

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

Thursday, November 18, 2010

- 101118 00** The Laramie County Planning Commission met in regular session on November 18, 2010 at 3:38 p.m.

The members in attendance were: Commissioner Jody Clark, Chairman; Commissioner Paula Qualls, Vice Chairman; Commissioners Frank Cole and Bert Macy; Gary Kranse, Director; Abby Yenco, Senior Planner; Nancy Trimble, Recording Secretary.

Those signing the meeting register were: Brad Emmons, AVI, PC; Scott Larson, BenchMark Engineers, PC.

- 01** Discussion to Cancel December 23, 2010 Planning Commission Meeting.

Abby Yenco proposed that the December 23rd meeting be cancelled due to the holiday season. Commissioner Cole moved to cancel the meeting; Commissioner Qualls seconded the motion. The motion was passed with a vote of 4 - 0.

- 02** Review and action of a change in Zone district from PUD (Planned Unit Development) to P (Public) for portions of Sections 27 & 34, T.13N., R.67W., (to be known as Tract 1, Southeast Wyoming Welcome Center) of the 6th P.M., Laramie County.

Scott Larson, of BenchMark Engineers, PC, came forward as agent for the applicant and stated that this was the last step in fulfilling the final plat requirements prior to recordation, which was to rezone the area from PUD (planned unit development) as the zoning didn't fit well with the planned use. Commissioner Clark asked for the staff report for this application. Abby Yenco, Senior Planner, explained that the application was for a zone change from the Overland Trails PUD in order to fit appropriately for the property, as the Overland Trails PUD was not specific. She explained that the final plat was approved by the Board of County Commissioners on November 2, 2010, and the recordation was pending the approval of the zone change. PlanCheyenne defined this area as best suited for mixed use, as a gateway into Cheyenne, and this particular use fits well within that designation. Ms. Yenco stated that given the development in that area, there would be no detrimental effects, and asked for a recommendation of approval of the zone change with no conditions to the Board of County Commissioners.

Commissioner Qualls asked that the zip code for the Transportation Commission be corrected in the staff report to go to the Board of County Commissioners. Commissioner Cole added that they receive all their mail downtown, so the zip code of 82001 should be correct. Commissioner Cole

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asked what was planned to happen with the pile of dirt on the site. Mr. Larson said it would be used on site. He explained that the conceptual designs required additional dirt on-site for the interchange, and the contractor was going across the railroad to obtain dirt. The State felt it would be advantageous to obtain the dirt at a lower price, and not have to deal with the railroad. Commissioner Cole mentioned that he did not feel the interchange signage in that area was adequate. Commissioner Clark opened the hearing to the public. As there were no comments, the public hearing was closed by Commissioner Clark with a request for a motion.

Commissioner Qualls moved that the Planning Commission approve the change in zone district from PUD to P, and adopt findings a & c. Commissioner Cole seconded, and the motion passed with a vote of 4 - 0.

03 Review and action of a change in Zone district from CB (Community Business) and LI (Light Industrial) to PUD (Planned Unit Development) for Swan Ranch Rail Park.

Brad Emmons came forward as agent for the applicant, who represented Swan Ranch LLC and Clear Creek Land Company, with an application to change the zone district back to PUD. Mr. Emmons explained this zone change would allow: 1) Open space lots for regional detention ponds, which was not allowed in the light industrial zone; 2) Height limitations on structures, which were not currently allowed; and, 3) Address pedestrian connection and sidewalk issues due to the high activity due to rail operations in the area. He gave another example of flexibility with the change in zoning, which was being able to adjust the number of trees calculated for the current zone district to a more appropriate number based on land usage. In other words, reducing a calculation of 1500 trees down to 75 trees to buffer the roadway and to be placed along the property lines. Mr. Emmons mentioned that in the PUD, it was included that the trees would need to be sprinkled, and that was not required in the current zoning. He also stated that off-premise signs and directional signs would be added, and would be designed by the landscape architect to match all other signage on-site. He added that the site would have multi-use signage, instead of multiple freestanding signs for the various businesses in the area.

