Planning • Building

MEMORANDUM

TO: Laramie County Board of Commissioners
FROM: Marissa Pomerleau, Planner
DATE: March 2nd, 2021
TITLE: PUBLIC HEARING regarding a Zone Change from A2 - Agricutural to PUD – Planned Unit Development and a Subdivision Permit & Plat for North Range Business Park, 12th Filing located on a portion of the S1/2, Sec. 5, T.13N., R.67W., of the 6th P.M., Laramie County, WY.

EXECUTIVE SUMMARY

Microsoft Corporation, has submitted Zone Change and Subdivision Permit & Plat applications for North Range Business Park, 12th Filing, consisting of one tract located northwest of the junction of Roundtop Rd and I-80. The applications have been submitted to request a zone change from A2 to PUD and to subdivide the property for expansion of the existing data center.

Both applications have been combined into one staff report for ease of presentation and discussion, with separate motions required on the two actions.

BACKGROUND

The subject project is currently vacant. The property previously underwent the Subdivision Exemption process but is proposed to be platted and rezoned to become a part of the existing North Range Business Park PUD. The Microsoft Data Center is located on the property directly to the east.

Pertinent Regulations

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

Section 4-2-112 of the Laramie County Land Use Regulations governing the PUD – Planned Unit Development Zone District.

Section 2-1-101 (a-e) of the Laramie County Land Use Regulations governing the criteria for a subdivision permit and plat.

DISCUSSION

The Laramie County Comprehensive Plan identifies the area as Rural Metro (RM). This designation generally includes areas within the MPO boundary. Residences can have private or small, shared septic or sewer systems. The average tract size may range from 2.5 to 5 acres depending on availability of services.

PlanCheyenne categorizes the property and surrounding area as Mixed Use-Employment Campus (MU - E). This category encourages a variety of uses, primarily campus settings with an emphasis on employment. The primary uses in this category include office and light industrial operations set in a campus setting, ideally having open spaces, parks, plazas, and pedestrian walkways. Any additional uses, secondary in use, could be retail, places of worship, and public or civic uses.

The subject property is bordered by the A2 - Agricultural zone district to the north, west and south and PUD - Planned Unit Development to the east.

Section 1-2-103 (b) of the Laramie County Land Use Regulations specifies that in order to recommend approval of this zone change, the Board 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. is met by conformance with the Laramie County Comprehensive Plan and PlanCheyenne with the type of development.

Agency review comments were received regarding clerical corrections to both the zone change and plat maps, as well as construction timeframes. The applicant is currently working towards addressing all agency comments.

Public notice was provided per Section 1-2-104 of the Land Use Regulations. No public comment was received.

A public hearing of this application was held on February 11th, 2021 by the Laramie County Planning Commission. No public comment was received. The Planning Commission voted 5 - 0 to recommend approval for both applications to the Board with one condition each.

Staff finds the applications are consistent with the plans and policies of Laramie County.

RECOMMENDATION and FINDINGS

Based on evidence provided for the *zone change* request, staff recommends the Board find 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 4-2-112 of the Laramie County Land Use Regulations.

and that the Board approve a Zone Change from A2 to PUD for a portion of the S1/2, Sec. 5, T.13N., R.67W., of the 6^{th} P.M., with the following condition:

1. All clerical corrections to the Zone Change Map shall be addressed prior to recordation of the Zone Change Resolution and Resolution Exhibit 'A' Zone Change map.

Based on evidence provided for the *subdivision permit & plat*, staff recommends the Board find that:

a. This application meets the criteria for a subdivision permit and plat pursuant to section 2-1-101 (a-e) of the Laramie County Land Use Regulations.

and that the Board approve the Subdivision Permit and Plat for North Range Business Park, 12th Filing with the following condition:

