

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

Thursday, August 25, 2016

- 160825 00** The Laramie County Planning Commission met in regular session at 3:30 p.m. on Thursday, August 25, 2016.

Members in attendance were: Commissioner Jody Clark, Chairman; Commissioners Bert Macy, Jason Caughey, Joe Patterson, and Pat Moffett; Dan Cooley, Planning Director; Pepper McClenahan, Planning Manager; Nancy Trimble, Associate Planner/Recording Secretary.

The meeting register was signed by: Jeanne Hicks, 1818 Pine Ave, Cheyenne; Donna Sorensen, 2833 W College Dr, Cheyenne; Larry Roder, 3315 Reed Ave, Cheyenne; Ronny Prall, 2314 Stirrup Rd, Cheyenne; Gary M Hickman, 100 Central Ave, Cheyenne; KD Perino 4815 Laramie St; Robert Mestas, 1301 W 24th St, Cheyenne; Patrick Sullivan, 1301 W 24th St, Cheyenne; Doris and Leo Garcia, 1113 Southwest Drive, Cheyenne; Catherine Barta, 8307 Aztec Dr, Cheyenne; Kenny & Debby Rex, 610 Peach St, Cheyenne; Nancy Olson, 2101 O'Neil Ave, Cheyenne; Brad Emmons, 1103 Old Town Lane #101, Cheyenne; Casey Palma, 1102 W 19th St, Cheyenne; Fran Shive, 1703 Bar X Rd, Cheyenne; Kay Sheehan, 2011 Broken Arrow Rd, Cheyenne; Eric Hamm, 2101 O'Neil Ave, Cheyenne; Seth Lloyd, 2101 O'Neil Ave, Cheyenne; Crystal Meisner, 608 Apricot St, Cheyenne; boyd Wiggam, 1902 Thomes Ave, Suite 201, Cheyenne; Alyce Powers, 503 W College Dr, Cheyenne.

- 01** Review and recommendations on the Preliminary Development Plan for Country Homes 5th Filing / Menkins Corner 2nd Filing / Barta Subdivision, located in a portion of the NE 1/4, NW 1/4 of Section 17 West of Highway, T. 13 N, R. 66 W, of the 6th P.M.; AND Country Homes Subdivision: Lot 8 and S 1/2 Lot 1, Block 4, Laramie County, WY.

Pepper McClenahan, Planning Manager, introduced the item and Brad Emmons, AVI PC, as agent for the applicant. Mr. Emmons stated this plan was for the subdivision of 33 acres, which would involve three separate subdivisions and plats. The two residential subdivisions would be submitted first, which include regional detention ponds, then the commercial subdivision would follow. There were no concerns with the recommendations provided in the staff report. A meeting was held with the City, due to the project being within one mile of the City's jurisdiction. The subdivision applications would be submitted for the City process during the month of September 2016, with the commercial subdivision adhering to the UDC regulations regarding lot perimeter.

Ms. McClenahan gave an overview of the staff report. The applicant intends to apply for zone changes, as needed, which would be reviewed

concurrently with the subdivision permit and plat applications. She reviewed agency comments received, and listed the nine recommendations shown in the staff report.

Commissioner Moffett inquired about paving in the MPO plan presented by Tom Mason two months ago as it related to this project – would it be on the other side of College Dr. Mr. Emmons responded west of Allison Draw. Commissioner Patterson asked if the UDC lot perimeter requirements address the cross-access easement? Mr. Emmons responded the standards for Menkins Corner 2nd Filing noted the cross-access would carry over to the commercial area, and said the City requested more detail. Until the specific commercial uses were known, and what traffic requirements would be, it was difficult to set up easements. Commissioner Patterson asked if the 50' access/utility easement on the north side of Menkins Corner 2nd filing was intended for roads, or for traffic coming out of the residential area going to the commercial area? Mr. Emmons responded it was a corridor for water/sewer services. He added they were trying to limit curb cuts on College Drive. Commissioner Patterson asked if the 12' access easement between Lots 11 and 12 was for a walkway? Mr. Emmons responded it was, but it could change. Commissioner Patterson said he had visited the site, and was concerned with the location of the detention pond on Lot 7, since the area was subject to flooding on S. Greeley Hwy, and the detention pond was lower than the lots to the south. How would the outflow be addressed? Mr. Emmons said the two detention ponds were set based on the topography of the area. About 50% flows to the north, and 50% to the south. There is a 24" CMP at the southeast corner of Lot 7, which has yet to be determined as to where the outflow goes. The goal was to route as much water as possible to the north pond. Whatever was done would be better than what is currently happening on-site. He will continue to research where the CMP pipe goes, and noted the lot to the south has a detention pond easement on it. Commissioner Patterson asked if the drainage flows to the north pond, where would it leave the site? Mr. Emmons responded it would travel through the storm sewer on College Drive, down Pine Avenue, then to Allison Draw.

Commissioner Clark opened the hearing for public comment. Jeanne Hicks, 1818 Pine Ave, came forward. She wanted to know why Pine Avenue would be completed, but not Grape and Cherry Streets? She asked where drainage would go, once dirt was removed from Menkin's land? She had concerns about water going to her property as it has in the past. She also inquired if sidewalks were being installed.

Mr. Emmons responded it was required that Pine Avenue be built from College Drive, and would be asphalt section with curb/gutter, per County requirements. Sidewalks would be installed with construction of the homes. Water on Pine Avenue should drain into the north detention pond, and follow the College Drive storm sewer route previously indicated. Ms. Hicks stated Pine Avenue was a "trail", not a road. Mr. Emmons stated he didn't know how much dirt would be moved. As to road development, the project was not in the construction design phase yet, and would be coordinated with Rob Geringer, Laramie County Public Works.

