

# Planning • Building

# MEMORANDUM

TO:	Laramie County Board of Commissioners
FROM:	Sonny M. Keen, Associate Planner
DATE:	February 4 <sup>th</sup> , 2025
TITLE:	Review and action on a Zone Change from LI – Light Industrial to MU – Mixed Use for Tract 2, Cheyenne Irrigated Gardens, 3rd Filing.

# **EXECUTIVE SUMMARY**

Steil Surveying Services, LLC, has submitted applications for an Administrative Plat and Zone Change for above referenced parcel, located at the northwest corner of Avenue D and Persons Rd. The purpose of the applications is to separate the residence from the remainder of the existing towing business which would establish the need to change the residential zoning from LI - Light Industrial to MU - Mixed Use. The business will remain as LI - Light Industrial.

# **BACKGROUND**

The subject property considering the zone change is 0.36 acres and zone districts surrounding it include PUD – Planned Unit Development, MR – Medium Density Residential, and City of Cheyenne AG - Agricultural.

# Pertinent Statutes and Laramie County Land Use Regulations include:

- Section 1-2-103(b) of the Laramie County Land Use Regulations governing the criteria for a zone map amendment.
- Section 4-2-111 of the Laramie County Land Use Regulations governing the MU Mixed Use zone district.

# **DISCUSSION**

The Laramie County Comprehensive Plan designates this area as URI (Urban Rural Interface), intended to accommodate a mix of more intensive land uses than other areas. These areas may have public water and sewer services, a higher level of vehicular access, and a greater overall level of community services.

Public notice was published, and neighbor notice letters were sent by certified mail. Staff received no written comments from adjacent landowners. Agency comments were addressed sufficiently.

Section 1-2-103 (b) of the Laramie County Land Use Regulations specifies that in order to recommend approval of this zone change, the Planning Commission must find at least one of the following:

- i. That the zoning district map amendments or regulations are consistent with plans and policies of Laramie County: or
- ii. That the original zoning classification given to the property was inappropriate or improper; or
- iii. That there have been changes of an economic, physical, or social nature within the area involved which altered the basic character of such area, and that the amendment will not detrimentally affect the area involved.

Criteria i. and iii. are met by the type of development proposed and by meeting all of Planning's application criteria.

On January 23<sup>rd</sup>, 2025, the Laramie County Planning Commission held a public hearing on this application and voted (4-0) to recommend approval.

# **RECOMMENDATION and FINDINGS**

## Based on evidence provided, staff finds that:

- a. This application does meets the criteria for a zone map amendment pursuant to section 1-2-103 (b) i. and iii. of the Laramie County Land Use Regulations
- **b.** The proposed change in zone district is in conformance with the requirements of section 4-2-111 of the Laramie County Land Use Regulations.

and that the Board approve a Zone Change from LI – Light Industrial to MU – Mixed Use for Tract 2, Cheyenne Irrigated Gardens, 3<sup>rd</sup> Filing, Laramie County, WY.

## **PROPOSED MOTION**

I move to approve the Zone Change from LI – Light Industrial to MU – Mixed Use for Tract 2, Cheyenne Irrigated Gardens, 3<sup>rd</sup> Filing, Laramie County, WY, with no conditions and adopt the findings of facts a and b of the staff report.

## **ATTACHMENTS**

- Attachment 1: Location Map
- Attachment 2: Project Narrative
- **Attachment 3: Preliminary Application Notes**
- Attachment 4: Agency Reviews Comments and Applicant Responses Report
- Attachment 5: Resolution for Zone Change
- Attachment 6: Resolution Exhibit A Zone Change Map





November 6, 2024

Laramie County Planning & Development Office 3966 Archer Parkway Cheyenne, WY 82007 (307) 633-4303

# InRe: LETTER OF JUSTIFICATION – Trefren Zone Change

Steil Surveying Services, agent for the owner, intends to do a Zone Change on a portion of the south 440 feet of Tract 17, Cheyenne Irrigated Gardens. The owner wishes to break the existing residence off from the rest of the property. A zone change for that portion is require. Current zoning LI, requested zoning MU.

Please contact me with any questions or concerns.