1. All clerical corrections to the plat shall be addressed prior to recordation of the plat.

PROPOSED MOTION – ZONE CHANGE

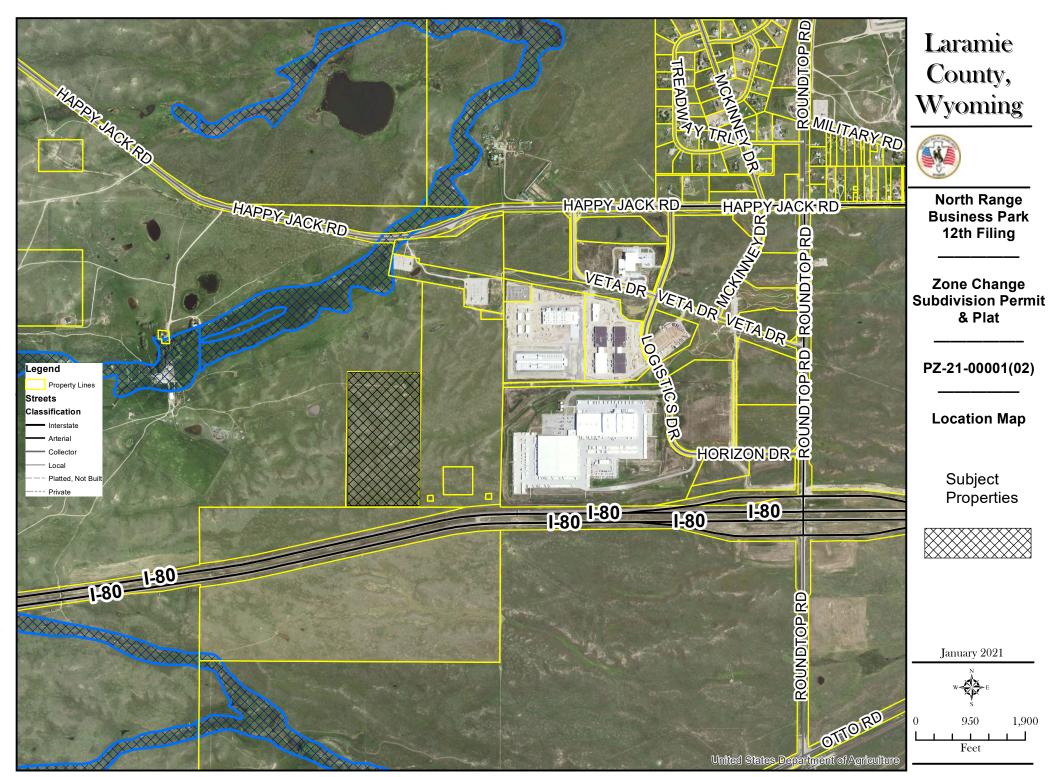
I move to approve the Zone Change from A2 to PUD for a portion of the S1/2, Sec. 5, T.13N., R.67W., of the 6th P.M. with one condition, and adopt the findings of facts a and b for the *zone change*, as shown in the staff report.

PROPOSED MOTION – SUBDIVISION PERMIT & PLAT

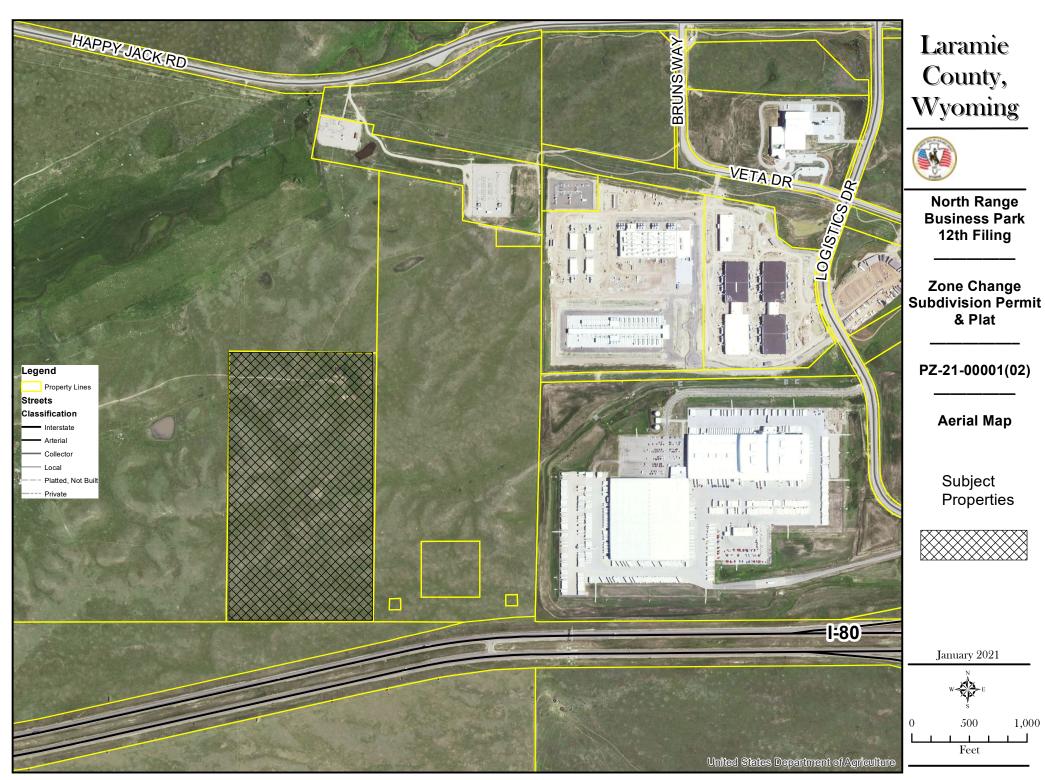
I move to approve the Subdivision Permit and Plat for North Range Business Park, 12th Filing with one condition, and adopt the findings of fact a for the *subdivision permit & plat*, as shown in the staff report.

