



## LARAMIE COUNTY PLANNING & DEVELOPMENT DEPARTMENT

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### Planning • Building

#### MEMORANDUM

**TO:** Laramie County Board of Commissioners

**FROM:** Michael Surface, Senior Planner

**DATE:** March 7, 2023

**TITLE:** PUBLIC HEARING: Zone Change from CB – Community Business to MR – Medium Density Residential for Cowboy Brew Subdivision, 1<sup>st</sup> Filing, Tract 2, Laramie County, WY.

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#### EXECUTIVE SUMMARY

Baseline Engineering, on behalf of BT II, LLC (John Agnew), has submitted a Zone Change application for Cowboy Brew Subdivision, 1<sup>st</sup> Filing, Tract 2. The purpose of the application is to change the zone district from CB - Community Business to MR – Medium Density Residential. If approved a site plan for three (3) structures with eight (8) living units on one lot each will be submitted.

#### BACKGROUND

The vacant property at 227 South Greeley Highway is 2.15 acres. Currently there is adjacent MR zoned property to the south. Other MR zoned properties lie adjacent to the east of that property. There is continuity in the layout of the MR zoning designation which ties to this request.

Pertinent Regulation of the Laramie County Land Use Regulations which apply include.  
Section 1-2-103(b) governing the criteria for a zone map amendment.  
Section 4-2-104 governing the MR – Medium Density Residential Zoning District.  
Section 1-2-104 governing Public Notice.

## **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.

Plan Cheyenne shows two (2) land use designations for the property. There is a small area on the eastside which is designated as MU-C – Mixed Use Commercial. As a secondary use, apartments are encouraged. Most of the property is designated as CB – Central Business. Residential uses include multi-family residences, generally served by collector or arterial streets.

The proposed zone change is generally consistent with the County Comprehensive Plan and Plan Cheyenne.

A legal notice was published, the property was posted, and neighbor notice letters were sent by certified mail. Staff received no comments.

Section 1-2-103 (b) states that 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.

The proposed zone change meets criteria i. and iii.

The Planning Commission held a public hearing on February 9, 2023, about this request. The vote was 4 – 0 to recommend approval of the zone change to the Board of County Commissioners. There were no public remarks at the public hearing.

## **RECOMMENDATION and FINDINGS**

**Based on the application and supporting documentation provided, it is recommended that the Board of Commissioners 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 4-2-104 of the Laramie County Land Use Regulations.

**Based on having met the criteria outlined above, the Board of County Commissioners may approve the Zone Change from CB - Community Business to MR – Medium Density Residential for Cowboy Brew Subdivision, 1<sup>st</sup> Filing, Tract 2, Laramie County, WY.**

### **PROPOSED MOTION**

**I move to approve a Zone Change from CB - Community Business to MR -Medium Density Residential for Cowboy Brew Subdivision, 1<sup>st</sup> Filing, Tract 2, Laramie County, WY, and adopt the findings of facts a and b of the staff report.**

### **ATTACHMENTS**

**Attachment 1: Project Map**

**Attachment 2: Narrative**

**Attachment 3: Public Agency Review Comments**

**Attachment 4: Resolution**

**Attachment 5: Resolution Exhibit A - Zone Change Map**





**Laramie County Wyoming  
MapServer**

PZ-22-00356

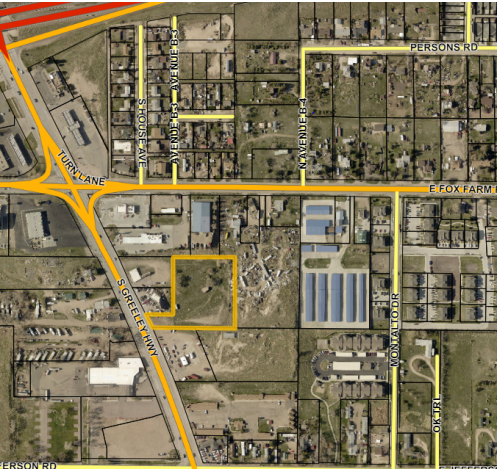
AGNEW ZONE CHANGE

From CB - Community Business  
TO  
MR - Medium Density Residential

County Comprehensive Plan  
URI - Urban Rural Interface

Plan Cheyenne  
CB - Community Business  
and  
MU-C  
Mixed Use Commercial

Located Within  
South Cheyenne Water and Sewer  
District  
Fire District 1





Laramie County Planning and Development  
Attn: Michael Surface  
3966 Archer Parkway  
Cheyenne, WY 82009  
Via Email: [planning@laramiecountywy.gov](mailto:planning@laramiecountywy.gov)  
December 23, 2022

