

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

Thursday, October 14, 2010

- 101014 00** The Laramie County Planning Commission met in regular session on October 14, 2010 at 3:30 p.m.

The Commission members in attendance were: Commissioner Jody Clark, Chairman; Commissioner Paula Qualls, Vice Chairman; Commissioners Frank Cole and Jim Ward.

Those signing the meeting register were: J. Pat Sullivan, 6001 E. Laramie; Ken Lemmons, 2314 Persons Rd.; John Lemmons, 2205 Gordon Rd.; Jeff Jones, Steil Surveying; Jeff Wiggins, Cheyenne Parks & Recreation; Nancy Olson, Cheyenne MPO; James Perrott MacNeil; Shaun Jewett, 12311 Glencoe Dr.; Scott Larson, BenchMark Engineers; Erin Gates, BenchMark Engineers; Curt Epler, 3795 Road 203; Mike and Judy Koritnik, 7511 Drummond; Brad Emmons, AVI, PC.

- 01** Discussion to replace November 2010 Planning Commission meetings with one meeting to be held on November 18, 2010.

Gary Kranse, Planning & Development Director, explained that due to the upcoming holidays, this meeting date would present an opportunity to hold a Planning Commission meeting. Commissioner Clark opened the meeting for discussion and motion. Commissioner Qualls moved to approve the meeting on November 18, 2010; Commissioner Ward seconded the motion. Commissioner Cole stated he would not be able to attend. Commissioner Clark clarified that with three voting yes on this motion, it indicated the Commission would have a quorum at the November 18th meeting.

The motion passed 3 - 1.

- 02** Review and action of the Final Plat and Subdivision Permit for Atchison Gravel Subdivision, located in a portion of the NW ¼ of Section 34, T.13N., R.64W., 6th P.M. Laramie County, WY.

Jeff Jones, Steil Surveying Services, came forward to represent the applicant for the proposed gravel pit and subdivision. He explained the gravel pit would serve the development projects currently going on in the County. Mr. Jones asked if the Commission members had any questions.

Commissioner Clark asked the Planning Staff for their report. Gary Kranse, Planning & Development Director, stated that according to current regulations, the property must be platted in order to conduct commercial business. The gravel would be sold for placement on the roads for the oil rigs in the County, and other such usages. Mr. Kranse stated that this action meets the criteria

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for a subdivision permit. He asked that the staff report be amended to only one condition -- the requirement of a traffic study submittal to the County Public Works Department -- since the first condition was actually related to the second condition.

Commissioner Cole asked if this was an old gravel pit that already existed. Mr. Kranse answered that Curt Epler and his wife own Atchison Ranch, and that this was an old gravel pit. On their land, one oil rig would require 24 miles of road be built, and gravel from the pit would provide half of what was needed. The traffic to provide gravel for this access road would use only one mile of Campstool Road, instead of five miles to transport from another pit. Commissioner Cole asked if the gravel pit had been used previously by the County; Mr. Epler stated yes, in the late 70's. He explained that there was a possibility the gravel pit could become commercial in nature, thus the need for this application. Commissioner Cole stated concerns about where to draw the line for commercial, that every farm was commercial, and he thought this did not make sense to make this platted property. He thought it was not in the best interest of the County to force every operation to be platted. Mr. Kranse clarified that the regulation requirement did not apply for farming, as agriculture was not required. He stated that several plats had already been processed for gravel pits, and this was an example of why the new regulations were needed, with regard to requirements of platting. Commissioner Clark asked if we did not pass this application, would it eventually be okay under the new regulations? Mr. Kranse stated Mr. Epler could not sell any gravel to any other entity, as that would fall under commercial business. He stated it was not known if the new regulations would be approved, but Mr. Epler could come back and have the plat vacated. Commissioner Ward asked about the timeline of the oil project. Mr. Epler answered it was under way now, and there already was a DEQ permit, so he wanted to pursue this action.

