

### LARAMIE COUNTY PLANNING & DEVELOPMENT DEPARTMENT

#### Planning • Building

#### **MEMORANDUM**

TO: Laramie County Board of Commissioners

FROM: Cate Cundall, Associate Planner

**DATE:** January 7, 2025

TITLE: PUBLIC HEARING regarding a Zone Change from MU-Mixed Use to LI-Light Industrial for Tract 1,

Stundon Tracts, 2nd Filing, Laramie County, WY.

#### **EXECUTIVE SUMMARY**

Inberg-Miller Engineers, on behalf of Team 523, LLC, submitted an application for a Zone Change for Tract 1, Stundon Tracts, 2<sup>nd</sup> Filing. The application was submitted to change from MU-Mixed Use to a LI-Light Industrial zone district to accommodate the proposed use as an outdoor storage facility. The subject property lies at 2106 Stundon Avenue, Cheyenne, WY.

#### **BACKGROUND**

Zone districts bordering the subject property are Light Industrial and Mixed Use. The area is a mixture of residences and commercial uses. Cheyenne city limits are within one mile to the east and the proposed zone change is consistent with their comprehensive plan.

#### Pertinent Statutes and Laramie County Land Use Regulations include:

Wyoming State Statute: Section 34-12-101 through 34-12-115. Section 1-2-103 (b) governing zone district amendments. Section 4-2-108 governing Light Industrial zone districts (LI).

#### **DISCUSSION**

The Laramie County Comprehensive Plan identifies the area as Urban Rural Interface (URI). These areas are intended to accommodate a mix of more intensive land uses than other areas. PlanCheyenne identifies the area as Urban Residential (UR). The subject property lies within the South Cheyenne Water and Sewer District.

Agency review comments have been addressed and the plat and exhibits updated to reflect the changes. Public notice was provided per Section 1-2-104 of the Land Use Regulations. No comments were received.

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 December 12, 2024, the Laramie County Planning Commission held a public hearing on this application and voted (3-0) to recommend approval.

#### **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) of the Laramie County Land Use Regulations.
- b) This application is in conformance with section 4-2-108 governing the LI-Light Industrial zone district.

#### **PROPOSED MOTION**

I move to approve the Zone Change from MU-Mixed Use to LI-Light Industrial for Tract 1, Stundon Tracts, 2<sup>nd</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: Agency Comment Reports and Applicant Responses** 

**Attachment 4: Pre-App Notes** 

Attachment 5: Stundon Tracts, 2<sup>nd</sup> Filing Administrative Plat Attachment 6: Proposed Stundon Outdoor Storage Site Plan

Attachment 7: Resolution for Zone Change Attachment 8: Zone Change Exhibit Map



Stundon Zone Change 2106 Stundon Avenue Cheyenne, Wyoming

PZ-24-00091





# **INBERG-MILLER ENGINEERS**

Casper | Cheyenne | Gillette | Green River | Riverton | Greeley, CO

November 14, 2024

24235-HE

Laramie County Planning and Development 3966 Archer Parkway Cheyenne, WY 82009

RE: Zone Change for 2106 Stundon Avenue

Dear Laramie County Planning and Development,

This letter is being submitted as a request and narrative for a zone change for the property located at 2106 Stundon Avenue, Stundon Tracts (Tracts 15 & 16), Laramie County. The property has 0.86 acres total with a single-family home on Tract 15. (Pidns: 13661710800500 and 13661710800200).

The proposed development will retain the single-family residence, a proposed change in lot lines and the new lot will be utilized for outdoor storage.

The current zoning of the site is MU-Mixed Use. The proposed administrative plat adjusts the lot line on the property. The new lot (Tract 2) where the existing residence is located shall remain MU-Mixed Use.

We are requesting a zone change for the proposed new lot (Tract 1) to LI–Light Industrial, for the proposed use of the property for outdoor storage.

Why rezone is useful for applicant and community: The owner will be able to utilize property in a low impact business that aligns with the uses allowed for in the zoning requirements. The community will benefit because it brings another opportunity for outdoor storage as well as expanding the tax base for the County.

