

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

Thursday, August 11, 2011

- 110811 00** The Laramie County Planning Commission met in regular session on Thursday, August 11, 2011 at 3:30 p.m.

Members in attendance were: Commissioner Paula Qualls, Vice Chairman; Commissioners Frank Cole, Jim Ward (elected to be Acting Chairman in Commissioner Clark's absence) and Bert Macy; Abby Yenco, Senior Planner; Lyndsay Hazen, Associate Planner; Nancy Trimble, Recording Secretary.

The meeting register was signed by: Louis Bryson, 2112 Milatzo Avenue; W. G. Finn, 909 W. College; Brad Emmons, 1103 Old Town Lane; Marilyn Hamm, 2360 Road 217; Vic Contratto, 1009 Mitchell; Nancy Olson, 2101 O'Neil Avenue.

- 01** Review and action of the Subdivision Permit and Plat of the Country Homes Subdivision 2nd Filing, located in a portion of the NW ¼ of Section 17, T. 13 N., R. 66 W., of the 6th P.M., Laramie County, WY.

Brad Emmons, agent for the applicant, came forward to give an overview of the application, and explained there was an increase in the number of lots since the presentation of the Preliminary Development Plan, which had been approved by the City of Cheyenne Planning Commission and City Council since the proposed development was within 1 mile of the City's jurisdiction. He stated that the developer was okay with the two conditions listed in the staff report, and asked if the commission members had questions. Commissioner Ward asked Ms. Yenco for the staff report.

Abby Yenco, Senior Planner, stated there had been three conditions upon approval of the Preliminary Development Plan that have since been resolved. She gave a summary of the staff report, explained that PlanCheyenne describes the area as suitable for Urban Residential and Open Space uses, with the western half of the property zoned Mixed Use (MU) and the eastern half zoned Medium Density Residential (MR). The proposed residential development is in conformance with PlanCheyenne. She mentioned there were comments received regarding the streets, and that the minimum right-of-way would be 52 feet throughout the development wherever possible. She explained that the drainage analysis submitted indicated that a water quality feature would be constructed within the Allison Draw Flood Control Project. Water from the detention pond to be located within Lot 1, Block 3 would flow to the water quality feature located on County property and then discharge into the Allison Draw channel. The County had not approved this water quality feature and will require that the design of drainage facilities take place entirely within the boundaries of the Country Homes Subdivision, 2nd Filing. There

had also been questions regarding property ownership from the Real Estate and Assessor Offices, which would need to be resolved before recordation. Ms. Yenco clarified that during the Preliminary Development Review, staff recommended that the applicant enter into a development agreement with the County to address the potential for alternative design of roadways and drainage features to manage storm water and to provide public amenities. The applicant indicated that roadway and drainage design would be completed using existing parameters in the Laramie County Land Use Regulations. Therefore, a development agreement would not be needed at this time. Should the applicant wish to use alternative design parameters in the future, a development agreement may be warranted. Staff recommended approval with the two conditions listed in the staff report.

Commissioner Cole had comments on the survey information shown on the plat, and noted that the graphs and details were confusing. Mr. Emmons attempted to explain how to interpret the table. Commissioner Cole stated the information was not complete. Mr. Emmons said he would check with the engineer.

Commissioner Ward opened the hearing to the public. Louis Bryson, of 2112 Milatzo Avenue, came forward. He voiced concern that the residents were responsible for plowing the roads when it snowed, since the County wouldn't plow the road, and only seemed to plow Cedar and Citrus occasionally. Ms. Yenco responded that the maintenance routine was not known by staff, or if Milatzo was accepted for maintenance. Mr. Bryson said he had to call to get the road plowed, and asked what would be done with 70 more houses if the road couldn't be maintained now? Commissioner Qualls stated that Milatzo Subdivision was classified as a Special District until recently, which required payment of an assessment for the roads within the subdivision, and it was a valid question as to who should be maintaining the roads. Public Works was supposed to maintain Cedar and Citrus. Mr. Bryson stated there was not sufficient road maintenance. He stated that he had enjoyed wildlife in the area, until fencing was put up and all work stopped - there was no mowing, and the County didn't keep up the maintenance. Ms. Yenco clarified that Public Works does not have maintenance requirements for all roads. Commissioner Qualls added she was aware of the issues in the area, with regard to the drainage going to Allison Draw. As far as wildlife concerns, she stated the antelope disappeared due to poisonous planting that took place to the south. Mr. Bryson stated there was standing water and mosquitoes now. Mr. Emmons said there was a drainage study which addressed the additional drainage, and clarified that the property was not close enough to the city limits, so it wouldn't be eligible for annexation. Mr. Bryson still wanted to know what would be done about road maintenance. Commissioner Cole explained that the City didn't even plow all the streets, only the major arterials, so this was the same situation. Commissioner Ward said the roads would be addressed according to a priority list, and suggested Mr. Bryson call Public Works to follow up on the roads and standing water.

Ms. Yenco stated it was possible that the Environmental Health Department could help with the mosquitoes, and that she would visit with both Environmental Health and Public Works to investigate the complaints.

Vic Contratto of 1009 Mitchell Place asked if when the detention pond was being designed, would it be possible to recalculate the Allison Draw rate. He stated that water did back up occasionally, and with more development, there would be less saturation, resulting in more runoff. He asked if expansion of the drainage chute could be discussed with Don Beard. Commissioner Qualls responded that regarding Allison Draw, there were many issues that needed to be resolved, but that some property had been removed from the flood area. She stated that she had lived in the area since 1977, and that not all of the situation is the responsibility of the developer to rectify.

Commissioner Ward closed the public hearing, and opened for discussion and a motion. Commissioner Cole made a motion to table the action for one month to allow time to correct the plat. Commissioner Qualls seconded with an amendment to include discussions to take place regarding answers to the concerns expressed. Commissioner Cole accepted the amendment, and the motion passed with a vote of 4 - 0.

**02** Review and action of the Subdivision Permit and Plat of the Energy Park One Subdivision located in portions of Section 33 and 34, T. 13 N., R. 67 W., of the 6th P.M., Laramie County, WY.

Brad Emmons, agent for the applicant, came forward to give an overview of the action. He explained that this development was for a total of 7 industrial lots - 6 being for development, and 1 for a detention pond. He stated this area was part of the original Swan Ranch Rail Park preliminary plat, which was approved about 18 months ago, and that the developer was okay with the conditions listed in the staff report. Commissioner Cole asked what building was located southwest of Berwick Drive where there were tanks. Mr. Emmons responded that was a holding area for a business being built, and would be held there until they were ready to move on to their property. Commissioner Cole stated he had no objection to lot 7 as a detention area, but what was the purpose of the access? Mr. Emmons stated the intention was for purposes such as mowing equipment which could use the easement for access.

Abby Yenco stated that on February 2, 2010, the Preliminary Development Plan for this project was acknowledged by the Planning Commission, and that the Development Agreement for Swan Ranch Rail Park will apply to this property. The County supports the 60 foot right of way, and the development meets the requirements of the Land Use Regulations. She stated the

comments received from the County Engineer, Real Estate, and Assessors Offices need to be addressed, and that staff recommends approval with the 2 conditions in the staff report.

Commissioner Cole said the existing easements on the plat need to be well tied down, to ensure clarity in the future. Commissioner Ward opened the hearing to the public. As there was no comment, the public hearing was closed. Commissioner Cole motioned to recommend approval with conditions 1 and 2, and with a third condition added that the easements be totally tied down. Commissioner Macy seconded the motion, and it was passed with a vote of 4 – 0.

The meeting was adjourned at 4:02 p.m.