



LARAMIE COUNTY PLANNING & DEVELOPMENT DEPARTMENT

Planning • Building

MEMORANDUM

TO: Laramie County Board of County Commissioners

FROM: Cate Cundall, Associate Planner

DATE: November 21, 2023

TITLE: PUBLIC HEARING Regarding Board Approval for I-25 RV Storage Facility located in the SW1/4 of Section 13, Township 13 North, Range 67 West, 6th P.M., Laramie County, WY.

EXECUTIVE SUMMARY

BenchMark Engineer, P.C., on behalf of representatives for the Thomas E. Haynes and Donna M. Haynes Intervivos and Marital Trust submitted a Board Approval application to allow a RV storage facility on their property located on Broken Arrow Road south of 3203 West College Drive, Cheyenne, WY. This application has been submitted for outdoor and indoor RV storage. Covered storage may consist of a combination of canopies, three sided buildings, and fully enclosed buildings. The project initially includes three phases. Storage facilities fall into a Use Requiring Board Approval within the Community Business (CB) Zone District.

BACKGROUND

Planning has determined the proposed use may be a permissible use under LCLUR § 4-2-107(b)(iii) which requires Board Approval.

Pertinent provisions in the Laramie County Land Use Regulations include:

- Section 1-2-100 governing the Board Approval process.
- Section 1-2-104 governing public notice.
- Section 4-2-107 governing the CB – Community Business Residential Zone District.

DISCUSSION

The subject property is a 36.21-acre parcel located in the CB zone district. Currently this is vacant commercial land. The applicants wish to construct accessory structures and outdoor storage areas for the I-25 RV Storage Facility.

The Laramie County Comprehensive Plan identifies the area as URI - Urban Rural Interface, which is 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.

A well will be drilled to provide water and an RV dump station is planned that will include a large holding tank and no leach field. The property lies within the 201 Sewerable Boundary and the process has been started through pertinent governing bodies pursuant to the agreement between the County and City.

The subject property is bordered on three sides by the CB Zone District and on the east by the Burlington Northern Railroad. The area is primarily used for business purposes. Loves Travel Stop, Wholesale Fireworks, and Pyro City Fireworks lie to the west and north. Access to the property will be via Broken Arrow Road using an access from W. College Drive.

Agency reviews were completed, and comments received will be addressed through the Site Plan that will be required upon approval of this application by the BOCC.

A development sign was posted, adjacent property owners were notified, and a legal advertisement was placed in the Wyoming Tribune Eagle. No written public comments were received.

Section 1-2-100 (a) of the Laramie County Land Use Regulations requires that the Laramie County Board of Commissioners shall find the following before granting Board Approval:

- i. The proposed use is permitted by Board Approval in the proposed location and is in conformance with all applicable development standards.
- ii. The proposed use is in general conformance with all other applicable policies adopted by Laramie County.
- iii. There is no defined negative impact to the community.

Staff finds this application is in conformance with the plans and policies of Laramie County if certain conditions are met, which are outlined below. With the conditions proposed, staff believes the use would not have a negative impact to the neighborhood.

RECOMMENDATION and FINDINGS

Based upon evidence provided, staff recommends the Laramie County Board of Commissioners find that:

- a. This application meets the criteria for Board Approval pursuant to section 1-2-100(a) of the Laramie County Land Use Regulations on certain condition set by the Board; and,
- b. This application is in conformance with Section 4-2-107 of the Laramie County Land Use Regulations governing the CB – Community Business Zone District.

and that the Board may approve the use of the property for the I-25 RV Storage Facility on the conditions that:

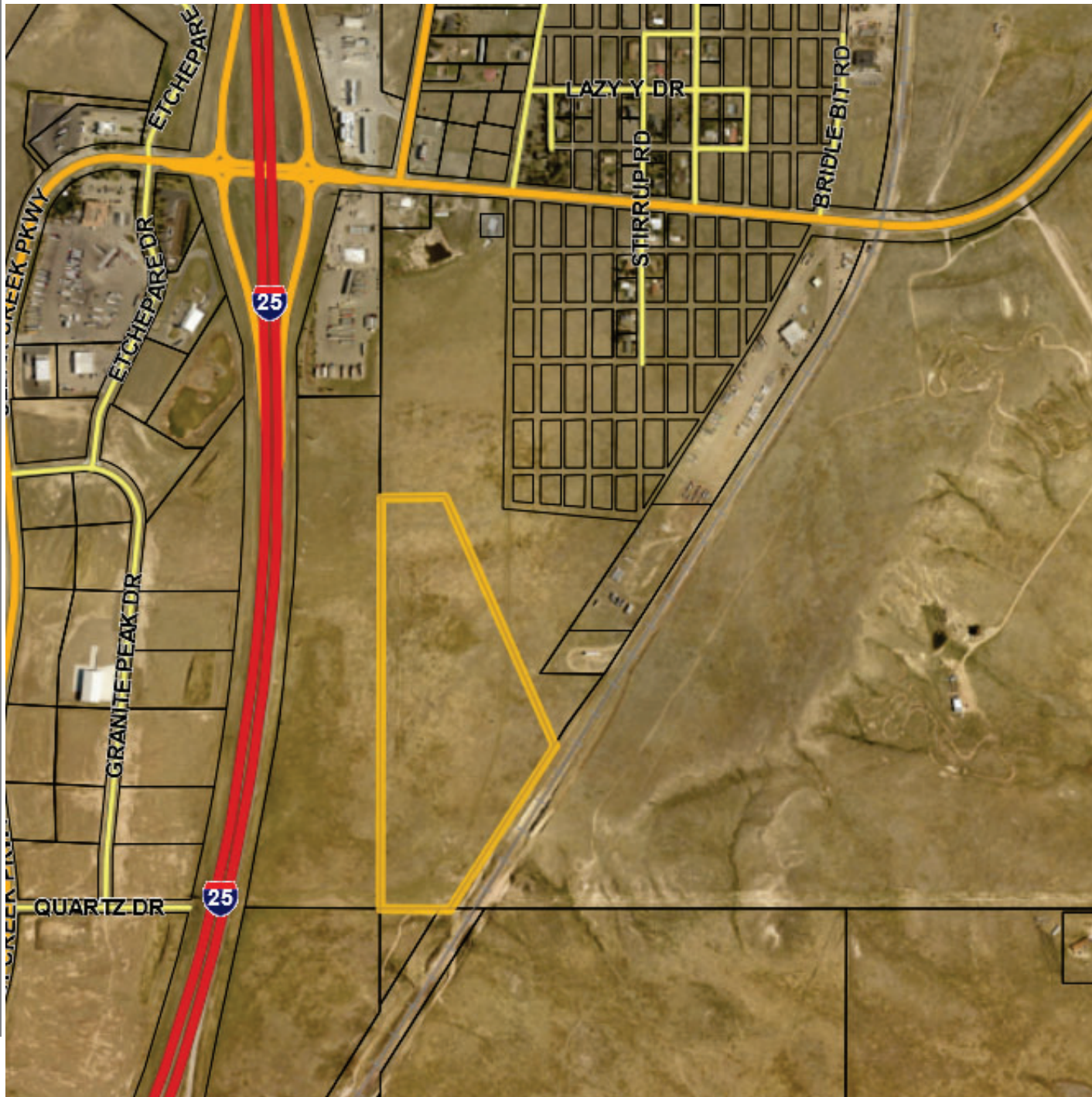
1. A Site Plan with pertinent building permits must be approved by Laramie County Planning & Development before business commences.

PROPOSED MOTION

I move to grant Board Approval with condition one as outlined in the staff report and adopt findings of fact a and b of the staff report.