Micheel J. Harrom

Shane Hansen Director Planning and Development Steil Surveying Services, LLC <u>shansen@steilsurvey.com</u>

3966 Arc WY 82009 plan 307) 633-4303	her Pkwy ming@laramiecou Fax (307) 633-	unty.com 4616	EPARTMENT	AC/
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Cheyer Photo Photo Cheyer	LANNING & DEVELOPMENT DEPARTMENT 3966 Archer Pkwy nne, WY 82009 planning@laramiecounty.com one (307) 633-4303 Fax (307) 633-4616 -Application Meeting Notes
🛛 Yes 🗆 No	Community Facility Fees Acknowledgement Letter:
🗹 Yes 🗆 No	Public Safety Fees Acknowledgement Letter:
□ Yes 🗹 No 🗆 TBD	WY DEQ Chapter 23 Study/Submittal Letter:
🗆 Yes 🕑 No 🗆 TBD	Development Agreement:
🗆 Yes 🔽 No 🗆 TBD	Roadway Maintenance Plan:
🗆 Yes 😿 No 🗆 TBD	Road/Easement Use Agreement:
🗆 Yes 🖬 No 🗆 TBD	ROW Construction Permit:
Ves 🗆 No	Engineer Review – Paid by Applicant:
🗆 Yes 🗹 No 🗆 TBD	Environmental Health Review / Approval:
🗆 Yes 🗹 No 🗆 TBD	Environmental and Services Impact Report:
🗆 Yes 🗹 No 🗆 TBD	GESC/Grading, Erosion & Sediment Control Permit:
🗆 Yes 🗹 No 🗆 TBD	Floodplain Development Permit:
□ Yes	Perimeter Fence Construction per W.S § 18-5-319:

Public Notice Requirements	General Notes:
	Public Notice Sign(s) Required – Posted/Paid by Applicant:
🖌 Yes 🗆 No	
	#2600 EACH X2
1	Newspaper Legal Notice Required – Paid by Applicant:
🏹 Yes 🗆 No	
	FOR ZONE CHANGE
	Property Owner Notification Letter Required – Paid by Applicant:
🖓 Yes 🗆 No	
	Actual Cost (157. 600 Here

LARAMIE COUNTY PLANNING & DEVELOPMENT DEPARTMENT 3966 Archer Pkwy Cheyenne, WY 82009 planning@laramiecounty.com Phone (307) 633-4303 Fax (307) 633-4616 **Pre-Application Meeting Notes Miscellaneous Notes:** Contract TO MIL - ONE PARCEL WEITH THE ZONE HOUSE REMAINDER CELT LI. ZONE COHNER - NELS BOCC APPROVAC. ADMENPERT - ADMENTSTRATENE APPROVAL. CHEYENNE WATER ! SLUER PROVEDES SERVICE, CITY OF CHEVENNE - PERSONS RUAD NOT SUFFICIENT R-O.W DOULD LIKE ADDITIONAL ROW OR EASEMENT. Mu zone DESTRICT IS APPROPRIATE 1271 REQUEST TO ANNER BY PLOPERTY OWNER. BK 221 P6 6

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Application	Fee	Sign (per sign)	Legal Ad (per ad)	Engineer Review	Mailing			
Preliminary	\$1000.00	\$26.00	N/A	Actual Cost	Actual Cost			
Development Plan								
ow Impact GESC	\$250.00	N/A	N/A	Actual Cost	N/A			
Standard GESC	\$500.00	N/A	N/A	Actual Cost	N/A			
Board Approval	\$500.00	\$26.00	Actual Cost	Actual Cost	Actual Cost			
/ariance	\$600.00	\$26.00	Actual Cost	Actual Cost	Actual Cost			
Temporary Use	\$100.00	N/A	N/A	N/A	N/A			
Address – New	\$200.00	N/A	N/A	N/A	N/A			
Oil & Gas Facility								
Address – Existing	\$100.00	N/A	N/A	N/A	N/A			
Oil & Gas Facility								
Floodplain Development	\$200.00	N/A	N/A	Actual Cost	N/A			
Permit								
Site Plan, New and	\$750.00	\$26.00	Actual Cost –	Actual Cost	Actual Cost			
Major Amendments			if applicable					
Site Plan, Minor	\$250.00	\$26.00	N/A	Actual Cost	Actual Cost			
Amendments								
Zone Change	\$500.00	\$26.00	Actual Cost	Actual Cost	Actual Cost			
Wireless Tower	\$250.00	\$26.00 - if	Actual Cost –	Actual Cost	Actual Cost			
		applicable	if applicable					
Family Child Care Home	\$100.00	N/A	N/A	N/A	N/A			
Subdivision Permit (25 lots or less)	\$1,200.00	\$26.00	Actual Cost	Actual Cost	Actual Cost			
Subdivision Permit (26	\$1,800.00	\$26.00	Actual Cost	Actual Cost	Actual Cost			
lots or more)	04 PA		3					
Administrative Plat	\$750.00	\$26.00	Actual Cost	Actual Cost	Actual Cost			
Road/Easement Naming	\$200.00	\$26.00	N/A	N/A	Actual Cost			
Environmental Health	\$200.00 with	public sewer.	\$200 plus \$10.00	per lot without publ	ic sewer (not to			
Fee **See Note**	exceed \$500	.00)						
Community Facility	Land within a	water/sewer	district or serviced	by a district: \$500.0	0 per acre, rounde			
Fees	to the neares	t.1 acre. Min	imum \$250.00					
Community Facility	Land outside	Land outside a water/sewer district with no public water/sewer services: \$50.00 per						
Fees	acre, rounde	d to the neare	st .1 acre. Minimu	im \$25.00				
Public Safety Fees	Land within a be assessed	Land within any water and/or sewer district or serviced by a public water system shall be assessed a \$200.00 per lot public safety fee						
Public Safety Fees	Land outside	of a water an	d/or sewer district	shall be assessed a	\$1,000.00 per lot			

