

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

Thursday, January 26, 2012

- 120126 00** The Laramie County Planning Commission met in regular session on Thursday, January 26, 2012 at 3:30 p.m.

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

The meeting register was signed by: Kenneth E. Walling, 4296 Road 211, Burns, WY; Rae D. Walling, 4296 Road 211, Burns, WY; Gary M. Hickman, Environmental Health Dept.; John Steil, Steil Surveying Services; Marilyn Ham, 2360 Road 217, Cheyenne, WY; Lisa Pafford, Cheyenne Building & Development; Tom Mason, Cheyenne MPO.

- 01** Review and approval of a Variance in lot size for the Agricultural and Rural Residential (A1) Zone district for the property located in the North ½ of Tract 38, Dell Range Addition, Third Filing, Laramie County, WY.

Abby Yenco introduced the Variance application as the first item on the agenda. The agenda order of the Variance and the Subdivision Permit applications were switched, as approval of the Variance was required before recommendation of the Subdivision Permit for approval to the Board of County Commissioners. John Steil, agent for the applicant, came forward to give an overview of the application. Currently the 9.32 acre property had two residences, and the application was submitted for approval of a variance in the zone district in order to split the property into two pieces. He added there were smaller property sizes surrounding this area, and if this property was split, it would be larger than some in the surrounding area.

Abby Yenco gave an overview of the staff report, and explained the lot size variance from 10 acres in the A1 zone district to approximately 4.66 acres per lot was not intended to add any new development to the property, as the two residences were already in existence. PlanCheyenne describes this area as best suited for Urban Transitional Residential uses, which indicated that the variance would create an appropriate density. The opportunity existed to increase the density based on the surrounding properties in the area. Many were smaller to the south and west, and to the north, the properties were 5 acres or larger. Staff found no significant adverse impacts. The property would remain as residential, so this was consistent with PlanCheyenne. She outlined findings that needed to be made for approval

by the Planning Commission, as listed in the staff report. She explained as the area was pre-developed, the split would be similar in size to others in the area. Based on the surrounding zone districts, rezoning this property would result in a spot zone. This variance option was chosen to avoid spot zoning. Staff recommended the Planning Commission find the application met the criteria for a variance and that it be approved.

Commissioner Cole commented that the only reason this property owner had to apply for this variance was because of PlanCheyenne's zone designation for that area, and as nothing in that area fits that use, the zoning was wrong. He expressed that it was a shame that the applicant had to bear the costs to make this change when a governmental agency had placed the wrong zone district in this area. He added that before land use planning was put into place, all properties were reviewed, but everything in this area was wrong. He stated the zoning should be revised, and the application costs reimbursed to the applicant.

Commissioner Clark opened the hearing to the public. Hearing no comments, the public hearing was closed.

Commissioner Cole moved to approve the variance and reimbursement of costs to the applicant, as the land use planning was totally wrong for the area. Commissioner Ward seconded the motion, so the commission could discuss, and asked if this was within our authority? Gary Kranse responded that PlanCheyenne was in the process of revision, and in comparison to the land use, did not clearly match. Also, the revision to the Comprehensive Plan would provide another opportunity to re-evaluate zoning in the area. He added that the reimbursement of fees was within the authority of the Planning Commission to recommend.

Commissioner Clark asked if Commissioner Ward was still seconding the motion; he responded yes. It was explained that if the Commission intended to approve the variance, the motion with findings needed to be stated. Commissioner Cole said he would not change the motion, due to everything being wrong. Ms. Yenco explained that if a vote was held on the motion to pass the variance, it would allow the applicant to proceed with the subdivision permit. Commissioner Ward asked if the motion was in proper form to move forward. Ms. Yenco responded it was in order to approve the lot size, and there could be an additional recommendation to the Board of County Commissioners to deal with the Comprehensive Plan and fee issues. A vote was taken and the motion passed 5 - 0.

Commissioner Ward moved to approve the variance in lot size with the motion as written in the staff report; Commissioner Qualls seconded, and the motion passed 5 - 0.

02 Review and action of the Subdivision Permit and Plat for the Prairie Dog Alley Subdivision located in the North ½ of Tract 38, Dell Range Addition, Third Filing, Laramie County, WY.

John Steil came forward as agent for the applicant. He explained that the Walling family were joint tenants/owners of the subject property, and it was clarified that Kenneth and Rae Walling actually rent from their daughter, Teresa Walling. The purpose of the variance application, which was heard and approved by the Commission as the first agenda item, was to allow the property to be split into two lots of less than 10 acres each, as the property was located in the A1 (Agricultural and Rural Residential) zone district. Mr. Steil stated there were 2 residences currently on the property, each having its own well and septic system. If this application for subdivision were to be approved, it would allow each party to claim ownership for their property.

Commissioner Clark opened the hearing to the public. Hearing no comments, it was closed. Abby Yenco offered to give the staff report to the commission members, stating the only other issue not covered by Mr. Steil was a comment made by the Cheyenne MPO related to road connections regarding Highland Road. Ms. Yenco explained that while north-south connections were important, the project did not generate a need to require new right of way.

Commissioner Cole said there was no way to get to Dell Range on Highland Road, only to the next street. He commented the land to the east had other options, the connection to Van Buren would be difficult, and to the south was not logical until Whitney Road was developed.

Commissioner Cole moved to recommend approval to the Board as written in the staff report; Commissioner Qualls seconded the motion, and it passed by a vote of 5 - 0.

03 Discussion about a joint work session with the Cheyenne Planning Commission regarding the Fox Farm Corridor Study.

Abby Yenco asked if the Planning Commission members would be available and interested in participating in a joint work session on March 19, 2012 at 6 p.m.

Commissioner Cole said that there should be a vote held by each board separately, resulting in a vote by both the City and the County Planning Commissions.

All commission members responded they would be available for the work session.

04 Presentation regarding the Laramie County Comprehensive Plan Update.

Abby Yenco introduced Professor Bill Gribb, from the University of Wyoming, whose students were helping develop natural resource goals to incorporate into the revised Laramie County Comprehensive Plan.

Professor Gribb gave a status report of the project his students have been working on, and acknowledged the student research workers and GIS staff for their contributions to the project. He gave a project overview, which concentrated on the key elements being taken into consideration: vegetation, wildlife, surface and ground water quality, air quality, and riparian zones. He explained that the current plan was being compared to other plans on local and regional levels, as well as award winning plans from across the country, and explained the process in order to come up with indicators generated in order to determine what would qualify the plan as sustainable.

Three major factors were considered: land ownership, county population growth, and county population growth outside cities and towns. Professor Gribb showed maps showing land ownership, public and private, and charts indicating the unincorporated area of the county growing at a different rate than the entire county itself, with projections reflecting the unincorporated area accounted for 35% of the county.

He also explained twelve other considerations which should contribute to other portions of the Comp Plan, as they would affect the natural landscape.

Professor Gribb reviewed everything they were comparing between other counties, for the basis of goals to set in the revised Comp Plan, and said the indicators should be specific to goals, and were data-related.

He said the final report should be done by the end of March 2012, and asked if the commission members had any questions.

Ms. Yenco acknowledged the work the group had done to assist with the Comp Plan, and said the report would be made available to the Planning Commission when it was ready.

The meeting was adjourned at 4:13 p.m.