

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

Thursday, October 27, 2011

- 111027 00** The Laramie County Planning Commission met in regular session at 3:35 pm, Thursday, October 27, 2011.

Members in attendance were: Commissioner Jody Clark, Chairman; Commissioner Paula Qualls, Vice Chairman; Commissioners Frank Cole and Bert Macy; Gary Kranse, Planning & Development Director; Lyndsay Hazen, Associate Planner; and Nancy Trimble, Recording Secretary.

The meeting register was signed by: Gary Hickman, Environmental Health Dept.; Sreyoshi Chakraborty, Cheyenne MPO; Brad Emmons, AVI, PC; Lisa Pafford, Cheyenne Building Office; Marilyn Hamm, Cheyenne Area Landowners Coalition.

- 01** Review and action of a Subdivision Permit for Tract 30, Crestmoor Subdivision and the West half of vacated Braehill Road adjacent to Tract 30, Laramie County, WY.

Betty Lake came forward to explain the purpose of the application was to fulfill the requirement to subdivide the 10 acre parcel. The property had been surveyed by Steil Surveying, and the two pieces were sold as 6.3 and 3 acre lots. The owners were not aware that the property needed to go through the subdivision application process before it could be sold as two separate pieces. The action before the Planning Commission was to bring the subdivision into conformance. On March, 1, 2011, the Board of County Commissioners approved a variance in lot size standards, from the 5 acre requirement, in order that the applicant would be able to apply for a subdivision permit.

Lyndsay Hazen, Associate Planner, gave a summary of the staff report with regard to bringing the subdivision into compliance, and explained that the regulations were reviewed pertaining to this action, with the result of an exemption on the requirement for a plat. Staff recommended that the application met the criteria for a subdivision permit, and that the Planning Commission recommend approval to the Board of County Commissioners with no conditions.

Commissioner Clark opened the hearing to the public. Hearing no comments, the public hearing was closed, and the item was opened for discussion and a motion. Commissioner Cole stated he found no information regarding the subdivision permit included in the staff report to review. Gary Kranse, Planning Director, responded the resolution was the subdivision permit, and confirmed that the draft of the Board resolution had not been included with the Planning Commission staff report. He explained there was no other

information other than what was included, and that other requirements were waived according to Wyoming State Statutes 18-5-301 - 18-5-306. Legal descriptions were provided, which should be sufficient.

Commissioner Clark asked if there was a well on the 3 acre parcel, to which Ms. Lake responded yes. Commissioner Clark asked if the well went bad, would there be an issue in obtaining a permit for a new well due to the lot size . Gary Hickman came forward to respond that, although the State Engineer's Office had the final decision, he had never heard them deny a domestic well permit.

Commissioner Macy asked about the structure that existed directly east of the 3 acre parcel and the property line that bisected that structure, and how it did not adhere to the setback requirements. Mr. Kranse responded that, although the aerial was not a precise reflection of exactly where the east property line was located, the property line and the structure were already existing, and this action did not attempt to change that situation.

Commissioner Qualls asked about the quit claim and warranty deed documents included with the staff report, to confirm that the quit claim was on the 3 acre parcel, and the more recent warranty deed was for the 6.3 acre piece. Ms. Lake confirmed this was correct, and noted that the 6.3 acre parcel was basically pasture.

Commissioner Clark asked for a motion. Commissioner Qualls moved to recommend approval to the Board with no conditions; Commissioner Macy seconded the motion. The motion passed with a vote of 3 - 0 - 1.

02 Review and action of the Preliminary Development Plan for Swan Ranch Rail Park 5th Filing located in portions of Sections 10, 11, 14, 15, 16, 21, 22, 23, 27 & 28, all in T. 13 N., R. 67 W., of the 6th P.M., Laramie County, WY.

Brad Emmons of AVI PC came forward, as agent for the applicants, to summarize this action. He explained it was 2,900 acres to be broken up into commercial, industrial, and rail lots. The application had been postponed a couple times in order to provide more time to clear up concerns and issues, and the applicants were agreeable with the conditions in the staff report. Mr. Emmons provided copies of the City of Cheyenne's staff report showing a total of eleven conditions, which he believed had been addressed in the form of addendum and revisions, and stated a new plan map had been turned in to the Planning office.