This tract is located at the southwest of the intersection of Murray Road and Stundon Avenue. The property to the west of the tract is zoned LI-Light Industrial. The other surrounding properties are zoned MU-Mixed Use.

If you have any questions, please contact us at 307-635-6827

Sincerely,

**INBERG-MILLER ENGINEERS** 

Brooke L. Bulgrin

**REVIEWED BY** 

Brooke L. Bulgrin, PE

Gary Steele, PE





## Agency Review #1

## Agency Review #2

## **Permit Notes**

Permit Number: PZ-24-00091 Parcel Number: 13661710800500

Site Address: 2106 STUNDON AVE

Applicant: Bulgrin, Brooke Cheyenne, WY 82007

TEAM 523 LLC Owner: Project Description: To change the zone of parcels 13661710800500 and 13661710800200 to zoning from MU to LI

Technically 10/11/2024 Complete: **Approved:** 10/25/2024

Submitted: 10/11/2024

Issued:

Begin Date	End Date	Permit Area	<u>Subject</u>	Note Type	Note Text	Created By
10/11/2024		Application	PZ-24-00091	GENERAL	PC Hearing 12.12.24 BOCC Hearing 1.7.25	CATHERINE.CUND ALL@LARAMIECO UNTYWY.GOV
10/14/2024		Application	PZ-24-00091	GENERAL	No comments warranting correction by applicant.  1. The subject property is designated Urban Residential by the future land use plan; however, it is abutting an area designated Industrial, and future land use maps should typically be interpreted as 'fuzzy lines', especially within blocks. This request appears consistent with the comprehensive plan.  2. The property is bounded on two sides by LI zoning. The expansion of the LI zoning to this parcel appears consistent with existing zoning patterns in the area.  3. The narrative states that the existing residence will remain a residence. This would create a nonconforming use with the zone change. This is not an optimal result, but could been deemed acceptable based on site-specific issues.	SETH.LLOYD@LA RAMIECOUNTYWY .GOV
10/15/2024		Workflow	COUNTY ASSESSOR REVIEW	GENERAL	No comment	CANDICE.MCCART @LARAMIECOUNT YWY.GOV
10/24/2024		Application	PZ-24-00091	GENERAL	Existence and continuance of a residence, is a nonconforming use within the zone change to LI. Future land use plan is for urban residential use, not for more LI. Everything south of Murray Rd and East of Greeley Highway, is a "spot-use" zone mess. I'll point out that its the residential aspirations that appear to be putting a square peg in a round hole: everything is predominately LI/MU, with one MR zone off Greeley highway that doesn't appear to be used for MR residences. It's nonconforming to have residences scattered amongst all these commercial buildings, but "everyone else is doing it" seems to be the implication, which isn't in the LCLUR or Comprehensive Plan - but at the same time, creates its own conformity. Either a future land use plan is honored, or it isn't.	MIECOUNTYWY.G OV
10/24/2024		Workflow	PUBLIC WORKS REVIEW	GENERAL	<ol> <li>No comments related to the zone change proposed.</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

# **Permit Notes**

10/25/2024		Application	PZ-24-00091	GENERAL	Applications for an site plan and administrative plat will be submitted to go with this zone change. Those applications will be approved administratively and should be concurrent with the zone change approva/diapproval on 1/7/2024.	CATHERINE.CUND ALL@LARAMIECO UNTYWY.GOV
10/25/2024	12/03/2024	Application	PZ-24-00091	POP-UP	Applications for a site plan and administrative plat will be submitted. When received Cate will be planner.	CATHERINE.CUND ALL@LARAMIECO UNTYWY.GOV
12/02/2024		Application	PZ-24-00091	GENERAL	No comments.	SETH.LLOYD@LA RAMIECOUNTYWY .GOV
12/04/2024		Application	PZ-24-00091	GENERAL	The zone change is ONLY for Tract 1 of the pending administrative plat (PZ-24-00098). Tract 2 includes the existing residence and will remain zoned as MU. Approval of the zone change will be contingent on the admin plat approval.	CATHERINE.CUND ALL@LARAMIECO UNTYWY.GOV

