

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

Thursday, May 26, 2011

- 110526 00** The Laramie County Planning Commission met in regular session on May 26, 2011 at 3:35 p.m.

Planning Commission members in attendance were: Commissioner Jody Clark, Chairman; Commissioner Paula Qualls, Vice Chairman; Commissioner Bert Macy; Planning & Development Director Gary Kranse; Senior Planner Abby Yenco; Associate Planner Lyndsay Hazen; Recording Secretary Nancy Trimble.

Those signing the meeting register were: Jeanne Hicks, 1818 Pine Avenue, Cheyenne; Lodema Klimt, 603 E. 17th St., Cheyenne; James Perrott MacNeil, Cheyenne; Brad Emmons and Bruce Perryman with AVI, PC, 1103 Old Town Lane, #101, Cheyenne; Sharon Wells, 1647 E. Fox Farm, Cheyenne; Colleen Willits, 1417 W. 6th Ave, Cheyenne; Nancy Olson with MPO, 2101 O'Neil Ave., Cheyenne; Diane Humphrey, 309 W. 19th St, Cheyenne.

- 01** Review and action of the Preliminary Development Plan for 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 a summarization of the purpose of the application, and stated the area was zoned MR (medium density residential) and MU (mixed use), as defined in the newly adopted land use regulations. He said the property contained 11.4 acres, with residential development being proposed, and that the applicant had addressed the County Engineer and WYDOT comments. With regard to the FEMA floodplain, the County had turned in a new LOMA (Letter of Map Amendment), so he expected that the property would be out of the floodplain in the next couple months. He stated that the grant had been applied for by the County for the greenway along Allison Draw, so the subdivision would tie in the sidewalks to the greenway. There were no questions from the commission members.

Abby Yenco, Senior Planner, gave the staff report, explaining that this was for single family residential development, with an average density of 6.3 lots per acre, and Cedar Avenue would be the primary access point. PlanCheyenne described this area as suitable for urban residential, and the proposed development was in conformance with the zoning standards and PlanCheyenne. Based on the County Engineer and WYDOT comments, staff suggested the applicant consider alternative green design regarding the drainage design, with an option being multi-functional drainage and green space on the final design. The proposed roadways would be addressed through the development agreement, along with the drainage concerns raised by the

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County Engineer and WYDOT. There should not be trees planted in the Pine Avenue right-of-way, so it wouldn't be necessary to remove them for future connectivity to West College Drive. Ms. Yenco mentioned that a comment was received from a neighbor unable to attend this meeting, with concern about wildlife viewing in the open space. She displayed pictures taken of the site from different directions, to show how the development pieces would be incorporated into the surrounding area. She asked the Planning Commission to provide review comments as listed in the staff report, to include Public Works concerns as documented in the staff report.

Commissioner Clark opened the hearing to the public. Jeanne Hicks, of 1818 Pine Avenue, Cheyenne, came forward with concern about flooding. She stated it was supposed to go to Allison Draw, but dirt had been built up and her property was 5 feet below grade. Brad Emmons responded that Cherry Street was to carry the flow down to Allison Draw along the west portion of the property, and that there would be a detention pond placed somewhere on the property per the County Engineer's specifications. Commissioner Clark asked Ms. Hicks if that answered her question. Ms. Hicks responded that she would have to wait and see.

James Perrott MacNeil came forward, stated he lived in the North Ponderosa Trailer Park, and expressed his concern about whether this was a Union Pacific section or not. Commissioner Clark responded that would have been addressed at the time of the title search. Mr. Emmons said he had not seen the title work, but knew that it was cleared. Commissioner Clark said if it was a U.P. section, it would have surfaced, especially with the oil industry going on in Laramie County.

Hearing no further public comment, Commissioner Clark closed the public hearing, and opened for member discussion and motion. Commissioner Qualls asked if it was a typo in the County Engineer's comments where it referred to Avenue E? Mr. Emmons responded that he believed it was, and should be Avenue C, as there were not enough drainage tunnels under that road.

Commissioner Qualls moved that the preliminary development plan be approved with the three comments as listed in the staff report and adopt the finding of fact a; Commissioner Macy seconded the motion. The motion passed with a vote of 3 - 0.

**02** Review and action of the Preliminary Development Plan for C.W. Subdivision located in a portion of Section 9, T. 13 N., R. 66 W., of the 6th P.M., Laramie County, WY.