**RE: BT Multi-Family Zone Change Application- 227 South Greeley Highway**

Dear Laramie County Planning and Development,

Please accept this letter as a request for a zone change for the property located at 227 South Greeley Highway, Laramie County. The property's current zoning is CB-Commercial Business and proposed for MR- Medium Density Residential. The proposed development for the property is multi-family residential. The proposed development consists of three 8-plex buildings for a total of 24 residential units; one multi-purpose building dedication maintained, storage, and a leasing office; surface parking; and on-site detention.

**Why is the Rezone Useful to the community?**

The 2016 Adopted Laramie County Comprehensive Plan identifies the property as "Rural Metro" in its future land use map. The "Rural Metro" designation encourages shared systems and denser residential and states, "Average residential developments may be 2.5 – 5 acres." For more specific land uses, the Laramie County Comprehensive plan references "Plan Cheyenne" and the "Cheyenne Area Master Plan Community Plan." The Plan Cheyenne Future Land Use Map designates the BT Multi-Family Property as "Mixed-Used Residential" and "Mixed Used-Commercial." Both Designations emphasize the need for multi-family housing apartments, condominiums, and live-work units that are typically greater than six dwelling units per acre. Both Plan Cheyenne designations are intended to have residential units to support commercial land uses in the immediate vicinity and the Cheyenne Metropolitan Area. The Rezone will also create continuity of zoning because the property to the south is also zoned MR-Medium Density Residential.

Considering zoning continuity and compliance with the local comprehensive plans, the BT Multi-Family Housing proposed development and rezoning is a useful application to the community.

**Why is the Rezone Useful to the Applicant?**

The rezone is useful to the Applicant because it provides continuity and a mix of land uses with shared systems, connectivity, and market support. Additionally, as discussed above, the Applicant wishes to be a community partner and support local needs.

Sincerely,



Tez Hawkins, Senior Planner

**CC:**     Jeremey Goetsch, PE, Civil Engineer  
          John Agnew, Property Owner and Applicant

**Attachments:**

- 1. Zone Change Application Form**
- 2. Property Owner Authorization Letter**
- 3. Warranty Deed**
- 4. Pre-Application Meeting Notes**
- 5. Zone Change Map**
- 6. Plot Plan/Site Plan**

January 19, 2023

Laramie County Planning and Development  
Attn: Michael Surface  
3966 Archer Parkway  
Cheyenne, WY 82009  
Via Email: [planning@laramiecountywy.gov](mailto:planning@laramiecountywy.gov)

**RE: PZ-22-00356, Agnew Zone Change Application- 227 South Greeley Highway, Public Agency**  
**Review 1/13/23- Applicant Response**

1. **Building Dept.:** Building Dept., Daniel Peters No Comments

No Response.

2. **Cheyenne Planning:** Cheyenne Development Services, Seth Lloyd  
The designation in this area appears to be mostly CB (Community Business). The property is also located near an activity center designation (centered at the intersection of Fox farm and South Greeley Highway). While the 'optimal' zone is CB, the future land use designation and the activity center designation could both consider apartment development appropriate at this location, and therefore a zoning which allows apartments. I would prefer the MU zone, as it would still allow more commercial development options should the apartment proposal fall through, but I understand the applicant's reasoning behind requesting MR.  
2. I have concerns about the safety of the access onto South Greeley, but they are concerns for the property no matter the zoning.

Response: Comment Acknowledged. Access design and requirements will be refined and coordinated with a site plan submittal.

1. **County Assessor:** County Assessor, Kaycee Eisele No Comments

No Response.

2. **County Attorney:** County Attorney, Mark Voss No Response

No Response.

3. **County Public Works Department:** County Public Works Department, Molly Bennett N.  
The review engineer was not included in the initial list for review of this application. I have included an accelerated review for Scott Larson.

No Response.

4. **County Real Estate Office:** County Real Estate Office, Laura Pate  
No Comments

No Response.

5. **County Treasurer:** County Treasurer, Trudy Eisele No Response

No Response.

6. **Environmental Health:** Environmental Health Department, Tiffany Gaertner  
No Comments

No Response.

7. **Fire District No 1:** Fire District No. 1, Darrick Mittlestadt No Comments

No Response.

8. **Intraoffice:** Planners, Cambia McCollom No Comments

No Response.

