

ORIGINAL ORDINANCE NO.: 1799

INTRODUCED BY: Mullner

ENROLLED ORDINANCE NO.: 1574

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF LARAMIE, WYOMING, TO PERMIT OPERATION OF A NONPROFIT COMMUNITY HEALTH AND WELFARE SERVICE ORGANIZATION OFFICE ON A PARCEL OF LAND APPROXIMATELY 28,000 SQUARE FEET IN SIZE, ZONED R2 (LIMITED MULTIPLE-FAMILY), AND LOCATED AT 319 LINCOLN STREET LARAMIE, WYOMING.

WHEREAS, on July 22, 2009, Kelly Collini representing the Albany County SAFE project, filed a petition with the City for a conditional use of a tract of land approximately 28,000 sq. ft. in size and commonly known as 319 Lincoln Street for operation of a non-profit office; 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 R2 (Limited Multiple-Family) and pursuant to Section 17.20 of the City Municipal Code, the conditional use is a permissible conditional use in an R2 district;

WHEREAS, on September 28, 2009, the City Planning Commission recommended approval of the conditional use, subject to conditions;

WHEREAS, City Clerk gave notice of a public hearing by publishing the notice in the *Laramie Boomerang* on October 18, 2009;

WHEREAS, the City Council held a public hearing on November 17, 2009 in Council Chambers, City Hall, to consider all comments, remonstrances and objections;

WHEREAS, the City Council as a condition to adopting the ordinance approving the conditional use hereby makes the following findings as required by Section 17.09.040 of the Code of the City of Laramie, Wyoming:

- (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.

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 nonprofit community health and welfare service organization office for the property located at 319 Lincoln Street is a permissible conditional use in an R2 district pursuant to Laramie Municipal Code Sec. 17.16.020, 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 of the Laramie Municipal Code.

Section 3. That the zoning district map of the City of Laramie, Wyoming is amended by allowing a nonprofit community health and welfare service organization office on the following tract of land:

A PORTION OF BLOCK 92, TOWN OF WEST LARAMIE, NOW THE CITY OF LARAMIE, ALBANY COUNTY, WYOMING, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF BLOCK 92 WHICH LIES 79.9 FEET SOUTH FROM THE NORTHWEST CORNER OF SAID BLOCK 92;

THENCE EASTERLY PARALLEL WITH THE NORTH LINE OF SAID BLOCK 92, A DISTANCE OF 174.03 FEET;

THENCE SOUTHERLY PARALLEL WITH THE WEST LINE OF SAID BLOCK 92, A DISTANCE OF 159.6 FEET;

THENCE WESTERLY PARALLEL WITH THE SOUTH LINE OF SAID BLOCK 92, A DISTANCE OF 174.03 FEET TO A POINT ON THE WEST

LINE OF BLOCK 92;

THENCE NORTHERLY ALONG THE WEST LINE OF SAID BLOCK 92, A DISTANCE OF 159.6 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS AN AREA OF 28,000 SQUARE FEET MORE OR LESS.


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

1. Whenever the conditional use has been discontinued for a period of six (6) consecutive months, the conditional use shall automatically terminate, and any use after termination shall fully conform with the basic R2 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.
2. The conditional use established herein may be reconvered at any time to basic R2 use without further approval of the City Council or amendment to this ordinance; provided, reconversion shall be a termination of the conditional use.
3. The conditional use shall generally conform to the plot plan and any major change or modification shall be reviewed by the Planning Commission acting as the Zoning Board of Adjustment.
4. A building permit for the proposed structure shall be applied for within twelve (12) months of approval of this conditional use. If a building permit is not applied for, the conditional use for the approval shall be considered null and void and no longer in effect.
5. Concurrently with application for a building permit, the applicant shall amend the site plan showing the location of required bicycle racks. The location shall be at the discretion of the developer.
6. The conditional use established herein shall be limited to the following use: nonprofit victim services office.


Section 5. That a violation of any of the conditions contained in Section 4 herein are a violation of this ordinance and of Chapters 17.09 and 17.15 of City Municipal Code and may be prosecuted pursuant to the provisions of Chapter 17.52 of the City Municipal Code.

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

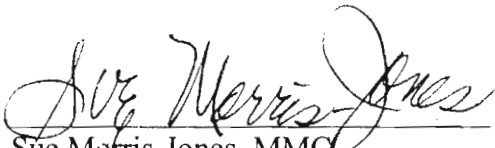
Passed and approved this 01st day of December, 2009.



Jodi Guerin, Mayor and President of the
City Council



Vice Mayor

Attest: 

Sue Morris-Jones, MMC
City Clerk

Duly published in the Laramie Boomerang this 10th day of December, 2009.

First Reading: October 20, 2009

Public Hearing: November 17, 2009

Second Reading: November 17, 2009

Third Reading and Final Action: December 1, 2009