Brad Emmons, agent for the applicant, stated the purpose of this plan was to create 9 lots for light industrial uses, located just north of the proposed Niobrara Energy Park. He said the plan incorporates Energy Drive which

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would serve both this development and Niobrara Energy Park, and that the applicant was aware of the five comments as written in the staff report.

Abby Yenco gave the staff report, and explained the borders of this development would be Fox Farm Road and the proposed Niobrara Energy Park, and was in conformance with the light industrial zoning. PlanCheyenne describes this area as suitable for Mixed Use-Employment, which somewhat fit with the proposed use. The Cheyenne MPO is conducting the Fox Farm Corridor Study, which is evaluating the current and future land uses in the area, and should result in PlanCheyenne land use updates in the future. She explained that the applicant submitted a request for traffic study waiver; however, a traffic study would be required with the subdivision permit and plat application. The individual site plans would be evaluated as they are submitted. There were comments received asking to provide potential connections to Avenue C, but staff did not feel it would be needed, due to the Energy Drive connection. Ms. Yenco clarified that pedestrian connectivity should be isolated from industrial uses. Pedestrian access needs to be addressed and safely designed. There was a proposed regional detention pond in the Niobrara Energy Park to the south, which could be used as part of the overall drainage plan for this property. The County was looking for other opportunities for improvements within this subdivision, and wanted the applicant to consider improvements in return for use of the regional detention facility. Staff was asking for a development agreement to include improvements and pedestrian amenities. The application does meet the criteria for a preliminary development plan, with a list of comments being summarized in the staff report. One comment to note was the requirement that Willits Drive and Energy Drive be constructed prior to issuance of any Certificate of Occupancy within the proposed subdivision.

Commissioner Clark opened the hearing to the public. James Perrott MacNeil came forward, stated he lived in the North Ponderosa Trailer Park, and expressed his concern about whether this was a Union Pacific section or not. Commissioner Clark responded that would have been addressed at the time of the title search, and if it was a U.P. section, it would have surfaced, but the property was owned legitimately. Mr. MacNeil said he was concerned that grazing leases were lost in the process.

Sharon Wells, of 1647 E. Fox Farm Road, asked what kind of industry was anticipated, as this property was adjacent to her land, and she had concerns about diesel exhaust fumes and noise. Brad Emmons responded the uses would be light industrial in nature, so most likely oil field service related, storage, and lots may be put up for sale, so he couldn't know exactly. Ms. Yenco referred to the light industrial zoning section of the regulations which did have designations listed. She read the uses by right were industrial, manufacturing, fabrication, child care facilities, offices, and commercial type uses, which did not allow noise, odor or dust, and also noted that outside storage was shown as an accessory use. Uses requiring board approval were similar uses, pet crematories, kennels and pet boarding. She clarified that a site plan was required after the subdivision permit was approved, so neighbors would receive notice informing them of proposed uses.

Mr. MacNeil came back up, and stated that the property he lived on had

received a zone change without a warranty deed. Commissioner Clark responded that it would have been checked.

With no further public comment, Commissioner Clark closed the public hearing and opened the meeting for discussion and motion. Commissioner Qualls asked about the number 2 comment received from the Cheyenne Urban Planning Office about recording covenants attached to parcels. She said she did not understand -- if the property was in the Water District, why was the statement there? Brad Emmons said the piece of property was in the area approved to be in the district, but had not been accepted yet since the petition had not been turned in. He stated it was the same documentation as the rest of the district had, and this was the last piece, along with the Niobrara Energy Park property. He also responded to the County Assessor's comments about three different property owners, and that he had informed the Assessor's office that there were really just two owners -- Colleen Willits and Cynthia Simon. A transfer deed was needed due to Cynthia's name change from Haberman to Simon. Mr. Emmons also said Energy Drive would help route the drainage off of Fox Farm Road into the regional detention pond, then on to Allison Draw. Commissioner Qualls asked about the statement by Cheyenne MPO to provide hammer heads instead of cul-de-sacs, and what was the difference? Mr. Emmons stated he talked to the applicant and County staff, and it didn't really make much difference. Commissioner Qualls asked why the MPO asked for this in the first place, as the road was internal, there was no through street. Mr. Emmons stated to the east was okay, but the MPO was concerned with it to the west, and the applicant agreed that it was just an internal road. Commissioner Qualls thanked Mr. Emmons for clarifying the issue.

Commissioner Qualls moved that the preliminary development plan be approved with the five comments as listed in the staff report and adopt the finding of fact a; Commissioner Macy seconded the motion. The motion passed with a vote of 3 - 0.

The meeting was adjourned at 4:18 p.m.