November 22, 2024 24235-HE

#### THIS CONSTITUTES THE ORIGINAL

Laramie County Planning and Development Office 3966 Archer Parkway Cheyenne, Wyoming 82009

RE: 2106 STUNDON AVENUE

AGENCY COMMENTS REVIEW #1 RESPONSE

PERMIT NO. PZ-24-00091

To whom it may concern:

Following the receipt of the site plan application comments, Inberg-Miller Engineers (Agent for the Owner) is submitting this letter on behalf of the owner as our response to the comments received. Please see the attached comments and responses for the site plan application.

#### CATHERINE.CUND ALL@LARAMIECOUNTYWY.GOV

C Hearing 12.12.24 -noted BOCC Hearing 1.7.25 -noted

#### SETH.LLOYD@LA RAMIECOUNTYWY.GOV

No comments warranting correction by applicant. -noted

The subject property is designated Urban Residential by the future land use plan; however, it is abutting an area designated Industrial, and future land use maps should typically be interpreted as 'fuzzy lines', especially within blocks. This request appears consistent with the comprehensive plan. -noted

The property is bounded on two sides by LI zoning. The expansion of the LI zoning to this parcel appears consistent with existing zoning patterns in the area. -noted

The narrative states that the existing residence will remain a residence. This would create a nonconforming use with the zone change. This is not an optimal result, but could been deemed acceptable based on site-specific issues. -A revision has been re-submitted with an Adiminstrative Plat which reflects leaving the existing residence lot zoned MU Mixed Use.

#### LARAMIECOUNTY ATTORNEY@LARA MIECOUNTYWY.GOV

Existence and continuance of a residence, is a nonconforming use within the zone change to LI. Future land use plan is for urban residential use, not for more LI. Everything south of Murray Rd and East of Greeley Highway, is a "spot-use" zone mess. I'll point out that its the residential aspirations that appear to be putting a square peg in a round hole: everything is predominately LI/MU, with one MR zone off Greeley highway that doesn't appear to be used for MR residences. It's nonconforming to have residences scattered amongst all these commercial buildings, but "everyone else is doing it" seems to be the implication, which isn't in the LCLUR or Comprehensive Plan - but at the same time, creates its own conformity. Either a future land use plan is honored, or it isn't -A revision has been re-submitted with an Adiminstrative Plat which reflects leaving the existing residence lot zoned MU Mixed Use.

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#### MOLLY.BENNETT @LARAMIECOUNT YWY.GOV

- 1. No comments related to the zone change proposed. -noted
- 2. 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. -noted

#### CATHERINE.CUND ALL@LARAMIECOUNTYWY.GOV

Applications for an site plan and administrative plat will be submitted to go with this zone change. Those applications will be approved administratively and should be concurrent with the zone change approval/diapproval on 1/7/2024. -noted

With these items, we kindly ask for a variance to this request by Laramie County.

If you have any questions, please contact us at 307-635-6827.

Brooke L. Bulgin

Sincerely,

**INBERG-MILLER ENGINEERS** 

Brooke L. Bulgrin, P.E.

Civil Engineer

BLB\P:\24235-HE-HS LEVI JOHNSTON 2106 Stundon Ave Outdoor Storage\Civil\Zone Change\24235- PZ-24-00091 Agency Comments Review #1 Response Letter.docx



### LARAMIE COUNTY PLANNING & DEVELOPMENT OFFICE

3966 Archer Pkwy Cheyenne, WY 82009 planning@laramiecounty.com Phone (307) 633-4303 Fax (307) 633-4616



Pre-Application Meeting

Disclaimer: These notes are intended as guidance only. Fee calculations are determined at the time of application, and issues that arise during review periods are not always anticipated at the pre-application stage.