ATTACHMENTS

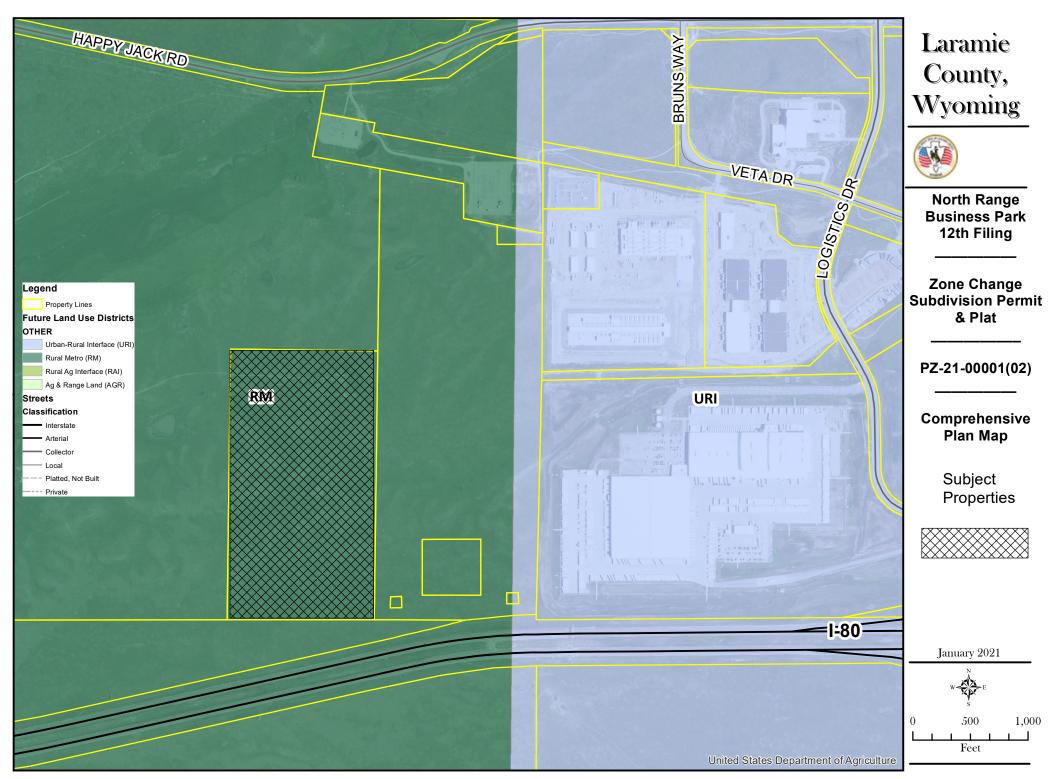
Attachment 1: Attachment 2: Attachment 3: Attachment 4: Attachment 5: Attachment 6: Attachment 7:	Location Map Aerial Map Comprehensive Plan Map PlanCheyenne Map Current Zoning Map Combined Agency Comments Report Resolution Exhibit 'A' - Zone Change Map
Attachment 4:	PlanCheyenne Map
Attachment 5:	Current Zoning Map
Attachment 6:	Combined Agency Comments Report
Attachment 7:	Resolution Exhibit 'A' - Zone Change Map
Attachment 8:	Resolution – Zone Change
Attachment 9:	Plat
Attachment 10:	Resolution – Subdivision Permit & Plat



