



LARAMIE COUNTY PLANNING & DEVELOPMENT DEPARTMENT

Planning • Building

MEMORANDUM

TO: Laramie County Board of County Commissioners

FROM: Cate Cundall, Associate Planner

DATE: June 20, 2023

TITLE: PUBLIC HEARING: Zone Change from MR – Medium Density Residential to MU – Mixed Use for Tract 1, Hermann Meadows Subdivision, Laramie County, WY.

EXECUTIVE SUMMARY

Steil Surveying Services, LLC, on behalf of Maria Chavez, DBA Little Rascals Daycare, has applied for approval of a Zone Change from Medium Density Residential (MR) to Mixed Use (MU). The purpose for this zone change is to allow the owner to expand her daycare facility. A Site Plan application was submitted concurrently but has been placed on hold to allow for reconfiguration of the building design to accommodate one hundred (100) to one hundred fifty (150) children.

The subject property is Tract 1, Hermann Meadows Subdivision, Laramie County, WY, located at 314 East Jefferson Road, Cheyenne, WY.

BACKGROUND

The Little Rascals Daycare was established as a Family Child Care Home (FCCH) in 2002. Ms. Chavez purchased the business November 1, 2022, and operates the daycare as a Family Child Care Center (FCCC) that allows up to 15 children. To increase the number of children to be cared for, a zone change is necessary to establish a Child Care Center-Major (CCC-Major). Child Care Center-Major (CCC-Major) are not allowed in a MR- Medium Density Residential zone district, thus the applicant requests a change to Mixed Use (MU) where childcare facilities are a use by right.

This property is surrounded by Medium Density Residential (MR), Community Business (CB), Mixed Used (MU) and Planned Unit Development (PUD) zoning districts.

Pertinent Laramie County Land Use Regulations or Statutory Provisions include:

- Section 1-2-103 (b) governing criteria for a zone map amendment.
- Section 1-2-104 governing public notice.
- Section 4-2-104 governing the MR – Medium Density Residential Zone District.
- Section 4-2-111 governing the MU – Mixed Use Zone District.

DISCUSSION

This application is for a zone change, not an approval of use. Though the current applicant intends to use the property for a Child Care Center (CCC-Major), any permitted use in the MU district may be allowed in the future should the zone change occur. Therefore, a decision should be made based on whether all uses permitted in the MU district are appropriate for this property.

This application is in general conformance with the Laramie County Comprehensive Plan, as the MU district allows for a mix of residential and commercial uses. 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. South Cheyenne Water & Sewer District services this property.

Public Notice was provided as required per Section 1-2-104 and no public comment was received. On May 25, 2023, the Laramie County Planning Commission voted 4-0 to recommend approval. No public comment was received at the public hearing.

To grant a zone change, the Board must find one of three criteria listed in Section 1-2-103 (b). The criteria are:

- 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.

This application meets criteria i. and iii. Given the presence of CB, MU and PUD zone districts, the nature of this area has changed from a residential focus to a more mixed-use pattern. Rezoning is unlikely to adversely impact the area.

RECOMMENDATION and FINDINGS

Based on evidence provided, staff finds that:

- a. This application meets the requirements of section 1-2-103 (b) iii. of the Laramie County Land Use Regulations for a zone map amendment.
- 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 for a Mixed Use (MU) district.
- c. 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.

And based on having met the criteria outlined above, the Board of County Commissioners may approve a zone change from Medium Density Residential (MR) to Mixed Use (MU) for Tract 1, Hermann Meadows Subdivision, Laramie County, WY.

PROPOSED MOTION

I move to adopt the findings of facts a, b and c of the staff report and to approve a Zone Change from Medium Density Residential (MR) to Mixed Use (MU) for Tract 1, Hermann Meadows Subdivision, Laramie County, WY.

ATTACHMENTS

- Attachment 1: Aerial and Location Map**
- Attachment 2: Agency Review Comments**
- Attachment 3: Resolution**
- Attachment 4: Site Map**



Laramie County Wyoming

**Little Rascals Daycare
314 East Jefferson Road**

**Zone Change Permit
PZ-23-00046**

**Proposed Zone Change to Mixed
Use District (MU)**

**Tract 1
Hermann Meadows Subdivision**

Fire District FD-1

**South Cheyenne Water & Sewer
District**



PZ-23-00046-Little Rascals Daycare

Zone Change

Agency Review #1

Cheyenne Planning: Cheyenne Development Services, Seth Lloyd Comments Attached 04/06/2023

I recommend requesting the MU zone instead of the CB zone.

A commercial-eccentric zone on this property would appear to be at odds with the intent statement of the CB zone, the surrounding development patterns, the surrounding zoning, and the surrounding future land use designation (as found in PlanCheyenne). The property is occupied by a residential-looking structure, and the zoning of CB would prevent the property from being returned to residential use should the childcare proposed with this rezoning move or fold.