\*\*Note: Health Dept. fee increase relating to subdivision permit/plat process approved by Laramie County Board of Commissioners on June 2, 2015, and Board of Health on June 16, 2015.

## **Traffic Study Waiver Request Criteria**

#### 3-5-105a. Requirements

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A traffic study may be required for any site plan, subdivision permit, or access request for any development and shall be required for any project or development that will generate 100 or more trips during any hour or over 200 trips per day. Traffic studies shall be prepared by a qualified civil engineer licensed by the Wyoming State Board of Registration for Professional Engineers and Professional Land Surveyors

to practice engineering in Wyoming. The applicant and the engineer shall meet with the County prior to preparation of the traffic study to discuss specific issues or concerns. The Director of Planning and Development may waive a traffic study based on estimated ADT, and peak hour trips, or existing road or site conditions, including adequate pedestrian access.

#### Drainage Study Waiver Request Criteria

#### 3-1-105 Drainage Report Waiver

Requests for waivers for drainage impact studies shall be made in writing to the Laramie County Public Works Department. The County shall review the request and approve the grant for a waiver or identify the level of study required for the proposed development action. Laramie County Public Works may waive the requirement for drainage study based on the following:

**a.** Information is provided to substantiate there are no potential drainage problems at the site or downstream of the site (including impacts to downstream floodplains).

**b.** The development or redevelopment will not result in an increase in the historic impervious area.

**c.** The development or redevelopment of an area is immediately adjacent to a major drainageway that is capable of conveying the fully developed basin 100-year flood without impact to the base flood

elevation.

d. The development or redevelopment is unlikely to create drainage problems.

Permit Number: PZ-24-00097

Parcel Number: 13660440302600 Site Address: 2414 PERSONS RD

Cheyenne, WY 82007

Submitted: 11/06/2024 Technically Complete: 11/06/2024 Approved: Issued:

 Applicant:
 HANSEN, MICHEAL SHANE

 Owner:
 TREFREN, DAVID W REV TR

 Project Description:
 ZONE CHANGE ON BROKEN OFF PARCEL

Begin Date 11/07/2024	<u>End Date</u> 11/07/2024	Permit Area Workflow	<u>Subject</u> COUNTY REAL ESTATE OFFICE REVIEW	<u>Note Type</u> GENERAL	No comment	Created By LAURA.PATE@LA RAMIECOUNTYWY .GOV
11/08/2024 correcte	d to MU	Application	PZ-24-00097	GENERAL	<ol> <li>I do not believe the County has an 'MUR' zone. I assume the request is for the 'MU', please revise or justify.</li> <li>Comment not warranting response from the applicant: The area is designated 'mixed-use residential' on the future land use map. The County MU zone is one of the optimal County zoning districts for that future land use designation.</li> </ol>	SETH.LLOYD@LA RAMIECOUNTYWY .GOV
11/08/2024		Application	PZ-24-00097	GENERAL	No Comment to the Zone Change	CHRISTOPHER.YA NEY@LARAMIECO UNTYWY.GOV
11/12/2024		Workflow	COUNTY ASSESSOR REVIEW	GENERAL	No comment on Zone Change	CANDICE.MCCART @LARAMIECOUNT YWY.GOV
11/14/2024		Application	PZ-24-00097	GENERAL	No Comment	DARRICK.MITTLES TADT@LARAMIEC OUNTYWY.GOV
11/15/2024		Application	PZ-24-00097	GENERAL	no comment	SCOTT.SPRAKTIE S@LARAMIECOUN TYWY.GOV
11/20/2024 was n	not previously p	Application latted by admin pla	PZ-24-00097 t	GENERAL	This will need a separate resolution for a zone change in addition to vacating the entirety of the existing parcel zoned as LI for the admin plat, if it hasnt already been divided by admin plat previously.	LARAMIECOUNTY ATTORNEY@LARA MIECOUNTYWY.G OV
					When did this get zoned as LI?	
					How does this zone change meet the criteria for the proposed zone change and fit with the goals and recommendations on land use and development in section 5.2 of the Comprehensive Plan.	
					Presents a possible question on strengthening the comprehensive plan and consideration on what the best plan for this area is, whether it should be light industrial or residential.	

11/21/2024 1-4. <i>i</i>	ACKNOWLED	Workflow	PUBLIC WORKS REVIEW	GENERAL	<ol> <li>All comments form the review engineer and LC Attorney's Office shall be acknowledged and/or addressed.</li> <li>The administrative plat shall be signed and approved prior to the zone change taking effect.</li> <li>No comments from Public Works related to the zone change.</li> <li>Future infrastructure upgrades may be required with this development. This could include but is not limited to access, right-of-way (road construction), re-vegetation and signage. Permit applications through Public Works will be required at the time of development.</li> </ol>	MOLLY.BENNETT @LARAMIECOUNT YWY.GOV
11/21/2024 E\	11/21/2024 /ERYTHING IS	Application	PZ-24-00097	GENERAL	1.It is difficult to tell just from the Zone Change Exhibit alone what area is being changed. The Exhibit shows the existing zoning for future Tract 1 and surrounding properties, however, there is nothing shown for future Tract 2 for existing or proposed zone. Is only future Tract 2 being changed to MUR and the shading didnt plot? It needs to be clarified on the Exhibit as to the existing and proposed zoning for future Tract 2 assuming that is the area that is being changed. 2.The Zone Change Exhibit needs to show/identify the zoning for the property to the north as MR. The Exhibit shows a cross hatching that is not identified or called out in the Legend. In addition, the GIS mapping shows part of the property to the east as AG, but the Exhibit shows it all as LI. 3.Currently the County has an MU zone but not an MUR. I am assuming the intent is to change the zone to MU and not MUR. Please modify the Exhibit to reflect the correct zone designation.	

Permit Number: PZ-24-00097

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Begin Date 11/07/2024	<u>End Date</u> 11/07/2024	Permit Area Workflow	<u>Subject</u> COUNTY REAL ESTATE OFFICE REVIEW	<u>Note Type</u> GENERAL	<u>Note Text</u> No comment	<u>Created By</u> LAURA.PATE@LA RAMIECOUNTYWY .GOV
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11/15/2024		Application	PZ-24-00097	GENERAL	no comment	SCOTT.SPRAKTIE S@LARAMIECOUN TYWY.GOV
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					How does this zone change meet the criteria for the proposed zone change and fit with the goals and recommendations on land use and development in section 5.2 of the Comprehensive Plan.	
					Presents a possible question on strengthening the comprehensive plan and consideration on what the best plan for this area is, whether it should be light industrial or residential.	