Ms. Hazen gave the staff report, and stated the plan had been reviewed against long range plans, and that concerns had been expressed regarding potential traffic situations. The Zone Change application for this development would not be heard until the 11/10 meeting, and the postponement request followed as the next agenda item. She reviewed the conditions as written in the staff report, and covered the items that staff suggested the Planning Commission members find upon recommendation of approval to the Board.

Commissioner Clark opened the hearing to the public. Hearing no comments, the public hearing was closed, and the item was opened for discussion and a motion. Commissioner Cole said the City of Cheyenne has moved the access to the south, and he understood there was the intention to tie in to a new interchange on I-80, and asked if it had been determined where? Mr. Emmons responded there had been a lot of discussion regarding traffic during the Overland Trails application process. It was determined that an overpass wouldn't help traffic flow in this area, so developers were now looking at the possibility of a future interchange, although there was no ideal location for one. He stated that WYDOT was not interested in constructing another interchange, but the City of Cheyenne had asked for one to be included in the plan, so the right of way that College Drive needed was reserved and shown on the plan, whether or not it would ever be built. Commissioner Cole asked if the plan with redlines that he had obtained was being followed, or was the Preliminary Development Plan submitted to the County being used. Mr. Emmons said the original plan (with looped roads) was derived from PlanCheyenne; however, the one submitted with this application applied a suggested layout from the Planning Office, with the use of more 90-degree angles. Though it was not a huge change, it would facilitate access for a future interchange. Commissioner Cole asked how another interchange on Roundtop Road could possibly work to tie in to this development. Mr. Emmons stated a study was done two years ago, and there were problems with possible I-80 and I-25 interchanges, so this plan was the result. Commissioner Cole asked where the interchange would tie in. Mr. Emmons indicated an area to the north at Roundtop Road, and mentioned that he had a copy of the study sheet, but had not brought it with him. Commissioner Cole expressed that with all the conditions that would apply to the plat, it would be hard to define them now, but they should be addressed at the time of platting. Mr. Emmons asked if this was acceptable with the Planning Office. Mr. Kranse confirmed that the conditions should be addressed prior to approval of the plat, but they were not necessary now.

Mr. Kranse addressed the members and stated that the Planning Office was working closely with the developer due to the size of the Swan Ranch project. Mr. Emmons stated that with piecing together this extensive project, the individual plats would be processed one at a time and would address the traffic results as the project moved along.

Commissioner Cole asked why the property to the north was not being platted. Mr. Emmons responded the pieces indicated with letters were designated for City open space lots. He further explained that the developer had received plans from Union Pacific Railroad for 10% of their design and from Burlington Northern Railroad for 85% of their design, with regard to where they wanted to extend on the property.

Commissioner Qualls said there should be water lines to connect, but City water had not extended services that far, to her knowledge. She questioned what would happen if someone else comes in to the area? Mr. Emmons responded that a well would serve the property until the 42" line was run, and that sewer service was connected entirely throughout the section. He added

that until the water main was in place, the developer was planning ahead by placing lines in the ground. Commissioner Qualls expressed she was glad that the October 13th meeting was continued, as they had received even more information on this Preliminary Development Plan today, due to the extra two weeks that had lapsed.

Mr. Emmons said the next item on the agenda was a request to postpone the Zone Change application for this property to the November 10th Planning Commission meeting, so a good, solid zone change map should be created by that date. Commissioner Qualls asked if the names on the roads had been changed to clarify for emergency service vehicles and the public, as it was very confusing. Mr. Emmons responded that would be addressed by the time of application for building permits. She also asked if Wallick Road lined up; Mr. Emmons responded it would.

Commissioner Cole motioned to approve the preliminary development plan as a sketch plat, as there may need to be changes to the roadways with the railroads involved. Mr. Kranse responded this was a plan, not a plat, and that all comments would be addressed at the time of the platting process. Commissioner Qualls seconded the motion, and it was passed with a vote of 4 - 0.

- 03** Review and action of a change in Zone district for the Swan Ranch Rail Park 5th Filing located in portions of Sections 10, 11, 14, 15, 16, 21, 22, 23, 27 & 28, all in T. 13 N., R. 67 W., of the 6th P.M., Laramie County, WY

Commissioner Clark stated this was the Zone Change application as mentioned by Brad Emmons during the discussion of the previous item, and asked for a motion to postpone the hearing of this application until November 10, 2011. The motion was passed with a vote of 4 - 0.

