



## LARAMIE COUNTY PLANNING & DEVELOPMENT DEPARTMENT

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### Planning • Building

#### MEMORANDUM

**TO:** Laramie County Board of County Commissioners

**FROM:** Justin Arnold, Planning Director

**DATE:** May 2, 2023

**TITLE:** PUBLIC HEARING: Zone Change from CB – Community Business to MR – Medium Density Residential for a portion of Lot 3 of Madeline Subdivision, Laramie County, WY.

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#### EXECUTIVE SUMMARY

Chris Lovas, Lovas Engineering, on behalf of William Mellecker, has submitted a Zone Change application, from CB – Community Business to MR – Medium Density Residential, located at 130 Williams Street. If approved, an Administrative Plat pursuant to section 2-1-102(d)(c)(iii) will be submitted to subdivide the tract into two residential parcels. A single family modular will be placed on the northern parcel and the southern parcel's current residential use will remain.

#### BACKGROUND

The property can be found within the Madeline Subdivision, approved by the Board of Commissioners on August 17<sup>th</sup>, 1981. The surrounding area consists of smaller lots that are approximately .20 acres or 8,753 sq. ft. To the east is a commercial diesel and auto repair shop. To the west are residential lots that are similar to the subject property.

Pertinent Laramie County Land Use Regulations or Statutory Provisions include:

- Section 1-2-103(b) governing criteria for a zone map amendment.
- Section 4-2-104 governing the MR – Medium Density Residential Zone District
- Section 1-2-104 governing public notice.

## **DISCUSSION**

The Laramie County Comprehensive Plan identifies the area as Urban Rural Interface (URI). Within this area, higher density residential, intensive commercial, employment centers and industrial uses are indicated. PlanCheyenne designates this area as Mixed-Use Commercial, this category includes a wide variety of land uses and activities, focused primarily on commercial activities, but also including other employment, public, and residential uses.

The property is currently zoned CB, these areas are to be primarily used as retail centers which serve a number of neighborhoods. The proposed zoning MR areas primarily developed or redeveloped for medium density residential uses. Currently the subject property is contiguous with another MR zoned property, thus making for an easy transition from CB to MR zoning.

Public Notice was provided as required per Section 1-2-104 governing public notice. No public comment was received.

Section 1-2-103 (b) states that in order for Planning Commission to recommend approval, one of the following must be found:

- 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. fulfills the requirements of the Laramie County Land Use Regulations for a zone change.

On March 23, 2023, the Laramie County Planning Commission voted 3-0 to recommend approval. No public comments were received at the public hearing.

## **RECOMMENDATION and FINDINGS**

**Based on evidence provided, staff finds that:**

- a. This application 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 4-2-104 of the Laramie County Land Use Regulations.

**And based on having met the criteria outlined above, the Board of County Commissioners may approve a Zone Change from CB – Community Business to MR – Medium Density Residential for a portion of Lot 3 of Madeline Subdivision, Laramie County, WY.**

## **PROPOSED MOTION**

**I move to adopt the findings of facts a and b of the staff report and to approve a Zone Change from CB – Community Business to MR – Medium Density Residential for a portion of Lot 3 of Madeline Subdivision, Laramie County, WY.**

## **ATTACHMENTS**

- Attachment 1: Aerial and Location Map**
- Attachment 2: Project Narrative**
- Attachment 3: Agency Review Comments**
- Attachment 4: Resolution**
- Attachment 5: Resolution Exhibit ‘A’**



Laramie County Wyoming MapServer

PZ-23-00003  
130 Williams St.

Zone Change from CB to MR

Comprehensive Plan- Urban Rural Interface (URI)

PlanCheyenne- Mixed Use Commercial (MU-C)

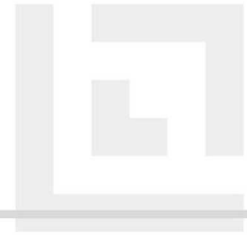
Fire District 1

South Cheyenne Water and Sewer District

AMEC MEMO- Zone 2



This map/data is made possible through the Cheyenne and Laramie County Cooperative GIS (CLCCGIS) Program and is for display purposes only. The CLCCGIS invokes its sovereign and



Mr. Michael Surface – Associate Planner  
Laramie County Planning & Development  
Via: email

[michael.surface@laramiecountywy.gov](mailto:michael.surface@laramiecountywy.gov)

**RE: 130 WILLIAMS STREET – ZONE CHANGE APPLICATION TRANSMITTAL NARRATIVE**

**1/27/2023**

**Dear Mr. Surface,**

As the Agent for and on behalf of Mr. William Mellecker, I'm please to submit a Zone Change Application package and associated required documents for the above referenced Project. The Project contains 0.43 acres and proposes to change the zone from CB to MR. The intent is to follow the zone change with an admin plat to subdivide the existing parcel into two, then install a single family modular residence on the north parcel and maintain the current use in the southern parcel which is an existing residential building. At full buildout there will be two parcel and two residential structures.