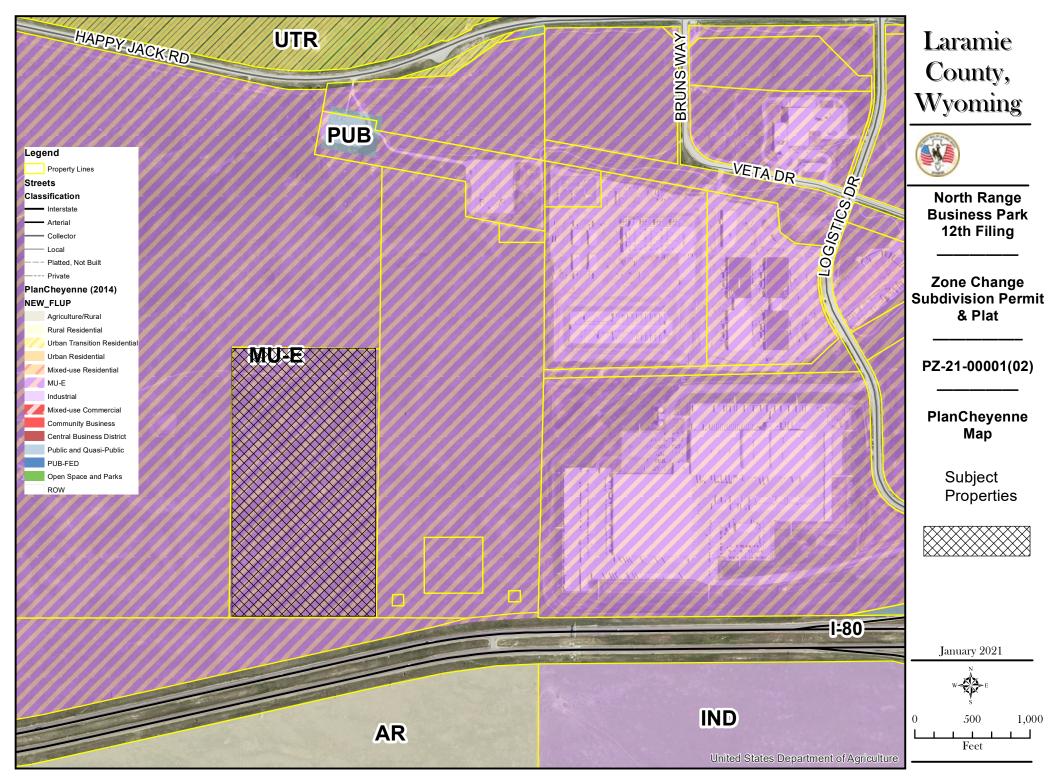
This map is made possible through the Cheyenne and Laranie County Cooperative GIS Program (CLCCGIS). The data contained herein was collected for its use and is for display and planning purposes only. The CLCCGIS will not be held liable as to the validity, correctness, accuracy, completeness, and/or reliability of the data. The CLCCGIS furthermore assumes no liability associated with the use or misuse of this information.