Commissioner Clark asked for the staff report. Abby Yenco, Senior Planner, stated that in regards to the future development for Swan Ranch Rail Park, the PUD does support the goals and vision of the Comprehensive Plan. She explained that there were a few issues on the site development, and that this was a preliminary PUD document. She listed one concern mentioned by the Wyoming Game and Fish Department was the fencing types with regard to future development standards. There was also a request for additional language concerning drainage in more detail, especially about the culvert under I-25 with regard to drainage affecting the highway. Ms. Yenco asked the Planning Commission recommend approval of the preliminary PUD with no conditions.

Commissioner Cole stated there were billboards listed in the PUD; that if the

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business was on-site there should not be the need for a billboard, as a business sign on the property line should be sufficient. Mr. Emmons stated he would review and make sure that the billboard wording was not used in the document. He stated that some type of billboard would be allowed at the interchange. Commissioner Cole responded that then it was too late for folks be able to read and follow, and also that electronic boards were too distracting to drivers. Commissioner Qualls added that on the second page of the staff report that WYDOT mentioned billboards along I-25, and Cheyenne Urban Planning also commented on billboards, so the issue needed to be addressed. She also had concerns about sign poles, and stated that Mr. Emmons had addressed her question about the trees. Mr. Emmons addressed the comments from Wyoming Game and Fish about fencing, and stated that it would be difficult to use the type of fencing described, as most businesses would want security around their area. He clarified that the example given (e.g., a smooth bottom wire 16~18 inches above the ground, a 42-inch maximum height, and at least 12 inches between the top two wires) would not serve to keep people out. Commissioner Qualls expressed that wildlife had a tendency to stay away from that type of area.

Commissioner Clark opened the hearing to the public. Upon hearing no comments, she closed the public hearing, and asked the Commission for a motion.

Commissioner Qualls moved to approve the preliminary PUD and adopt fact a of the staff report. Commissioner Macy seconded, and the motion passed with a vote of 4 - 0.

04 Laramie County Proposed Land Use Regulations - Items for Planning Commission Review.

Abby Yenco said the purpose of the discussion was to get feedback in order to target concerns before the adoption hearing. She reviewed the list of focus areas. On the Variance section, Commissioners Qualls and Cole agreed with the Planning Commission responsibility of approval as the commission was more aware and informed on the variances than the Board of County Commissioners. Ms. Yenco asked if there were any comments with regard to the section outlining Planning Commission responsibilities. Commissioner Cole stated he had not read that section. Ms. Yenco said the section was verbatim of the state law, and asked that the commission let staff know if there were any comments.

The Public Notice requirements were compiled with additions to the state statutes, to include requirements for site plans, wind energy sites, etc. Ms. Yenco asked if the commission had any changes or comments on this section. Commissioner Cole said he felt the signs the county displayed were better than what the city used, as well as some he had seen down in Colorado, and that the signs should stay the same. He added that perhaps the developer contact information could be added. Commissioner Qualls said

the system was great; however, maybe the county needed to come up with some way to make the general public more aware of general activities, beyond the legal notice in the newspaper. This subject had been discussed at the South Cheyenne Water & Sewer District board meeting, with comments made that the general public never read the public notices. It was acknowledged that legal notices were required, but were not effective with public notification. Commissioner Cole stated he had suggested before that all agenda items be advertised in one display ad in the Sunday paper, and asked if that was a possibility. He had given the online information to the South Cheyenne Community Development Association meeting members regarding the proposed regulations and the meeting on December 9th. Commission Cole said that display ads were more obvious, and had viewed one in the Sunday publication of the Casper Star Tribune, which was much easier to read than those found in the Wyoming Tribune Eagle. He thought that something could be done to make it stand out; Casper display ads were 2-column ads, and were much easier to spot. Gary Kranse, Planning Director, stated that the meeting agenda being published in Sunday's newspaper was a good idea. Commissioner Macy asked why the legal notices were only published in the Wyoming Tribune Eagle, and not in the Pine Bluffs Post as well? Ms. Yenco responded that the deadline had been one issue for timely publication.

