

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

Thursday, December 08, 2016

- 161208 00** The Laramie County Planning Commission met in regular session on Thursday, December 8, 2016 at 3:30 p.m.

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

The meeting register was signed by: Marilyn Ham, 2360 Road 217, Cheyenne; Brad Emmons, 1103 Old Town Lane, Cheyenne; Jeff Rose, 2135 Iron Mountain Road, Cheyenne; Barbara Bonds, 2391 Coulter Drive, Cheyenne; Bob Bonds, 1740 Road 124, Cheyenne; Cotton Jones, 6750 Saykally Road, Cheyenne; Casey Palma, 1102 West 19th Street, Cheyenne.

- 01** Review and action on a Zone Change for a Portion of the NE1/4, Section 5, T. 14 N., R. 66 W., of the 6th P.M., Laramie County, WY.

Commissioner Clark recommended these two items can be heard together, since they are related to the same property, with separate motions.

Pepper McClenahan, Planning Manager, explained these two applications were continued from a previous Planning Commission public hearing. She gave an introduction of the applications and Brad Emmons of AVI PC, as a representative for the applicant.

Brad Emmons stated he was one of the agents, and that Cotton Jones was also present at the meeting. Mr. Emmons explained at the previous hearing, there had been discussion on existing roads and access. He had proposed a private driveway system for future projects, instead of a fully built road. He was still going through the process with the County Engineer and Public Works to develop an option for small subdivisions which only access 3 or 4 lots. Mr. Emmons stated he will also be getting with the Fire Districts regarding the proposed system, to make sure their concerns would be addressed. Condition 2 on the subdivision permit staff report would apply if there were to be a change to the existing access road. Mr. Emmons said he may address the Commissioners when there has been time to iron out the details. He then turned the podium over to Mr. Rose.

Jeff Rose, of 2135 Iron Mountain Road, stated he has spoken with Dr. Beer and has come to an agreement that he would purchase property from Dr. Beer in order to address the access road issues. He intends to make a land deal with Dr. Beer to work out an easement. He agreed with Mr. Emmons that the access should still be a private road, with no need for a county road. Mr.

Rose thought the issue could be resolved and the project could move forward.

Ms. McClenahan said the zone change from A1 to AR would be in compliance with PlanCheyenne and the Comprehensive Plan. While there is no adjacent property zoned AR, the proposed lot sizes are consistent with development in the area. Staff recommended approval of the zone change with the condition of approval and recordation of the subdivision permit and plat.

Ms. McClenahan stated the subdivision permit and plat would establish three 5-acre residential lots. The approval conditions were based on agency review comments received. Staff recommends approval with conditions 1 – 8, which may change depending on the details worked out between Mr. Rose and Dr. Beer.

Commissioner Moffett asked if the discussion leans toward a private drive versus a county road, would it change conditions 2 or 3. Ms. McClenahan responded it would, depending on what is being proposed. The conditions may change before the Board public hearing. The Laramie County Land Use Regulations require a waiver if not building roads per County standards. Commissioner Clark asked if condition 6 would change. Ms. McClenahan responded no, the roads would be private.

Mr. Emmons confirmed he was good with the conditions, as long as the Planning Commission knew that the conditions may be changed somewhat, depending on whether the roads would be narrower or if the waiver process was pursued.

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

Commissioner Moffett moved to recommend approval of the zone change to the Board with condition 1; Commissioner Macy seconded the motion, and it passed with a vote of 4 – 0.

02 Review and action on a Subdivision Permit and Plat for Iron Mountain Estates, located in the NE ¼ of Section 5, T. 14 N., R. 66 W., of the 6th P.M., Laramie County, WY.

This item was heard concurrently with Item 1 - refer to minutes.

Commissioner Patterson moved to recommend approval of the subdivision permit and plat to the Board with conditions 1 – 8; Commissioner Moffett seconded the motion, and it passed with a vote of 4 – 0.

03 Review and action of a Subdivision Permit and Plat for Kougl Ranch Subdivision, a plat of a portion of SE ¼ SE ¼ of Section 24, Township 15

North, Range 67 West, 6th P.M., Laramie County, WY.

Jean Vetter, Senior Planner, introduced the application and Casey Palma with Steil Surveying, as agent for the applicant. She explained a postponement is requested to allow time to work out floodplain issues with the Planning staff.

Mr. Palma stated the application was submitted with the realization that the floodplain issues on the property would need to be addressed. He has met twice with Planning and Public Works to try to resolve in the best way possible. He would return in a month with more details.

