

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

Thursday, March 10, 2011

- 110310 00** The Laramie County Planning Commission met in regular session on March 10, 2011 at 3:30 p.m.

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

Those signing the meeting register were: Dennis Auker, LCSD #1; Brad Emmons, AVI PC; Bill Strickland, 255 Storey Blvd; Nancy Olson, Cheyenne MPO; Ian Catellier, State of WY; Ben Trautwein, 6211 Mountainview Drive; Brad Graham, 213 W. 5th Ave.

- 01** Review and action of the Preliminary Plat of the Overland Trails Business Park located in a portion of the East ½ of Section 14, T.13 N., R.67 W., of the 6th P.M., Laramie County, WY.

Brad Emmons, agent for the applicant, came forward and explained that this preliminary plat would cover 89 acres of the Overland Trails Business Park. There has been a discussion with WYDOT regarding the concern of Etchepare being a straight shot to the interchange. In order to alleviate traffic, a new layout to limit traffic to the interchange is being designed, and WYDOT is working on a diamond-shape interchange as well. The applicant had no problems with the four conditions written in the staff report. Mr. Emmons stated that both the City and County have asked for a development agreement, so the plan was to address the requests with a joint agreement. He asked if the members had any questions. Commissioner Cole said yes. Commissioner Clark suggested the questions wait until after the staff report had been given by Planning staff.

Abby Yenco, Senior Planner, gave the staff report, and noted that the zone change application to change to light industrial zoning was heard on February 24th by the Planning Commission and would go to the Board of County Commissioners on March 15th. Ms. Yenco also stated since this application was submitted prior to the change in the land use regulations, it would be evaluated under the old regulations and that the new regulations were taken into consideration. All subsequent development actions would be processed through the new regulations. Concerns mentioned in the review process should be resolved prior to the subdivision permit submittal, as the applicant had already begun to address them. One comment was that Clear Creek Parkway had already been established but could be platted if the County signed the plat, since Clear Creek Parkway was already a right-of-way. The developer would resolve utility easement concerns prior to the final plat/subdivision permit submittal. Staff recommended approval with the four conditions listed in the staff report.

Commissioner Cole said WYDOT referred to Option 1 in their comments - what is it? B. Emmons said the option presented a straighter T design to WYDOT, so the end of Etchepare would T into a road. He noted that it lined up with Wallick Road, and that Overland Drive was isolated. Commissioner Cole asked which lot was detention? Ms. Yenco referred to the displayed map. Commissioner Cole said he had attended the Monday evening City Planning Commission meeting, and that any development agreement needed to come back to the County Planning Commission for approval. He also expressed that he was concerned about the southwest corner if a diversion interchange were to be implemented. He explained that with a diversion interchange in this area, westbound traffic on College Drive would pass south of the bridge, eastbound traffic on College Drive would pass north of the bridge, and both directions would have stop lights, and would not interfere with the on and off ramps for the interstate. Commissioner Clark asked if any other members had questions.

Hearing no member comments, Commissioner Clark opened to a public hearing. As there were no public comments, the public hearing was closed, and the item was opened for discussion among the members and a motion. Commissioner Cole had further comments regarding the utility easements being situated only on the front lot lines. He then motioned to recommend approval with conditions 1 - 4 in the staff report, with added conditions as follows: 5. Utility easements shall be located along the front lot lines only, and 6. The Development Agreement shall be submitted to the Planning Commission for review with the subdivision permit application. Brad Emmons added that utility easements would be on the front lines, and water/sewer services would be in but not energized. Commissioner Ward seconded the motion; all voted in favor of approval, and the motion passed 5-0.

02 Review and action of the Preliminary Plat of the Niobrara Energy Park located in a portion of the North 1/2 of Section 9, T. 13 N., R. 66 W., of the 6th P.M., Laramie County, WY.

Brad Emmons, agent for the applicant, presented this action. He explained that the development would be established for industrial type use, and had been heard by the City of Cheyenne Planning Commission on Monday night due to the one-mile proximity. Meetings had been held with City and County Planning staff, where a development agreement was requested, so a combined agreement would be drawn up for this development as well. As the secondary access to the site was Avenue C-2 with only a 25' right-of-way, the developer was looking into moving Energy Drive to the east, and was working with the landowner to the north to find an appropriate location to move Energy Drive. He stated that on the final plat, the secondary access might be Energy Drive all the way to Fox Farm Road. Mr. Emmons stated the applicant was in agreement with the 5 conditions listed in the staff report, and asked if the commission members had any questions.

