

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

Thursday, July 14, 2016

- 160714 00** The Laramie County Planning Commission met in regular session on Thursday, July 14, 2016 at 3:30 p.m.

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

The meeting register was signed by: Scott Larson, BenchMark Engineers, Cheyenne; Lisa Pafford, Cheyenne Development Office; Casey Palma, Steil Surveying Services, 1102 W 19th St. Cheyenne.

- 01** Review and action of a Subdivision Permit and Plat for West Ridge Estates 2nd Filing, located in a portion of Section 29, T. 15 N, R. 68 W, of the 6th P.M., Laramie County, WY.

Pepper McClenahan, Planning Manager, introduced the application and Casey Palma, of Steil Surveying Services, as applicant on behalf of the owner. Mr. Palma gave a summary of the purpose of the application, and referenced the conditions shown on the staff report. Conditions 1 and 2 would be addressed, but the owner was not here to speak to conditions 3 and 4. Mr. Palma understood the owner's position to be that condition 4 should be removed, due to the availability of other cisterns in the area, and that the owner could be agreeable with number 3 for future concerns. Mr. Palma stated there was no anticipated further buildout on the 15 acre lots, and WYDOT has stated nine residential lots is the maximum for residential access status from Horse Creek Road (State Hwy 211). When the owner submitted a 3rd filing, it would only contain 3 lots, but would require a commercial access permit per WYDOT. He added that condition 5, as shown on the revised conditions of approval, would be completed.

Commissioner Moffett asked if that would be 3 more tracts on 200 acres? Mr. Palma stated yes. Commissioner Moffett said that would be a total of 12 lots. Mr. Palma stated that was correct. Commissioner Clark asked if the Rocking Star cistern was to be used just for that development? Mr. Palma stated the cistern was required at the time, and was dedicated to the fire dept., which would have the ability to access should it be necessary. Mr. Palma added Rocking Star was a more dense development. With this subdivision, the cistern may become necessary, but the development was deliberately left more open with larger lots. Commissioner Caughey stated another option would be the placement of a larger open reservoir.

Ms. McClenahan gave an overview of the staff report, and provided updated information from the memo created today prior to the meeting. The 1st Filing of this subdivision, containing 5 lots, was recommended for approved by the Planning Commission in March and approved by the Board in April 2016, and the plat has been recorded. The owners were looking to submit a 3rd filing. Ms. McClenahan stated review comments received have been incorporated into the conditions, and also listed clerical errors and corrections needed on the plat, prior to recordation. Staff recommended the Planning Commission recommend approval of the application to the Board with conditions 1 through 5, as amended per this meeting.

Commissioner Clark asked if Scott Larson, BenchMark Engineers would like to add anything. Mr. Larson came forward and said he would be happy to answer questions. Mr. Palma addressed Mr. Larson and informed him that the owner now had an engineer to provide the drainage analysis requested.

Commissioner Moffett asked if the language in condition 3 was suitable language? Mr. Palma said generally, it would be more specific. It was suggested to combine conditions 3 and 4 to state the developer shall install a cistern, open reservoir with hydrant, or some other suitable option. Commissioner Caughey confirmed there had been discussion about a 3rd option, which would be to dedicate a lot within the development for a fire station. The subdivision was 9 miles away from the closest fire station, and either homeowners insurance would not protect the property, or the homeowners would pay a higher premium. Commissioner Caughey asked if the development would be at the maximum for residential access with the nine lots? Ms. McClenahan confirmed it would, according to WYDOT's standards. Mr. Palma stated the engineer on board would be able to work on both the drainage and roadway designs, and when the engineer was finished, application would be made to WYDOT for commercial subdivision access.

Commissioner Macy questioned why the developer would use excess money to create a cul-de-sac which would be unnecessary with a 3rd filing. Mr. Palma said when filings overlap in that regard, it wouldn't really matter (since the overlap may not be built until later); the cul-de-sac would just get pushed down to where the final location should be. Roads would not be built until all 3 filings were recorded. Commissioner Macy asked for clarification that the road was not built for the 1st filing, and it would probably be the same with this one? Mr. Palma responded most likely the roads would not be built until the filings were complete. At this point, it was not really about not getting the roads built at all. Commissioner Caughey stated his concerns were with the lack of DEQ approval, and asked if that was due to the number of lots? Ms. McClenahan confirmed that was correct – 5 or less residential lots in a subdivision did not require DEQ approval. Commissioner Caughey asked Mr. Palma how that would be addressed? Mr. Palma thought that the water study and DEQ non –adverse recommendation would be geared more to higher density subdivision development. There could be substantial expense, and the owner realizes he assumes some risk without the study.

Commissioner Clark asked if it could be requested with the 3rd filing, or be a

condition on this filing? Ms. McClenahan confirmed the request could be made, or the condition could be added for this filing, and referenced the comments provided by Public Works. Ms. McClenahan stated there could be further discussion prior to the 3rd filing, if the applicant and owner would be agreeable to another pre-application meeting. Mr. Palma said he would not recommend the condition, as water studies tend to be \$8,000 to \$20,000. The owner decided to phase the plat and move forward, fully knowing the risks, and not wanting to take on further financial burden. Mr. Palma pointed out there was no development in the County with oversized lots. This development offered a good alternative with property size that fell between the 5 and 35 acre lot options. He suggested a condition that the owner pursue the water study voluntarily.

Commissioner Clark opened the hearing to the public. Hearing no comment, the public portion of the hearing was closed, and the item was opened for discussion and a motion. Commissioner Moffett asked if conditions 3 and 4 could be combined? Commissioner Clark responded yes, with rewording and a vote. Ms. McClenahan offered the combined condition wording as "Prior to plat recordation, provide either a 30,000 gallon cistern, equivalent sized reservoir or dedicate a lot for a fire station, and provide applicable easements on the plat."

Commissioner Moffett motioned for approval of condition 3 as revised with the suggested language. Commissioner Caughey seconded the motion, and it was approved with a vote of 5 – 0.

Commissioner Moffett recommended approval of the subdivision permit and plat to the Board with conditions 1 through 4, as amended. Commissioner Macy seconded the motion. Commissioner Caughey questioned whether they were going to address the DEQ water study, to support the survey or study on water requirements on the lots, or wait until the 3rd filing. Commissioner Moffett suggested not placing undue burden on the builder, and waiting to see what happens with the 3rd filing, since there is no guarantee of a 3rd filing. All members were in agreement, and voted 5 – 0.

The meeting was adjourned at 4:05 p.m.