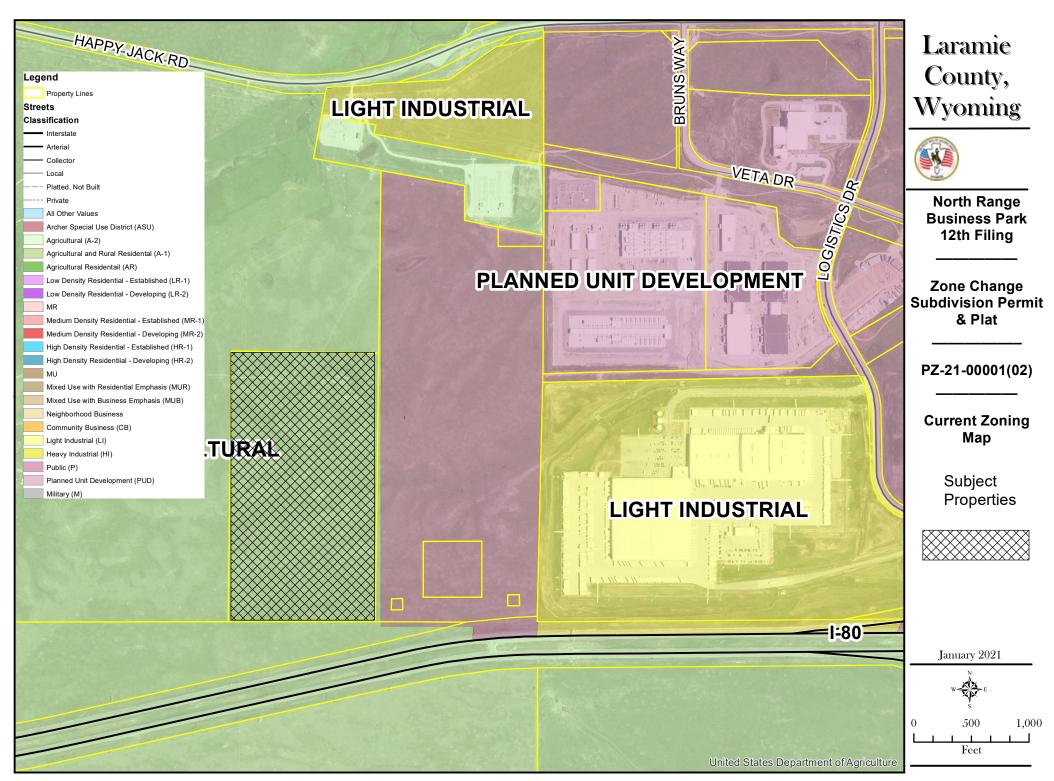
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PZ-21-00001 North Range Business Park, 12th Filing Zone Change

Intraoffice: Planners, Marissa Pomerleau Comments Attached 01/20/2021 Please see comments for Plat review (PZ-21-00002) regarding corrections to the plat as they will need to be addressed on this map too.

AGENCIES WITH NO COMMENTS;

Cheyenne MPO County Assessor County Real Estate Office County Engineer County Public Works Department Combined Communications Center Planners, Cambia McCollom

AGENCIES WITH NO RESPONSE:

County Attorney County Treasurer County Conservation District Emergency Management Sheriff's Office Fire District No. 2 Laramie County Weed & Pest

PZ-21-00002 North Range Business Park, 12th Filing Subdivision Permit

<u>County Engineer:</u> County Engineer, Scott Larson Comments Attached 01/20/2021 Engineer Review

1. I concur with the waiver of a detailed Drainage Study and Traffic Study at this time. Both will be required when a Site Plan Submittal/Application is made to the County.

Surveyor Review

The coordinates shown on my copy of the plat are very small and difficult to read.
 Some of the data defining the dimensions, with boundary ties, for all existing and proposed utility, drainage, access, or other easements is small, blurry and difficult to read on my copy of the plat.

3. The Vicinity Map would be easier to read and it would be more useful to the 'lay public' if one were to add some information such as, at a minimum, the Section, Township and Range data with enough detail to indicate the location of the subdivision within the Section.

4. Some of the recorded easement book and page references shown on my copy of the plat are very small, blurry and difficult to read.

Intraoffice: Planners, Marissa Pomerleau [No Result] [No Result Date]

1. Please title vicinity map and update it to be show surrounding property lines, as the exact location is not clear.

2. The property to the east of the proposed subdivision is incorrectly identified as Lot 1, Block 16, North Range Business Park, 11th Filing. The legal should be Lot 1, Block 15, North Range Business Park, 8th Filing

3. The details of Lot 2, Block 15, North Range Business Park, 8th Filing do not need to be shown. Please remove everything regarding this except the recorded CLFP Utility Easement that runs to the property line.

4. The half section lines to the north of the property should be removed as they can easily be confused as property lines as there is nothing identifying them in the legend.5. Please change the title's legal description to include quarter quarters. It should read as "the W1/2 SW1/4". This should also be updated in the dedication.