ATTACHMENTS

- Attachment 1: Location Map**
- Attachment 2: Applicant Justification Letter**
- Attachment 3: Agency Review Comments & Applicant Response**
- Attachment 4: City of Cheyenne 201 Application Acknowledgement**
- Attachment 5: Resolution**
- Attachment 6: Exhibit 'A'**



**Portion of SW1/4 Section 13,
Township 13 North,
Range 67 West,
Laramie County, Wyoming**

**I-25 RV Storage Facility
Board Approval
PZ-23-00129**

**CB-Community Business Zone District
Fire District #1
AMEC Zone 2
Urban Rural Comprehensive Plan**





October 4, 2023

Mr. Justin Arnold
Planning and Development Program Manager
Laramie County Planning Department
3966 Archer Pkwy, Cheyenne, WY 82009

**RE: Board Approval Application Submittal
I25 RV Storage Facility**

Dear Mr. Arnold,

On behalf of the property owner and their representative, we are submitting this application for Board Approval for the proposed use of the property. The subject property, as well as surrounding property, is currently zoned CB.

The intended use of the property will be for outdoor and indoor RV storage. Covered storage may consist of a combination of canopies, three sided buildings, and fully enclosed buildings. It is also intended to provide power to allow RVs to be pulled in if necessary.

Currently the plan is to drill a well to provide water for RVs to fill up and install an RV dump station that will include a large holding tank and no leach field. The property lies within the 201 boundary, so we have submitted an application to the Health Department to start the process of a 201 exception. The project will be phased and initially includes three phases, which may change depending on demand, etc.

We have enclosed with the application a schematic layout for the property. We have allocated adequate open space for detention. The intent is to gravel the outdoor storage areas and aisles. However, we will design the detention to allow for paving of all outdoor surfaces if that becomes an option in future phases or after completion of all phases.

The location of this site appears to be an optimal spot for RV Storage given its close access to fuel, RV sales and repairs, I25 and I80. Currently there are no neighbors in the immediate area that this may impact, and it appears this meets all the long-range plans for this area/property.

We appreciate your assistance with this project. If you have any questions or wish to discuss any of the above information in more detail, please do not hesitate to contact us at (307) 634-9064 or scottL@benchmarkengineers.com.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Scott D. Larson', is written over a faint, large, light-blue watermark of the state of Wyoming.

Scott D. Larson, PE
President

Permit Notes

Permit Number: PZ-23-00129

Parcel Number: 13671330000100

Submitted: 10/04/2023

Site Address: UNKNOWN

Technically Complete: 10/04/2023

Applicant: Larson, Scott
Owner: HAYNES, THOMAS E AND DONNA M INTRO AND MAR TR

Laramie County, WY 00000

Approved:

Issued:

Project Description: Commercial Development

<u>Begin Date</u>	<u>End Date</u>	<u>Permit Area</u>	<u>Subject</u>	<u>Note Type</u>	<u>Note Text</u>	<u>Created By</u>
10/04/2023	10/04/2023	Application	PZ-23-00129	GENERAL	<p>4-2-107(b)- this is a use requiring board approval - not sure if this was done previously or is part of this project #</p> <p>A form of screening will be required</p> <p>Based on a review of the attached site plan - it does not conform with the requirements of the LCLUR. The site plan attached shows very minimal information and does not conform with a majority of the site plan requirements. For example a couple of the elements this site plan is missing includes the title block, the legal description, the property owners who share a common lot line. These are just to name a few. The Site plan should be updated to conform with the regulations.</p> <p>What is the plan for landscaping? I do not see any information regarding landscaping.</p>	LARAMIECOUNTY ATTORNEY@LARAMIECOUNTY.WY.GOV
10/05/2023		Fees	LEGAL AD FEE	ADJUST AMOUNT	legal fee would not calculate correctly so added manually.	CATHERINE.CUNDALL@LARAMIECOUNTY.WY.GOV
10/11/2023		Application	PZ-23-00129	GENERAL	No WYDOT Comments at this time.	TAYLOR.MCCORT@LARAMIECOUNTY.WY.GOV
10/12/2023		Workflow	PUBLIC WORKS REVIEW	GENERAL	<p>1. No comments or concerns on this board approval.</p> <p>2. Access for this site is still being finalized.</p> <p>2a. See the attached email chains in reference to the access.</p> <p>2b. Following the emails, an in person meeting was had with Laramie County, the applicant and the agent for the applicant. The feedback provided by the County was to submit an alternative cross section that meets or exceeds the cross section called out in the Laramie County Land Use Regulations (LCLUR).</p>	MOLLY.BENNETT@LARAMIECOUNTY.WY.GOV
10/17/2023		Application	PZ-23-00129	GENERAL	No Comments	MATTHEW.BUTLER@LARAMIECOUNTY.WY.GOV
10/17/2023		Workflow	COUNTY REAL ESTATE OFFICE REVIEW	GENERAL	no comment	TERESA.LEMASTER@LARAMIECOUNTY.WY.GOV

