

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

Thursday, July 12, 2012

- 120712 00** The Laramie County Planning Commission met in regular session on Thursday, July 12, 2012 at 3:30 p.m.

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

The meeting register was signed by: Linda Heath, 4031 Winterset Drive, Burns; Lyle and Lorene Johnson, 1105 Pearl Court, Cheyenne; Pam Lehmann, 636 Hyndman Road, Cheyenne; Bob Mestas, CLF&P; John Steil, Steil Surveying; Jim Koch, 3359 Campstool Road, Cheyenne; Ken and Tenny Collins, 7410 Avenue B-4, Cheyenne; Desiree Baca, 4107 Charles St., Cheyenne; Lisa Pafford, 2101 O'Neil, Cheyenne; Gary Hickman, 100 Central Ave., Cheyenne; Louise Raimondi, 3105 Iron Mountain Rd., Cheyenne; John Gardner, 829 Pearl Court, Cheyenne.

- 01** Adoption of the findings of fact in the Planning Commission June 28, 2012 denial of the variance request for a front setback distance from a minimum of 25 feet in the Agricultural and Rural Residential (A1) zone district to a minimum of 14 feet for the property located at Lot 7, Block 4 of Lunar View Estates, Laramie County, WY, at 2008 Eagle Drive.

The hearing of this application at today's meeting was to formally adopt the findings in the denial resolution, which was revised based on the results from the June 28th Planning Commission meeting. Ms. Yenco stated the variance application did not meet the criteria of the Laramie County Land Use Regulations, and reviewed the findings as written in the revised resolution. Commissioner Qualls moved to approve the denial resolution; Commissioner Cole seconded, and the motion passed 4 – 0.

- 02** Review and action of a Variance in lot size from a minimum of 20 acres in the A2 (Agricultural) zone district to a minimum of 10 acres for the property located in a portion of the SE ¼ of the SE ¼ of Section 9, T.13N., R.65W., of the 6th P.M., Laramie County, WY, located at 3359 Campstool Road.

John Steil, agent for the applicant, came forward to explain the property was zoned A2 (Agricultural), which requires a minimum lot size of twenty acres. Ten acres in the portion of the property immediately east, which is situated in the unzoned portion of the County, was previously subdivided by Mr. Koch, so applicant was requesting a lot size variance to plat 10 acres around the existing home that he wishes to sell. Crow Creek Estates lot sizes ran from 3 to 5 acres, with an open space, then north is HR Ranch with 7 to 12 acre

tracts. This example showed there was various acreage in the area that is less than 20 acres.

Ms. Yenco gave the staff report, and explained that the subdivision permit, as the next agenda item, depended on the approval of this variance. The ten acre parcel was subdivided in 2008, and was outside the zone boundary. A ten acre lot size was comparable to the other lots in the area, and effects of a 10 acre parcel were not a problem. One of the criteria in order to approve a variance was that there needed to be unusual circumstances; staff did not find that they exist. There would be no detriment to the area; however, staff suggested the applicant could sell a 20 acre parcel. Based on the variance criteria, staff recommended denial of the variance request.

Commissioner Clark opened the hearing to the public. Hearing no comment, the public hearing was closed. Commissioner Cole stated the map provided was not a good view of the site. He added it was not a large subdivision, with one residence that the applicant wished to sell, there was no public road and the property was right on the border of the zone boundary, so he moved to approve the variance request. Commissioner Ward stated he was familiar with the general location, and asked what was the future use? He noted there were access areas to the property, and asked if the applicant intended to subdivide the parcel to sell it. Mr. Steil responded there was an existing house on this site, with a well and septic system, and Mr. Koch has 10 acres to the east for livestock and heavy equipment. The applicant wants to plat 10 acres and sell the house. There was an existing access easement to the property from Campstool Road. The applicant wants to keep the other 10 acre parcel.

Commissioner Qualls moved to deny approval of the variance with findings of fact a; Commissioner Ward seconded the motion, and the denial motion passed with a vote of 3 – 1. (Commissioner Cole voted against the denial.)

- 03** Review and action of a change in zone district from the MR - Medium Density Residential zone district to the MU – Mixed Use zone district for the property known as 4107 Charles Street located in the North 1/2 of Tracts 5 & 6 less the North 1/2 of the East 100' of Tract 5, Sunnyside Addition, Second Filing, Laramie County, WY.