6. See County Engineer/Surveyor comments regarding illegible easement identifications.

Building Dept.: Building Dept., Antony Pomerleau Comments Attached 01/14/2021 Fire protection water supplies shall be provided in accordance with 2018 IFC section 507 for all new construction.

Fire apparatus access shall be provided in accordance with 2018 IFC section 503 upon construction permit application.

Building permits shall be required for all new construction.

Advised that Laramie County has adopted the 2018 I-codes and the 2020 NEC.

Wyoming Game & Fish: Comments Attached

AGENCIES WITH NO COMMENTS:

Cheyenne MPO County Assessor County Real Estate Office County Public Works Department Environmental Health WYDOT Combined Communication Center Fire District No. 2 Planners, Cambia McCollom

AGENCIES WITH NO RESPONSE:

Board of Public Utilities County Attorney County Treasurer County Conservation District Department of Energy (WAPA) Emergency Management Sheriff's Office Black Hills Energy CenturyLink Laramie County Weed & Pest



WYOMING GAME AND FISH DEPARTMENT

5400 Bishop Blvd. Cheyenne, WY 82006 Phone: (307) 777-4600 Fax: (307) 777-4699 wgfd.wyo.gov GOVERNOR MARK GORDON DIRECTOR

BRIAN R. NESVIK

COMMISSIONERS PETER J. DUBE – President PATRICK CRANK – Vice President RALPH BROKAW GAY LYNN BYRD RICHARD LADWIG DAVID RAEL MIKE SCHMID

January 15, 2021

WER 4502.188 Laramie County Planning and Development Office PZ-21-00002 North Range Business Park, 12th Filing Laramie County

Marissa Pomerleau Laramie County Planning and Development Office 3966 Archer Parkway Cheyenne, WY 82009 mpomerleau@laramiecounty.com

Dear Ms. Pomerleau

The staff of the Wyoming Game and Fish Department (Department) has reviewed the proposed North Range Business Park subdivision and zone change located in Laramie County. We offer the following comments for your consideration.

The project area is within crucial winter range for pronghorn. To minimize impacts to pronghorn resulting from the loss of crucial winter range habitat, the Department recommends limiting construction activity from November 15 to April 30.

Thank you for the opportunity to comment. If you have any questions or concerns please contact Anika Mahoney, Habitat Protection Biologist, at 307-335-2623.