Permit Notes

10/18/2023	Application	PZ-23-00129	E-MAIL	<p>FW: I-25 RV Storage 201 Denial Letter Jennifer Escobedo <jennifer.escobedo@laramiecountywy.gov> Hello all, please see attached denial letter for proposed I-25 RV Storage Facility. Please forward this to others that I may have missed as you see fit.</p> <p>Thanks, and let me know if you have any questions, Jennifer</p> <p>Jennifer Escobedo, REHS Environmental Health Director Cheyenne Laramie County Public Health 100 Central Avenue, Cheyenne, WY 82007 Office: 307-633-4088 jennifer.escobedo@laramiecountywy.gov www.clcpublichealth.org</p> <hr/> <p>This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. If you are not the intended recipient, delete this email and any attachments immediately and notify the sender. Any unauthorized review, use, disclosure, or distribution is prohibited. E-Mail to and from me, in connection with the transaction of public business, is subject to the Wyoming Public Records Act and may be disclosed to third parties.</p>	<p>SONIA.CHRISTEN SEN@LARAMIECO UNTYWY.GOV</p>
10/18/2023	Workflow	PLAN REVIEW BY ENVIRONMENTAL HEALTH	DEFICIENCY	<p>A septic application was turned submitted to Environmental Health on 9/27/23 for a septic holding tank. A holding tank requires a septic permit to install. This property is located within the 201-area and is contiguous to the city, therefore, a septic permit cannot be issued without a 201-exception being granted by both City and County governing bodies. A septic denial letter was issued by Environmental Health on 10/18/23.</p>	<p>JENNIFER.ESCOB EDO@LARAMIECO UNTYWY.GOV</p>
10/18/2023	10/25/2023 Application	PZ-23-00129	POP-UP	<p>Subject: FW: I-25 RV Storage 201 Denial Letter</p> <p>Hello all, please see attached denial letter for proposed I-25 RV Storage Facility. Please forward this to others that I may have missed as you see fit.</p> <p>Thanks, and let me know if you have any questions, Jennifer</p> <p>Jennifer Escobedo, REHS Environmental Health Director</p>	<p>SONIA.CHRISTEN SEN@LARAMIECO UNTYWY.GOV</p>

Permit Notes

Cheyenne Laramie County Public Health
100 Central Avenue, Cheyenne, WY 82007
Office: 307-633-4088
jennifer.escobedo@laramiecountywy.gov
www.clcpublichealth.org

This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. If you are not the intended recipient, delete this email and any attachments immediately and notify the sender. Any unauthorized review, use, disclosure, or distribution is prohibited. E-Mail to and from me, in connection with the transaction of public business, is subject to the Wyoming Public Records Act and may be disclosed to third parties.

10/26/2023		Application	PZ-23-00129	GENERAL	201 Exception Application Timeline with City of Cheyenne: Planning Commission 11/6/2023 Introduction to Council 11/13/2023 Public Service Commission 11/21/2023 Council Consideration 11/27/2023	CATHERINE.CUNDALL@LARAMIECOUNTY.WY.GOV
10/26/2023		Application	PZ-23-00129	GENERAL	Boar Approval Public Hearing before BOCC scheduled for November 21, 2023.	CATHERINE.CUNDALL@LARAMIECOUNTY.WY.GOV
10/26/2023	10/26/2023	Application	PZ-23-00129	GENERAL	If Board Approval is given, detailed site plan, grading plan, drainage analysis, and traffic study will be required to be submitted for County Approval. Waiver requests may be submitted for review for the drainage analysis and traffic study.	TREY.RINNE@LARAMIECOUNTY.WY.GOV