Desiree Baca, the daughter of Darren Geerdes, came forward to explain she wants to place a daycare center for 15 children to begin with, then possibly increasing over time. She expressed there were septic concerns, but she did not want inspections to take place until the proposed zone change had been approved. She understood there was an issue with the building on the premises to serve as the daycare center, so the building would be removed and a new one would be constructed.

Ms. Yenco gave an overview of the staff report, and explained the zone change request was to change the zone district for this property from Medium Density Residential to Mixed Use. The PlanCheyenne designation for this

property does not conflict. North is Community Business, southwest is PUD – Planned Unit Development, and east is City of Cheyenne. Staff does not support this zone change as it would be considered a spot zone, with no other Mixed Use in the area. Staff said child care is valuable, as long as other requirements can be met. These include possible annexation and environmental health requirements. The current zone district of Medium Density Residential allows Board Approval for uses similar to others in the area. A separate application for that option would be required. Staff recommends denial of the zone change request. If the applicant chose to continue with this process, they would need to address the sewer and water issues, which would require annexation.

Commissioner Cole asked what part of the property is described in the legal description. Ms. Yenco said the area was specifically highlighted on the map, 4107 Charles St. Commission Cole asked if it included the 100 foot west part of Tract 5. Ms. Yenco responded it did.

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

Commissioner Qualls asked how far away the other facility was on Charles St. Ms. Baca said about 4 blocks east of this location. Commissioner Qualls said the property to the west faces North College and was part of the city, and asked if the subject property was not? Ms. Baca responded that was correct, and that she had been told by Brandon Cammarata with the City that she should pursue the rezoning through the county first. Commissioner Ward asked if it was her intention to build a structure to house the child care center. Ms. Baca said yes, she had plans, but wanted to get the zone change first. Commissioner Cole reviewed the process: complete the zone change with the County, go to the City for annexing, platting, and then building. Ms. Baca acknowledged it was likely that the city would require annexation in order for water and sewer to be provided.

Commissioner Qualls asked Gary Hickman, Environmental Health, what his thoughts were about this project. Mr. Hickman came forward to explain the requirements for sanitary sewer. The Department of Family Services licenses day care, family home care, group homes and child care centers. County Health requires a commercial kitchen for larger day cares. Septic systems are not capable of handling commercial kitchens. For a family home care, the septic should be ok; group care might be too much for the system. The subject property is within the 201 area, so the City won't grant exception and the applicant will need to annex for service.

Commissioner Cole moved to recommend approval of the zone change request with no conditions. Commissioner Ward seconded, and the motion passed with a vote of 3 – 1. (Commissioner Qualls voted no.)

**04** Review and action of a Subdivision Permit and Plat for Horseshoe 7 Ranch  
Second Filing located in a portion of the SE ¼ of the SE ¼ of Section 9, T. 13

N., R. 65 W., of the 6th P.M., Laramie County, WY.

Ms. Yenco stated the applicant would need to resize the parcel for the subdivision permit to meet the standards in the Laramie County Land Use Regulations, as the proposed 10 acre parcel does not meet the A2 zone district requirements. The Planning Commission could recommend approval of the subdivision permit application if the lot size was increased to 20 acres, but otherwise the application was in conformance. Staff recommended the Planning Commission find that the variance was considered, and needed to be approved for 10 acres to be valid. The variance was denied; therefore, the size of the proposed subdivision needed to be revised in order to recommend approval.

John Steil consulted with the applicant, and responded that Mr. Koch was agreeable to a 20 acre subdivision.

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

Staff recommended the Planning Commission recommend approval to the Board of County Commissioners based on finding of facts d and e with the condition the lot to be subdivided be resized to 20 acres prior to the Board hearing.

Commissioner Cole motioned to recommend approval with findings of facts d and e and the condition that the plat be revised to reflect a 20 acre subdivision. Commissioner Ward seconded the motion, and it passed with a vote of 4 – 0.

**05** Review and action of a Subdivision Permit and Plat for Raimondi Subdivision, a property located in a portion of the NE ¼ of Section 4, T. 14 N., R. 66 W. of the 6th P.M., Laramie County, WY.