Date: S/29/24 Staff: TH. CC, BH, SK, DP, SCUSD Property Owner: Team 523 LLC						
Project Description: Outdoor Storage Facility						
Project Location/Address: 2106 Studen	Ave	-		R#: 0005997 899		
ATTENDEES/AGENTS/PARTIES						
Applicant Lein Johnston	Phone	Phone 630-8612		Email X lerate 3029 Ognail. (1)		
Other	Phone	Phone		Email		
Other	Phone	Phone		Email		
APPLICATION TYPE(S)	^					
Administrative Plat (Vacation? Y Appeal Board Approval Home Occupation Family Exemption Preliminary Development Plan Site Plan – Major	<b>(</b> 2 <b>)</b>		Site Plar Subdivis			
GUIDANCE /						
	cation F	ees:				
✓ Yes □ No Copy	y of Pre-Application Meeting Notes:					
▼ Yes □ No Proje	ct Narra	tive Letter/Justifi	ication L	etter:		
	anty Dec	ed/Lease Agreen	ment:			
	Site Plan / Plot Plan / Record of Survey / Preliminary Dev. / Zone Change Map:					
▼ Yes □ No □ TBD	age Pla					
☐ Yes ☐ No ☑ Letter of Waiver ☐ Drain	nage Stu	dy:				
☐ Yes ☐ No ☑ Letter of Waiver	c Study:					

## LARAMIE COUNTY PLANNING & DEVELOPMENT OFFICE

Cheyenne, WY 82009 planning@laramiecounty.com
Phone (307) 633-4303 Fax (307) 633-4616

Pre-Application Meeting



	Community Facility Fees Acknowledgement Letter:
□ Yes 🗹 No	Eld un ch
/	
☐ Yes ☑ No	Public Safety Fees Acknowledgement Letter:
/ Tes • No	no mul lats
/	WY DEQ Chapter 23 Study/Submittal Letter:
🗆 Yes 🇹 No 🗆 TBD	
	Development Agreement:
□ Yes M No □ TBD	Development Agreement.
	Donders Maintanana Dlan
□ Yes ☑ No □ TBD	Roadway Maintenance Plan:
- res • No - reb	
	Road/Easement Use Agreement:
□ Yes 🗹 No □ TBD	
	ROW Construction Permit:
□ Yes □ No ☑ TBD	for any red access construction
	for any new access const.
	Environmental Health Review / Approval:
☐ Yes ☐ No 🗹 TBD	depending on business type
	Environmental and Services Impact Report:
□ Yes M No □ TBD	Environmental and convious impact report.
/	GESC/Grading, Erosion & Sediment Control Permit:
✓ Yes □ No □ TBD	law-impact
<del></del>	
□ Yes ☑ No □ TBD	Floodplain Development Permit:
No. Who will be then of Comment	Perimeter Fence Construction per W.S § 18-5-319:
☐ Yes ☑ No ☐ Letter of Consent	
	I.

Public Notice Requirements	General Notes:		
√ Yes □ No	Public Notice Sign(s) Required – Posted/Paid by Applicant:		
	Newspaper Legal Notice Required – Paid by Applicant:		
✓ Yes □ No	For 200 Charge		
1	5		
	Property Owner Notification Letter Required – Paid by Applicant:		
✓ Yes □ No			
	Engineer Review – Paid by Applicant:		
□ Yes ☑ No			

## LARAMIE COUNTY PLANNING & DEVELOPMENT OFFICE



3966 Archer Pkwy Cheyenne, WY 82009 planning@laramiecounty.com Phone (307) 633-4303 Fax (307) 633-4616



## Pre-Application Meeting

# Miscellaneous Notes: - Rezone to CB if only Butdows Storage; april Approval regured concurrently - NO concurrent Board Approval if LI - Can stry MV and have outdoor storage it Board approves and it associated w/ an approved use (i.e. retail, other light commercial) - Site plan after ZC or concurrently on an "at-risk" - may move lot the w/ alma plat City: - City is revener on site plans in County - SCWSD is subject to sanexation in future, please also submit war send - it use is established prior to any anaxation, way continue SCWSD: - Send BOPV devand sheet to from please, we can provide - residutial top (existing) is sufficient Building: HUD-strapel mobile dwellings cannot obtain a commercial occupancy W/o retrolithing (engineered)