9. **Planners:** Planners, Michael Surface Rezone from CB to MR. Meets all requirements of LCLUR.

No Response.

10. **Sheriff's Office:** Sheriff's Office, Amber Shroyer No Response

No Response.

11. **South Cheyenne Water & Sewer:** South Cheyenne Water & Sewer, Scott Sprakties  
Modeling for development will need to be completed. Fees determined when study is completed. contact District office for site plan approval. Is with in South Cheyenne Water and Sewer District Boundary.

Response: Comment acknowledge. Modeling for the project will be completed with the County's site plan submittal.

12. **WYDOT:** WYDOT, Taylor McCort  
WYDOT may comment additionally as project progresses and more information is available.



If access is does not meet current ADA requirements, developer will need to modify approach to meet current standards before approach is accepted.

For access questions please contact Michael Ginther at 307-745-2118 or [Michael.Ginther@wyo.gov](mailto:Michael.Ginther@wyo.gov).

For utility and maintenance questions contact Michael Elliot at 307-745-2123 or [Michael.Elliot@wyo.gov](mailto:Michael.Elliot@wyo.gov).

Response: Comment acknowledged. Access design and requirements will be refined and coordinated with WYDOT with a site plan submittal.

13. **County Engineer:** County Engineer, Scott Larson

No comment on the zone change. However, with residential subdivisions, the County requires 2 accesses when there are 12 or more residences. Given this multi-family development will have 24 residences, it should have a secondary access for safety reasons.

Response:

The LCLUR section 2-1-104 Part C – *General Standards* states:

“All developments that consist of more than twelve (12) residential tracts shall have two (2) individual points of access into the subdivision/development. Also within the subdivision, no more than twelve (12) residential tracts shall be accessed by a single point.” The number of access points refer to tracts. Access design and requirements will be refined and coordinated with a site plan submittal.

Tez Hawkins, Senior Planner, Baseline Engineering

A handwritten signature in black ink, appearing to read "Curtis Hawkins".

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION TO APPROVE A CHANGE IN ZONE DISTRICT  
FROM CB – COMMUNITY BUSINESS TO MR – MEDIUM DENSITY RESIDENTIAL  
FOR COWBOY BREW SUBDIVISION, 1<sup>st</sup> FILING, TRACT 2,  
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 4-2-100 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 4-2-104 of the Laramie County Land Use Regulations.

**And the Board approves a Zone Change from CB – Community Business to MR – Medium Density Residential for Cowboy Brew Subdivision, 1<sup>st</sup> Filing, Tract 2, Laramie County, WY, as shown on the attached Exhibit ‘A’ – Zone Change Map.**

**PRESENTED, READ AND ADOPTED THIS \_\_\_\_\_ DAY OF**

**\_\_\_\_\_, 2023.**

LARAMIE COUNTY BOARD OF COMMISSIONERS

\_\_\_\_\_  
Troy Thompson, Chairman

ATTEST:

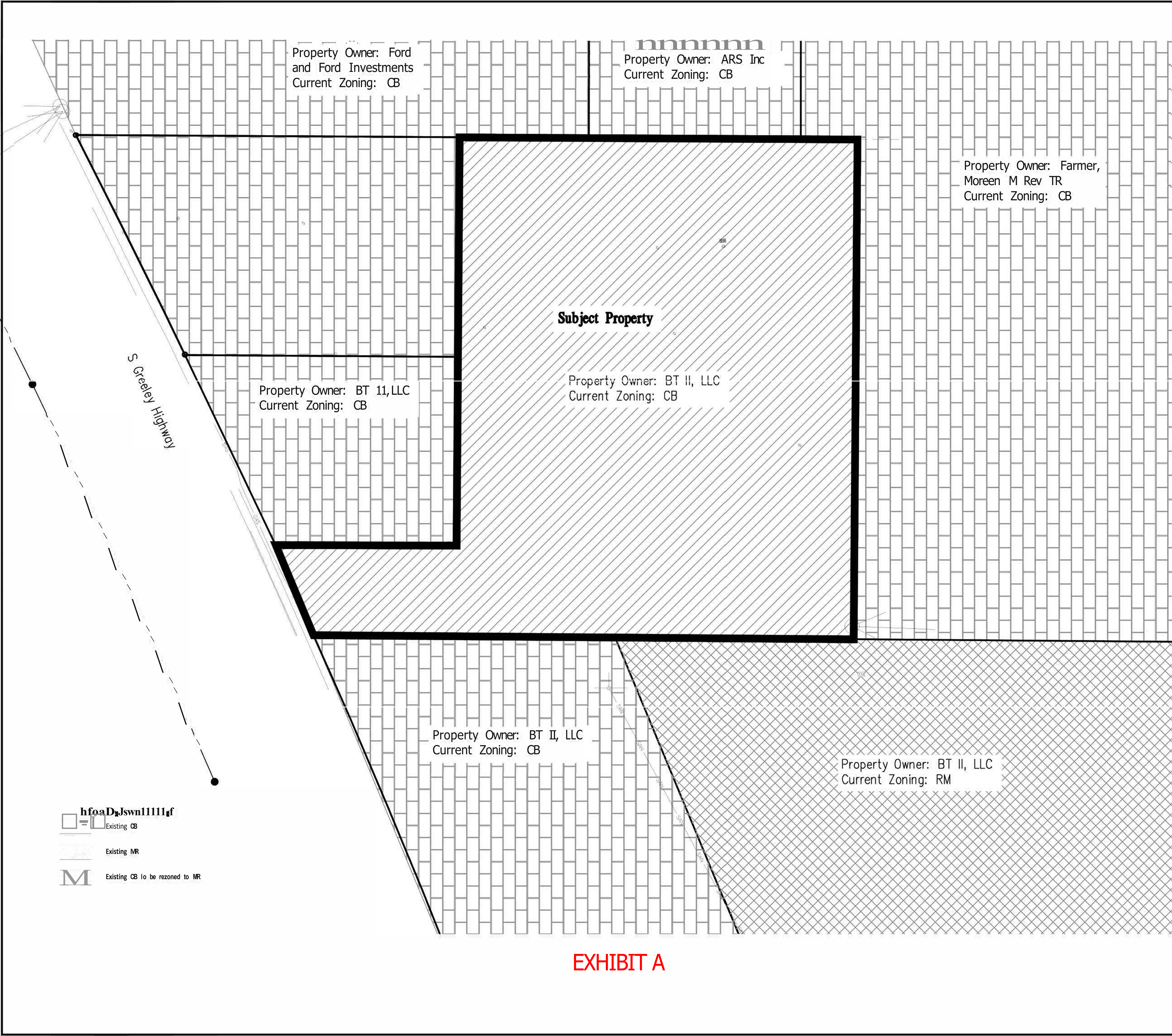
\_\_\_\_\_  
Debra K. Lee, Laramie County Clerk

Reviewed and approved as to form:

  
\_\_\_\_\_  
Laramie County Attorney's Office



\\s3600\c3\2\11 MF Hg 3605 - Zone Change Map.dwg, 12/22/2022, 4:06:06 PM, Jeremy Goetsch



