

February 16, 2021

MEMO TO: J. Carter Napier, City Manager *jal*
FROM: Liz Becher, Community Development Director *lb*
SUBJECT: Council Pre-Meeting: Options for 7th Street Vacation

Meeting Type & Date:

Council Pre-Meeting, February 16, 2021

Summary:

Following the first reading and public hearing for the proposed vacation of a portion of East 7th Street right-of-way, staff was asked to present the available options for acting on the citizen's vacation request.

1. Do nothing, and have the City continue to mow the property a few times each summer.
2. Table the ordinance, have the property formally appraised (will cost around \$2K for appraisal), and then ask for compensation from the adjacent property owner(s) prior to approval of the vacation.
3. Place a permanent *pedestrian easement* across the property, and build a trail, for everyone to use.
 - a. The cost to install a 10-ft wide pedestrian pathway is estimated at \$15,000.
4. Construct the Street.
 - a. According to the Public Services Department, the 2021-estimated cost to pave the undeveloped portion of 7th Street between McKinley and Jackson, including curbside on both sides, is \$50,000.
5. Vacate the ROW, as requested by the adjacent property owner. If the property is ultimately developed, the City will receive building permit, utility, sales tax and property tax revenues from the development of the property. Development of the property also supports local jobs.

Financial Considerations:

The City acquired the property at no cost from the original developer of the subdivision

Oversight/Project Responsibility:

Craig Collins, AICP, City Planner – Community Development Department

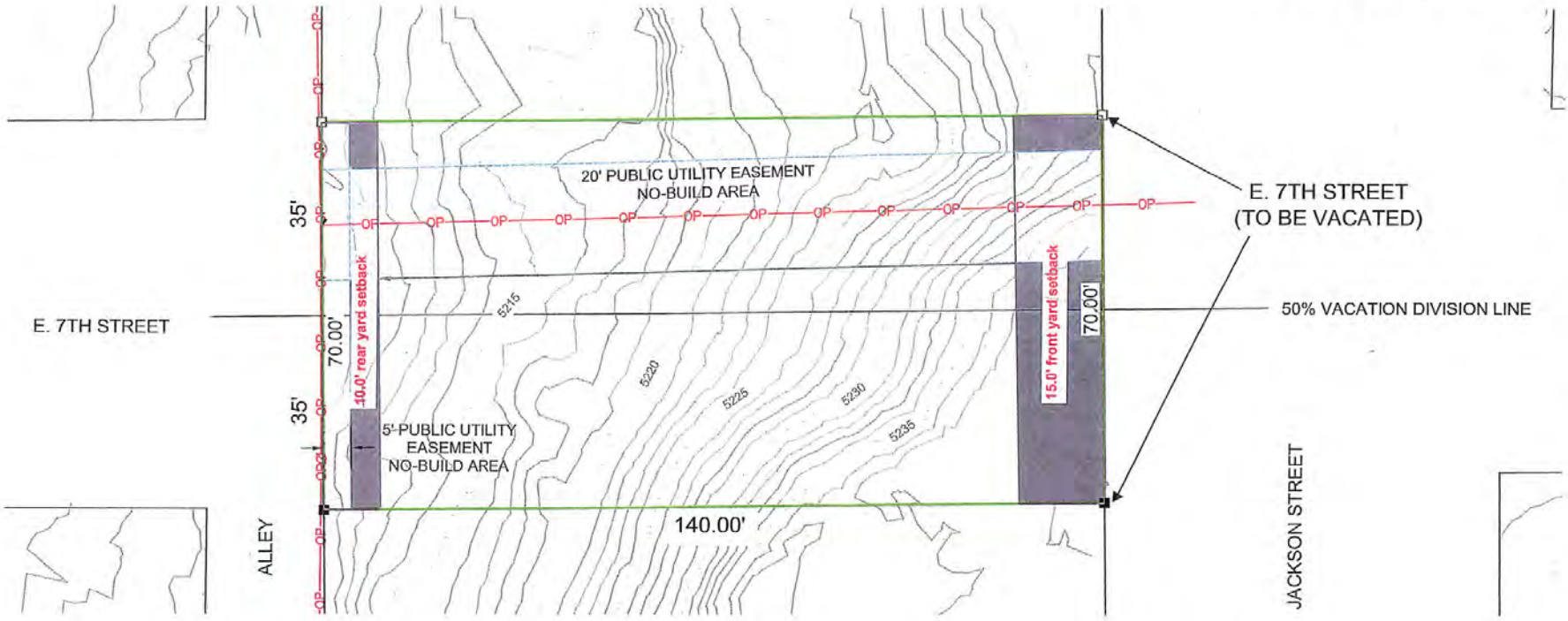
Attachments:

Plat schematic of parcel
Aerial view of parcel
Permitted Uses in R-4 Zoning District
Site Visit Narrative

LEGEND

- RECOVERED ALUMINUM CAP
- RECOVERED REBAR
- SET ALUMINUM CAP
- PROPERTY BOUNDARY
- ADJOINING PROPERTY LINE
- EASEMENT LINE
- OP EXISTING OVERHEAD POWER

SCALE: 1"=20'



This document was produced February 12, 2021 by the City of Casper Community Development office using AutoCAD data provided by ECS Engineers and should not be used for engineering purposes.
 The file is located here: Q:\Community_Development\MPO\Renee_WorkFiles\7th St Vacation

Proposed East 7th Street Vacation



Chapter 17.40 - R-4 HIGH DENSITY RESIDENTIAL

17.40.010 - Purpose.

The purpose of the R-4 district is to establish and maintain a conventional, site-built and manufactured housing high density residential neighborhood on lots with space provided for openness, landscaping and play. The district is also established for neighborhood scale institutional and commercial development. The district shall be free from other uses except those which are compatible with this purpose.

(Ord. 21-97 § 13, 1997; Ord. 5-91 (part), 1991)

17.40.020 - Permitted uses.

Except as otherwise provided, in an R-4 district, no building, structure, or land use shall be erected or used except for the following:

- A. Assisted living;
- B. Conventional site-built single-family dwellings and manufactured homes with siding material consisting of wood or wood products, stucco, brick, rock, or horizontal lap wood, steel or vinyl siding;
- C. Conventional site-built and modular two-family dwellings;
- D. Conventional site-built and modular multifamily dwellings;
- E. Conventional site-built and modular condominiums for residential use;
- F. Conventional site-built and modular townhomes for residential use;
- G. Bed and breakfast;
- H. Bed and breakfast homestay;
- I. Boarding/rooming houses;
- J. Churches;
- K. Day-care, adult;
- L. Family child care home;
- M. Group homes;
- N. Nursing homes;
- O. Parks, playgrounds, golf courses, and similar recreational activities operated and used primarily during daylight hours;
- P. Schools, public, parochial, and private elementary, junior and senior high;
- Q. Neighborhood assembly uses;
- R. Branch community facilities;
- S. Neighborhood grocery;
- T. Personal service shops;
- U. Professional offices with fewer than twenty employees;
- V. Coffee shops, cafes and restaurants without drive-up windows;
- W. Sundry shops and specialty shops.

(Ord. 28-08 § 14, 2008; Ord. 27-01 § 13, 2001; Ord. 21-97 §§ 14—18, 1997; Ord. 15-93 (part), 1993; Ord. 5-91 (part), 1991)

(Ord. No. 12-11, § 1(B), 3-21-2011; Ord. No. 16-11, §§ 2(D), 4(A), 6(A), 8(A) 10(A), 15, 4-19-2011)

17.40.030 - Conditional uses.

The following are conditional uses in an R-4 district:

- A. Colleges and universities;
- B. Convenience establishment, low volume;
- C. Family child care center — zoning review, under the provisions of Section 17.12.240(M) of this title;
- D. Family child care home — zoning review, under the provisions of Section 17.12.240(M) of this title;
- E. Child care center;
- F. High-rise apartments over four stories or forty feet in height, whichever is less, and developments exceeding forty residential dwelling units;
- G. Lighted recreational facilities used during evening hours;
- H. Parking lots;
- I. Reserved;
- J. Public utility and public service installations and facilities, excluding business offices and repair and storage facilities;
- K. Other uses compatible with this district, as determined by the commission, with the exception of gaming/gambling uses as defined in this title;
- L. Regional assembly uses;
- M. Grocery store.

