



# LARAMIE COUNTY PLANNING & DEVELOPMENT DEPARTMENT

---

## Planning • Building

### MEMORANDUM

**TO:** Laramie County Board of Commissioners

**FROM:** Bryan Nicholas, Associate Planner

**DATE:** October 2, 2018

**TITLE:** Review and action on a Zone Change from MU (Mixed Use) to NB (Neighborhood Business) for Tract 27, Foster Tracts, 2<sup>nd</sup> Filing, Laramie County, WY.

---

### EXECUTIVE SUMMARY

Kermit Craig & Gay Wilson of 2911 Foothills Road, Cheyenne, WY have submitted an application for Zone Change for Tract 27, Foster Tracts, 2<sup>nd</sup> Filing, located on Haunted Road, southeast of Dell Range Boulevard and Whitney Road. The application has been submitted for the purpose of seeking a zone change from Mixed Use (MU) to Neighborhood Business (NB).

### BACKGROUND

The subject property is currently vacant with a mixture of adjacent residential and commercial uses. On approximately 1.36 acres, the site has overhead electrical lines as well as underground utilities, along with an existing water well. There are no platted easements within the property that would hinder future development. Per the '*2008 East Dell Range/US 30 and Christensen Railroad Overpass Plan*' from Cheyenne Metropolitan Office (MPO), future expansion of the south half of the Dell Range R.O.W. will eventually impact this property.

### **Pertinent Regulations**

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

**Section 4-2-106** of the Laramie County Land Use Regulations governing the NB (Neighborhood Business) zone district.

## **DISCUSSION**

The Laramie County Comprehensive Plan designates this area as URI (Urban Rural Interface), in which a higher mixture of intensive land uses exist; such as high density residential, intensive commercial, employment centers, and industrial areas. Public infrastructure such as water and sewer may be in place, along with higher vehicular access and community services.

PlanCheyenne contemplates the Mixed-Use Commercial Emphasis land use category for this property. Within the MU-C category, existing and future developments that align with activity centers are encouraged. Commercial activities and development is the primary focus, but can also include employment, public and residential uses. The primary use in this category is retail, light industrial, and live-work designed as an “activity center”.

Current zoning for this property is MU (Mixed-Use), with areas in the district being a mixture of residential and commercial. The surrounding zone districts include Low, Medium and High Density Residential, Agricultural Residential, and Community Business. If approved the new zone district NB (Neighborhood Business) would encourage uses that provide goods and services to area residents.

Due to the layout of the site, Haunted Road (East) and Dell Range (North) are both considered front property lines and thus the proposed zone change would affect the required setbacks for front and rear property lines only. The required setbacks for the MU Zone District are 25 feet from the front and rear property lines for principle structures. Within the NB Zone District, the required setbacks for principle structures are 25 feet from the front property line only, and five feet from the side and rear property lines. Thus any future development would only need be five feet from the West and South Property lines, due to the fact there are no side property lines on the site.

Public notice was published and neighbor notice letters were sent by certified mail per Section 1-2-104. Staff received a letter from an adjacent landowner opposing the zone change, a copy of which is attached.

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., is met by the conformance with the Laramie County Comprehensive Plan and PlanCheyenne with the proposed type of development.

The Laramie County Planning Commission held a public hearing of this application on September 13, 2018. No public comment was received, and the Planning Commission voted (4-0) to recommend approval of the application to the Board with no conditions.

### **RECOMMENDATION and FINDINGS**

**Based on evidence provided, staff recommends the Board find that:**

- a. This application meets the criteria for a zone map amendment pursuant to section 1-2-103 (b) i. of the Laramie County Land Use Regulations
- b. The proposed change in zone district is in conformance with the requirements of section 4-2-106 of the Laramie County Land Use Regulations.

**and that the Board approve the Zone Change from MU (Mixed-Use) to NB (Neighborhood Business) for Tract 27, Foster Tracts, 2<sup>nd</sup> Filing, with no conditions.**

### **PROPOSED MOTION**

**I move to approve the Zone Change from MU (Mixed-Use) to NB (Neighborhood Business) for Tract 27, Foster Tracts, 2<sup>nd</sup> Filing, Laramie County, WY, and adopt the findings of facts a and b of the staff report.**

### **ATTACHMENTS**

- Attachment 1: Location Map**
- Attachment 2: Aerial Map**
- Attachment 3: Comprehensive Map**
- Attachment 4: PlanCheyenne Map**
- Attachment 5: Current Zoning Map**
- Attachment 6: Agency Review Comments**
- Attachment 7: Adjacent Neighbor Opposition Letter**
- Attachment 8: Applicant Response Letter to Opposition 09.06.18**
- Attachment 9: Resolution**
- Attachment 10: Resolution Exhibit 'A' - Zone Change Map**



# Laramie County, Wyoming



The CubbyHole LLC

Zone Change

PZ-18-00187

Location Map

## Legend

### Streets

#### Classification

Interstate

Arterial

Collector

Local

Platted, Not Built

Private

Rail Road

Addresses

Assessment Boundary

Subject Property

Printed on July 27, 2018



0 120 240  
Feet

Cheyenne/Laramie County GIS Cooperative Program



This map is made possible through the Cheyenne and Laramie 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.