- 04** Review of a request for variance to the Laramie County Small Wastewater Facilities Regulations, for Tract 42, Fox Run Estates.

Gary Hickman, Environmental Health, came forward. He explained this lot had a problem with the 100-year floodplain running right through the middle of the property, and that the Laramie County Small Wastewater Facilities Regulations required a fifty foot setback from the edge of a floodplain and from the property lines. He clarified the house was out of the floodplain, and the applicant was requesting a variance to place the septic system ten feet from the property line. Commissioner Cole said he looked at that area, and with another dozen tracts out in the same area and situation, there was no other option but to approve the variance.

Commissioner Clark opened the hearing to the public, and with no comments, it was closed. Commissioner Cole motioned to approve the variance; Commissioner Qualls seconded, and the motion passed with a vote of 4 - 0.

05 Discussion regarding cancellation of the November 24, 2011 Planning Commission Meeting.

Commissioner Clark opened the discussion. Commissioner Cole said when the Planning Commission was officially set up, it had been decided that there would be no Planning Commission meetings on the 4th Thursdays of July (Frontier Days), November (Thanksgiving), and December (Christmas Season), all three occurrences contributing to the likelihood of a lack of quorum.

It was voted that the November 24th meeting would be cancelled, by a vote of 4 - 0.

06 Public hearing of the Interchange Enhancement Guidebook.

Sreyoshi Chakraborty, Cheyenne MPO, came forward to give the purpose for creating this guidebook. She stated that it was basically an encyclopedia of design details for transportation enhancements. The Cheyenne MPO was asked to compile the guidebook, which consolidated items based on various past projects into one document. This book provided a resource for future projects, which helped define aspects such as materials used and base costs.

Ms. Chakraborty explained the draft of this document was shared with City, State, and County agencies, and input provided was incorporated into this publication.

Commissioner Cole expressed doubt as to how valuable this publication was, and that the amount of information and paperwork seemed excessive. Commissioner Macy commented he had noticed the section for rural interchanges mentioned planting shrubs, which was not practical due to the naturally-occurring vegetation in the high plains.

Commissioner Clark opened to the hearing to the public. Hearing no comment, the public hearing was closed. Commissioner Qualls moved to recommend acknowledgement of the receipt of the Interchange Enhancement Guidebook. Commissioner Cole said he would not support the motion, as this document should not state what requirements were for interchange enhancement design. Ms. Chakraborty responded these are not requirements, only a guide to design details and a reference for future projects where the information could be located as it was utilized for past projects.

Tom Cobb, AVI, PC, came up to clarify by reading the introduction in the front of the guidebook, further explaining the purpose was not to tell anyone what they had to do, but to reference materials and design details used in previous projects.

Commissioner Qualls revised the motion to include recommendation of approval of the Interchange Enhancement Guidebook to the Board of County Commissioners. Commissioner Macy seconded the motion, and it was passed with a vote of 3-1.

The meeting was adjourned at 4:35 pm.

Attachment: City of Cheyenne October 14, 2011 Staff Report –
Swan Ranch Rail Park 5th Filing Preliminary Plat



BUILDING & DEVELOPMENT OFFICE

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MEMORANDUM

TO: Mayor and City Council

FROM: Brett Walker, Planner

SUBJECT: PSC Agenda Item #19 – Substitute Staff Report for County Preliminary Plat of Swan Ranch Rail Park, 5th Filing

DATE: October 14, 2011

At its regular meeting on October 3, 2011, the Planning Commission voted to recommend approval of the above-described County Preliminary Plat without staff recommendations #1 through 10. On October 10, 2011, the City Council referred the item as recommended to the Public Service Committee meeting on October 18, 2011.

The Development Office has since received the following comment from Engineering on October 13, 2011, which has resulted in another staff condition (#11). The Development Office is therefore substituting the previous staff report with an updated staff report. The comment is now included in the attached staff report update. Engineering's comment and condition is as follows:

11. Following discussion with Applicant/Engineer and understanding the scope of the preliminary plat, the Drainage Master Plan should be amended prior to final plats to address Engineering staff concerns regarding:
 - a) SCS UH methodology for sizing initial infrastructure for conveyance and assessing post development conditions.
 - b) Accounting of detention for roadways and railyards.
 - c) Proposed detention in floodplains and ROW.
 - d) Regional detention and conveyance relating to the sequence of development.
 - e) Identification of easements needed for primary conveyance/drainage ways.
 - f) Policy for City acceptance of regional detention and conveyance facilities.
 - g) Overflow and safety of reservoirs on Clear Creek.

