nearby residential construction.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LARAMIE:

Section 1. That the foregoing recitals are incorporated in and made a part of this Ordinance by this reference.

Section 2. That City Council finds that the proposed mini storage facility is a permissible conditional use in a B1 district pursuant to 17.22.030 and does not adversely affect the public interest of the City; and City Council has been presented with such plot plans, elevations, building plans, specifications and covenants as required pursuant to Section 17.09.040 and 17.22.030 of the City Municipal Code.

Section 3. That the zoning district map of the City of Laramie, Wyoming is amended by allowing a conditional use for a mini storage facility within the city on the following tract of land:

GENERALLY DESCRIBED AS 1575 CENTENNIAL DRIVE OR MORE PARTICULARLY DESCRIBED AS LOT 5, BLOCK 10 OF WESTFIELD VILLAGE, 2ND FILLING TO THE CITY OF LARAMIE, ALBANY COUNTY, WYOMING.

Section 4. That the following restrictions apply to the conditional use established by this ordinance:

A. Whenever the conditional use established herein has been discontinued for a period of six consecutive months, the conditional use automatically terminates, and any use after termination shall fully conform with the basic B1 zoning requirements; provided, however, that the City Council, upon application, may grant an extension of any additional period of non-use not to exceed six months, for good cause shown.

B. The conditional use established herein may be reconverted at any time to basic B1 use without further approval of the City Council or amendment to this ordinance; provided, reconversion is a termination of the conditional use.

C. A building permit for the proposed structure shall be applied for within 6 months of approval of this conditional use. If a building permit is not applied for the conditional use for the proposed accessory building shall be considered null and void and no longer in effect.

D. The proposed structure shall conform to Attachment A (Cover Sheet), B (Site Plan), C (Exterior Elevations) and D (Landscape Plan) except as modified by the conditions found in Section 4.

E. Any lighting shall conform to Laramie Municipal Code, shall be directed downward, shall not spill onto adjacent properties and shall be shielded from the night sky.

F. The proposed structures shall conform to the site and landscaping plan before a Certificate of Occupancy will be issued.

G. The site shall be developed per the approved conditional use, accompanying conditions and submitted application materials. If there is a discrepancy in the materials provided or conditions of approval the stricter condition shall be followed.

H. The color or shade of the metal roofs on all buildings within the site shall match the shingles found on the office building and the hotel.

I. Windows will be required on the office portion of the mini storage facility. A minimum of two windows will be required, one on the western elevation and one window on the southern elevation.

J. Two signs, one located on building "E" and the other located on building "A", will be permitted. Each sign shall be no more than 100 sq./ft. in size and will be lighted as not to distract drivers. No other signage will be permitted on site including banners, flags or other displays.

K. The trash enclosure shall be designed per the site plan and exterior elevations provided and shall be constructed of architecturally consistent metal elements with the rest of the site.

L. No loading zones will be required or allowed for this site.

M. The site shall be limited to the following hours of operation: 8:00 a.m. to 6:00 p.m. Monday-Saturday for the office and 6:00 a.m. to 10:00 p.m. Monday-Sunday for access to the security gate.

N. City utilities are located beneath the Primary Access Drive noted on the site plan. Any repairs done to the water or sewer lines or any other work performed by the City will not require the City to repair any damage done to the asphalt, curbs, gutters, sidewalks, landscaping or any other improvements on site. All repairs will be required to be completed at the property owner's expense and within 6 months of the repairs being completed by the City.

O. Any utilities (gas meters, electrical meters, air conditioning units, etc) will be required to be screened from view from all property lines and public rights-of-ways, including I-80, Centennial Drive and Evans Street.

P. The west perimeter landscaped area shall have 4 separate locations with a group of 3 bushes, with each group of 3 bushes evenly spaced along the west side of the site. Bush types may be determined by applicant's architect and shall meet Laramie Municipal Code's size requirements.

Q. The west perimeter landscaping ground cover shall consist of a Fescue Bluegrass Sod.

R. A combination of trees and bush groups (as drawn on the site plan with 4 bushes and two boulders) shall be incorporated along the eastern side of the site. A minimum of 4 trees shall be incorporated on the eastern side of the site in replacement of the existing bush and rock groups shown on the site plan. Bush and rock groups should be concentrated near the middle of the site for visibility of the site's sign and trees should be located on the remainder of the site.

S. The east perimeter landscaping ground cover shall consist of native grasses.

T. The north perimeter landscaping ground cover shall consist of Fescue Bluegrass Sod.

U. The south perimeter landscaping ground cover shall consist of native grasses.

V. The 15 foot dry utility easement located on the southern portion of the site shall be vacated by appropriate utility companies prior to submitting a building permit.

W. The 20 foot drainage easement shall be relocated or vacated pending review by the City Engineer in conjunction with the building permit.

X. The project shall conform to all Laramie Municipal Code requirements.

Y. The project shall conform to all International Building Code requirements.

Z. A boundary line adjustment for the southern property line shall be completed prior to submittal of a building permit.

AA. A Knox system key box compatible with the current Laramie Fire Department system will be required for the front gate as well as all gates located on the property. The Knox system key box is required to be placed outside of the front access gate and must be accessible at all times. Final determination of the exact mechanism will be reviewed and approved by the Laramie Fire Department.

BB. An additional access gate through the fence shall be required at the northeast corner of Building A.

CC. All access gates on site shall be a minimum of 36 inches in width.

DD. Asphalt or concrete surfaces shall be provided extending on both sides of the fence beyond the swing of all access gates to facilitate snow removal and provide adequate access.

EE. The site shall meet all requirements found within the applicable International Fire Code at the time of a building permit.

FF. The fire hydrant located between buildings "C" and "E" shall be relocated outside of the drive aisle, to a location inside the fence to be approved by the Laramie Fire Marshal.

GG. Building "A" will be required to meet all requirements found within the applicable International Fire Code. If compliance with the International Fire Code requires building "A" to be divided the division will be permitted and must have a 36 inch wide access gate provided for the fence between the buildings.

HH. Fire hydrant locations are not compliant with the hydrant spacing requirements. Additional fire hydrants shall be located per the Fire Marshall and International Fire Code at the time of a building permit and shall not be located within any drive aisle.

II. Roof pitch for all buildings shall match the drawings found in Attachments C and D.

JJ. The architectural character of the site shall match the drawings found in Attachment A, dated February 2, 2009, including revised Cover Sheet AO.01.

Section 5. Violation of any of the conditions contained in Section 4 herein are a violation of this ordinance and of Chapters 17.09 and 17.22 of City Municipal Code and may be prosecuted pursuant to the provisions of Chapter 17.52 of the City Municipal Code.

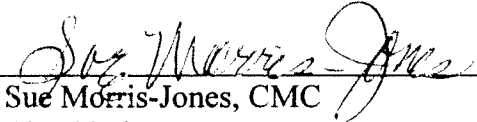
Section 6. This ordinance shall become effective after its passage, approval and publication.

Passed and approved this 24th day of March, 2009.



Jodi Guerin, Mayor and President of the
City Council

Attest:



Sue Morris-Jones, CMC
City Clerk

Duly published in the Laramie Daily Boomerang this 03rd day of April, 2009.

First Reading: February 3, 2009

Public Hearing February 24, 2009

Second Reading: March 3, 2009

Third Reading and Final Action: March 24, 2009