Certified

October 18, 2023

Thomas E. Haynes
6304 River Run Dr
Sebastian, FL 32958

Dear Mr. Haynes,

On September 27, 2023, our office received your application for a permit to install a small wastewater holding tank on a parcel of property located in portion of SW ¼, Section 13, Township 13, Range 67. After careful review of your application this office cannot issue a small wastewater permit at this time for the following reasons:

1. Installation of a new septic holding tank for a new business on a property which is contiguous to the City of Cheyenne is prohibited in the Service Area boundary and is not in compliance with the “201 Facilities Plan” or the “201” agreement.

In order to appeal the Cheyenne Laramie County Public Health final decision; you must file a written request for hearing with the Laramie County Commissioners within sixty (60) days of receipt of this denial notification. Paperwork must be filed with the Cheyenne and Laramie County Planning Commissions, County Commissioners and City Council and request made to be placed on their agenda. At those meetings, you must demonstrate to the governing bodies that your request for exception should be granted by meeting the criteria for exception. Your application/inspection fee for the small wastewater system will be held until we hear from you.

Cheyenne Laramie County Public Health may be able to assist you in getting on the agendas and filing of paperwork to the governing bodies. A consulting fee may be applicable. This assistance is in no way meant to be indicative of support for your request.

If you have any questions concerning anything in this letter, please feel free to contact me at 100 Central Ave or call at 633-4090.





Sincerely,

Jennifer Escobedo, Director, Division of Environmental Health

cc: Kathy Emmons, Director, Cheyenne Laramie County Public Health
Laramie County Attorney
Laramie County Development Office
Laramie County Planning
Laramie County Commissioners
Cheyenne Planning Commission
Cheyenne Mayor's Office
Chairman, Cheyenne City Council
DEQ, Water Quality Division





November 14, 2023

Ms. Cate Cundall
Laramie County Planning Department
3966 Archer Parkway
Cheyenne, WY 82009

**RE: PZ-23-00129 - I25 RV Storage Facility (SW1/4, S.13, T13, R67) – Board Approval
Response to Review Comments**

Dear Ms. Cundall:

Below is our response (in red) to the review comments made for the above referenced application.

Laramie County Attorney Comments:

4-2-107(b)- this is a use requiring board approval - not sure if this was done previously or is part of this project # A form of screening will be required Based on a review of the attached site plan - it does not conform with the requirements of the LCLUR. The site plan attached shows very minimal information and does not conform with a majority of the site plan requirements. For example a couple of the elements this site plan is missing includes the title block, the legal description, the property owners who share a common lot line. These are just to name a few. The Site plan should be updated to conform with the regulations. What is the plan for landscaping? I do not see any information regarding landscaping.

This application is for Board Approval of the use only and is not a site plan application. If Board Approval for the use is granted, a site plan application submittal meeting all the requirements will be made to the County for review and approval.

Laramie County Public Works Comments:

1. No comments or concerns on this board approval.
2. Access for this site is still being finalized.
 - 2a. See the attached email chains in reference to the access.
 - 2b. Following the emails, an in person meeting was had with Laramie County, the applicant and the agent for the applicant. The feedback provided by the County was to submit an alternative cross section that meets or exceeds the cross section called out in the Laramie County Land Use Regulations (LCLUR).

Noted and acknowledged.

City/County Environmental Health Department Comments:

A septic application was turned submitted to Environmental Health on 9/27/23 for a septic holding tank. A holding tank requires a septic permit to install. This property is located within the 201-area and is

contiguous to the city, therefore, a septic permit cannot be issued without a 201-exception being granted by both City and County governing bodies. A septic denial letter was issued by Environmental Health on 10/18/23.

A 201 Exception application has been submitted to the City and County and is going through the process concurrently with this Board Approval.

