



City of Laramie

Planning Division
P.O. Box C
Laramie, WY 82073

Telephone: (307) 721-5207
Fax: (307) 721-5248

LARAMIE PLANNING COMMISSION January 13, 2020 STAFF REPORT

FILE: CUP-19-08: 304 S. 2nd Street – Coal Creek Coffee Roasting

REQUEST: A Conditional Use Permit for operation of a Wholesale Business in the DC District

LOCATION: 304 S. 2nd Street

APPLICANT: John Guerin

OWNER: Edwin Anderson

ZONING: DC (Downtown Commercial)

PURPOSE: Establishment of a wholesale business operating as Coffee Roasting facility

PREPARED BY: Matthew Cox, Associate Planner

RECOMMENDED MOTION:

Move to **approve** a Conditional Use Permit for operation of a wholesale business in a commercial structure located at 304 S. 2nd Street zoned DC (Downtown Commercial) District, based on findings of fact and conclusions of law and subject to all staff's recommended conditions.

APPLICABLE CITY CODE SECTION(S):

LMC. 15.06.060.E Conditional Use Permits
LMC. 15.10.000.E Table of Allowed Uses

Operation of a Wholesale Business in a DC (Downtown Commercial) District requires approval of a Conditional Use Permit pursuant to LMC.15.10.000.E, and the Planning Commission is the decision-making body.

Note: Conditional Use Permit rules, regulations, and procedures are defined at the City level and are not addressed in Wyoming State Statutes.

BACKGROUND:

This is a request to establish a wholesale business within the DC (Downtown Commercial) District. The applicant is wanting to bring their coffee roasting and parts of their brewing production into the space which the former use was a candy manufacturing/wholesale facility. The applicant already owns a building in close proximity to 304 S. 2nd Street that caters to their café/retail space as well as their taproom and brewing facility. Along side the roasting and brewing production, the front of the shop will be used as a retail front for food and coffee.

The Candy manufacturing/wholesale facility was considered a wholesale business, but never applied for a conditional use permit thus making their candy production an illegal activity in that space. Due to this, the use was not transferred over to the next user, requiring this applicant to apply for this conditional use.

In 2014 the Laramie Planning Commission considered and approved a wholesale business who also roasts coffee with the DC zoning district at 210 South 3rd Street. Staff recommended approval of the use and found no major issues with the request. During the process one nearby property owner did not want the use located in the area due to the smell from the roasting. This owner is not longer within the area, nor did staff consider the odor an issue, considering the number of restaurants, brewers and a state highway (3rd Street) in the area.

SURROUNDING LAND USE AND ZONING:

	Future Land Use Designation (Map 3.2)	Zoning	Land Use
304 S. 2nd Street	UR (Urban Commercial)	DC (Downtown Commercial)	Retail/Commercial
North	UR (Urban Commercial)	DC (Downtown Commercial)	Retail/Commercial
South	UR (Urban Commercial)	DC (Downtown Commercial)	Retail/Commercial
East	UR (Urban Commercial)	DC (Downtown Commercial)	Retail/Commercial
West	UR (Urban Commercial)	DC (Downtown Commercial)	Parking Lot

The property is zoned DC (Downtown Commercial) and is developed with a two-story commercial building. The surrounding properties are zoned DC. The surrounding properties are developed with one and two story commercial structures with a parking lot to the west of the property. The proposed conditional use conforms to the DC requirements.

SITE DESIGN REVIEW AND ANALYSIS OF REQUIRED FINDINGS:

Should the Planning Commission wish to approve the Conditional Use Permit, the Commission must make the following findings required in LMC 15.06.060.E. A detailed analysis follows:

1. That the conditional use proposal provides adequate:**a) Ingress and egress to property and proposed structures:**

Staff Response: There are completed, city standards sidewalks on the east side of the property. The front entrance is ADA compliant and exits onto 2nd Street and the back entrance exits into an alleyway between 2nd and 1st Streets of which is already serviced by delivery trucks for businesses on 2nd Street and Grand Avenue as well as the applicants other business.

b) Off-street parking and loading areas:

Staff Response: There is a 12' wide garage door that services the loading zone at the west side of the property and there is the 1st Street parking lot to the west of the building, allowing for adequate parking within good proximity of the building. Within the DC Zoning District commercial uses do not require on-site parking.

c) Control over the off-site impacts of economic, noise, glare, or odor effects of the conditional use:

Staff Response: While coffee roasting and brewing tend to release odors within the downtown area, these odors are already present through a number of other roasters and brewers within the DC District. Staff has not received any complaints or concerns from neighbors or other concerned citizens about the presence of these odors in the downtown area.

d) Refuse and service areas:

Staff Response: The refuse will be serviced on the west side of the property within the alleyway.

e) Utilities, with reference to locations, availability, and compatibility:

Staff Response: The property is currently served by utilities. No change in service is proposed.

f) Screening and buffering, with reference to type, dimensions, and character:

Staff Response: The building footprint encompasses the whole property, so there is no screening or landscaping to be done around the property.

g) Signs, if any, and proposed exterior lighting, with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district:

Staff Response: No signs have been proposed, but the applicant will be required to fully comply with the sign permit process to ensure full compliance with the code. There is also no, new lighting proposed for the site.

2. The proposed use is appropriate to the specific location related to intensity and bulk:

Staff Response: The proposed use is appropriate to the specific location due to the retail frontage and that there are roasters and other brewers in close proximity to the site. It is also surrounded by commercial and retail uses, with very few residential units within this block of downtown.

3. The proposed use is appropriate to the specific location relative to public health, safety and convenience:

Staff Response: The proposed use is appropriate to the specific location relative to public health, safety and convenience as mentioned in the above points. All facilities will be required to be inspected by the Health Inspector.

4. That the proposed site is adequate in size and shape to accommodate the intended use and that the use will comply with all requirements of the zone district, including but not limited to the following:

a) Setbacks:

Staff Response: Not applicable

b) Walls (retaining):

Staff Response: No new walls are being proposed.

c) Landscaping:

Staff Response: Not applicable

d) Bufferyards:

Staff Response: Not applicable

e) Any standards specific to the use set forth in Chapter 15.10, Use Regulations:

Staff Response: Not applicable.

PUBLIC COMMENTS:

Legal notice was published in the Laramie Boomerang on December 28th, 2019. Letters were sent to surrounding property owners within 300 feet of the subject property on December 20th, 2019.

No comments have been brought to the Planning Staff's attention as of the writing of this Staff Report.

CONDITIONAL USE RECOMMENDED FINDINGS AND CONCLUSIONS OF LAW:

Findings of Fact:

1. It is staff's conclusion that the application meets all of the required findings for approval of the Conditional Use Permit with standard conditions. We therefore recommend approval of the Conditional Use Permit subject to the specific conditions as outlined in the staff recommendation.

Conclusions of Law:

1. The applicant is proceeding in accordance with the requirements of the Laramie Municipal Code 15.06.060.E regarding a Conditional Use Permit.

ALTERNATIVES:

1. Approve the project as submitted by the applicant, based on findings of fact and conclusions of law.
2. Approve the project subject to staff's recommended conditions, based on findings of fact and conclusions of law (**Staff Recommendation**).
3. Deny the project based on findings of denial. The Planning Commission must conclude that the project does not meet all of the findings as recommended by staff. As part of the motion, findings for denial must be stated.
4. Postpone the project until issues identified during the meeting can be resolved.

STAFF RECOMMENDATION:

Move to **approve** a Conditional Use Permit for operation of a wholesale business in a commercial structure located at 304 S. 2nd Street zoned DC (Downtown Commercial) District, based on findings of fact and conclusions of law and subject to all staff's recommended conditions:

1. Whenever the Conditional Use Permit has been discontinued for a period of six consecutive months, the Conditional Use Permit shall automatically terminate, and any use after termination shall fully conform to the basic DC zoning requirements.
2. The conditional use established herein may be reconverted at any time to basic DC use without further approval of the Planning Commission or amendment to this Conditional Use Permit; provided, reconversion shall be a termination of the Conditional Use Permit.
3. Wholesale Business shall conform to the submitted documents and any change or modification shall be reviewed by the Planning Commission, pursuant to the provisions of LMC 15.06.060.E.4.

4. The applicant shall submit a sign permit once a final sign design has been decided upon by the applicant. The sign shall conform to the requirements of LMC 15.08.030.E & 15.14.120.
5. Complete plans and permits for any all work conducted on site shall obtain the proper permits and licenses, for any building, plumbing, electrical, mechanical work or process required by the City of Laramie or State of Wyoming.

ATTACHMENTS:

- 1 – Vicinity Map (1 page)
- 2 – Applicant’s Written Statement (2 pages)
- 3 – Submitted Interior Drawings (3 pages)