Commissioner Clark opened the hearing for public comment. Marilyn Ham came forward to pass out letters. Ms. McClenahan said the request was to postpone the application to January 12th, so there was no public hearing. Commissioner Clark said she thought we still could have public comment. Ms. McClenahan said it was up to the Planning Commission. Commissioner Macy commented the application was advertised for today's public hearing.

Mr. Palma said he would welcome public comment on the proposed subdivision.

Marilyn Ham of 2360 Road 217 explained she had handed out a letter written by her husband. She referred to their reasons for objection listed in the letter. They have lived out there for 30 years and feel the subdivision would interfere with the rural setting. There were eight homes there now, to add five more would almost double the number of residences. They were also concerned about the water situation in the area, impact to the roads by additional traffic (which would require more frequent county maintenance), and the substantial amount of floodplain on the property (which would affect the existing flooding issues).

Bob Bonds of 1740 Road 124 agreed with Ms. Ham's comments. He has seen increased flooding with the climate change, and asked what process was in place to resolve flood zone issues. There were also accumulative effects which impact the existing wells, such as the substantial drilling by Samson requiring a lot of water. He strongly supported restriction on this development.

Barbara Bonds of 2391 Coulter Drive also agreed with all the comments. The area has seen lots of flooding, and the roads could be difficult to navigate, as there was not much plowing performed. They run cattle with a well on their property, which was right next door to the water regulated area. At a minimum, she would like to see a provision on the plat regulating the draw on the water aquifer.

Hearing no further comment, the public portion of the hearing was closed. Mr. Palma came forward to address the public comments. He stated there hasn't been evidence regarding any significant draw downs in this area. With regard to the floodplain area, the application was postponed to allow time to address the County Engineer's comments. An engineer was hired to take a

detailed look at the floodplain and recommend ways to address the situation. When the existing homes were built, there weren't additional requirements about building in the floodplain. He explained there are now floodplain regulations in place, with requirements to address proposed construction. Tract 4 has about 30,000 to 35,000 square feet not located in the floodplain. With the need to have setbacks met, an adjacent property owner stated he was willing to grant additional square feet to help with the new development. There were no planned improvements for the roads. If a builder bought lots to develop, there may be some benefit to the road situation. Tracts 1, 4 and 5 could access off the proposed extended easement from Road 124 which would alleviate impacts. Mr. Palma thanked everyone for their comments which offered him the opportunity to present information.

Commissioner Macy moved to recommend postponement until January 12, 2017; Commissioner Patterson seconded the motion, and it passed with a vote of 4 – 0.

04 Review and action of a Subdivision Permit and Plat for Hope Subdivision, 3rd Filing, a replat of Lots 1 and 6, Hope Subdivision, Laramie County, WY.

Jean Vetter, Senior Planner, introduced the application and Casey Palma, as agent for the applicant. The subdivision application was to reconfigure the existing lots. Owner of Lot 1 wants to purchase part of Lot 6 to increase the size of Lot 1. Staff was working with the owner of Lot 6 to resolve ownership issues, per comments received from the Assessor and Real Estate offices.

Ms. Vetter gave an overview of the staff report. The property was zoned MU – Mixed Use, with surrounding properties also zoned MU. Staff recommended approval with condition 1, plus addressing the Assessor comments received late regarding the ownership changes on the plat.

Commissioner Moffett noted a clerical error in the subdivision name on page 3, which was confirmed to have been noticed, and would be corrected going forward.

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

Commissioner Moffett moved to recommend approval to the Board with condition 1; Commissioner Patterson seconded the motion, and it passed with a vote of 4 – 0.

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

ATTACHMENT: Ham objection letter – Koughl Ranch Subdivision

11-30-2016

From: Charles Ham
2360 Road 217
Cheyenne, WY 82009
307-778-7159

To: Laramie County Planning Department
Cheyenne, WY

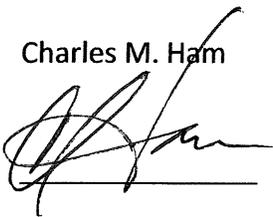
Re: P2-16-00217

I am lodging a protest against the planned subdivision development on Road 124 and Road 217. My objections are:

- . I bought here as a **rural resident**. Adding a subdivision will interfere with my right of enjoyment to a rural setting.
- . I am concerned there are eight shallow wells in this area already. Adding five more wells could **jeopardize the water situation** in this area. A study should be done by the State Engineer before these are approved. (Just down the road a school was recently added and that also impacts our wells; adding further wells could be "the straw that broke the camel's back.")
- . Our road is county maintained. In the past departing home when poor weather happens, sometimes means people being stuck on the road. The added traffic impact will mean **more county road maintenance**. We could easily end up stuck at a time when it would be necessary to leave for an appointment, such as with a doctor.
- . A significant portion of the planned housing development will be sitting in the middle of the **floodplain**. It is unconscionable to approve this housing area in the floodplain.

