



CITY OF LANDER
BOARD OF ADJUSTMENT & PLANNING COMMISSION MEETING

Thursday, September 07, 2023 at 6:00 PM
City Council Chambers, 240 Lincoln Street

MINUTES

Join Zoom

Meeting: <https://us06web.zoom.us/j/85768470104?pwd=NDFJZ01nTlZwMEYvSTFiS2lMYzB4QT09>

Meeting ID: 857 6847 0104, Passcode: 339483

Attendance: Chair Zach Mahlum, Members, Tom Russel, Kara Colovich, Kristin Yannone, Dave Fehringer, Rob Newsom, and Joe Henry. City Attorney Adam Phillips, Council Liaison Missy White, Assistant Public Works Director Hunter Roseberry, Recording Secretary RaJean Strube Fossen

Kristin Yanonne called in ill. Adam Phillips, Missy White and Hunter Roseberry were absent.

1. CALL TO ORDER / PLEDGE OF ALLEGIANCE

This meeting is being recorded electronically. All petitioners to the Board of Adjustments will receive a written decision and order within thirty (30) days of this hearing. The decision will be clearly stated with findings of fact and conclusions of law. Anyone wishing to appeal against a decision and order may do so through District Court.

Anyone wishing to speak tonight, must first be recognized, come to the podium, take the oath, and state your name prior to speaking.

2. APPROVAL OF MINUTES

A. BOARD OF ADJUSTMENT MINUTES of July 20, 2023

Dave moved to accept the minutes. Kara seconded. Motion passed.

B. PLANNING COMMISSION MINUTES of August 3, 2023

Kara moved to accept the minutes. Joe seconded. Motion passed.

3. BOARD OF ADJUSTMENT - NEW BUSINESS

A. CU 23.10, Childcare at 340 Del Street, Matson

Kindal Matson, owner of 340 Del Street took the oath and described that she is operating under a provisional DFS permit since September 5. She is operating with 6 children including her daughter.

Dave verified how drop-off parking is handled. The owner reported that the lot in front of the house can handle 3-4 cars off street. Right now with the staggered drop off times there is rarely more than 2 cars at one time.

In regard to the submitted public comments, Zach verified that no neighbors have complained of traffic issues to the owner.

Zach verified also if the ditch was open to the children. Owner verified that the ditch is fenced outside of the children's play area with a lock on the gate.

RaJean read the City Comments and verified that the required inspection has already been done and passed.

Mei Ratz, took the oath. Mei has a child attending this daycare and stressed the importance of having childcare options so that she can continue to be the single breadwinner of the house.

Kara moved to approve CU 23.10 at 340 Del St. Dave seconded. Motion passed. The owner was notified of the 30-day timeframe for the decision order.

4. BOARD OF ADJUSTMENT - OLD BUSINESS

5. PLANNING COMMISSION - NEW BUSINESS

A. S 23.03 Table Mountain Subdivision and rededication of Bishop Randall Drive, City of Lander

RaJean explained that this plat is being presented by the City of Lander as the owner. Past chair and County Planner, Steve Baumann was asked to review the documents for accuracy. Steve recommended that the Plat be filed separately from the Bishop Randall re-dedication for ease of tracking the two separate functions in the county clerks office. The title blocks and legal descriptions of the documents will need to be updated to file separately.

The single lot will hold the Table Mountain Living Community which is a memory care/assisted living facility owned by the City, managed by the Lander Housing Authority, and will be run by a private third party operator. Discussions were held on the schedule, funding, operations, and the tax structure of the facility. These issues are outside the planning commission purview and no action was taken.

Dave moved to approve the plat with the changes suggested, seconded by Joe. Motion Passed.

The Bishop Randall Drive re-dedication is necessary for two reasons. 1. The existing location of the constructed drive is not within the original dedicated right-of-way and 2. to extend the drive beyond what is currently dedicated and constructed into the facility. The layout of the drive will vary from the presentation drawings at the meeting. It will not make a sharp left and dead end on the fire access road. It will continue onto the new lot to terminate in the circle drive access for the structure.

Dave moved to approve the rededication with the changes described. Tom seconded. Motion passed. Changes as discussed will be made and reviewed and recommended to Council at the October regular council meeting.

6. PLANNING COMMISSION - OLD BUSINESS

A. Title 4-11-10 Off Street Parking

Discussions were held on the entirety of the code. RaJean reported that the City is working on a new snow removal plan that will result in reducing street parking by posting "Tow Zone" areas on many streets. As of now, it appears that hilly and curvey streets may be posted for parking on one side of the street and posted for "no parking" on the other side of the street. Because this may drastically reduce the available residential parking spaces, the commission may want to reconsider their original thought to reduce off-street parking to increase the available building envelope and reduce the requirement for off-street parking.

Discussions were held on the commercial requirments of the remainder of section 4-11-10. The commission suggests three options: 1. keep the space calculation specific as currently listed but update the type of uses, 2. calculate parking spaces by using a formula based on the square footage of the building, or 3. delete specific parking space calculations all together and let the business determine the number of spaces required for their employees and clientelle. All three option would be required to keep the calculated number of ADA spaces as required by law. Dave noted that removing all requirements will increase the parking congestion on streets in both residential and commercial zones.

It was noted that the parking space requirements are only calculated when a building permit is issued. Future sales or a change in commercial use of an existing building often do not have the luxury of removing or constructing new parking after the original construction or development of the lot. Tom does not think that the national codes list a requirement for number of parking spaces defined by use or size of building.

It was the concensus that the building department will have to enter into the dicussion. The commission still believes that residential parking space requirements should be simplified to remove the fractional calculations for spaces.

B. Overview of suggested Title 4 changes to date

No Action

7. ADJOURNMENT

7:30 pm