Ms. Yenco continued with the outline of sections. She stated that the general public found the subdivision of land most confusing, so the proposed regulations removed the preliminary plat process and added a process for a preliminary development plan instead. She displayed the flow chart for a subdivision permit, and explained that it did not replace the Planning Commission meeting with an applicant; it was just a guideline for people to better understand the process. The flow chart helped to distinguish different requirements for a subdivision permit, plat, or preliminary development plan, and showed what conditions trigger those needs? Commissioner Qualls asked how would that work with, for example, the water issues in South Cheyenne like those encountered with the Deerhaven Subdivision and the sewer issues that came up, and would it be handled in a new way. Ms. Yenco responded that the issues would be caught earlier, since the idea was that the Planning Office got involved before the time came to apply for a subdivision permit, the issues would already have been addressed. The objective would be to obtain feedback, and hopefully lower cost by not having to go through the preliminary plat process, and there would be more opportunity for public hearing, without a higher expenditure. Public concerns and development issues would be addressed up front. Commissioner Cole asked what the preliminary development plan would show versus a preliminary plat. Mr. Kranse said it would be a conceptual plan. Commissioner Cole said that was the purpose of the preliminary plat, and asked what would be on the conceptual plan beyond what the plat would show. Mr. Kranse responded that it would look like a preliminary plat, but would also address issues before going to final plat. It would present ideas, and ask for input from the county. It would also facilitate public input on the land use before the developer gets involved in more expenditure on the project. He stated that a final plat addressed street construction and roads to be built, and the county requires a commitment on development and construction of roads in order to process a final plat. Ms. Yenco gave examples such as how and where roads connect,

the connection for pedestrian paths, and drainage for the site. Instead of final answers, this would be what needed to be addressed before the final plat process. There would need to be a plan to address these issues before the subdivision permit process. She also clarified that it was similar to a preliminary plat, but didn't go to the Board of County Commissioners; therefore, the time frame was shortened, but the plan was outlined so everyone knew what was proposed.

Commissioner Qualls brought up scenarios which had occurred with water & sewer in South Cheyenne. One developer was told to go to County Planning, due to stipulations that were not in accordance with county regulations. Another one was in litigation, as sewer issues were very complicated. They had been advised to go find an attorney, since the property had been allowed to be divided in past, and needed to get answers to the situation before proceeding with the development. Commissioner Qualls expressed that this would be an improvement on that type of situation. Ms. Yenco asked the commission to take some time, run through a scenario, then return feedback to staff.

The presentation moved on to the section on Density Bonuses, where the commissioners would be enabled to allow more or less density. For an example, if LEED standards were met, and it qualified as green developing, that would provide incentive for more density, and conserve more space, which would be above minimum regulations. With regard to the Sign section, all freestanding signs would be restricted to 100 square feet, and along the highway standards were set to meet with WYDOT regulations. Ms. Yenco confirmed that electronic message centers would still be required to be within the smaller size, and governed by brightness depending on whether it was day or night. She also covered the Title 4 uses in each zone district, with the use remaining, but removal of requirement that the uses needed administrative approval. This revision would make them uses by right, with the provision to go to the Board if the use did not fall in that category.

Ms. Yenco then summarized additional topics, such as temporary use permits could be issued for up to 120 days, site plan applications would have add property owners notification mailing added. Commissioner Cole stated that site plans should come to the Planning Commission for approval. Ms. Yenco continued with notation that there was space reserved for the oil & gas regulations, and that there would be a meeting on December 8, 2010 for those providing feedback, and a meeting was planned for January 2011 for the operators. She stated that the proposed regulations should be back before the commission by February or March 2011, and added that all technical and clerical errors would be resolved by that time.

Ms. Yenco gave an outline of the public meetings scheduled and the board hearing dates. Commissioner Cole asked if a 45-day notice had been given for the December 9th Planning Commission meeting. Ms. Yenco said the legislature required 45-day notice for the Board meeting, not for the Planning Commission meeting, and that responsibility fell on the County Clerk.

Commissioner Qualls stated that staff had done a good job on the regulations. Commissioner Clark closed the meeting at 4:46 pm.