Sincerely,

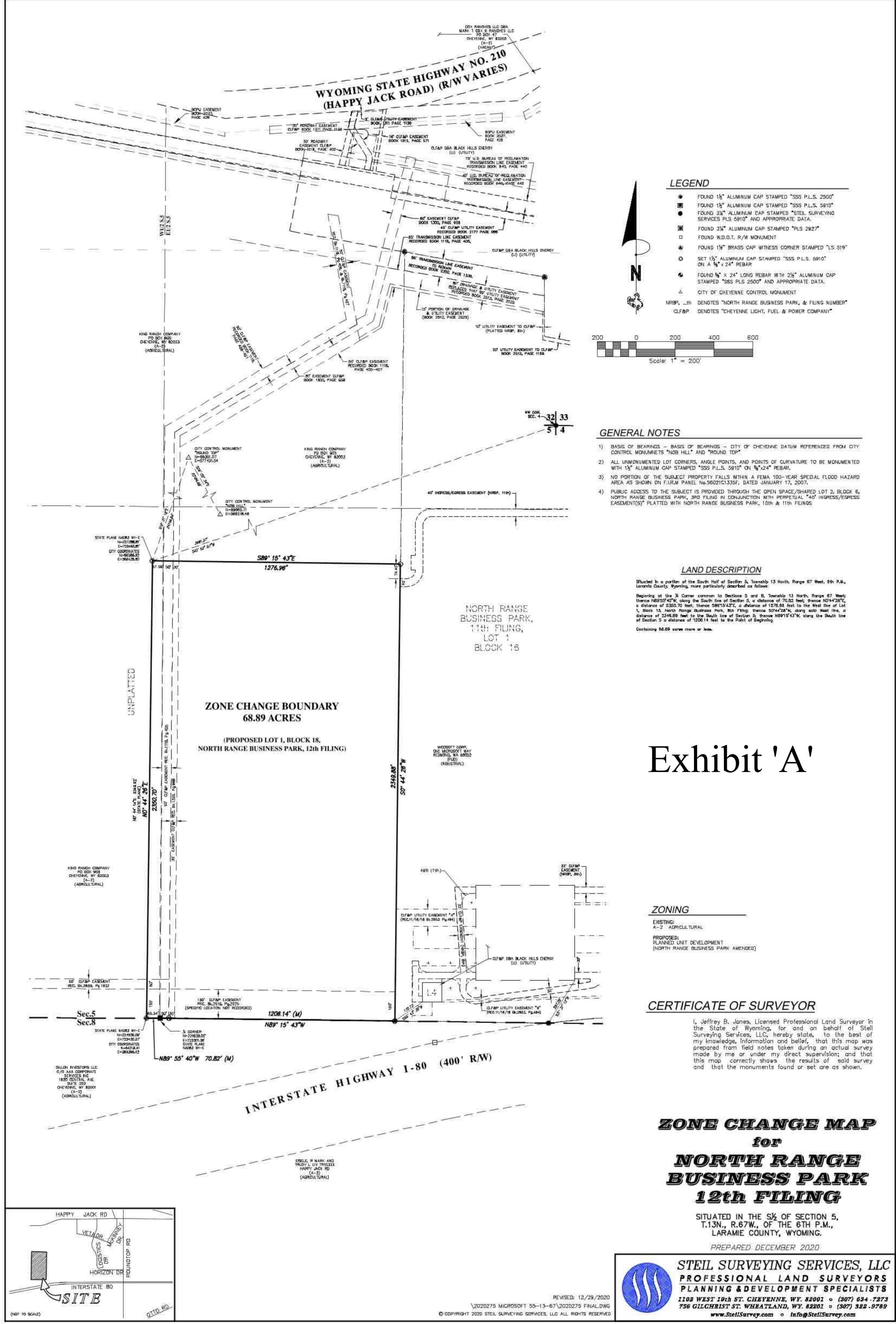
tradelast

Amanda Losch Habitat Protection Supervisor

AL/am/ct

Marissa Pomerleau January 15, 2021 Page 2 of 2 - WER 4502.188

cc: U.S. Fish and Wildlife Service Lee Knox, Wyoming Game and Fish Department Embere Hall, Wyoming Game and Fish Department Bobby Compton, Wyoming Game and Fish Department Chris Wichmann, Wyoming Department of Agriculture



A RESOLUTION TO APPROVE A CHANGE IN ZONE DISTRICT FROM A2 - AGRICULTURAL TO PUD - PLANNED UNIT DEVELOPMENT FOR A PORTION OF THE S1/2, SECTION 5, T.13N., R.67W., OF THE 6TH P.M., 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 4-2-112 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 4-2-112 of the Laramie County Land Use Regulations.

And the Board approves a Zone Change from A2 to PUD for a portion of the S1/2, Sec. 5, T.13N., R.67W., of the 6th P.M., Laramie County, WY, as shown on the attached 'Exhibit A' – Zone Change Map with the following condition:

1. All clerical corrections to the Zone Change Map shall be addressed prior to recordation of the Zone Change Resolution and Resolution Exhibit 'A' Zone Change map.

PRESENTED, READ AND ADOPTED THIS _____ DAY OF

, 2021.

