



LARAMIE COUNTY PLANNING & DEVELOPMENT DEPARTMENT

Planning • Building

MEMORANDUM

TO: Laramie County Board of Commissioners

FROM: Mason Schuricht, Associate Planner

DATE: October 18, 2022

TITLE: PUBLIC HEARING: Zone Change from AR – Agricultural Residential to CB - Community Business for Sunset Tracts, 3rd Filing, Tracts 7 & 8, less the east 15' of Tract 8 to State Highway, plus 1.68 acres vacated with Longhorn Road Adjacent, Laramie County, WY.

EXECUTIVE SUMMARY

AVI, PC, on behalf of the Eldon Stellpflug Revocable Trust, has submitted a Zone Change application for Sunset Tracts, 3rd Filing, Tract 7 and a portion of Tract 8, located at 8908 Yellowstone Road. The purpose of the application is to change the zone district from AR – Agricultural Residential to CB - Community Business to allow for the continuation of an existing landscaping business along with indoor and outdoor commercial storage.

BACKGROUND

The subject property is approximately 9.79 acres and located approximately half a mile from the City of Cheyenne boundary. Currently there are other CB zoned districts within the vicinity. The existing use of the property is a commercial landscaping and nursery business, and has been operating for over 30 years. Any future commercial development on the property will require a submittal of a site plan.

Pertinent Regulation of the Laramie County Land Use Regulations which apply include:

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

Section 4-2-107 of the Laramie County Land Use Regulations governing the CB - Community Business zone district.

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. Generally, these uses have access to public water and sewer services. While some of these areas may include existing agricultural uses, it is anticipated they are more service-oriented and may change and develop over time.

PlanCheyenne contemplates Rural Residential uses for this property. Uses include single and multi-family residences, generally served by collector or arterial streets. Supporting and complementary uses, including open space recreation, schools, places of worship and other public or civic uses are encouraged. Residential densities vary depending on use and zoning.

The property is currently zoned AR, adjacent to lots of various size and uses such as an Evangelical Lutheran Church, LCFD #2 fire hall, Saddle Tramps riding club and residential lots to the north and southeast. There are other CB lots located within a mile radius of the subject property.

The FEMA 100-year floodplain covers the south half of the property. Any development or disturbance within the floodplain area would be subject to all floodplain regulations administered through the Laramie County Land Use Regulations.

Public notice was published, and neighbor notice letters were sent by certified mail. Staff received written comments from the Evangelical Lutheran Church, owner to the south, stating their support of the zone change with a request for restrictions of allowable businesses. The comments are attached.

Section 1-2-103 (b) states that in order for the 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. are met through the proposed development.

RECOMMENDATION and FINDINGS

Based on evidence provided, Planning Commission and Staff find that:

- a. This application does meet 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 4-2-107 of the Laramie County Land Use Regulations.

And staff encourages the Board approve a Zone Change from AR – Agricultural Residential to CB - Community Business for Sunset Tracts, 3rd Filing, Tracts 7 & 8, less the east 15’ of Tract 8 to State Highway, plus 1.68 acres vacated with Longhorn Road adjacent, Laramie County, WY.

PROPOSED MOTION

I move to recommend approval of a Zone Change from AR – Agricultural Residential to CB - Community Business for Sunset Tracts, 3rd Filing, Tracts 7 & 8, less the east 15’ of Tract 8 to State Highway, plus 1.68 acres vacated with Longhorn Road adjacent, Laramie County, WY, and adopt the findings of facts a and b of the staff report.

ATTACHMENTS

Attachment 1: Location Map

Aerial Map

Comprehensive Plan Map

PlanCheyenne Map

Current Zoning Map

Attachment 2: Agency Review Comments

Attachment 3: Citizen Comment Letter

Attachment 4: Signed Resolution

Attachment 5: Resolution Exhibit A - Zone Change Map



Aerial and Location Map

Zone Change

River Bend Nursery

PZ-22-00253

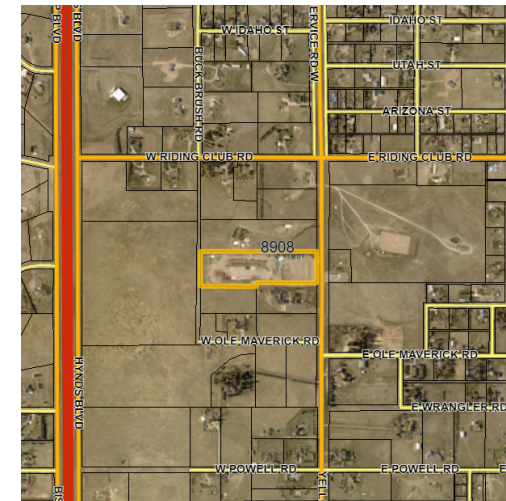
Zoning: AR (Agricultural Residential)

