

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

Thursday, January 12, 2017

- 170112 00** The Laramie County Planning Commission met in regular session on Thursday, January 12, 2017 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; Jean Vetter, Senior Planner; Nancy Trimble, Associate Planner/Recording Secretary.

The meeting register was signed by: Charles and Marilyn Ham, 2360 Road 217, Cheyenne; Mo Kougl, 3024 Capitol Ave, Cheyenne; Nancy Olson, 2101 O'Neil Ave, Cheyenne; Orris Wickham, 7713 Roundtop Rd, Cheyenne; Lisa Pafford, 2101 O'Neil Ave, Cheyenne; Gary M. Hickman, 100 Central Ave, Cheyenne; Casey Palma, 1102 West 19th St, Cheyenne; Bill and Connie Holgerson, 3305 Road 162, Albin; Teresa Walling, 4717 Summit Dr, Cheyenne; Robert Martinez, 2374 Road 217, Cheyenne; Danny Williams, 2384 Road 217, Cheyenne.

- 01** Review and postponement of a Preliminary Development Plan for a portion of the W1/2 of Section 10, Township 14 North, Range 67 West of the 6th P.M., Laramie County, Wyoming; LESS the W1/2 of the SW1/4SW1/4SW1/4 of said Section 10.

Jean Vetter, Senior Planner, introduced the first item, giving an overview of the purpose of the application. Casey Palma, agent for the applicant, came forward and gave an update – the postponement request was due to technical issues with the application. Commissioner Clark asked if he needed thirty days to resolve the issues. Mr. Palma responded all the owner signatures had been acquired, and a postponement until the next meeting would be sufficient.

Commissioner Clark opened the hearing to the public. Orris Wickham, 7713 Roundtop Road, said he owned the property at the southwest corner of the proposed subdivision, and asked when the public hearing would be. Commissioner Clark responded that if the postponement request was approved today, the public hearing of the application would be on January 26, 2017. She asked Mr. Wickham if he had any concerns. He stated he was concerned about the water on the half section, as they proposed to use the south half of that piece. He asked if anything had been done for a rural water system, and would new wells drop the water table on his well? He added there was no natural gas service to that area, and mentioned the shooting range to the south and the helicopter facility to the east – both under constant use by the Air Force Base – which created noise impacts in the area.

Mr. Palma responded a formal Chapter 23 study would need to be approved by WYDEQ prior to development, which would require test wells, samples, and drawdown estimates. He added that the applicants were working with the AFB Planning office regarding noise impacts, in order to ensure prospective buyers were aware of the situation. He didn't think natural gas would be extended for this project; the owners did not intend to pay for the extension.

Hearing no further comment, the public portion of the hearing was closed.

Commissioner Moffett moved to postpone the application until January 26, 2017; Commissioner Macy seconded the motion, and it passed with a vote of 4 – 0.

**02** Review and action of a Subdivision Permit and Plat for Koughl 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.

Ms. Vetter introduced the second item. She gave an introduction of the staff report, and Casey Palma, agent for the owner. He explained this was a 5-lot subdivision in a rural area, with a significant amount of floodplain on the property. He had tried to layout the subdivision with developable land, which would have dedicated right-of-way, but no road construction. Buyers were interested and would like to see the plat go forward, possibly combining tracts 4 and 5. If this were to happen, the combination of the tracts would alleviate issue with the floodplain prohibiting a building. There was no immediate development planned, but tracts would be offered to sell. The plat was revised to show the floodplain, to ensure prospective buyers were aware of the situation. Mr. Palma stated there was a notation on the plat that construction on these tracts would require floodplain development permits. He noted the easement detail, which provided shared access to tracts 1, 4 and 5 from the east, to avoid additional access points from Road 124. Mr. Palma added that Mark Voss, County Attorney, was reviewing the septic easement for Tract, intended to place the septic system away from the floodplain.

Commissioner Clark asked for the staff report. Ms. Vetter stressed it was necessary to make sure with the floodplain development permit process that no further flooding of adjacent property would occur. Staff received comments and area pictures from adjacent landowners. Staff found the application in conformance with the Laramie County Comprehensive Plan and Land Use Regulations. Staff recommended the Planning Commission find the application met the criteria and recommend approval to the Board with two conditions.

Commissioner Moffett asked Mr. Palma if the triangular shape on the south half of Tract 4 was currently the only buildable piece. Mr. Palma responded yes, it was a ¼ acre. Commissioner Moffett asked if they were seeking a septic waiver. Mr. Palma said yes, the property to the south was owned by a family member.

Commissioner Patterson asked if the 75 X 200' septic easement would be recorded with this plat. Mr. Palma responded it would be recorded before the plat, but he wanted to make sure there were no issues first. Commissioner Patterson asked if there was any additional access easement. Mr. Palma responded there was one in the northeastern corner of Tract 5 which could be used, and referred to the General Notes section on the plat.