Crystal Meisner, 608 Apricot Street, expressed concern that the Apricot Street dead-end would be taken away. Mr. Emmons said the application was still going through the City process, so he didn't know if that would be required.

Seth Lloyd, City of Cheyenne Planner, came forward to answer any questions. There were none.

Hearing no further comment, the public portion of the hearing was closed. Commissioner Moffett moved to approve review comments 1 – 9, and adopt the finding of fact a. Commissioner Caughey seconded the motion, and it passed with a vote of 5 – 0.

- 02** Review and action of a Variance request of a 2% increase in the maximum property area coverage for an accessory structure in the MR - Medium Density Residential zone district for Southcrest Heights, Replat: Lot 1, Block 5, Laramie County, WY.

Nancy Trimble, Associate Planner, introduced the applicant Larry Roder. Mr. Roder came forward and gave a brief summation of the purpose for the application. Ms. Trimble gave the staff report.

Commissioner Clark opened the hearing for public comment. Kay Sheehan, 2011 Broken Arrow Road, came forward, stating she owned 100 acres in Southcrest Heights. She objected to the variance request and any proposed structure on that property. Ms. Sheehan mentioned a dispute she had with Mr. Roder. Commissioner Clark cautioned Ms. Sheehan that the dispute was a civil matter, and there could be no contingency of variance approval based upon that matter. Ms. Sheehan mentioned there were covenants on the property. Commissioner Clark advised her that the County does not enforce covenants. Ms. Sheehan said the proposed building would be bigger than some people's homes, and expressed concern that the structure would devalue her property, as well as others in the area. She added that the covenants were more restrictive than the County on building setbacks. Commissioner Clark recommended if there were issues as related to covenants, the HOA would need to pursue civil action. Ms. Sheehan said she was concerned about materials and height of the proposed building, and was totally against the structure.

Donna Sorensen, 2833 College Drive, said she was opposed to the building, because allowing the structure would cause unfavorable uses and lack of care to the property. She added there was already a trash problem in the area due to the truck stops.

Ronny Prall, 2314 Stirrup Road, said there were two items which have destroyed the view. One was the LI (light industrial) zone district next to the railroad tracks; the other is a propane tank. A petition was submitted requesting removal of the propane tank, but it is still there. She said she was against storage buildings, since it was a residential area.

With no further comment, the public portion of the hearing was closed. Commissioner Caughey moved to deny the variance request as it did not meet the required criteria; Commissioner Patterson seconded the motion, and the variance was denied by a vote of 5 – 0. Commissioner Moffett moved to disapprove the placement of an accessory structure without a principal structure; Commissioner Caughey seconded, and the placement was denied by a vote of 5 – 0.

03 Review and action of a change in zone district from CB - Community Business to MU – Mixed Use, for Tract 2, Larimore Subdivision, Laramie County, WY.

Ms. McClenahan introduced the item and Casey Palma, Steil Surveying Services, as agent for the applicant. The purpose of the application was to request a change in zone district from CB (Community Business) to MU (Mixed Use) in order to basically “legitimize” the existing residential use. In addition, the MU zone district would allow for redevelopment or a greater range of uses on the property. Mr. Palma noted an adjacent property had previously received approval for an MU zone change.

Ms. McClenahan gave an overview of the staff report, and agency comments received. She listed the three zone change findings, one of which must be found in order to approve. The applicant gave justification for all 3; staff found the application met criteria 1.

Commissioner Clark opened the hearing to the public. Hearing no comment, the public portion of the hearing was closed. Commissioner Macy moved to recommend the zone change request to the Board with no conditions; Commissioner Moffett seconded the motion, and it passed with a vote of 5 – 0.

04 Request for withdrawal of a Zone Change for a portion of the SE 1/4, SW 1/4, Section 5, T. 14 N., R. 66 W., of the 6th P.M., Laramie County, WY.

Commissioner Clark discussed items 4 and 5 with the members, and stated the withdrawal request was duly noted.

05 Request for withdrawal of a Subdivision Permit and Plat for Talich Ridge Subdivision, located in a portion of the SE 1/4, SW 1/4, Section 5, T. 14 N., R. 66 W., of the 6th P.M., Laramie County, WY.

Commissioner Clark discussed items 4 and 5 with the members, and stated the withdrawal request was duly noted.

06 Review and action of a Subdivision Permit and Plat for North Range Business Park, 8th Filing, a replat of North Range Business Park, 6th Filing: Lot 3, Block 13, Laramie County, WY.

Ms. McClenahan introduced the item, and Casey Palma, Steil Surveying Services, agent for the applicant. Mr. Palma explained the application was for dedicated property for the CLF&P King Ranch Substation. He added that a

site plan application was submitted with the proposed substation configuration on a portion of this plat.

Ms. McClenahan gave an overview of the staff report. The subject property is located in the North Range Business Park owned by Cheyenne Leads. BOPU had no comments now, but would as the property developed. There was confusion with notes on the plat, and Mr. Palma was asked to clarify. An overview of the PUD regulations was given. It was confirmed that a site plan was submitted for the remaining ~ 113 acres. Staff found the application met the criteria for a subdivision permit and plat, and recommended approval with conditions 1 and 2.

Commissioner Macy noted the dedication and use of the easements were not specified on the plat. Mr. Palma accepted the conditions regarding updates to the plat. He explained a higher level of detail was still being worked out with the engineer, and that transmission lines/easements for gas & power would be created later.

Commissioner Clark opened the hearing to the public. Hearing no comment, the public portion of the hearing was closed. Commissioner Macy move to recommend approval to the Board with conditions 1 and 2; Commissioner Patterson seconded the motion, and it passed with a vote of 5 – 0.

The meeting was adjourned at 4:43 pm.