# Laramie County, Wyoming



The CubbyHole LLC

Zone Change

PZ-18-00187

Aerial Map

## Legend

### Streets

#### Classification

Interstate

Arterial

Collector

Local

Platted, Not Built

Private

Rail Road

Addresses

Assessment Boundary

Subject Property

Printed on July 27, 2018



0 50 100  
Feet



This map is made possible through the Cheyenne and Laramie 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.

## Future Land Use Districts

### OTHER

- Urban-Rural Interface (URI)
- Rural Metro (RM)
- Rural Ag Interface (RAI)
- Ag & Range Land (AGR)

# Laramie County, Wyoming



The CubbyHole LLC

Zone Change

PZ-18-00187

Comprehensive  
Plan

## Legend

### Streets

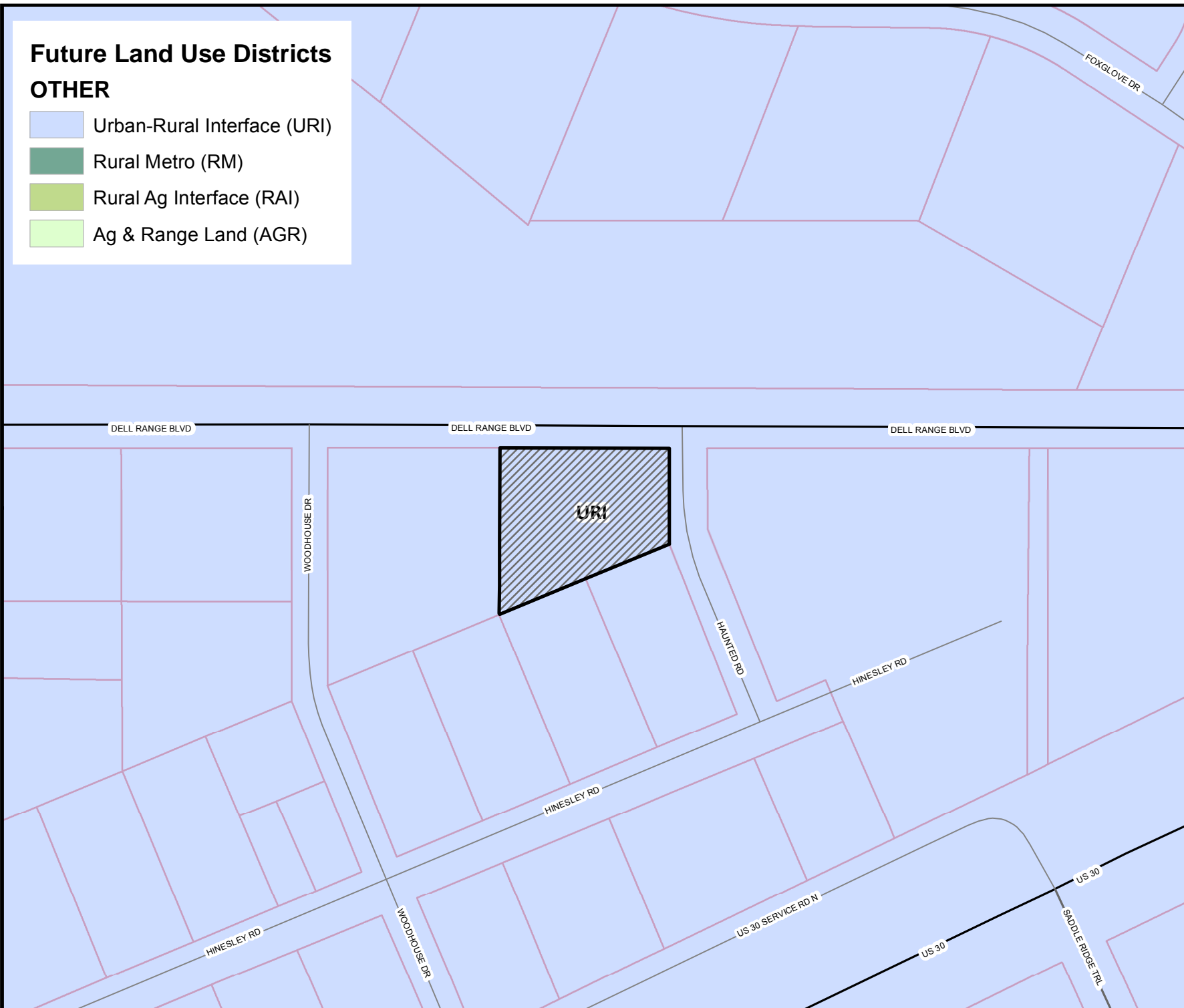
#### Classification

- Interstate
- Arterial
- Collector
- Local
- Platted, Not Built
- Private
- Rail Road
- Assessment Boundary
- Subject Property