11/21/2024		Workflow	PUBLIC WORKS REVIEW	GENERAL	<ol> <li>All comments form the review engineer and LC Attorney's Office shall be acknowledged and/or addressed.</li> <li>The administrative plat shall be signed and approved prior to the zone change taking effect.</li> <li>No comments from Public Works related to the zone change.</li> <li>Future infrastructure upgrades may be required with this development. This could include but is not limited to access, right-of-way (road construction), re-vegetation and signage. Permit applications through Public Works will be required at the time of development.</li> </ol>	@LARAMIECOUNT
11/21/2024	11/21/2024	Application	PZ-24-00097	GENERAL	1.It is difficult to tell just from the Zone Change Exhibit alone what area is being changed. The Exhibit shows the existing zoning for future Tract 1 and surrounding properties, however, there is nothing shown for future Tract 2 for existing or proposed zone. Is only future Tract 2 being changed to MUR and the shading didnt plot? It needs to be clarified on the Exhibit as to the existing and proposed zoning for future Tract 2 assuming that is the area that is being changed. 2.The Zone Change Exhibit needs to show/identify the zoning for the property to the north as MR. The Exhibit shows a cross hatching that is not identified or called out in the Legend. In addition, the GIS mapping shows part of the property to the east as AG, but the Exhibit shows it all as LI. 3.Currently the County has an MU zone but not an MUR. I am assuming the intent is to change the zone to MU and not MUR. Please modify the Exhibit to reflect the correct zone designation.	SCOTT.LARSON@ LARAMIECOUNTY WY.GOV
	11/25/2024 BEEN SHOWN E - IRRELEVAI	I ON ANY ZONE	PZ-24-00097	GENERAL	<ul> <li>2nd Review -</li> <li>1. Based on the scale of the Zone Change Map, the majority of the 80' ROW for Avenue D is shown (approximately 76'79' is shown) It would be best if the entire 80' ROW is shown because the GIS shows half of the ROW for Avenue D changes to a AG zone and is not an LI zone as shown/indicated on the Zone Change map. In addition, the Zone Change map is required to show existing zoning for surrounding properties, which would also include the property on the east side of Avenue D just as it was shown for the property on the south side of Persons Road.</li> <li>2. The Zone Change map is required to show existing land uses for surrounding properties.</li> <li>3. The Zone Change map is required to show existing entrances and parking areas.</li> </ul>	SCOTT.LARSON@ LARAMIECOUNTY WY.GOV

### RESOLUTION NO.

# A RESOLUTION TO APPROVE A CHANGE IN ZONE DISTRICT FROM LI – LIGHT INDUSTRIAL TO MU – MIXED USE FOR TRACT 2, CHEYENNE IRRIGATED GARDENS, 3<sup>RD</sup> FILING, LARAMIE COUNTY, WY.

**WHEREAS**, Wyoming State Statutes §18-5-201 to 18-5-208; §18-5-301 to 18-5-315 authorize Laramie County, in promoting the public health, safety, morals and general welfare of the county, to regulate the use of land through zoning in unincorporated Laramie County; and

**WHEREAS**, the Laramie County Board of Commissioners previously adopted the Laramie County Land Use Regulations; and

**WHEREAS**, the proposed zone change is in conformance with the requirements of section 1-2-103(b) of the Laramie County Land Use Regulations; and

WHEREAS, the proposed zone change is in conformance with the requirements of section 4-2-111 of the Laramie County Land Use Regulations.

# **NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF LARAMIE COUNTY, WYOMING,** as follows:

The Laramie County Board of Commissioners finds that:

- a. This application meets the criteria for a zone map amendment pursuant to section 1-2-103 (b) of the Laramie County Land Use Regulations.
- **b.** The proposed change in zone district is in conformance with the requirements of section 4-2-111 of the Laramie County Land Use Regulations.

# And the Board approves a Zone Change from LI – Light Industrial to MU – Mixed Use for Tract 2, Cheyenne Irrigated Gardens, 3<sup>rd</sup> Filing, Laramie County, WY, as shown on the attached 'Exhibit A' – Zone Change Map.

PRESENTED, READ AND ADOPTED THIS \_\_\_\_\_ DAY OF

\_\_\_\_\_Feb\_\_\_\_\_, 2025.

