

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

Thursday, October 10, 2013

- 131010 00** The Laramie County Planning Commission met in regular session on Thursday, October 10, 2013 at 3:30 p.m.

Members in attendance were: Commissioner Jody Clark, Chairman; Commissioners Frank Cole and Bert Macy; John Shepard, Senior Planner; Barbara Kloth, Associate Planner; Nancy Trimble, Recording Secretary.

The meeting register was signed by: Steve and Vickie Langlais, 517 E Fox Farm Rd, Cheyenne; Jeff Jones, Steil Surveying Services, 1102 W 19th St, Cheyenne; Dan Cooley, 3966 Archer Pkwy, Cheyenne; Tom Mason, 2101 O'Neil, Cheyenne; Linda Heath, 4031 Winterset Dr, Burns; Jim Woods, 5002 Horizon Loop, Cheyenne; Al Wiederspahn, 2015 Central Ave, Cheyenne; Boyd Wiggam, Wyoming Liberty, Cheyenne; Sreyoshi Chakraborty, 2101 O'Neil, Cheyenne.

- 01** Review and action of a Subdivision Permit and Plat for Deerhaven Subdivision Third Filing located within Deerhaven Subdivision: Lot 1, Block 2, Laramie County, WY.

Barbara Kloth introduced the agenda item and Jeff Jones, Steil Surveying, as agent for the applicant, Jim Woods, Deerhaven Land Company. Mr. Jones stated the purpose of this application was to replat Lot 1, Block 2 of Deerhaven Subdivision Second Filing, creating 17 individual lots and 1 open space/common lot.

Ms. Kloth gave an overview of the staff report, explaining the applicant would like to subdivide the 5.74-acre remainder property into 17 parcels with a single multi-family unit each to prepare for sale, and a remaining single 2.31-acre parcel as common ownership. This property is currently in the building phase for multi-family residential. A Site Plan was approved by Laramie County Planning on November 8, 2012. The Deerhaven Subdivision Second Filing plat has been recorded, of which Planning staff received a copy this morning, so the third condition of approval listed in the staff report had been met. Completion and Certification of drainage detention would be the responsibility of Deerhaven Land Company. Staff also reviewed the application and suggested conditions including "All lot owners must have an undivided interest in Block 2, Lot 1; which shall be noted on the plat." All lots would then have legal access and any future concern with the undivided lot would be the responsibility of all lot owners in the subdivision. Staff recommended approval with conditions 1 through 6, with the omission of condition 3.

Commissioner Clark opened the hearing for public comment. Steve Langlais, 517 Fox Farm Road, asked if the properties were to be sold individually, who

would maintain the access into the development from Fox Farm Road. Ms. Kloth deferred the question to the developer. Jim Woods responded the Home Owners' Association (HOA) would be established and in effect once this subdivision was approved. The HOA would be responsible for all maintenance of the commonly-held property, to include sidewalks, drives, green space, water detention, and snow removal. One-seventeenth of the property would be held by each owner. Mr. Langlais asked if the HOA was already established? Commissioner Clark responded no. Mr. Langlais said there had been no snow removal this past year. Commissioner Clark reiterated the HOA had not been established since the subdivision was not approved yet. Ms. Kloth brought up a copy of the approved site plan on the overhead screen, stated the access from Fox Farm Road was shown as an emergency access on the site plan, and asked Mr. Woods to explain in more detail. Mr. Langlais asked Ms. Kloth to identify the emergency access on the site plan. Mr. Shepard stated emergency accesses were typically developed to standards required by the Fire District, and were intended for ambulance services, not to be used as a typical driveway. It was, however, up to the developer as to how the use was to be controlled. Mr. Langlais expressed concern that there was no lighting or signage at this access point. Mr. Shepard stressed that the access was not intended for public usage, and it was up to the developer to decide whether there would be signage. He added that County Public Works controlled access through a permit, and this access point would have to meet the county standards. Commissioner Clark asked Mr. Woods to address the concern regarding the emergency access. Mr. Woods responded the access sat 100 feet into the property, and with two accesses to the property from Montalto Drive, that would make three points of access. He did not intend to govern the usage of the emergency access, but would provide a concrete drive to prohibit maintenance issues and facilitate a long term access point. Mr. Langlais asked his name be kept in the record for notification of future decisions regarding this project. His phone number was given as (307) 369-1098.

Ms. Kloth said a conversation could take place with Public Works as to additional signage. Mr. Langlais again voiced his concern about lighting the access area, as he wanted to ensure proper night visibility for emergency vehicles, in order to avoid encroachment onto his property. Mr. Shepard stated that deviations from the approved site plan would require proper approval prior to construction.

Hearing no further comment, the public portion of the hearing was closed. Commissioner Cole asked Mr. Woods if he currently owned the road which serves as emergency access all the way to Fox Farm Road? Mr. Woods responded yes, he owned the property, but there was an easement on a portion of it for the west adjacent neighbor's access. Commissioner Cole asked if he had the title? Mr. Woods responded that 52.01 feet was titled. Commissioner Cole noted that the same duplication of lot numbers occurred on the plat for the Third Filing as it had on the Second Filing. He requested renumbering of the lots on the Third Filing to make them consecutive to the lot numbers platted under the Second Filing, starting with renumbering Lot 2 to Lot 5, and so on, with Lot 18 becoming Lot 21. He also made reference to the public sidewalk crossing private land, and showed a picture to Mr. Woods as

an example of what he considered to be a visually-appealing detention pond. Commissioner Cole asked about the two lots which were under 8,000 square feet, even though the average lot size calculated at over 8,000. Jeff Jones responded that lots 13 and 18 were under, but that would be corrected by adjusting the lot lines to the north.

Commissioner Cole moved to recommend approval of the subdivision permit and plat with conditions 1, 2, 4, 5, and 6, as written in the staff report, and the added condition that the lots be renumbered consecutively, as a continuation from the lot numbers recorded in the Second Filing. Commissioner Macy seconded the motion, and it passed with a vote of 3 – 0.

The meeting was adjourned at 3:55p.m.