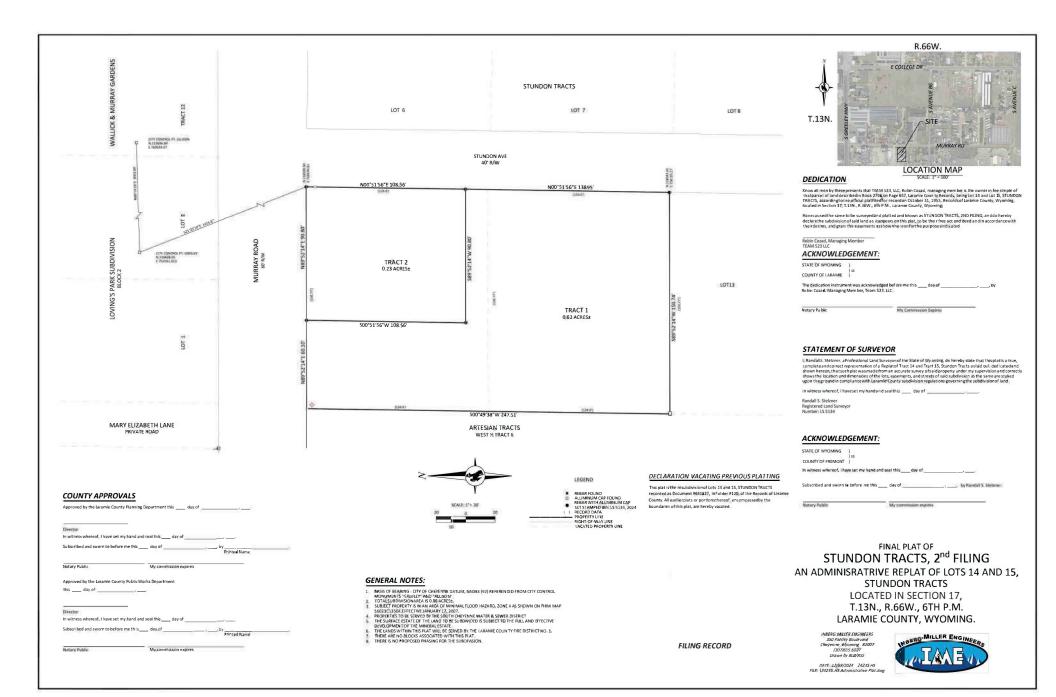
## **EXHIBIT A**

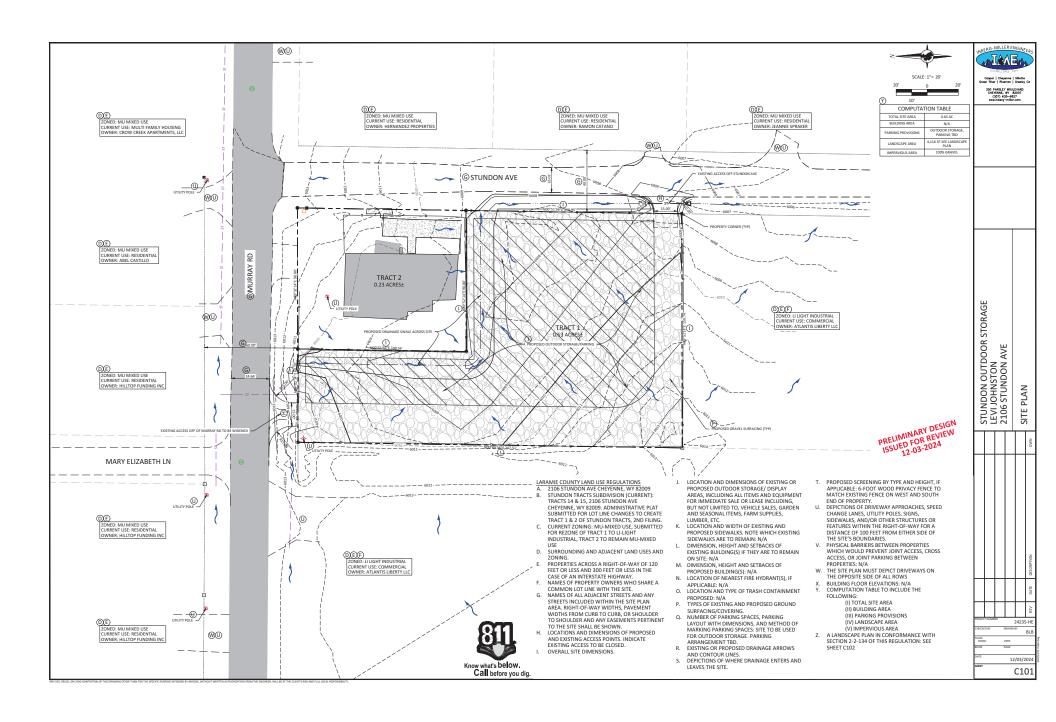
# Laramie County Planning and Development Fee Schedule