Commissioner Clark opened the hearing to public comment. Concerns regarding floodplain/drainage issues and water table impacts were received from:

Danny Williams, 2384 Road 217  
Karen Williams, 2384 Road 217  
Charles Ham, 2360 Road 217  
Robert Martinez, 2374 Road 217

Mr. Palma came forward to address the expressed concerns. In regard to water well systems, he stated all the tracts exceed the minimum requirements established by the 2014 groundwater study. The tracts were not in the control area, but would exceed minimums if they were. There was no evidence there would be drawdown, unless there was high water usage which would relate more to commercial usage. The floodplain development permit process was in place to protect both the developer/owner and the adjacent landowners. In order for the development to be approved, it would require a detailed analysis for the affects both upstream and downstream. The analysis would also be helpful for existing landowners, should they want to get their structures out of the floodplain.

Mr. Palma added that Arlington Road was basically a driveway which has expanded over time. With the dedication of additional right-of-way on this plat, the result would be a 70-foot wide right-of-way. If the County put this right-of-way on the list for improvement, the expansion of the road and the addition of more culverts could help improve the drainage issues.

Hearing no further comment, the public portion of the hearing was closed. Commissioner Patterson asked if the ingress/egress easement on Tracts 4 and 5 goes through the floodplain, wouldn't there be specific requirements for design. Mr. Palma stated an engineer would determine those requirements, but if a road goes through the floodplain (floodplain crossing), it would require design standards to be met. Commissioner Patterson stated if there were a catastrophic event, access would be impassable and Tract 4 was right in the middle. Mr. Palma suggested maybe an emergency egress easement would be the most reasonable way to address that issue. Commissioner Patterson suggested possible placement through the unplatted portion to the south of Tract 4.

Commissioner Moffett addressed the public, explaining that part of the process today was to look at what was proposed and was it legally sufficient. To

construct in the floodplain was a choice. It was not the Commission's place to advise a landowner not to subdivide, or state whether it was a good idea or not, but to determine if the subdivision was legally sufficient.

Commissioner Macy moved to recommend approval with the two conditions in the staff report, plus the addition of a third condition that an emergency egress easement be recorded. Commissioner Patterson seconded the motion, and it passed with a vote of 4 – 0.

**03** Review and action of the Cheyenne MPO Storey Blvd 10% Design Plan and Map.

Commissioner Patterson recused himself from the vote, but requested to participate in the discussion.

Nancy Olson, Cheyenne MPO, gave a brief history of the plan, and introduced Ed Waddell of Western Research and Development.

Mr. Waddell gave a presentation, summarizing the constraints of the plan: property ownership and terrain, drainage and watersheds, slopes, USDA soils survey, USFWS wetlands inventory, future road network, and future land use.

The hearing was opened to the public. Boyd Wiggam asked about any consideration with Van Buren connecting all the way to US 85. Mr. Waddell stated the plan did not look past the Four Mile Road extension. He thought Whitney Road was planned to go north, but didn't know how far or when.

Teresa Walling, 4717 Summit Drive, asked if the corridor plan area would be annexed into the City. Mr. Waddell responded there was no plan to build the roadway, just reserve right-of-way for arterial and collector roads to serve future development.

Commissioner Patterson questioned what the urgency was in approving the 10% plan and recording the alignments now, when there would be a 35% plan in June. There was no way the land would be developed without these connections, and it was best left to the developer to come up with the design, which would have to be approved by the MPO.

Ms. Olson said the official map only goes through the City process to reserve the right-of-way. The alignments could change based on whatever the developer wanted to do, but would require amendments to the official map with justification as to why. The idea was to connect two end points as efficiently and expeditiously as possible. Commissioner Patterson stated when a developer brings forward a plat, and it doesn't align with the official map, his hope was there would be a mechanism for changes to be made.

Commissioner Moffett asked if there was any downside to proposing/earmarking the r.o.w. until the developer had the 35% design. Ms. Olson responded they were advised by the County and the Commissioners that they could go ahead, but the concerns could be taken into consideration. She said she would check on it and get back to the Planning Commission. Commissioner Moffett stated he wasn't sure of the immediate benefit, since the plan area was unplatted.

Commissioner Macy asked for clarification of the floodplain on the U.S. Fish & Wildlife Service Wetlands, and was there a setback requirement to meet federal requirements. Mr. Widdell responded the small blue circle on the map was the wetland, which the plan route avoided. Commissioner Macy asked how far away was the route from the floodplain. Mr. Widdell responded about 100 to 200 feet.

Hearing no further comment, the public portion of the hearing was closed.

Commissioner Patterson reminded the Chairman that he was recused from the vote. Commissioner Macy moved to accept the 10% design plan, with anticipated information on the timeframe from Ms. Olson. Commissioner Moffett seconded the motion, and it passed 3 - 0.

The meeting was adjourned at 5:11 p.m.