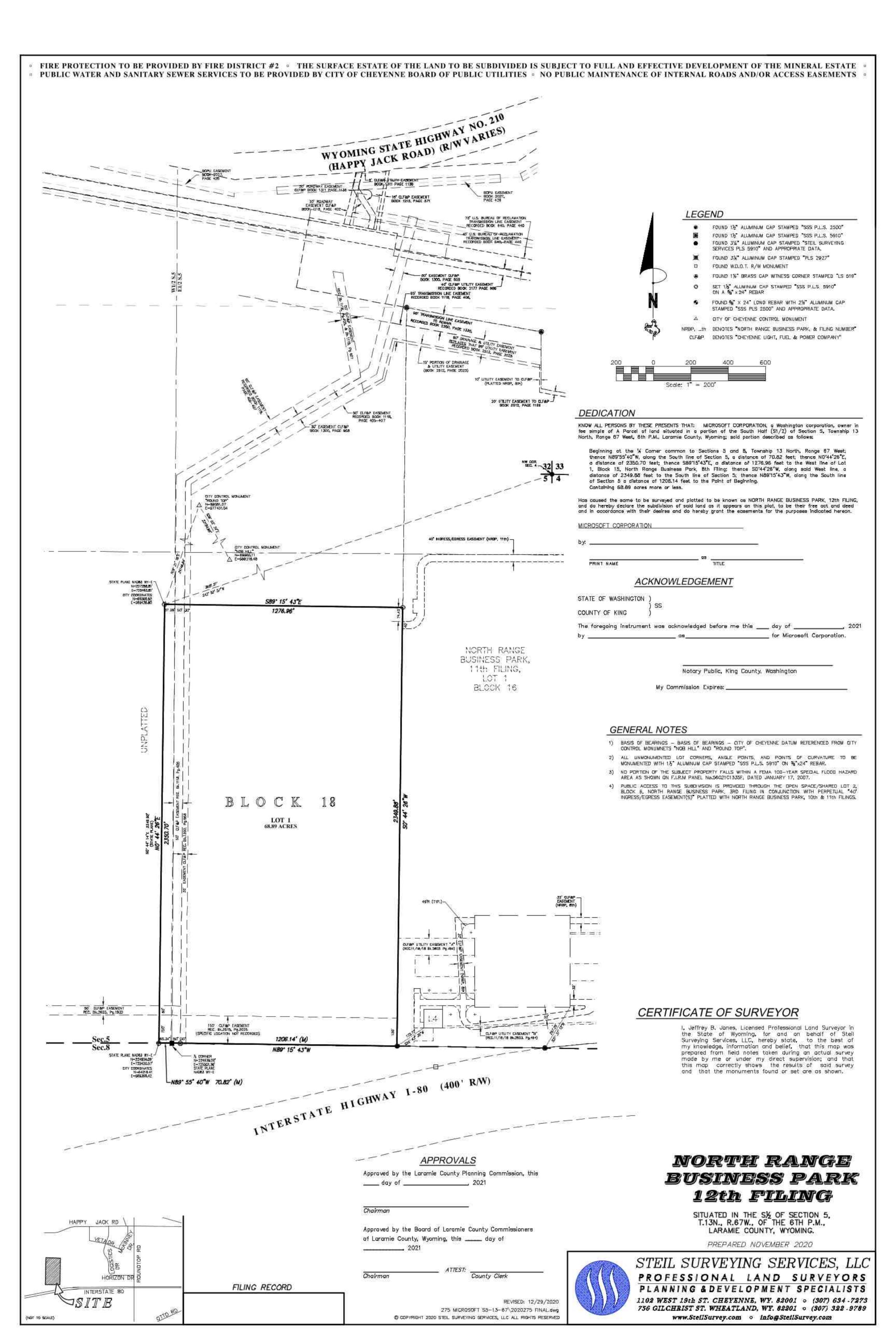
LARAMIE COUNTY BOARD OF COMMISSIONERS

Gunnar Malm, Chairman

ATTEST:

Debra K. Lee, Laramie County Clerk

Reviewed and approved as to form: Laramie County Attorney's Office



A RESOLUTION TO APPROVE A SUBDIVISION PERMIT AND PLAT FOR A PORTION OF THE S1/2, SECTION 5, T.13N., R.67W., OF THE 6TH P.M., LARAMIE COUNTY, WY, TO BE PLATTED AND KNOWN AS "NORTH RANGE BUSINESS PARK, 12TH FILING".

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 subdivision and plat is in accordance with section 2-1-101 (a-e) of the Laramie County Land Use Regulations; and

WHEREAS, this resolution is the subdivision permit for North Range Business Park, 12th Filing.

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 is in conformance with section 2-1-101 (a-e) of the Laramie County Land Use Regulations.

And the Board approves the Subdivision Permit and Plat for North Range Business Park, 12th Filing with the following condition:

1. All clerical corrections to the plat shall be addressed prior to recordation of the plat.

PRESENTED, READ AND ADOPTED THIS _____ DAY OF

, 2021.

LARAMIE COUNTY BOARD OF COMMISSIONERS

Gunnar Malm, Chairman

ATTEST:

Debra K. Lee, Laramie County Clerk

Reviewed and approved as to form:

Laramie County Attorney's Office