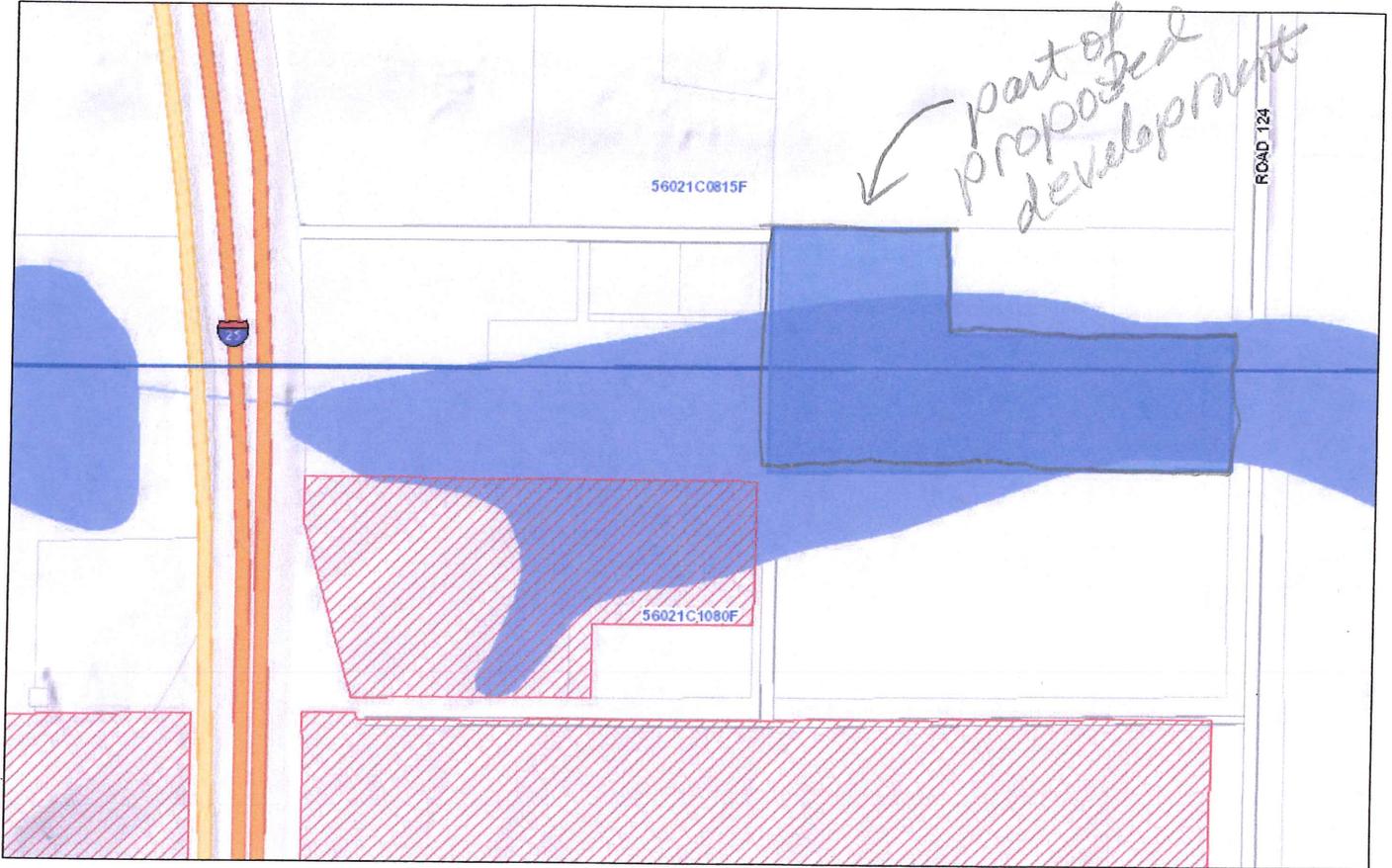
Sincerely,

Charles M. Ham



Attachment: Floodplain map showing the portion of development to be in the floodplain.

Laramie County Floodplain Map



November 28, 2016

Weather Stations



USGS Streamflow



NRCS SnoTel



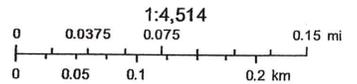
NWS Coop



Web Cameras



FEMA Firm Panel Index



DOI Office of Emergency Management
 Cheyenne/Laramie County GIS Cooperative Program

Web AppBuilder for ArcGIS

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