Current use: Commercial Landscaping Business

Zone Change from AR to CB (Community Business)

Comprehensive Plan: URI (Urban Rural Interface)

PlanCheyenne: RR (Rural Residential)



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 governmental immunity in allowing access to or use of this data, and

PZ-22-00253
Zone Change

Black Hills Energy: Black Hills Energy, Eric Underhill No Response 09/01/2022
No Comments

Building Dept.: Building Dept., Daniel Peters No Comments 08/17/2022
No Comments

CenturyLink: CenturyLink, Darrin Klawon No Response 09/01/2022
No Comments

Cheyenne MPO: Cheyenne MPO, Christopher Yaney No Comments 08/17/2022
No Comments

Cheyenne Planning: Cheyenne Development Services, Seth Lloyd No Comments
08/17/2022
No Comments

County Assessor: County Assessor, Kaycee Eisele No Comments 08/17/2022
No Comments

County Attorney: County Attorney, Mark Voss No Response 09/01/2022
No Comments

County Clerk: County Clerk, Dale Davis No Response 09/01/2022
No Comments

County Conservation District: County Conservation District, Shaun Kirkwood No
Response 09/01/2022
No Comments

County Engineer: County Engineer, Scott Larson No Comments 08/22/2022
No Comments

County Public Works Department: County Public Works Department, Molly Bennett
No Response 09/01/2022
No Comments

County Real Estate Office: County Real Estate Office, Laura Pate No Comments
08/17/2022
No Comments

County Treasurer: County Treasurer, Trudy Eisele No Response 09/01/2022
No Comments

Emergency Management: Emergency Management, Matt Butler No Response
09/01/2022
No Comments

Environmental Health: Environmental Health Department, Roy Kroeger No Comments
08/17/2022
No Comments

Intraoffice: Planners, Cambia McCollom No Comments 08/23/2022
No Comments

Laramie County Fire Authority: Laramie County Fire Authority, Josh Van Vlack No
Comments 08/17/2022
No Comments

Laramie County Weed & Pest: Laramie County Weed & Pest, Brett Nelson No
Response 09/01/2022
No Comments

Planners: Planners, Mason Schuricht No Comments 09/01/2022
No Comments

Sheriff's Office: Sheriff's Office, Amber Shroyer No Response 09/01/2022
No Comments

US Post Office: US Post Office, Denise Null No Response 09/01/2022
No Comments

WY State Engineer's Office: Wyoming State Engineer's Office, Lisa Lindemann No
Response 09/01/2022
No Comments

WYDOT: WYDOT, Taylor McCort No Comments 08/18/2022
No Comments

King of Glory Lutheran Church
8806 Yellowstone Road
Cheyenne, WY 82009

August 30, 2022

Laramie County Planning & Development Office
3966 Archer Pkwy
Cheyenne, WY 82009

RE: Proposed Storage Units by River Bend Nursery & Landscaping


To Whom It May Concern:

I am writing on behalf of the Congregation of King of Glory Lutheran Church, an adjoining neighbor to River Bend Nursery & Landscaping (River Bend).

Following our August 21, 2022, Quarterly Voter's Meeting, the members of King of Glory state

1. We have no objection to River Bend requesting a change in their property tax use from AR (Agricultural Residential) to CB (Community Business), with the following conditions within the Zoning Uses By Right and Uses Requiring Board Approval:
 - a. Adult Entertainment Establishments are NOT allowed.
 - b. Bars, cocktail lounges, and liquor stores are NOT allowed.
 - c. Storage Facilities SHALL BE fully enclosed building(s).
2. We have no objection to River Bend expanding their operation by building enclosed storage units on their property.
3. We understand no storage units will be built on the 40 feet of King of Glory property currently being used by River Bend to store landscaping rock.
4. We understand that access to the storage units will be only through the River Bend road access.

Sincerely,



Kent Drake, President
King of Glory Lutheran Church

Cc: River Bend Nursery & Landscaping
Eldon Stellpflug
8908 Yellowstone Road
Cheyenne, WY 82009

RESOLUTION NO. _____

**A RESOLUTION TO APPROVE A CHANGE IN ZONE DISTRICT
FROM AR - AGRICULTURAL RESIDENTIAL TO CB – COMMUNITY BUSINESS
FOR SUNSET TRACTS, 3RD FILING, TRACTS 7 & 8, LESS THE EAST 15' OF TRACT 8
TO STATE HIGHWAY, PLUS 1.68 ACRES VACATED WITH LONGHORN ROAD
ADJACENT, 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 4-2-107 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 4-2-107 of the Laramie County Land Use Regulations.

And the Board approves a Zone Change from AR – Agricultural Residential to CB – Community Business for Sunset Tracts, 3rd Filing, Tracts 7 & 8, less the east 15' of Tract 8 to State Highway, plus 1.68 acres vacated with Longhorn Road Adjacent, Laramie County, WY. Laramie County, WY, as shown on the attached 'Exhibit A' – Zone Change Map.

