

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

Thursday, October 27, 2016

- 161027 00** The Laramie County Planning Commission met in regular session at 3:30 p.m. on Thursday, October 27, 2016.

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

The meeting register was signed by: Jeff Rose, 2135 Iron Mountain Rd, Cheyenne; Bill & Carol Goostree, 7616 Christensen Rd, Cheyenne; Andrew Goostree, 7805 Christensen Rd, Cheyenne; Oscar Rodriguez, 205 Factor Lane, Cheyenne; Randy Rodriguez, 205 Factor Lane, Cheyenne; Brad Emmons, 1103 Old Town Lane, #101, Cheyenne; Bob Wilcox, 2115 Iron Mountain Rd, Cheyenne; Cotton Jones, 6750 Saykally Rd, Cheyenne.

- 01** Review and action of a change in zone district from CB - Community Business to MR - Medium Density Residential, for Lot 1 and the West 10 feet of the North 103.61 Feet of Lot 3, Madeline Subdivision, Laramie County, WY.

Pepper McClenahan, Planning Manager, introduced the item and the applicant. Oscar Rodriguez, 205 Factor Lane, stated he wanted to place a mobile home on the property, and was told he could not without a zone change.

Ms. McClenahan gave an overview of the staff report. The property was vacant, as a single-family residence was demolished in 2014. The current zoning does not permit residential structures. The proposed zone change is in conformance with PlanCheyenne, the Laramie County Comprehensive Plan (2016), and the MR zone district regulations. Staff finds the application meets criteria i., and recommended approval of the zone change from CB to MR with no conditions.

Commissioner Clark opened the hearing for public comment. Hearing no comment, the public portion of the hearing was closed and the item was opened for discussion and a motion.

Commissioner Macy moved to recommend approval to the Board. Commissioner Patterson seconded the motion, and it was approved by a vote of 3 - 0.

- 02** 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.

Pepper McClenahan introduced items 2 and 3, explaining they were related. Brad Emmons, agent for the applicant, came forward. The purpose of the applications was to create five lots from the existing four. Mr. Emmons stated he was working with staff to address condition 2 on the subdivision permit staff report, and added he would like to explore other alternatives in the future for shared access driveways. He would like to see a different road standard for this type of scenario, which would be presented to staff, and the Planning Commission and Board. He presented an aerial map with highlighted areas to members and staff, and noted the private access roads and number of lots accessing from those roads, which were all in the vicinity of this property. He presented another document showing Hodahlee Trail in the top picture, and the bottom picture showed the access easement which the three subject properties currently share. There did not appear to be much difference in the standards shown. The proposed subdivision would only increase use of the access from the current road by one more property. Mr. Emmons thought the road shouldn't have to be built to County standards just for one more residential access. He stated the rest of the conditions were already taken care of, or in the progress of being addressed.

Ms. McClenahan gave an overview of the zone change staff report, and explained the proposed change from A1 to AR was required to allow the property sizes in the proposed subdivision. Most of the agency comments were included in the conditions of approval for the subdivision permit and plat. The applicant demonstrated that approval finding criteria iii was applicable. Staff recommended approval of the change in zone district from A1 to AR, which was required in order to approve the subdivision permit and plat.

Commissioner Clark opened the hearing to the public. Jeff Rose, 2135 Iron Mountain Road, stated the access easement in the bottom picture actually goes through his property. He had provided access for his family with this easement, which was established prior to Dr. Beer buying his property. He explained that after the easement tops the hill, it narrows towards the subject property, which used to be his grandfather's property. He added that if the narrow road was widened to allow more than a single car, it would affect his property. He asked if there was any more information from the County Engineer on recommendations. Ms. McClenahan responded the items he was addressing would be brought up in the subdivision permit/plat staff report.

Mr. Rose inquired about the setbacks for the well, septic system, and house. Ms. McClenahan responded the Laramie County Land Use Regulations govern the structure setbacks, and Environmental Health governs the requirements for septic systems. She added the existing structure would meet the 25' front setback. Mr. Rose asked if the aquifer could sustain two more lots? Ms. McClenahan responded the proposed subdivision does not lie within the control area outlined by the State Engineer's Office. Questions dealing with well depth would be addressed with the well permit processed through the State Engineer's Office. Mr. Rose stated he moved out there to get away from traffic. He spoke with the County Engineer on the phone, who said he was going to recommend screening. Commissioner Clark said that issue would probably be addressed with the subdivision permit item.

Bob Wilcox, 2115 Iron Mountain Road, came forward. He stated traffic would get worse with the addition of three more houses. Commissioner Clark reiterated that issue would probably be addressed with the subdivision permit.

Hearing no further comment, the public portion of the hearing was closed. Commissioner Patterson moved to recommend approval of the zone change with condition 1; Commissioner Macy seconded the motion, and it passed with a vote of 3 – 0.