Application and sign fees shall be paid at the time of application submittal.

Other fees will be billed to the applicant.						
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						
Low 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	
Variance	\$600.00	\$26.00	Actual Cost	Actual Cost	Actual Cost	
Temporary Use	\$100.00	N/A	N/A	N/A	N/A	
Address – New Oil & Gas Facility	\$200.00	N/A	N/A	N/A	N/A	
Address – Existing Oil & Gas Facility	\$100.00	N/A	N/A	N/A	N/A	
Floodplain Development Permit	\$200.00	N/A	N/A	Actual Cost	N/A	
Site Plan, New and	\$750.00	(\$26.00)	Actual Cost -	( Actual Cos)	( Actual Cost )	
Major Amendments	4.65.65		if applicable	7.5.5.5		
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 lots or more)	\$1,800.00	\$26.00	Actual Cost	Actual Cost	Actual Cost	
Administrative Plan	(\$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 public sewer (not to					
Fee **See-Note**	exceed \$500.00)					
Community Facility						
Fees	to the nearest .1 acre. Minimum \$250.00					
Community Facility	Land outside a water/sewer district with no public water/sewer services: \$50.00 per					
Fees	e, rounded to the nearest .1 acre. Minimum \$25.00					
Public Safety Fees Land within any water and/or sewer district or serviced by a public water sys be assessed a \$200.00 per lot public safety fee					c water system shall	
Public Safety-Fées	Land outside of a water and/or sewer district shall be assessed a \$1,000.00 per lot					
	public safety fee					

<sup>\*\*</sup>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.





# A RESOLUTION TO APPROVE A CHANGE IN ZONE DISTRICT FROM MU- MIXED USE TO LI – LIGHT INDUSTRIAL FOR TRACT 1, STUNDON TRACTS, 2ND FILING, LARAMIE COUNTY, WYOMING.

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 adopted the Laramie County Land Use Regulations; and

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

WHEREAS, the proposed zone change is in conformance with section 4-2-108 of the Laramie County Land Use Regulation

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

The Laramie County Board of Commissioners finds that:

Laramie County Attorney's Office

- a. This application is in conformance with section 1-2-103(b) of the Laramie County Land Use Regulations for a zone map amendment.
- b. This application is in conformance with section 4-2-108 governing the LI Light Industrial zone district.

And the Board approves a Zone Change from MU – Mixed Use to L1 – Light Industrial for Tract 1, Stundon Tracts, 2nd Filing, as shown on the attached Zone Change Map Exhibit with no conditions.

PRESENTED, READ, AND ADOP	TED THIS _	DAY OF	, 2025.
	LARAMIE	COUNTY BOARD OF (	COMMISSIONERS
	Board of Co	ounty Commission Chain	man
ATTEST:			
Debra K. Lee, Laramie County Clerk			
Reviewed and approved as to form:			