PRESENTED, READ AND ADOPTED THIS _____ DAY OF _____, 2022.


LARAMIE COUNTY BOARD OF COMMISSIONERS

Troy Thompson, Chairman

ATTEST:

Debra K. Lee, Laramie County Clerk

Reviewed and approved as to form:



Mark T. Voss, Laramie County Attorney

IRONHORSE CAPITAL LIMITED PARTNERSHIP
ZONING: AR
LAND USE: RESIDENTIAL VACANT LAND

BENSON, SCOTT A ET UX
ZONING: AR
LAND USE: RESIDENTIAL

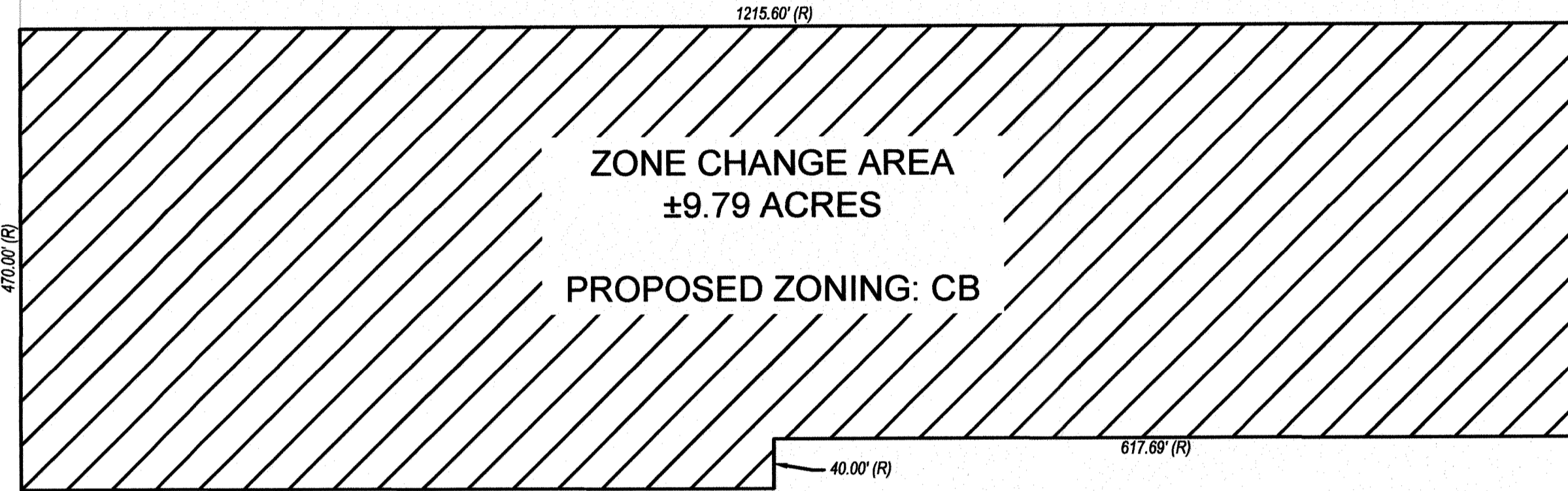
YELLOWSTONE BAPTIST CHURCH
ZONING: AR
LAND USE: EXEMPT

CHEYENNE SADDLE TRAMPS
ZONING: AR
LAND USE: COMMERCIAL

BUCK BRUSH ROAD

YELLOWSTONE ROAD

CAHOON, RABURN E ET AL
ZONING: AR
LAND USE: RESIDENTIAL



LARAMIE COUNTY
FIRE DISTRICT 2
ZONING: AR
LAND USE: EXEPT

IRONHORSE CAPITAL LIMITED PARTNERSHIP
ZONING: AR
LAND USE: RESIDENTIAL VACANT LAND

KING OF GLORY EVANGELICAL LUTHERAN CHURCH
ZONING: AR
LAND USE: EXEMPT

KING OF GLORY EVANGELICAL LUTHERAN CHURCH
ZONING: AR
LAND USE: EXEMPT

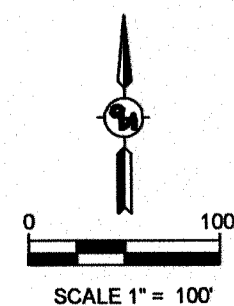
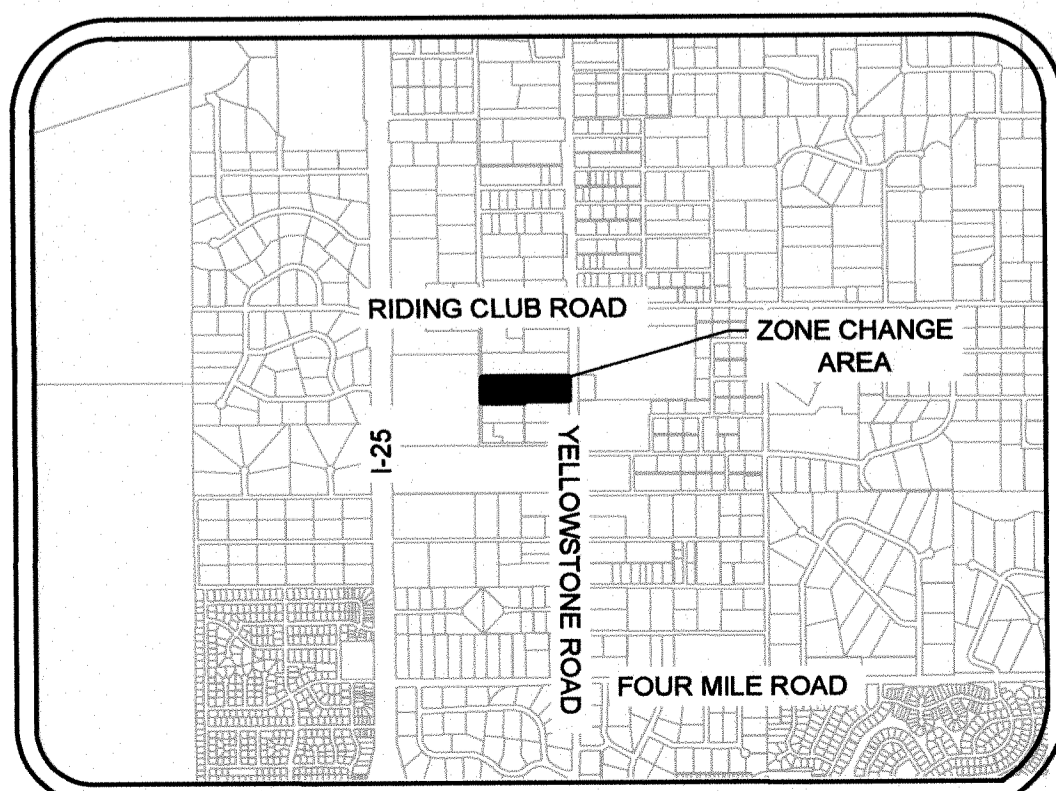
FENDER, JOSEPH D ET UX
ZONING: AR
LAND USE: RESIDENTIAL

IRONHORSE
CAPITAL LIMITED
PARTNERSHIP
ZONING: AR
LAND USE:
RESIDENTIAL
VACANT LAND

LEGIRSKI, EUGENE R
ZONING: AR