Ms. McClenahan gave a summary of the subdivision permit and plat staff report, adding that the subdivision may not be approved separate from the zone change. She stated access using the private easement from Iron Mountain Road would be allowed if it met current County road standards. Staff recommended approval of the subdivision permit and plat with conditions 1 through 8. With reference to Mr. Emmons comments regarding road standards and the County Engineer's comments, there has not been an opportunity yet for a meeting with County Public Works to discuss the concepts.

Mr. Emmons stated he was not looking for anything from the Planning Commission today, just wanted to let them know the concept is in the process. To address concerns expressed by Mr. Rose (widening the access per condition 2) and Mr. Wilcox (where would the land come from to widen the access), Mr. Emmons stated it would be up to Dr. Beer to figure out the solution during the process. Mr. Rose asked if changing the zone district was contingent on whether the road widening would happen. The access was on private property with a legal easement; he did not want to see the increase from 30 to 50 feet. Mr. Emmons responded the conditions were on both actions, since each was dependent on the other. After the applications were recommended for approval by the Planning Commission, they would go before the Board of County Commissioners for approval. The plat would be revised with all notations on it prior to recordation. He explained to Mr. Rose the process for items to occur. Mr. Rose was concerned with the Planning Commission recommendations weighing heavy on the approval by the Board. Mr. Emmons clarified the subdivision permit and plat would never get recorded without the conditions being met. Mr. Rose wanted the easement situation resolved prior to approval on these applications.

Commissioner Macy asked who owned the access easement? Mr. Rose stated he owned the easement. Mr. Emmons clarified access via the 30-foot easement was granted from Mr. Rose to Dr. Beer, crossing Mr. Rose's property and granting access to Dr. Beer's property. Mr. Emmons said the County Engineer has required the easement to be built to County Road standards. Dr. Beer stated he wished to split the property in order that his hired hand would have a residence in which to live, adding that he didn't know the road would need to be widened, but he was willing to discuss and come to an agreement.

Commissioner Clark opened the hearing for public comment. Hearing none, the public portion of the hearing was closed. Mr. Emmons advised they would be okay with a postponement, and asked what date would work with Mr. Rose and Dr. Beer's schedule to allow time for them to meet - November 10th or December 8th? Mr. Rose suggested December 8th would be fine with him; Dr. Beer concurred with the date.

Commissioner Macy moved to postpone the subdivision permit and plat application until the December 8, 2016 Planning Commission public hearing; Commissioner Patterson seconded the motion, and it passed with a vote of 3 – 0.

Commissioner Clark advised the approval motion on the zone change application would need to be rescinded, and a new motion made, in order to hear the two applications concurrently. Mr. Emmons and Dr. Beer concurred. Commissioner Macy moved to rescind the motion to recommend approval of the zone change; Commissioner Patterson seconded, and it passed 3 – 0.

Commissioner Macy moved to postpone the zone change application to the December 8, 2016 Planning Commission public hearing; Commissioner Patterson seconded the motion, and it passed 3 – 0.

- 03** 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 heard concurrently with previous item 03 (zone change).

- 04** Review and action on a Subdivision Permit and Plat for Goostree Ranch Subdivision, a replat of Tract 1, Stearns Subdivision, Laramie County, WY.

Ms. McClenahan introduced the item and applicant. William A. Goostree came forward, explaining a home was being built on 10 acres, and they wanted to subdivide the parcel from the west portion of the property.

Ms. McClenahan gave an overview of the staff report, and explained that the property had been unlawfully subdivided. This application was submitted to bring the property into conformance with subdivision regulations, and would subdivide and plat Tracts 1 and 2 of Goostree Ranch Subdivision.

Agency comments were addressed and a revised plat was submitted on October 12, 2016. Staff recommended approval of the application with no conditions.

Commissioner Clark opened the hearing for public comment. Hearing no comment, the public portion of the hearing was closed and the item was opened for discussion and a motion. Commissioner Patterson motioned to recommend approval to the Board with no conditions. Commissioner Macy seconded the motion, and it passed with a vote of 3 - 0.

05 Withdrawal of a Subdivision Permit and Plat for Swan Ranch Rail Park Eleventh Filing, a portion of Section 22, T13N, R67W, of the 6th P.M., Laramie County, WY.

Ms. McClenahan gave a brief summary of the staff report, including the history of postponements and the extra reviews required due to the change in lot size.

Commissioner Macy moved to withdraw the subdivision permit and plat application; Commissioner Patterson seconded the motion, and the application was withdrawn with a vote of 3 – 0.

The meeting was adjourned at 4:28 p.m.

ATTACHMENTS: Iron Mountain – highlighted aerial of vicinity roads
Iron Mountain – access pictures