County Engineer Comments:

If Board Approval is given, detailed site plan, grading plan, drainage analysis, and traffic study will be required to be submitted for County Approval. Waiver requests may be submitted for review for the drainage analysis and traffic study.

Noted and acknowledged.

Please let me know if you have any questions or require additional information.

Sincerely,

A handwritten signature in blue ink, appearing to be "SDL", with a stylized flourish at the end.

Scott D. Larson, P.E.
President



A COMMUNITY OF CHOICE

Planning and Development Department
2101 O'Neil Avenue, Suite 202, Cheyenne WY 82001
(Phone) 307-637-6282 (Fax) 307-637-6366

October 23, 2023

BenchMark Engineers
1920 Thomes Avenue – Suite 320
Cheyenne, WY 82001 (307) 634-9064
info@benchmarkengineers.com

Re: 201 Exception Application for "I25 RV Storage Facility" (located on unplatted land in the SW¼, Section 13, T13N, R67W, Laramie County, Wyoming)

Dear BenchMark Engineers,
Your application for the above referenced 201 Exception is complete.

The project is scheduled as follows:

Planning Commission:	Monday, November 6, 2022
Item introduction to Council:	Monday, November 13, 2022
Public Service Committee:	Tuesday, November 21, 2022
Council consideration:	Monday, November 27, 2022

This schedule may be subject to change if postponements or delays are deemed necessary.
Please plan on attending all of these meetings, with the exception of November 13th (as the Council's standard practice is to refer introduced items to Committee without discussion).

I will mail you a link to the Planning Commission staff reports by October 30, 2023.

Your Case Number is:
201 Exception: **PUDC-23-165**

If you have any questions, please do not hesitate to ask.
Regards,


Seth Lloyd - Planner

RESOLUTION # _____

**A RESOLUTION FOR BOARD APPROVAL FOR THE
I-25 RV STORAGE FACILITY
LOCATED IN A PORTION OF THE SW1/4 OF SECTION 13, TOWNSHIP 13 NORTH,
RANGE 67 WEST, 6TH P.M., LARAMIE COUNTY, WY.**

WHEREAS, Wyoming State Statutes §18-5-101 to 18-5-107; §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 have adopted the Laramie County Land Use Regulations; and

WHEREAS, section 1-2-100 of the Laramie County Land Use Regulations empower the Board of County Commissioners in decisions on Board Approval applications to “approve with conditions”; and

WHEREAS, this application otherwise meets the criteria for a Board Approval pursuant to section 1-2-100 of the Laramie County Land Use Regulations; and

WHEREAS, this application is in conformance with section 4-2-107 governing the CB – Community Business Zone District.

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 Board Approval pursuant to section 1-2-100(a) of the Laramie County Land Use Regulations; and
- b. This application is in conformance with Section 4-2-107 of the Laramie County Land Use Regulations governing the CB-Community Business Zone District.

And the Board approves the I-25 RV Storage Facility use located on a portion of the SW1/4 Section 13, Township 13 North, Range 67 West, 6TH P.M., Laramie County, WY, on the conditions that:

1. A Site Plan must be approved by Laramie County Planning & Development before business commences.

PRESENTED, READ, PASSED, this _____ day of _____, 2023.