Commissioner Qualls asked why the application went before the City before

the County Planning Commission had seen it? Mr. Emmons responded that they were trying to run it concurrently, but the City's meeting was scheduled earlier. The applicant realized that the development could not go forward without approval from both entities. Commissioner Cole stated he had questions, but would wait until the staff report had been presented.

Abby Yenco stated the purpose of the application was to create industrial lots, with one detention/open space lot. This application was also submitted prior to the adoption of the new regulations, but they had also been considered. As the zoning for this site was light industrial, the application was consistent with the area, and would support the development. Concerns expressed were regarding the affects of drainage of the property, and were being addressed. The applicant would need to resolve the best connection through to College Drive. A meeting had been held regarding options for a greenway so the pedestrians could access the area without compromising safety. As far as the north/south connection to Fox Farm Road was concerned, it would depend on the response from the north property owner. She stated that concerns regarding the easements would be addressed as well. Staff recommended approval with the five conditions listed in the staff report.

Commissioner Cole stated that light industrial was definitely the right use, but noted that Avenue C-4 was a narrow street all the way to the interstate, and asked if the applicant's comments were regarding Avenue C and C-2? He stated that traffic should not go south of the school, as industrial-type traffic should not be going by the school. He thought there should be a request for a walkway on top of the easements, and that the bank of the channel could be used for a bikeway path. He expressed that it would be a good use of the zone district in that area, and he liked the detention area, and though it would work well.

Commissioner Clark opened the hearing to the public. Ian Catellier, with State of Wyoming Construction Management, came forward. He stated that their department went through the same process with the State Combined Labs project, and that WYDOT had made comments with regards to the closeness of traffic entering College Drive from Allison when they had proposed emergency access on the north side of their property. The road currently would go to the south property line of the Combined Labs, and there was a 6 foot elevation drop from the south property line. The northbound turn lane would also interfere. Ms. Yenco stated staff had not received any WYDOT comments in time for inclusion in the staff report. Mr. Catellier said he had spoken with Randy Griesbach with WYDOT, and he had asked Ian to advise him of comments. Mr. Emmons stated the applicant would work with WYDOT on this issue.

Dennis Auker, Laramie County School District #1, came forward and expressed concern about the increased noise from heavy truck traffic, and safety issues at the south end of the Arp Elementary School playground. He asked if East Allison Road was to go through to Avenue C, would that take playground area away from the school district? Commissioner Cole commented again that Allison Road should not go past the school. Ms. Yenco responded that Planning staff had concerns not only for the school but for the residential area as well. She asked Mr. Emmons what options were being

considered? Was the property owner working with the school? The setbacks were 25 feet between light industrial and other zone districts. Mr. Emmons said it was discussed with the City and County, and they could plat a right-of-way to the west boundary line. In the development agreement, it could be written that they would cul-de-sac the road before it got there. With the City process, the right-of-way would have to show on the plat, as they want to preserve the corridor. Developers have met with the school district regarding buffering. He stated that nothing would be built south of the school, and it had a 6 foot' reservation, so there would not be anything built close. Commissioner Ward stated that as there were issues that need to be resolved, did the applicant need more time to resolve them? Mr. Emmons responded that they were meeting with staff again next Monday regarding Energy Drive, but he didn't know if major changes would be seen. Road corridors needed to be addressed in a way that both the City and County will agree. Commissioner Ward stated it was unfortunate to be developing next to the school, and asked if the lot size could be reduced to give more space. Mr. Emmons responded that Allison Road would be turned in to a cul-de-sac before it reached school property, and would dead-end after the last lot line, and that the right-of-way would be left in place. Commissioner Ward asked what the plan was to buffer the noise? Mr. Emmons said a berm with trees on top could be inserted as part of the development agreement. Commissioner Cole stated that since it would be an industrial park, he wouldn't want all types of residential traffic from the west to go through the industrial park, and trucks would need room to turn around, so he didn't think Allison Road should go through. Commissioner Qualls agreed with Commissioner Cole regarding Avenue C, and asked Mr. Emmons how the Allison Road cul-de-sac would fit in with the developer's plans. Mr. Emmons responded that the development would be 200 feet from the school property line, and that they only needed access to the last two lots. He stated the lot layouts would change some, but they found no reason to extend any further than what was needed to access the last two lots. Commissioner Qualls said she would like it to stop sooner. Mr. Emmons said there would be about 600 feet total to the school property line. Commissioner Qualls said she would like to see the cul-de-sac end at the edge of the school property, which would leave more access to the actual Allison Draw channel, with more pedestrian access around the area. She noted that In that area, the greenway was used quite a bit between South Greeley and College Drive, by both bike and pedestrian traffic. Commissioner Clark closed the public hearing at this time.

