

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

Thursday, December 11, 2008

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**081211 00** The Laramie County Planning Commission met in regular session at 3:30 p.m. Thursday, December 11, 2009. Those in attendance were Commissioner Frank Cole, Commissioner Paula Qualls, Vice-Chairman; Commissioner Jody Clark, Chairman; Commissioner Jim Ward; Commissioner Bert Macy and Recording Secretary Valerie Roybal.

Those signing the register were Rosa Shaul; Georgia Alexander; Flo Beville; Nancy Olson; Lisa Pafford; John Sayers; Kelly Hafner; Dell Rae Porter; Ben Marszalek; Roy Kroeger; Tim Thorson.

- 01** Commissioner Qualls moved to approve the Minutes of Proceedings for September 25, 2008 and October 9, 2008 with an amendment to the October 9, 2008 Minutes. Commissioner Ward seconded the motion. The motion to approve the Minutes of Proceedings passed with Commissioner Cole abstaining from voting on the September 25, 2008 Minutes.
- 02** IGC Management, Inc. submitted applications for approval of a Final Plat and Subdivision Permit to the Laramie County Planning and Development Office. The subdivision is to create a single tract of land for the purpose of having a commercial riding arena. The arena will be operated by the property owners. Commissioner Cole, after looking at the plat, would like to have a name on the roads because of the access easement and because of emergency responses. He would like to name Keller Rd. County Planner Gary Kranse said that this is not the issue, Keller is not part of the plat, Tract 1 is the only thing effective. Commissioner Cole would like the access of the rd to be added to the plat. (John) doesn't have a problem doing that, as long as it doesn't hold up planning. County Planner Gary Kranse said he would have to plat the whole subdivision. There are different ways to get through this with GIS and with the ambulance service. Right now the purpose is just to develop this lot. Abby Yenco gave her staff report. saying that this proposed subdivision is not zoned, and is surrounded on all sides by land intended for large lot residential development. IGC Management originally submitted a building permit to the Laramie County Planning and Development Office for a private arena, to be used as an accessory residential building. Upon review, it was determined that the ownership, arena capacity, amenities and potential uses required a commercial building permit. Since the use was determined to be commercial, the Planning and Development Office required the land to be platted, to bring the use into conformance with the Subdivision Regulations. Associate Planner Abby Yenco requested that the Planning Commission adopt the findings of fact in the staff report and recommended approval of the development with the following conditions. That the name Keller Road be removed as a label for the access easement shown on the

Final Plat. 2. That the text referencing the easement access on the East side of the property be changed to read: "60 foot easement for private ingress and egress to Tract 1 for residents, invited guests and emergency vehicles to be known as Arena Lane." 3. That the correct Fire District be noted on the Final Plat. 4. That the text "no Proposed domestic water source" be removed from the Final Plat. 5. That the Community Facility Fees be paid in full prior to recording the Final Plat and Subdivision Permit. Commissioner Jody Clark opened the public hearing. Flo Beville lives out on Campstool and is concerned about the Campstool Rd and the increase of traffic. She said the county can not afford to fix the road, so what will happen if the road is in need of repair. John said the people living out there are living in a gated community. He said he does not see any traffic off of Campstool Rd because of the entrances that are available. Commissioner Cole asked if all open spaces are going to be commercial. Gary answered no. Commissioner Macy asked if Blue Sky Road is a public road? John Sayers said there is part that is questionable in the early 80's that a portion of the road was given by Mr. Cathcart. Commissioner Clark has concerns of Campstool being used. They do not have definite public access via Blue Sky Road. Hearing no other public comments, Commissioner Clark closed the public hearing. Commissioner Cole moved to adopt findings of fact a-c in the staff report and change condition: #2 to read: "60 foot easement for private ingress and egress to tract 1 for residents, invited guests and emergency vehicles to be known as Arena Lane." Commissioner Cole proposed the following additional conditions: #3. That the correct Fire District be noted on the Final Plat. #4. That the text "No proposed public domestic water source" be removed from the Final Plat. Commissioner Ward seconded the motion. Motion failed with Commissioner Macy, Commissioner Clark and Commissioner Qualls voting no. Commissioner Macy and Commissioner Qualls believe there are too many issues. Commissioner Clark said there is not written documentation from Mr. Cathcart regarding the access. Mr. Sayers confirmed that he does have a copy of a recorded easement from the County Clerk's Office. Gary said that they could get back with some recommendations. Commissioner Qualls commented on what Commissioner Macy had commented on that the commissioners do not have funding to maintain new public roads. Commissioner Clark moved to approve with conditions 1, 2, 3, 4 and having a legal description with 5. With addition having the County Commissioners review the recommendations of County Roads and focus on Blue Sky. Commissioner Macy seconded the motion. Motion failed with Commissioner Ward, Commissioner Qualls and Commissioner Cole voting no. Commissioner Cole then made a motion to have Keller stay the same with a change condition in #4. Commissioner Ward seconded the motion. Commissioner Clark, Commissioner Macy, and Commissioner Qualls voted no. The Planning Commission failed to pass a motion concerning this application.