Thank you for any time and consideration you give this matter.

encl: Updated Staff Report

cc: City Clerk
City Attorney
File (SWRP-P)
Owner
Agent

STAFF REPORT

Swan Ranch Rail Park, 5th Filing
Summation

County Preliminary Plat

CASE NUMBER: P-11-08

FILE CODE: SWRP-P

PREPARED BY: Brett Walker

MEETING September 6, 2011 - Planning Commission – Continued for 30-days

DATES: October 3, 2011 - Planning Commission

October 10, 2011 – City Council

Required documents submission:

- All required documents have been submitted and reviewed by staff.
- A revised plat map was submitted on September 16, 2011.
- Traffic Study was received on September 22, 2011

RECOMMENDATION: The Building and Development Office recommends that the County Preliminary Plat proceed to the Governing Body with the following conditions:

Prior to Council Acknowledgement of the preliminary plat the following amendments are recommended:

1. Extend Berwick Drive to the north Boundary of the Plat as a north south corridor. This would essentially replace Prospect Peak Drive in the Preliminary Plat date stamped September 16th 2011.
2. Black Swan needs to tee into Berwick as a perpendicular angle.
3. Wallick needs to tee into Berwick at a perpendicular angle and the intersection shall be located at least 660' north of the proposed Mallard/Berwick intersection.
4. Gannet Peak Drive needs to tee into Berwick at a perpendicular angle and the intersections needs to be at least 660' north of the Intersection of Wallick and Berwick.
5. Show the location(s) for the shared use trail connection from High Plains interchange to the proposed City open space and location of proposed right of way from Swan Ranch parcel to Southwest Drive under I-25 (*ref. Development Agreement 5648*).
6. The Transportation Impact Study should be based on the projected project buildout and not an average growth rate.
7. The Transportation Impact Study should identify the impacts associated with a phased approach to development of the area and the milestones that trigger the need for additional improvements to mitigate those impacts.
8. The Transportation Impact Study should provide a list of improvements necessitated by the proposed development, the cost associated with those improvements, and funding sources and cost participation needed in order for development to occur.
9. The Transportation Impact Study should include a figure that shows the project traffic assignment to the internal roadway network along with an analysis of the capacity of the roadway system.

Prior to Final Plat Approval

10. No platting of any area within ¼ mile of the proposed Wallick Interchange or proposed Wallick intersection of Clear Creek without additional discussion and agreements to occur between the developer, WyoDOT, FHWA and the City in order to confirm

appropriate design and reservation of the interchange location.

11. (added 10/14/11) the Drainage Master Plan should be amended prior to final plats to address Engineering staff concerns regarding:
 - a. SCS UH methodology for sizing initial infrastructure for conveyance and assessing post development conditions.
 - b. Accounting of detention for roadways and railyards.
 - c. Proposed detention in floodplains and ROW.
 - d. Regional detention and conveyance relating to the sequence of development.
 - e. Identification of easements needed for primary conveyance/drainage ways.
 - f. Policy for City acceptance of regional detention and conveyance facilities.
 - g. Overflow and safety of reservoirs on Clear Creek.

STAFF REPORT UPDATE (10/04/11): At its regular meeting on Monday, October 3, 2011, the Cheyenne Planning Commission recommended approval of the County preliminary plat by a unanimous vote of 5 to 0, with no conditions.

There was some debate amongst Commissioners over “recommending” the staff conditions versus “recognizing” the staff conditions. Given testimony by the applicant, the Commission did not want to *recommend* conditions that might commit the developer to establishing a firm network of arterial roads consistent with City Staff recommendations. The Commission did not feel there was enough justification to have the applicant update the transportation study or to modify the preliminary plat map. Staff continues to work with the applicants regarding the transportation and drainage issues.

STAFF REPORT UPDATE (10/14/11): Engineering Staff recommendations for amendment to Swan Ranch 5th Preliminary Plat (See Recommended Condition #11, also added under Engineering comments)

Following discussion with Applicant/Engineer and understanding the scope of the preliminary plat, the Drainage Master Plan should be amended prior to final plats to address Engineering staff concerns regarding:

- a) SCS UH methodology for sizing initial infrastructure for conveyance and assessing post development conditions.
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