Commissioner Cole asked about the area shown on the map, as it didn't appear to be the same location as indicated on the plat. Mr. Kranse explained the map indicated an approximate location in relation to the surrounding area; the plat was exact in its site indication. Commissioner Cole said the aerial needed to be accurate. Commissioner Qualls asked for clarification on the differences between using this gravel pit versus another one. Mr. Epler stated that use of Campstool Road would be one mile versus gravel from another pit could travel on Campstool Road up to 12 miles. He noted that Campstool Road was being repaired for the fourth time this year, so it was obvious there was plenty of damage due to road usage. Mr. Epler thought the County should pursue implementation of more gravel pits; Commissioner Clark stated there were landowner issues that could be encountered.

Commissioner Clark opened the hearing to the public. James Perrott MacNeil stated his family had been here quite some time, and expressed interest as to how much land was owned, leased, etc. He asked Mr. Epler what distance he was from the railroad; Mr. Epler stated they were within 10 miles of the railroad. Hearing no more comments, the meeting was closed to the public.

101014 Commissioner Clark opened the hearing to the members for discussion and motion. Commissioner Ward moved to approve with conditions 1 and 2; Commissioner Qualls seconded the motion; motion passed 4 - 0.

03 Review and action of the Final Plat and Subdivision Permit for Southeast Wyoming Welcome Center Subdivision, located in portions of Sections 27 & 34, T.13N., R.67W., 6th P.M. Laramie County, WY.

Scott Larson, BenchMark Engineers, came forward as agent for the applicant, and stated that this was a straightforward plat. He explained one piece of the property was for the new Welcome Center, and would also house the Offices of State Tourism. He stated conditions 1 and 2 of the staff report have already been addressed, and that a zone change application has been submitted to the County Planning Office. Commissioner Clark asked if there were any questions. Hearing none, she asked the Planning Staff for their report.

Gary Kranse gave the staff report, and stated this action would allow the State to build the Welcome Center. PlanCheyenne shows this property as best suited for industrial, and the Overland Trails zoning shows as a PUD. One condition of this application would be to change the zone district to P for public uses. He stated the zone change should be the only condition.

Commissioner Qualls brought forth questions for Scott Larson of AVI. She asked for more information on the Allison Draw Bridge, since the drainage from the property flowed to Allison Draw. Mr. Larson stated that Kelly Hafner with BenchMark Engineers did the drainage study on the site, which provided a detention area to handle the flow from the site, as well as under the interstate from the west, to discharge to the east, as it historically has. He stated the railroad property had limited culverts, but the site would release flow at a historic rate. Commissioner Qualls asked who was going to pursue the culvert issue with railroad to enlarge the culverts for better flow. Mr. Larson answered that he didn't know how that would be accomplished.

Commissioner Clark opened the hearing to the public. As there were no comments, the public hearing was closed. Commissioner Cole moved to recommend approval of the final plat and subdivision permit with conditions 1 and 2 as written in the staff report, and adopt the finding of facts a and b; Commissioner Qualls seconded the motion. The motion passed with a vote of 4 - 0.

04 Review and action of the Final Plat and Subdivision Permit for Sullivan Subdivision, located in Tracts 1 & 2, Archer Estates, 2nd Filing, 6th P.M. Laramie County, WY.

Pat Sullivan, applicant and owner, came forward and explained that the

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subdivision would allow him to build a house on Tract 2. He wanted to subdivide for two residences, with one on the east portion, and then have a tract to accommodate storage of equipment. Commissioner Clark asked for the staff report. Gary Kranse summarized that the purpose was to create a third lot (two already existed). PlanCheyenne designated the property as low density, this was in conformance with PlanCheyenne; and the application met the requirements for a subdivision permit. He noted that two calls had been received with concern about how many houses were proposed. Once explained that it was basically for 3 residential lots, there was no opposition expressed.

Commissioner Clark opened the hearing to the public. Shaun Jewett of 12311 Glencoe Drive came forward with a question for Mr. Sullivan. He asked if Mr. Sullivan planned on building another structure on the third lot? Mr. Sullivan responded that no, he did not. Hearing no further comments, Commissioner Clark closed the public hearing.