- 03** Kelly Hefner from Benchmark Engineers on behalf of Heartland Homebuilders applied for approval of a Final Plat and Subdivision Permit for the purpose of creating thirty-three residential tracts to site 3-plex town

homes. He mentioned that on the map that the roads have been widened with the recommendation of the Fire department. Abby Yenco gave her staff report stating that the property is located within the Urban Density area described in the Laramie County Comprehensive Plan. Plan Cheyenne describes this area as best suited for Urban Residential development which includes the construction of town homes. She explained that several changes must be made to the plat map before it can be approved. The dedication language in regards to drainage and open space for lot 4, block 1 needs to be clarified. The road maintenance should be specified as private and the following language should be used for drainage easements. Her recommendation and findings of facts a-c are on her report as well as conditions 1-3 of the same report. Commissioner Cole wanted to clarify that the LCSD #1 comments need to be updated. Commissioner Clark opened the public hearing. Ben Marszalek said they have concerns of the Tri Plax on West Jefferson-Ave C. There is going to be a problem with the sewer and doesn't see a detention pond in case of severe rain fall. Kelly Hefner said that he has submitted plans for the sewer system. Commissioner Clark closed the public hearing. Commissioner Cole moved to approve the Final Plat and Subdivision Permit for Jefferson Hills Subdivision to the Laramie county Board of County Commissioners including conditions 1-3 (no to 4 & 5) and adopt the findings of fact a-c of the staff report. Commission Ward seconded the motion which passed unanimously.

- 04** Associate County Planner Abby Yenco requested this item be withdrawn from consideration at the request of the applicant. Commissioner Frank Cole moved to approve the request to withdraw. Commissioner Jim Ward seconded the motion, which passed unanimously.
- 05** Kelly Hefner from Benchmark Engineers on behalf of Heartland Homebuilders, has applied for approval of a Preliminary Plat for the purpose of creating sixty residential tracts to site 3-plex towns homes and one tract for a single family residence. This item was heard with agenda item #7.
- 06** Associate County Planner Abby Yenco requested this item be withdrawn from consideration at the request of the applicant. Commissioner Frank Cole moved to approve the request to withdraw. Commissioner Bert Macy seconded the motion, which passed unanimously.
- 07** Kelly Hafner for Benchmark Engineers on behalf of Heartland Homebuilders, applied for approval of a Preliminary Plat for the purpose of creating sixty residential tracts to site 3-plex town homes and one tract for a single family residence. This plat exceeds the density requirements for the current MR-2 Zoning. A change in zone to MUB, Mixed Use Business and HR-2, High Density Residential is being requested. Associate County Planner Abby Yenco gave her staff report. The property is zoned MR-2 Medium Density residential, Developing. It is surrounded to the South and East and by properties zoned MR-2. It is bordered to the North by property zoned MR-1, Medium Density Residential, Established and to the West by property zoned CB, Community Business. A Change in zone from MR--2 to MUB is requested for all property North of the 100 foot electric transmission line easement noted on the Preliminary Plat. Commissioner Qualls asked why

are they showing drainage on the Preliminary Plat and not of the Final Plat. County Planner Gary Kranse said that the preliminary plat is intended to give more detail than a final plat. He went on to say that there is an open line under the detention ponds on the Final Plat which will be dedicated. Commissioner Cole said he is opposed to the MUB Zone, and the School District needs to get up to date with their information, noting that there is another High School being built. Commissioner Cole moved to recommend approval of the change in zone MR 2 and HR 2 for Foxtail with no conditions. Commissioner Ward seconded the motion. Commissioner Qualls opposed. After discussion it was then brought back to the table. Commissioner Cole moved to acknowledge the preliminary plat and to recommend approval of the change in zone for MR2-HR2 only prior to or with the Final Plat and that conditions 1-5 be approved and condition 6 be deleted. Commissioner Ward seconded the motion. Motion passes with Commissioner Qualls opposed.

- 08** Grants Manager Tim Thorson gave a report on the 2009 Community Development Block Grant Program. He said that the CDBG housing has set-aside approximately \$1,500,00 for counties and incorporated cities and towns to apply. The cities of Cheyenne and Casper are not eligible applicants, but Laramie County can apply. Tim is finding out from the public what some of the needs are right now. In the past, it has been used for home rehabilitation, publicly owned improvements (infrastructure), clearance of sites, homeownership assistance, and new construction of public facilities. Commissioner Qualls asked if the money could be used for public parks. Mr. Thorson said no, it has to be used for Residential improvements.
- 09** County Planner Gary Kranse Spoke to the Planning Commission about the Recommendation of the Planning Development Fee Schedule and recommended approval. The fees were revised in October of this year to allow for fees to be determined each year based on the average cost of services provided by the Planning and Development Department for our customers. He went on to say that the fees do not apply to building permit fees. The proposed fees are based on the administrative and personnel costs for providing service and review for development projects as well as the cost related to the engineering review of those projects. Commissioner Cole said that the open-ended fees are a problem. He feels that all the fees should have a definite amount. Mr. Kranse said that they have to document their time to reflect what fees are and also this matter needs to be done every year for the Planning Commission to consider. Gary amended the costs as follow: Staff Cost not to exceed \$500.00; Engineering- Maximum cost would be \$1,500.00. He asked the commission if something was to go over, could he ask for a special waiver if the fees reach the maximum. Commissioner Cole moved to recommend to the Laramie County Board of Commissioners approval of the proposed Planning and Development Fee Schedule of any fees not to exceed \$1,500.00 excluding Facility Fees. Commissioner Ward seconded the motion which passed unanimously.

Commissioner Qualls moved to adjourn the meeting. Commissioner Macy seconded the motion, which passed unanimously.

Meeting adjourned at 6:30 p.m.

**CERTIFICATION**

I, Debra K Lathrop, Clerk of Laramie County, do hereby certify the above to be a true and correct copy of the Minutes of the Proceedings for Thursday, December 11, 2008

**SEAL**

Approved by : \_\_\_\_\_

Debra K. Lathrop  
County Clerk

Reviewed by : \_\_\_\_\_

Jody Clark, Chairman  
Laramie County Planning Commission

This information is available in alternate forms. If reasonable accommodations are required, contact Laramie County Human Resources, 310 West 19th Street, Cheyenne, WY 82001, (307)633-4355 within a reasonable time.