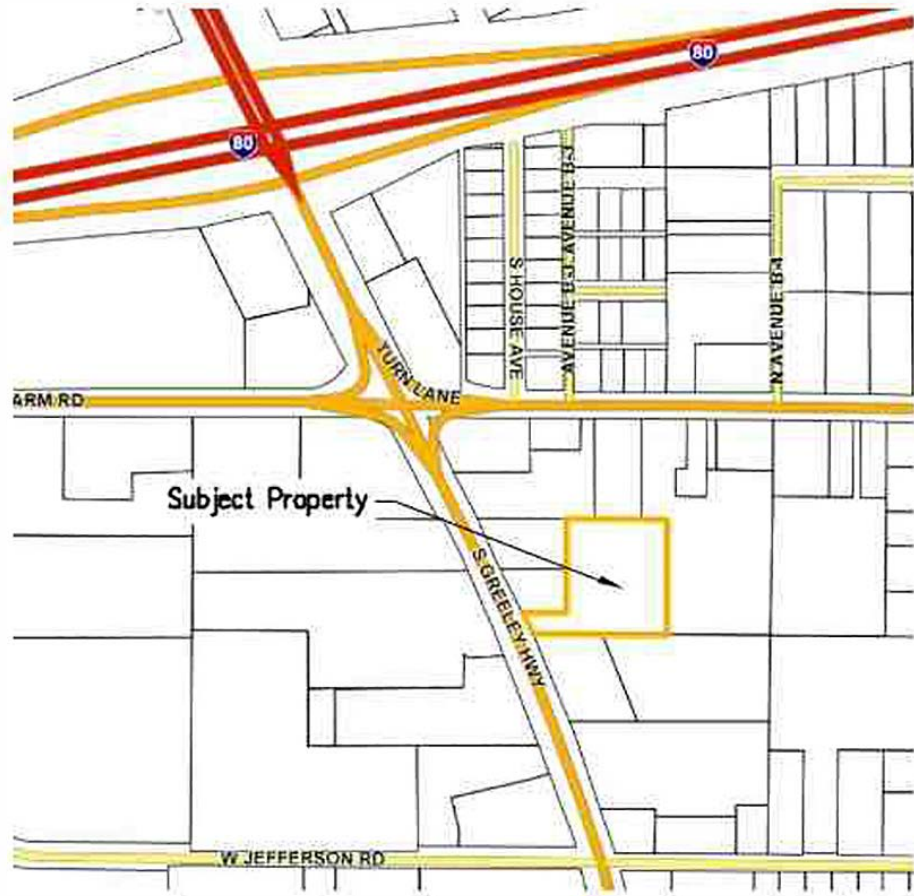
**hfoaD,Jswn11111f**

Existing CB

Existing MR

Existing CB to be rezoned to MR

EXHIBIT A



**DfledJtion**

A PARCEL OF LAND BEING SITUATED IN THE NORTHWEST QUARTER OF SECTION 8 TO SHIP 13 N 14 RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, LARAMIE COUNTY, WYOMING. MORE ACCURATELY DESCRIBED AS FOLLOWS:TRACT 2 CONTIGUOUSUBDIVISION, 1ST FILING

**Deyelcpr**

BT II, LLC  
CONTACT: JOHN AGNEW  
EMAIL: john@breezezthru.com  
PHONE: 970-485-0287

**PJcw**

BASONE ENGINEERING C<WORATICJ>  
CONTACT: TEZ HAWKINS  
EMAIL: tez.hawkins@basoneco.com  
PHONE: 970-688-2175

**Engineer**

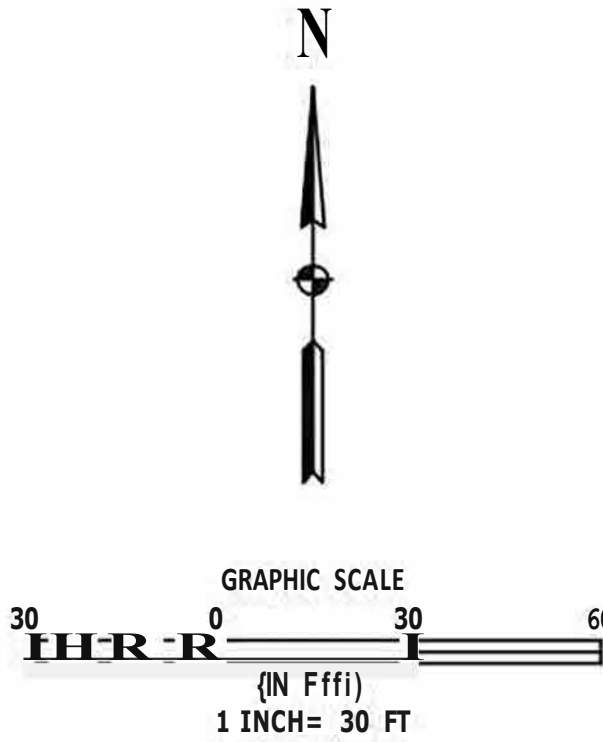
BASONE ENGINEERING C<WORATICJ>  
CONTACT: JEREMY GOETSCH  
EMAIL: jeremy.goetsch@basoneco.com  
PHONE: 970-688-9547

**1Aaing**

- THE PROPERTY IS CURRENTLY ZONED CB
- THE PROPOSAL IS TO CHANGE ZONING FROM CB TO MR

**Land Uae**

- CURRENTLY THE LAND IS VACANT
- THE PROPOSAL IS TO DEVELOP THE PROPERTY AS A MULTI-FAMILY DEVELOPMENT



<b>BASELINE</b> Engineering - Planning - Surveying 102 N RIBEY DRIVE SUITE 200 • GOLDEN, COLORADO 80403 P. 303.400.9666 • F. 303.400.9663 • www.baselinecorp.com	
PREPARED BY	DATE
REVISION DESCRIPTION	
BT II, LLC	City of Broomfield
Breeze Thru Multi Family	227 S Greeley Highway
Zone Change Map	
12/23/2022	12/23/2022
24" X 36"	24" X 36"
1	1
3605 - Zone Change Map.dwg	
11/11	1
ZC1	