LARAMIE COUNTY BOARD OF COMMISSIONERS

Troy Thompson, Chairman

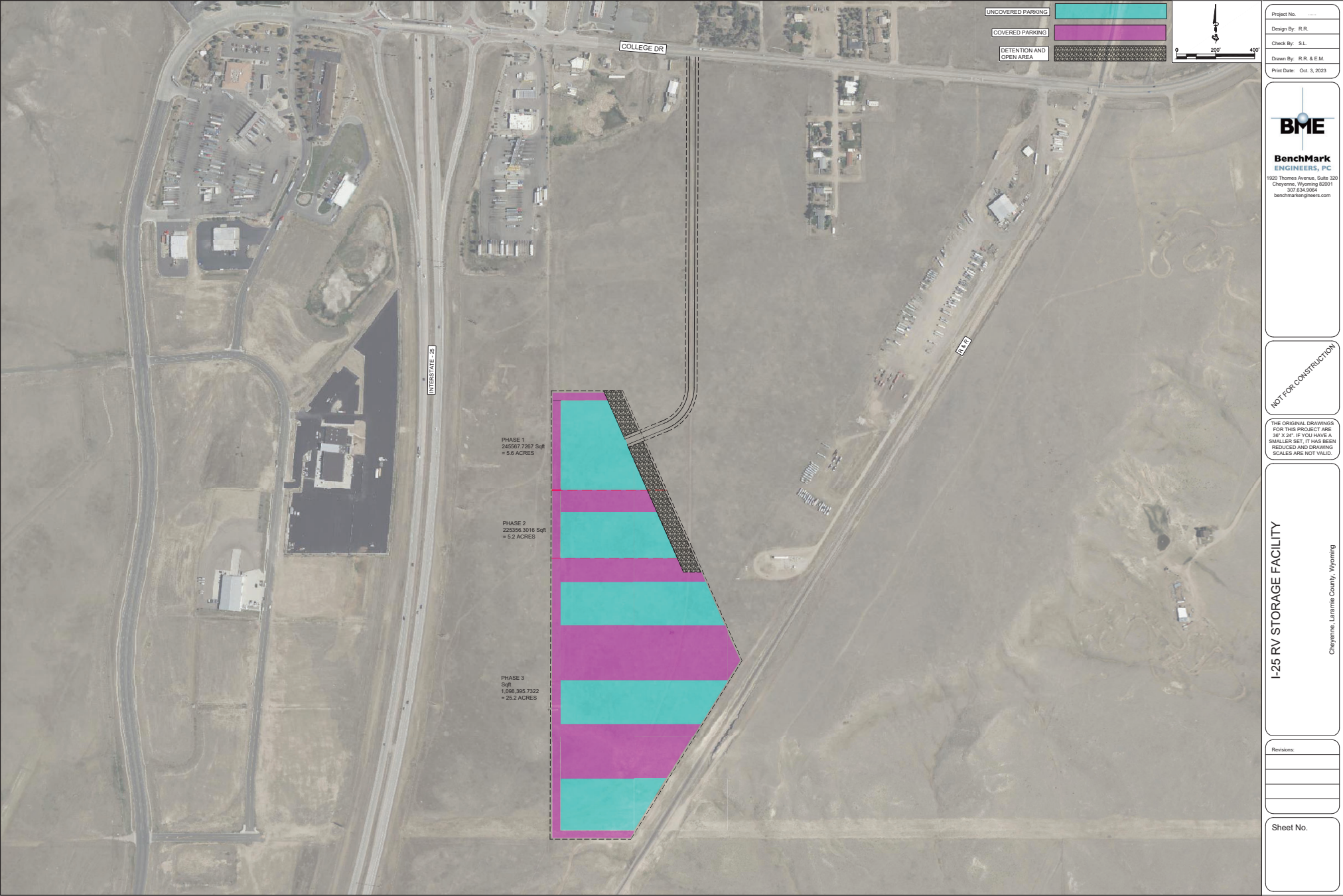
ATTEST:

Debra K. Lee, Laramie County Clerk

Reviewed and approved as to form:



Laramie County Attorney's Office



Project No. _____
Design By: R.R.
Check By: S.L.
Drawn By: R.R. & E.M.
Print Date: Oct. 3, 2023

BME
BenchMark
ENGINEERS, PC
1520 Thomas Avenue, Suite 320
Cheyenne, Wyoming 82001
307.634.9904
benchmarkengineers.com

NOT FOR CONSTRUCTION

THE ORIGINAL DRAWINGS
FOR THIS PROJECT ARE
36" X 24". IF YOU HAVE A
SMALLER SET, IT HAS BEEN
REDUCED AND DRAWING
SCALES ARE NOT VALID.

I-25 RV STORAGE FACILITY
Cheyenne, Laramie County, Wyoming

Revisions:

Sheet No. _____

Exhibit 'A'