

Planning Commission Minutes of the Proceedings - Draft

Historic Courthouse
310 W 19th Street
Cheyenne, WY 82001

Laramie County Planning Commission
Prepared by the Laramie County Planning & Development Office
Laramie County, Wyoming

Thursday, March 14, 2024

3:30 PM

Commissioners Board Room

Call To Order

Chairman Caughey called the meeting to order at 3:30 p.m. Attendees were welcomed to the meeting and the assembly joined in the Pledge of Allegiance.

Roll Call

Present	Jason Caughey, Jack Stadel, John Watkins, Mark Smith
Excused	Natacha Gaspar

Approval of Minutes

1. Consideration of Minutes of Proceedings for February 22, 2024.

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Attachments: [PC 2.22.24 Draft](#)

A motion was made by John Watkins, seconded by Jack Stadel to approve the Minutes of the Proceedings for February 22, 2024. Vote 4-0.

Aye: Caughey, Stadel, Watkins, Smith

Excused: Gaspar

Land Use: Variances/Board App./Plats

2. PUBLIC HEARING regarding a review and recommendation of the Preliminary Development Plan and Subdivision Permit and Plat for Riatta Flats Subdivision, located on Lot 1, Aspen Hills Subdivision, 1st Filing, Laramie County, WY.

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Attachments: [PZ-24-00003 & 00004 PC 3.14.24 Meeting Packet](#)

Cate Cundall, Associate Planner, said that Steil Surveying Services, LLC, on behalf of Riatta Holdings, LLC, submitted Preliminary Development Plan and Subdivision Permit and Plat applications for Riatta Flats Subdivision, located east of 4340 I-80 Service Road, Burns, WY. The purpose of the application is to divide the 50.49 net acre parcel into ten (10) residential tracts averaging 5.25 acres each. This project will require two motions.

The subject property is currently vacant agricultural range land located in the LU-Land Use zone district. Access will be off the I-80 Service Road onto an eighty (80) foot ingress/egress cul-de-sac easement which will be privately maintained. Portions of the parcel lies within the FEMA 100 year floodplain.

A D.E.Q. Chapter 23 application has been submitted and is still pending. Water and sanitary sewer will be provided by individual wells and septic systems.

Staff findings are:

- a. The application for the PDP meets the criteria for a preliminary development plan pursuant to section 2-1-100 of the LCLUR.
- b. The application for the Subdivision Permit and Plat is in conformance with section 4-2-114 governing the LU-Land Use zone district.
- c. The application for the Subdivision Permit and Plat meets the criteria pursuant to section 2-1-101 (a-e) of the LCLUR.

Shane Hansen, Project Agent, was present to answer any questions on the project.

Chairman Caughey opened the hearing for Public Comments on the Riatta Flats Preliminary Development Plan and Subdivision Permit and Plat. Hearing no comments the hearing was closed and Chairman Caughey called for motions and discussion.

A motion was made by Mark Smith, seconded by Jack Stadel to approve the Preliminary Development Plan for Riatta Flats Subdivision and adopt the findings of fact a of the staff report. Vote 4-0.

John Watkins made a motion, seconded by Mark Smith to recommend approval of the Subdivision Permit and Plat for Ratta Flats Subdivision to the Laramie County Board of Commissioners and adopt the findings of facts b and c of the staff report and with the following condition:

1. A non-adverse D.E.Q. Chapter 23 recommendation is received prior to plat recordation. Vote 4-0

Aye: Caughey, Stadel, Watkins, Smith

Excused: Gaspar

3. PUBLIC HEARING on a Zone Change from MR-Medium Density Residential to MU-Mixed Use for the SW1/4 of Tract 99 and the SE1/4 of Tract 99, Allison Tracts, 3rd Filing, and from MR-Medium Density Residential to CB-Community Business for the NE1/4 of Tract 99, the NW1/4 of Tract 99, the N1/2 of Tract 100, and the S1/2 of Tract 100, Allison Tracts, 3rd Filing.

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Attachments: [PZ-24-00005-PC STAFF REPORT PKG 03.14.24](#)

Sonny Keen, Associate Planner, said Steil Surveying Services, on behalf of McRady Properties, submitted a Zone Change application for the W1/2 of Tract 99, E1/2 of Tract 99, N1/2 of Tract 100, and S1/2 of Tract 100, Allison Tracts, 3rd Filing located at the NW corner of Avenue C and E. College Drive. The purpose of the application is to change from MR-Medium Density Residential to MU-Mixed Use and CB-Community Business. The existing residential home will remain on the S1/2 of Tract 99 and the zoning map changed to MU. The zoning map amendment for the remaining parcels will be changed to CB to accommodate surface storage.