Enclosed with this Letter are the following documents as required by Laramie County Land Use Regulations:

- Pre-Application Meeting Minutes
- Completed Zone Change Application
- Zone Change Map
- Warranty Deed

If you have any questions or require additional information, please contact me directly.

Respectfully Submitted,



Christofer S. Lovas, PE | *Lovas Engineering, PC*

**PZ-23-00003**  
**Zone Change**

**Black Hills Energy:** Black Hills Energy, Eric Underhill No Response 02/15/2023  
No Comments

**CenturyLink:** CenturyLink, Darrin Klawon No Response 02/15/2023  
No Comments

**Cheyenne MPO:** Cheyenne MPO, Christopher Yaney No Comments 02/06/2023  
No Comments

**Cheyenne Planning:** Cheyenne Development Services, Seth Lloyd Comments  
Attached 02/10/2023  
Zoning in the area is a mix of CB and MR. The future land use designation for the area is Mixed-use Commercial. Appropriate to change zoning from the area's commercial zone to the area's residential zone.

**County Assessor:** County Assessor, Mark Wilkinson No Response 02/15/2023  
No Comments

**County Attorney:** County Attorney, LC Attorney's Office No Comments 02/03/2023  
No Comments

**County Clerk:** County Clerk, Dale Davis No Response 02/15/2023  
No Comments

**County Engineer:** Building Dept., Daniel Peters No Comments 01/31/2023  
No Comments

**County Public Works Department:** County Public Works Department, Molly Bennett  
Comments Attached 02/13/2023

For your information:

1. Based on the intent provided in project narrative, access permit application(s) through Public Works will be required for each tract access public rights-of-way.

**County Real Estate Office:** County Real Estate Office, Laura Pate No Comments  
02/02/2023  
No Comments

**County Treasurer:** County Treasurer, Tammy Deisch No Comments 02/01/2023  
No Comments

**Emergency Management:** Emergency Management, Matt Butler No Comments  
02/06/2023  
No Comments

**Environmental Health:** Environmental Health Department, Tiffany Gaertner No  
Comments 02/08/2023  
No Comments

**Fire District No 1:** Fire District No. 1, Darrick Mittlestadt No Comments 01/31/2023  
No Comments

**High West Energy:** High West Energy, David Golden No Response 02/15/2023  
No Comments

**Intraoffice:** Planners, Cambia McCollom No Comments 01/31/2023  
No Comments

**Planners:** Planners, Mason Schuricht No Comments 02/15/2023  
No Comments

**Sheriff's Office:** Sheriff's Office, Amber Shroyer No Response 02/15/2023  
No Comments

**South Cheyenne Water & Sewer:** South Cheyenne Water & Sewer, Scott Sprakties  
Comments Attached 02/06/2023  
As development proceeds both structures must have separate water and sewer taps.  
meter pits to be set close to property lines on factor lane. water and sewer available on  
factor lane. Development and tap fees to be discussed at District office on the detailed

site plan.

**WYDOT:** WYDOT, Michael Ginther No Response 02/15/2023  
No Comments



RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION TO APPROVE A CHANGE IN ZONE DISTRICT  
FROM CB- COMMUNITY BUSINESS TO MR – MEDIUM DENSITY RESIDENTIAL  
FOR A PORTION OF LOT 3, MADELINE SUBDIVISION,  
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 4-2-104 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 4-2-104 of the Laramie County Land Use Regulations.

**And the Board approves a Zone Change from CB – Community Business to MR – Medium Density Residential for a portion of Lot 3, Madeline Subdivision, Laramie County, WY, as shown on the attached ‘Exhibit A’ – Zone Change Map.**

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

**\_\_\_\_\_, 2023.**

LARAMIE COUNTY BOARD OF COMMISSIONERS

\_\_\_\_\_  
Troy Thompson, Chairman

ATTEST:

\_\_\_\_\_  
Debra K. Lee, Laramie County Clerk

Reviewed and approved as to form:



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Laramie County Attorney's Office

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