Commissioner Cole moved to recommend acknowledgement of the preliminary plat with the conditions as follows: 1. The alignment of the Allison Road extension shall not go past the school, and a road connection north to Fox Farm Road shall be resolved prior to submittal of the Subdivision Permit. 2. Comments from the County Assessor and Qwest Communications shall be addressed prior to submittal of the Subdivision Permit. 3. The applicant shall enter into a development agreement with the County that addresses site infrastructure and improvements as well as maintenance responsibilities prior to plat recordation. 4. Pedestrian connectivity to the proposed drainage facility shall be included with the Subdivision Permit. 5. Comments from Benchmark Engineers shall be addressed prior to submittal of the Subdivision Permit. 6. Utility easements shall be located along the front lot lines only. 7. The

Development Agreement shall be submitted with the final plat for recordation.
8. Isolation shall be provided for pedestrians from industrial traffic.
Commissioner Ward seconded the motion, and said he agreed with Commissioner Cole, and had concerns with accomplishing a buffer. With noise produced from equipment running, we needed to make sure there was a substantial buffer in order to be considerate of the school. Commissioner Cole suggested 10-12' berms, or distinguish that lots are not to be used for high noise uses, such as inside operations, which would produce less truck noise. Mr. Emmons said they could incorporate the design into the development agreement to work that out, as that would be the best place for berm language. With regards to Avenue C-4, he was not sure yet as to whether Energy Drive would move, and didn't want to get in the way of other options by determining placement of buildings. The vote was taken, with all in favor of the motion 5-0.

03 Discussion of revision to Laramie County Comprehensive Plan.

Abby Yenco outlined what was needed from the Planning Commission on this revision due to the county population growth, and different industries moving in. She stated the county needed to get the public involved, and feedback was needed from the Planning Commission, as now would be a good window to look at potential impacts. The last comprehensive plan was published in 2001 was very general, and did not address increases in development and new types of development the County was dealing with. She reviewed reasons why the update is needed, and presented the Laramie County Oil map showing the concentrated areas of resource development being established. Ms. Yenco explained that ownership of this project needed to be taken by the Planning Commission, as this county project needed their leadership and participation.

Ms. Yenco said in the next two months a scope of work needed to be developed, so that in one year the county would have an updated Comprehensive Plan to put into place.

Commissioner Qualls asked how it would affect the land use regulations that were pending. Ms. Yenco responded that the Land Use Regulations were in place. The only remaining piece to be implemented was the sign section, which was going to the Board of County Commissioners on March 15th for emergency rulemaking and rulemaking notice. She explained that this plan would look at the bigger scope, and offer input for changes that may need to take place next year, and this process should inform what changes would be needed. Commissioner Ward asked about the allocation of funds with the Niobrara oil play as to when the county would see funds. Ms. Yenco stated it could be 2 - 3 years, maybe more. With regards to allocation of funds in the future, one of the goals of the Comprehensive Plan would be to prioritize projects to develop a plan for distributing funds when they become available.

This plan should tell us what action steps would need to be set up for as far out as 20 years. Commissioner Cole added that when PlanCheyenne was adopted, it had not taken a good look at specific areas.

Ms. Yenco asked the Planning Commission members to come to the March 16th discussion of the comprehensive plan revisions with the Board of County Commissioners.

The meeting was closed at 4:30 p.m.