The subject property is 4 parcels totaling 8.96 acres and currently assessed as residential and residential vacant land. It is bordered by residential and commercial areas.

To recommend approval of a Zone Change the application must meet the criteria of section 1-2-103(b) of the LCLUR. The criteria has been met since 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. Rezoning is unlikely to adversely impact the area.

Staff findings are:

- a. This application does meet the criteria for a zone map amendment pursuant to section 1-2-103 (b) of the LCLUR.
- b. The proposed change in zone district is in conformance with the requirements of section 4-2-107 of the LCLUR.
- c. The proposed change in zone district is in conformance with the requirements of section 4-2-111 of the LCLUR.

Chairman Caughey opened the hearing for Public Comment on the McRady Zone Change. Receiving no comments Chairman Caughey closed the hearing and called for a motion and discussion.

Mark Smith moved, seconded by Jack Stadel to recommend approval of a Zone Change from MR-Medium Density Residential for Allison Tracts, 3rd Filing, SW1/4 of Tract 99 and SE1/4 of Tract 99, to MU-Mixed Use and for Allison Tracts, 3rd Filing, NE1/4 of Tract 99, NW1/4 of Tract 99, N1/2 of Tract 100, and S1/2 of Tract 100 to CB-Community Business to the Laramie County Board of Commissioners, with no conditions and adopt the findings of facts a, b, and c of the staff report. Vote 4-0.

Aye: Caughey, Stadel, Watkins, Smith

Excused: Gaspar

4. PUBLIC HEARING regarding a Zone Change from NB to P for a portion of Rolling Hills Estates, Block 9, Lot 3, Laramie County, WY.

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Attachments: [PZ-24-00014 LCPC STAFF REPORT PKG 3.14.24](#)

Chairman Caughey announced he had a conflict of interest with agenda item #4 and would be recusing himself from discussion and voting. Vice Chairman Watkins took over the meeting.

Bryce Harrington, Associate Planner, said that a Zone Change application was submitted on behalf of Candido Izaguirre and the Laramie County Fire Authority by Steil Surveying Services, LLC, for a portion of Lot 3, Block 9, Rolling Hills Estates. The subject property will be rezoned from NB-Neighborhood Business to P-Public, which will allow for a fire station to be built on the property.

An Administrative Plat application was submitted concurrently to reconfigure the property lines, but will not be part of today's action. The property is accessed from Treadway Trail or McKinney Drive.

To recommend approval to the Board of County Commissioners the Planning Commission must meet the criteria of section 1-2-103(b) of the LCLUR for a zone map amendment. The criteria is met by the type of development proposed and by meeting all of Planning's application criteria. The use proposed is public in nature, and thus comports with plans for the area.

Staff findings are:

- a. This application meets the criteria for a zone map amendment pursuant to section 1-2-103(b) of the LCLUR.
- b. The proposed change in zone district is in conformance with the requirements of section 4-2-110 of the LCLUR.

Shane Hansen, applicants agent, was present to answer questions.

Vice Chairman Watkins opened the hearing for Public Comments on the Metzler Park Zone Change. Hearing no comments the hearing was closed and Vice Chairman Watkins called for a motion and discussion.

Jack Stadel moved, seconded by Mark Smith to adopt the findings of facts a and b of the staff report and to recommend approval of a Zone Change from NB to P for a portion of Rolling Hills Estates, Block 9, Lot 3, Laramie County, WY to the Laramie County Board of Commissioners with no conditions. Vote 3 ayes and 1 abstain.

Aye: Stadel, Watkins, Smith

Excused: Gaspar

Abstain: Caughey

5. PUBLIC HEARING regarding a Zone Change for Tract 26 and a

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portion of Tract 31, Montclair Subdivision, and a Variance from Development Design Standards for a portion of Tract 31, Montclair Subdivision, Laramie County, WY.

Attachments: [PZ-24-00007 & 00008 PC Meeting Packet](#)

Cate Cundall, Associate Planner, reported that a Zone Change and a Variance application was submitted by AVI, PC, on behalf of Stephanie D. Teubner, Leonard E. Propps, Jr., Richard Leon Shanor, and the Marianne Kunz Shanor Revocable Trust.

