

**Minutes of the Proceedings
Laramie County Planning Commission
Prepared by the Laramie County Planning & Development Office
Laramie County Wyoming**

Thursday, February 25, 2010

- 100225 00** Those in attendance were Commissioner Jody Clark, Chairman; Commissioner Paula Qualls, Vice Chairman; Commissioners Frank Cole, Jim Ward, Bert Macy; and Planning & Development Director Gary Kranse, Senior Planner Abby Yenco, and Recording Secretary Valerie Roybal of the Laramie County Clerk's Office.

The meeting register was signed by Brad Emmons, AVI, PC.

- 01** Brad Emmons, agent for AVI PC, applied for approval of change in zone district for a portion of the Overland Trails PUD and will go with CB and LI. The HI was causing problems. They are in the middle of an existing project of an MOU with the City of Cheyenne. The zone change is intended to provide clear land use requirements within the proposed rail park. It has been approved from the BOPU board. Abby Yenco, Senior Planner, gave her report. This preliminary plat was acknowledged by the Board of County Commissioners on February 2, 2010. Condition 1 of the Preliminary Plat acknowledgment reflects requirements in the Overland Trails PUD. If this zone change is approved, condition 1 will no longer be required. Pertinent Regulations would be 81.020 of the Cheyenne and Laramie County Zoning Ordinance 1988. Before any zoning district maps or regulation is recommended for approval to the appropriate legislative body, the Planning Commission shall find any of the following: (a) That the zoning district maps or regulations are consistent with plans and policies of the City of Cheyenne and Laramie County; or (b) That the original zoning classification given to the property was inappropriate or improper; or (c) That there have been changes of an economic, physical or social nature within the area involved which altered the basic character of such area, and that the amendment will not detrimentally affect the area involved. Based on evidence provided, staff recommends the Commission find that: a) This application meets the requirements of section 81.020 of the Cheyenne and Laramie County Zoning Ordinance, 1988. b) That there have been changes of an economic, physical or social nature within the area involved which altered the basic character of such area, and that the amendment will not detrimentally affect the area involved, and that the Planning Commission recommend that the Laramie County Board of County Commissioners approve the change in zone district from the Overland Trails PUD to LI and CB for Swan Ranch Rail Park with no conditions.

Commissioner Qualls asked where the MOU will be with the BOPU. On The MOU, the utilities went through the final plat. The MOU will state that Granite Peak will put the utilities in the ground. BOPU will own the sewer and water lines and will lease them back to Granite Peak. Commissioner Qualls wanted to know why it can't be a requirement on the plat? Mr. Emmons said it would have to be up to their own system.

Commissioner Clark opened the public hearing. Tom Mason, MPO, is in favor of the MOU. He said this is a change for PlanCheyenne. Commissioner Qualls asked Mr. Mason if the MPO is working with the developers, and stated that she believes the County needs to be involved in PlanCheyenne. Hearing no other public comment, Commissioner Clark closed the public hearing.

Commissioner Cole moved to recommend approval of the change in zone district from the Overland Trails PUD to LI and CB for Swan Ranch Rail Park with no conditions and adopt the findings of fact a and b of the staff report. Commissioner Ward seconded the motion. Motion passed unanimously.