Commissioner Cole moved to recommend approval with no conditions, and Commissioner Ward seconded the motion. The motion passed 4 - 0.

- 05** Review and action of the Final Plat and Subdivision Permit for Swan Ranch Rail Park, 2nd Filing, located in portions of Sections 27 and 34, T.13N., R.67W., 6th P.M. Laramie County, WY.

Brad Emmons of AVI, PC, came forward as agent for the applicants Swan Ranch LLC and Clear Creek Land Company. He explained the plat was for five lots: four were for commercial use, and one was for utility easements; and this plat was a continuation of Swan Ranch Rail Park, 1st filing. He stated that the applicants were in agreement with the conditions set forth. Commissioner Cole expressed his concerns about the signage and lighting conditions on the High Plains Interchange, with particular reference to driving on the interchange at dark when unfamiliar with the off-ramp. Mr. Emmons clarified that WYDOT had constructed the off-ramps, and said he would contact Don Fuller to see if some changes could be made.

Gary Kranse gave the staff report, reviewed the four conditions to be addressed, and asked that the Planning Commission find compliance of the four conditions as stated, for the record:

- 1) All comments from the County Assessor regarding ownership shall be resolved prior to plat recordation.
- 2) The "Area Tabulation" shall be changed to reflect the correct plat boundary, 61.65 acres prior to plat recordation.
- 3) The plat drawing shall be updated to include a statement regarding the domestic water supply prior to recordation.
- 4) A statement shall be included on the plat indicating if any or none of the platted area falls within a Special 100 year flood hazard area and list the FEMA Map/Panel numbers associated with this area prior to recordation.

Commissioner Clark asked if the members had any questions.

Commissioner Cole referenced the comments from the County Assessor with

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regard to two ownerships on the properties, and asked if they were going to be combined? Mr. Emmons answered that the two north pieces were owned by Swan Ranch LLC, and the three south pieces were owned by Clear Creek Land Company. He clarified that the managing member was the same for both entities; therefore, the ownership would not change.

Commissioner Clark opened to the hearing to the public. James Perrott MacNeil, of the South Cheyenne area, asked if the property was leased or had warranty deeds. Mr. Emmons said they were all deeded pieces, and the previous owner was Warren Livestock. He stated that Mr. Pershing had met with AVI, PC. on-site for a preliminary overview regarding the property. Hearing no further comments, Commissioner Clark closed the public hearing.

Commissioner Cole moved to recommend approval with conditions 1 - 4 and adopt the finding of facts a and b of the staff report; Commissioner Qualls seconded the motion. The motion passed 4 - 0.

- 06** Review and action of a change in Zone district from MR-2 (Medium Density Residential-Developing) to PUD (Planned Unit Development) for the Tracts 3, 14, 18 and the E ½ of 13, Cheyenne Irrigated Gardens.

John Lemmons, 2205 Gordon Rd., stated the purpose for the zone change was to straighten out the area to make it better for everyone. Commissioner Clark asked for the staff report. Gary Kranse, Planning Director, gave a summary of the zone change description and reasons: the property currently is zoned MR-2, with other zone districts in the surrounding area. PlanCheyenne showed the area as Mixed Unit Residential Development, and the plan provided opportunity for mixed uses. He stated the Laramie County Planning Department has been working with the applicant to clarify exact usage and wording for the PUD. Mr. Kranse stated that the PUD meets the recommendations in the PlanCheyenne and Laramie County Comprehensive Plan. He explained that this was a preliminary draft of the PUD, and the final would be back in front of the Planning Commission on the next meeting date of October 28, 2010; therefore, any issues would need to be addressed now in order to revise the PUD for the final draft format. Mr. Kranse requested that the Planning Commission recommend approval to move forward to the Board of County Commissioners, and asked if the members had any questions.