LAND USE: RESIDENTIAL

CONNOLLY, KURT ET AL
ZONING: AR
LAND USE: RESIDENTIAL VACANT LAND

VICINITY MAP
NOT TO SCALE



NOTES:

1. EXISTING ZONING: AR - AGRICULTURAL RESIDENTIAL
2. PROPOSED ZONING: CB - COMMUNITY BUSINESS
3. EXISTING ACCESS OFF YELLOWSTONE ROAD TO REMAIN
4. PARKING AREA TO BE REDESIGNED WITH SITE PLAN SUBMITTAL
5. SCREENING TO BE DETERMINED WITH SITE PLAN SUBMITTAL
6. YELLOWSTONE ROAD DEDICATION INFORMATION LOCATED AT BOOK 895, PAGE 449 OF THE LARAMIE COUNTY RECORDS
7. LONGHORN ROAD VACATION INFORMATION LOCATED AT BOOK 1370, PAGE 933 OF THE LARAMIE COUNTY RECORDS

**ZONE CHANGE MAP
FOR
RIVERBEND NURSERY**
BEING TRACTS 7 AND 8 OF SUNSET TRACTS, 3RD FILING
LESS THE EAST 15' OF TRACT 8 FOR STATE HIGHWAY
PLUS 1.68 ACRES VACATED WITH LONGHORN ROAD
LARAMIE COUNTY, WY
A.K.A
8908 YELLOWSTONE ROAD, CHEYENNE, WY 82009
PREPARED AUGUST 2022

NO.	REVISION	DATE

PREPARED FOR:
ELDON STELLPFLUG
8908 YELLOWSTONE RD
CHEYENNE, WY 82009

PROJECT:
RIVERBEND NURSERY

DRAWING TITLE:
ZONE CHANGE MAP

307.637.6017
1103 OLD TOWN LANE, SUITE 101
CHEYENNE, WY 82009
AVI@AVIPC.COM

DATE: Aug 03, 2022
DRAWN BY: KS
DESIGNED BY: KS
CHECKED BY: BP

JOB NO.: 4662

DRAWING NO. 1 OF 1