The applicants desire a property exchange so an administrative plat has also been requested to modify the lot lines, changing the three lots into two. Each party will retain the same acreage. The variance application is for the 2.34 acre lot that is a portion of Tract 31, Montclair Subdivision located at 1522 McAllister Lane. A variance is requested to the AMEC Memo minimum lot size requirement as the condition is existing and will not be a detriment to surrounding properties.

The zone change is from A-1 Agricultural and Rural Residential to AR-Agricultural Residential for Tract 26, Montclair Subdivision, and from A-1 Agricultural and Rural Residential to LR-Low Density Residential for a portion of Tract 31, Montclair Subdivision.

The Planning Commission may recommend approval for a zone map amendment if it satisfies the criteria of section 1-2-103(b) of the LCLUR. The criteria is met for this application by the type of development proposed and by meeting all of Planning's application criteria.

The Planning Commission may grant a variance only if it finds that the application satisfies the criteria of section 1-2-101 of the LCLUR. Staff finds that it meets the required criteria for a variance, as the site is existing and does not harm the public safety and welfare.

Staff findings are:

- a. This application meets the criteria for variance pursuant to section 1-2-101 of the LCLUR.
- b. This application meets the criteria for a zone map amendment pursuant to section 1-2-103 (b) of the LCLUR.
- c. The proposed change in zone district is in conformance with the requirements of section 4-2-100 and section 4-2-103 of the LCLUR.

Chairman Caughey opened the hearing for Public Comments. Receiving no comments the hearing was closed and Chairman Caughey called for motions and discussion.

Mark Smith moved, seconded by John Watkins to adopt the findings of fact a of the staff report and approve a Variance from Development Design Standards for a portion of Tract 31, Montclair Subdivision, with no conditions. Vote 4-0.

A motion was made by John Watkins, seconded by Jack Stadel to adopt the findings of fact b and c of the staff report and to recommend approval of the Zone Change from A-1 to AR for Tract 25, Montclair Subdivision and a Zone Change from A-1 to LR for a portion of Tract 31, Montclair Subdivision, with no conditions. Vote 4-0.

Aye: Caughey, Stadel, Watkins, Smith

Excused: Gaspar

6. PUBLIC HEARING regarding a Solar Energy Site Plan and Solar Energy Permit for the Cowboy Solar I & II Project, situated in Sections 26, 27, 28, 29, 30, and 35 of Township 13 North, Range 65 West, as well as Sections 25 and 26, Township 13 North, Range 66 West, and Section 2 of Township 12 North, Range 66 West of the 6th P.M., Laramie County, WY.

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Attachments: [PZ-24-00015 LCPC STAFF REPORT](#)
[POSTPONEMENT 3.14.24](#)

Bryce Hamilton reported that the Cowboy Solar I & II Project agency reviews have not been completed and recommends that this project be postponed until such time as agency reviews are received from all reviewers and have been addressed to the satisfaction of the Planning Department.

Chairman Caughey opened a hearing for Public Comment on the Cowboy Solar I & II Project since there were attendees at the meeting expecting to address the Planning Commission regarding this project. There will be another opportunity to make public comments at a future hearing on this project.

Mark Torriani at 105 Road 161 has concerns on the fire danger from the project's potential for battery storage combustion and the lack of local resources to fight this type of fire. Although not adjacent to the project his property lies in the fire lane.

Ed Prosser at 1200 Chalk Bluffs Road borders five miles of the project and said his concerns include fire risk and inadequate fire protection and plan, strain on county roads with the number of trips during construction by workers and delivery of equipment, dust and weeds, ingress and egress to the project, and the damage to the pristine 8.5 sections of grasslands.

Hearing no further comments Chairman Caughey closed the hearing and called for a

motion and discussion on the postponement of the Cowboy Solar I & II Project.

Molly Bennett, Public Works Director said a plan for dust abatement and road repair will be handled when road impacts from the project are addressed. Identifying appropriate fire protection requirements is part of the agency review process.

John Watkins made a motion, seconded by Jack Stadel to postpone the Solar Energy Site Plan and Solar Energy Permit for the Cowboy Solar I and II Project until such time that all agencies requested have responded to the application and its submittal package, the applicant responses and revisions have been completed to the satisfaction of Planning and Development, and the hearing process for the DEQ Industrial Siting Council has been completed and the application with that agency is pending approval. Vote 4-0.

Aye: Caughey, Stadel, Watkins, Smith

Excused: Gaspar

Adjournment

The next meeting of the Planning Commission will be March 28, 2024.

There being no further business Chairman Caughey adjourned the meeting at 4:21 p.m.