Commissioner Cole brought up wording from the PUD that mentioned residential use for up to 15 units/acre, and felt there would be a conflict on the units/acre depending on whether the units were townhouses, multi-family, etc. He was concerned about the maximum dimension of 45 feet, and stated that a lot of houses go beyond that length. It was clarified that the dimension referenced height, not length. Commissioner Cole also expressed that he didn't think some of the other uses covered in the PUD, such as restaurants or medical centers, were suitable for this area. Commissioner Qualls disagreed, and stated that it was a redeveloping area and we don't know yet what will be on the north side of Fox Farm Road, and that south of Fox Farm Road does lend itself to industrial, so she did see the possibility for

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Commissioner Clark opened the hearing to the public. Receiving no comments, the public hearing was closed. The hearing was then opened for discussion and motion. Commissioner Qualls moved to recommend approval of the preliminary PUD, and to adopt the findings of fact a of the staff report. Commissioner Ward seconded the motion; Commissioner Cole voted against, and the motion passed with a vote of 3 - 1.

07 Presentation of Cheyenne MPO's Metropolitan Area Pedestrian Plan and Safe Routes to School Plan.

Nancy Olson, Cheyenne MPO, presented the plan to ask for recommendation to go forward to the Board of County Commissioner on a to-be-determined date. She explained that several agencies were involved and had given input for this plan -- Laramie County School District, Wyoming Department of Transportation, Cheyenne Greenway -- and felt that this was a well-rounded plan for the community to support. She listed general purposes of the plan: to plan for the next decade for pedestrians, broaden transportation options, and provide walking opportunities for health as well as economic reasons, with consideration of safety and perceived safety. The plan provides a way to integrate physical activity into daily life, and help the environment. The two plans presented were interdependent to each other: the Pedestrian Plan and Safe Routes to School; and addressed what works now and what needed improvement. She covered the short- and long-range plans and strategies, and highlighted other plans that were all taken into consideration. Also shown were the concentrated areas where requirements were higher for focus of improvement, all based on data.

Ms. Olson also reviewed what was found in the field to consider actual conditions versus data, and stated there had been workshops held to obtain information from the public regarding difficulties encountered when trying to get around town.

Jeff Wiggins, Cheyenne Parks & Recreation, then gave an overview on the next step, which was to come up with recommendations. He explained the engineering perspective, and showed examples of many different improvements that could, and have, taken place. On the Pedestrian plan, the first concern was corridors and intersections, and the study came up with

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seven of each with high priority, which sometimes ran concurrent. On the Safe Routes to School plan, items addressed were the walking routes to school, as well as drop off points and parking. Mr. Wiggins expressed that the most exciting ideas were the educational ones, as they were easiest to implement and incurred the lowest cost.

Commissioner Cole expressed concern about certain items in the plan. One example was the intersection at Converse and Dell Range, as there was no crosswalk to cross Dell Range on the east side of that intersection. He asked if the City of Cheyenne planned on maintaining all the walkways? He cited an example on the south side of Pershing, from Windmill to Forest, where the sidewalk has not been maintained, and is overgrown with weeds. Commissioner Cole gave another example where the snow plows throw snow and dirt on the sidewalks, specifically near Cole Shopping Center where there was still dirt on the sidewalk from the last snow, and that fences and retaining walls were also ruined. He also expressed concern about parking spaces downtown for merchants having been taken for bus stop designations, and asked if the City would get permission for bus stops in the future, since the parking downtown keeps getting less and less available.

Commissioner Clark asked what the Cheyenne MPO was looking for from this hearing. Mr. Wiggins answered that the MPO would like a recommendation to the Board of County Commissioners for adoption of this plan. Commissioner Qualls made a motion to move forward to the Board, but stated that she agreed with Commissioner Cole's comments. For example, the snow and dirt on the sidewalks was extremely bad. She also stated an instance where her son's car had been buried by a snow plow in front of the old DePaul Hospital, and by the time the car was uncovered, the front was deteriorated to the cost of several thousand dollars in repair. She stated that if the plan was implemented, there needed to be follow-through to make sure it worked, but she would still recommend the plan with reservations.

Commissioner Ward seconded the motion; the motion passed 3 - 1.

The meeting adjourned at 4:52 p.m.