LARAMIE COUNTY BOARD OF COMMISSIONERS

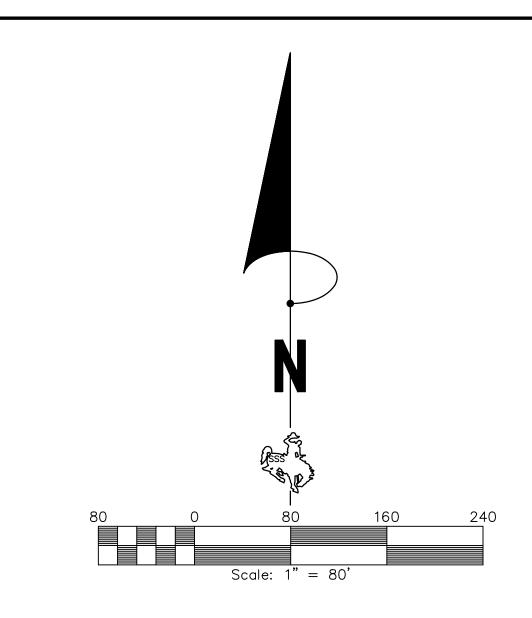
Gunnar Malm, Chairman

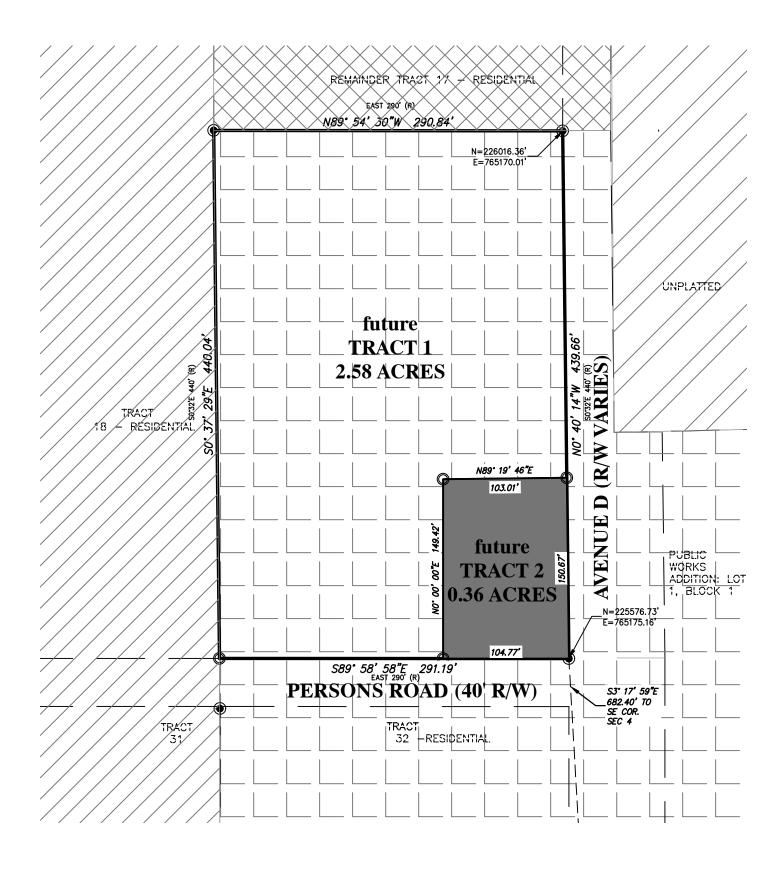
ATTEST:

Debra K. Lee, Laramie County Clerk

Reviewed and approved as to form:

James I. Bush, Deputy Laramie County Attorney



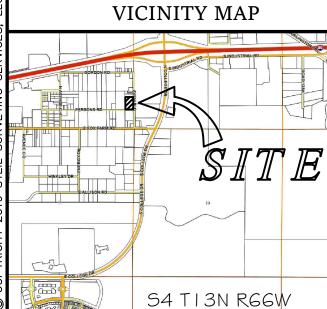


# LEGEND



EXISTING ZONING - LI PROPOSED ZONING - MU







# ZONE CHANGE EXELIBIU

FOR A PORTION OF THE SOUTH 440 FEET OF TRACT 17, CHEYENNE IRRIGATED GARDENS, SITUATE IN THE SE<sup>1</sup>/<sub>4</sub> OF SECTION 4, T13N, R66W, OF THE 6TH P.M., LARAMIE COUNTY, WYOMING

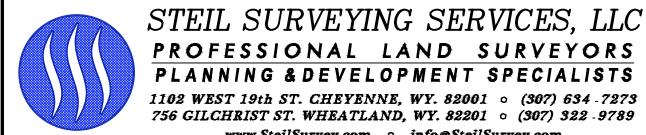
PROFESSIONAL LAND SURVEYORS

PLANNING & DEVELOPMENT SPECIALISTS 1102 WEST 19th ST. CHEYENNE, WY. 82001 o (307) 634 -7273

756 GILCHRIST ST. WHEATLAND, WY. 82201 o (307) 322 - 9789

www.SteilSurvey.com o info@SteilSurvey.com

PREPARED NOVEMBER, 2024



24368 ZC.DWG

REVISED: 11/26/2024

EXISTING ZONING LI

PROPOSED ZONING MU