John Steil, agent for the applicant, stated this subdivision permit was submitted for one parcel of 10 acres. The property is zoned A1, Agricultural and Rural Residential, which designates a minimum lot size of 10 acres, so no zone change is needed, and there were no conditions for approval of this application specified by the staff.

Ms. Yenco confirmed the application was for a one parcel subdivision for 10 acres which is consistent with the zone district. PlanCheyenne describes this area as best suited for Rural Residential uses, with an average density of lots from 5 to 10 acres, so the application was in conformance with PlanCheyenne. Staff recommended approval with no conditions.

Commissioner Clark opened the hearing to the public. Hearing no comments, the public hearing was closed. Commissioner Qualls moved to recommend approval of the subdivision permit and plat with no conditions and findings of facts a and b. Commissioner Ward seconded the motion, and it passed with a vote of 4 – 0.

**06** Review and action of a Subdivision Permit and Plat for the South Cheyenne Substation Subdivision, a property located in a portion of the NW ¼ of Section 5 and in a portion of the NE ¼ of Section 6, T. 12 N., R. 66 W. of the 6th P.M., Laramie County, WY.

John Steil, agent for the applicant Cheyenne Light, Fuel & Power, stated this was a request to establish a 33.12 acre parcel south of Terry Ranch Road and west of South Greeley Highway for the purpose of locating a new electrical substation. The applicant agreed to the comments on the plat received from the County Engineer regarding the notations on the plat. Mr. Steil stated that Bob Mestas, of Cheyenne Light, Fuel & Power was present at the meeting to answer any questions.

Ms. Yenco confirmed what Mr. Steil stated regarding this application, and that it was in conformance with PlanCheyenne and the Laramie County Land Use Regulations. Staff recommended approval with the comments from the County Engineer as the only condition.

Commissioner Clark opened the hearing to the public. Linda Heath, of 4031 Winterset, Burns, WY, came forward to ask if the proposed substation was also known as Prairie Winds Substation. Mr. Mestas responded it was not.

Tenny Collins, of 7410 Avenue B4, came forward to question if the subdivision request for the 33 acres of land was only for the electrical substation, or if there would possibly be another residential subdivision in the future, as the acreage was substantial. Mr. Mestas responded this land was specifically for the substation, and could not be used for anything else. The application was strictly for a utility facility. Ms. Collins asked if a new road would be built? Mr. Steil stated the property currently had an access road. Mr. Mestas said the substation would be an unmanned site. Ms. Collins asked why there would be septic and water systems, as the County Engineers' comments mentioned? Mr. Mestas said there would be none. Ms. Yenco responded the plat would indicate there would be no septic or water for this site.

John Gardner, of 829 Pearl Court in Hyndman Homesites, was wondering if the substation would be used to connect the residential area on each side of Terry Ranch Road to the wind farm? Mr. Mestas responded the substation would be the interconnection point for WAPA and Cheyenne Light, Fuel & Power, and that the north/south and east/west grids were not currently tied together. He said the connection would travel to the west to the business park on I-25, and then continue on to Dyno Nobel. The transmission system would be tied to the wind farm. Mr. Gardner asked if the transmission line would only serve the business park. Mr. Mestas said it would serve the entire area.

Commissioner Clark closed the public hearing. Commissioner Qualls asked if the property owned by Lazy D Grazing Association, less the 33.12 acre property, would remain as grazing land, or were there plans for further

subdivision actions, separate from the property for the Cheyenne Light, Fuel & Power electrical substation. Mr. Steil responded the intent was only for this subdivision for the substation, to his knowledge. Lazy D Grazing had approximately 4,500 acres, and had indicated the association was against subdivision in general. Mr. Steil said he would venture to guess that further subdivision action wouldn't happen around the substation area.

Commissioner Ward moved to recommend approval of the application with condition 1 and adopt the findings of facts a and b of the staff report. Commissioner Cole seconded the motion, and it passed with a vote of 4 – 0.

Ms. Yenco addressed the Planning Commission members stating it would be her last Planning Commission hearing as she would be leaving employment with Laramie County, and that it had been a great experience and pleasure to work with them.

Commissioner Cole welcomed back Commissioner Paula Qualls for another term, and nominated Commissioner Jody Clark as Chairman and Commissioner Paula Qualls as Vice-Chairman. The nomination passed by a vote of 4 – 0.

The meeting was adjourned at 4:15 p.m.