The MU zone appears to allow childcare as a use-by-right, would allow the reversion to residential, would be a softer 'step up' from the surrounding residential-only zoning, and the MU zone on this property would meet the intent statement of the MU zone. **CHANGED TO MU**

County Engineer: County Engineer, Scott Larson Comments Attached 04/20/2023

On the Exhibit, the Legend indicates the Proposed Zoning to be CB but on the drawing the Proposed Zoning is labeled MU. **CHANGED TO MU**

County Treasurer: County Treasurer, Tammy Deisch Comments Attached 04/07/2023
2022 taxes paid in full

Environmental Health: Environmental Health Department, Josie Prince Comments Attached 04/17/2023

Department of Family Services Rules and Regulations and Cheyenne Laramie County Food Safety Rule. If designation changes to Child Care Center with this process, submit plan review to our office. Contact Environmental Health if you have any questions. **ACKNOWLEDGED**

Fire District No 4: Fire District No. 1, Darrick Mittlestadt Comments Attached 04/14/2023
Meet IFC 2021 **ACKNOWLEDGED**

Intraoffice: Planners, Cambia McCollom Comments Attached 04/12/2023
Exhibit has conflicting labels regarding the proposed Zoning Classification.
CORRECTED

No Comments

Cheyenne MPO
County Assessor
County Public Works Department
County Real Estate Office
Emergency Management
WYDOT
Building Dept

No Response

Combined Communications Center
County Clerk
Laramie County School Dist No 1
Sheriff's Office
South Cheyenne Water & Sewer

PZ-23-00046-Little Rascals Daycate
Zone Change
Agency Review #2

County Engineer: County Engineer, Scott Larson Comments Attached 05/01/2023
All previous comments have been adequately addressed with the revised zone change map. Therefore, I have no further comments at this time.

Environmental Health: Environmental Health Department, Josie Prince Comments Attached 05/03/2023
Department of Family Services Rules and Regulations and Cheyenne Laramie County Food Safety Rule. Submit a plan review to our office at least 30 days prior to construction beginning. Contact Environmental Health if you have any questions.

Fire District No 4: Fire District No. 1, Darrick Mittlestadt Comments Attached 05/05/2023
Meet the intent of the 2021 IFC,
Fire Department needs-

No Comments
Cheyenne Planning
Intraoffice

RESOLUTION NO. _____

**A RESOLUTION TO APPROVE A CHANGE IN ZONE DISTRICT
FROM MR- MEDIUM DENSITY RESIDENTIAL TO MU – MIXED USE FOR
TRACT 1, HERMANN MEADOWS 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 requirements of section 1-2-103 (b) iii. of the Laramie County Land Use Regulations for a zone map amendment.
- 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 MR – Medium Density Residential to MU – Mixed Use for Tract 1, Hermann Meadows Subdivision, Laramie County, WY, as shown on the attached 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:

Laramie County Attorney's Office

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ZONING = MR
ROLLING ROCK APARTMENTS LP
2525 PALMER ST STE 1
MISSOULA, MT 59808

ZONING = MR
CASSEL, SHARON R
400 OK TR
CHEYENNE, WY 82007

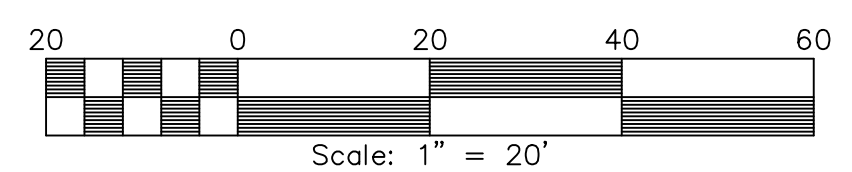
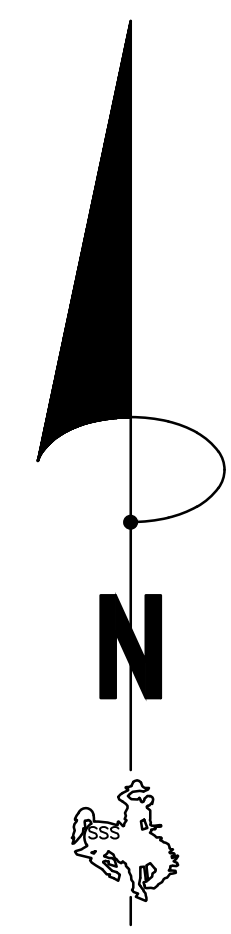
ZONING = MR
HANSEN, WILLIAM D AND ANNETTE M LIV TR
PO BOX 20631
CHEYENNE, WY 82003

ZONING = MR
BROTHERS REMODELING LLC
1314 GETTYSBURG DR
CHEYENNE, WY 82001

ZONING = MR
SMITH, RODRICK N
301 E JEFFERSON
RD
CHEYENNE, WY
82007

ZONING = MR
GANSKOW, VICTORIA N
255 STOREY BLVD
CHEYENNE, WY 82009

ZONING = MR
WALKS, SHANNON ET VIR
317 E JEFFERSON RD
CHEYENNE, WY 82007



LEGEND

- PROPOSED ZONING CB
- EXISTING ZONING MR

BASIS OF BEARINGS:
WYOMING STATE PLANE COORDINATES,
EAST ZONE, NAD83-2011,
US SURVEY FEET, DISTANCES ARE GRID
DISTANCES.

**ZONE CHANGE
EXHIBIT
FOR**

TRACT 1
HERMANN MEADOWS SUBDIVISION,
LARAMIE COUNTY, WYOMING

PREPARED APRIL, 2023

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REVISED: 4/3/2023
23146 ZC.DWG