(Ord. 28-08 § 15, 2008; Ord. 27-01 § 14, 2001; Ord. 13-99 § 1 (part), 1999; Ord. 20-94 § 3 (part), 1994; Ord. 15-93 (part), 1993; Ord. 5-91 (part), 1991)

(Ord. No. 12-11, § 1(D), 3-21-2011; Ord. No. 16-11, §§ 3(B), 7, 4-19-2011)

17.40.040 - Minimum standards.

- A. Lot Area. For all uses, there shall be a minimum lot size of four thousand square feet except as provided below:
 - 1. Multifamily dwellings, condominiums, townhouses of three or more units shall be one thousand five hundred per dwelling unit.
- B. Lot Width.
 - 1. For all uses except townhouses, forty feet;
 - 2. For townhouses, twenty feet per individual townhouse unit.
- C. Yard Requirements.

1. Front yard setback, fifteen feet with alley, or eighteen feet without alley;
 2. Rear yard setback, ten feet;
 3. Townhouses, zero lot line between adjoining townhouse units; five-foot side yard setback for each end unit;
 4. Side yard setback, five feet;
 5. The front yards of a corner and through lot shall not be less than fifteen feet.
- D. Height Limitations. Four stories or forty feet, whichever is less.
- E. Lots on Culs-de-sac. Six lots shall be the maximum number of lots permitted on a cul-de-sac with a radius of fifty feet.
- F. Maximum Density. When there are no properties zoned R-1 (residential estate) or R-2 (one unit residential) abutting the subject R4 (high density residential) property, the maximum allowed density is thirty units to the acre. When not more than twenty-five percent of the lot perimeter is abutting properties zoned R-1 (residential estate) or R-2 (one unit residential), the maximum allowed density is twenty-four residential units to the acre. When more than twenty-five percent of the lot perimeter is abutting properties zoned R-1 (residential estate) or R-2 (one unit residential), the maximum density shall not exceed eighteen residential units to the acre.
- G. Open Space Requirements. At least twenty percent of each lot shall be retained as usable open space and remain free from structures and off-street parking areas.
- H. Landscaping. For multifamily developments of sixteen units or over, the owner is required to expend the equivalent of six percent of the raw land value for landscaping purposes with landscape plan approval, in accordance with landscaping agreements set forth in Appendix B.
- I. Buffering. For multifamily developments, which adjoin single-family residential properties, one of the six buffering alternatives expressed in Appendix C of this title shall be developed to reduce noise and increase visual privacy.

(Ord. 28-08 § 16, 2008; Ord. 26-99 § 1 (part), 1999; Ord. 14-98 §§ 11 and 12, 1998; Ord. 15-93 (part), 1993; Ord. 5-91 (part), 1991)

(Ord. No. 9-11, § 1, 3-1-2011)

17.40.050 - Site plans.

Site plan approval, in accordance with the site plan requirements of this title, Appendix A, shall be required for all developments consisting of multifamily dwellings, townhouses, and condominiums containing sixteen or more residential dwelling units.

(Ord. 5-91 (part), 1991)

Narrative on property ownership, zoning and site conditions discussed after site visit on 2/3/21

The property at 656 is owned by the same owner (Bernardis, David, et ux) as the parcels on the south side (704). The house at 712 is owned by someone different (Bowen, Emily A). All existing platted lots appear to be approximately 24 feet in width by 141 feet in length (3,384 square feet per platted lot). The street being vacated is 70' in width, the parcels would each gain approximately 4,794 square feet of former ROW (35'x141'). The properties surrounding the vacation are all zoned R-4 (High Density Residential) and anything from a single-family home to a multi-family structure could be constructed, per zoning, on the vacant parcels, within the limitations of the topography and the easements/setbacks.