Printed on July 27, 2018

















0 120 240  
Feet





# PlanCheyenne (2014)

## NEW\_FLUP

-  Agriculture/Rural
-  Rural Residential
-  Urban Transition Residential
-  Urban Residential
-  Mixed-use Residential
-  MU-E
-  Industrial
-  Mixed-use Commercial
-  Community Business
-  Central Business District
-  Public and Quasi-Public
-  PUB-FED
-  Open Space and Parks
-  ROW



# Laramie County, Wyoming



The CubbyHole LLC

Zone Change








PZ-18-00187


PlanCheyenne Map

## Legend

### Streets

#### Classification

-  Interstate
-  Arterial
-  Collector
-  Local
-  Platted, Not Built
-  Private
-  Rail Road

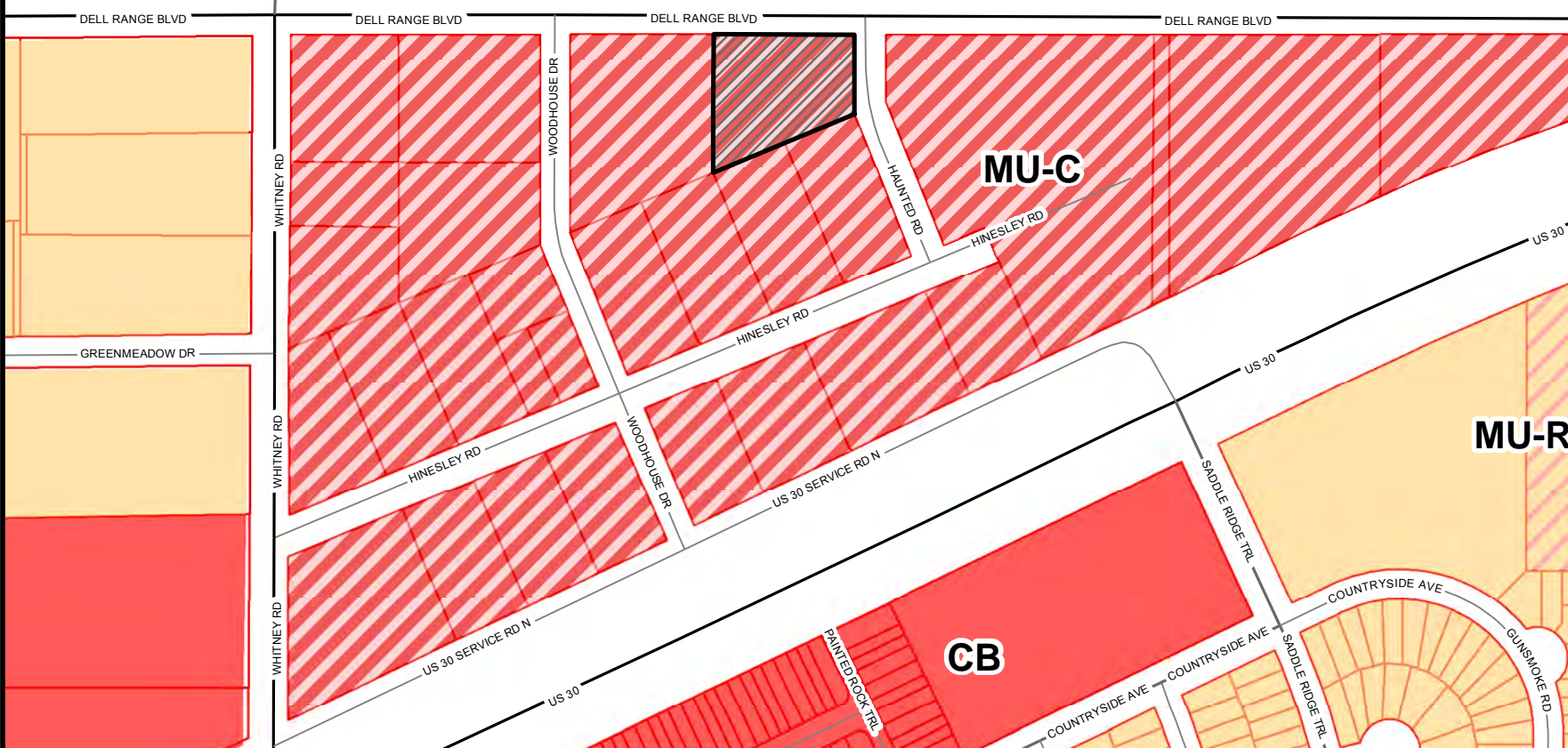
 Assessment Boundary

 Subject Property

Printed on July 27, 2018



0 200 400  
Feet



This map is made possible through the Cheyenne and Laramie 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.



# Laramie County, Wyoming



The CubbyHole LLC

Zone Change

PZ-18-00187

Current Zoning Map

## Legend

### Streets

#### Classification

- Interstate
- Arterial
- Collector
- Local
- - - - - Platted, Not Built
- - - - - Private
- + + + + + Rail Road

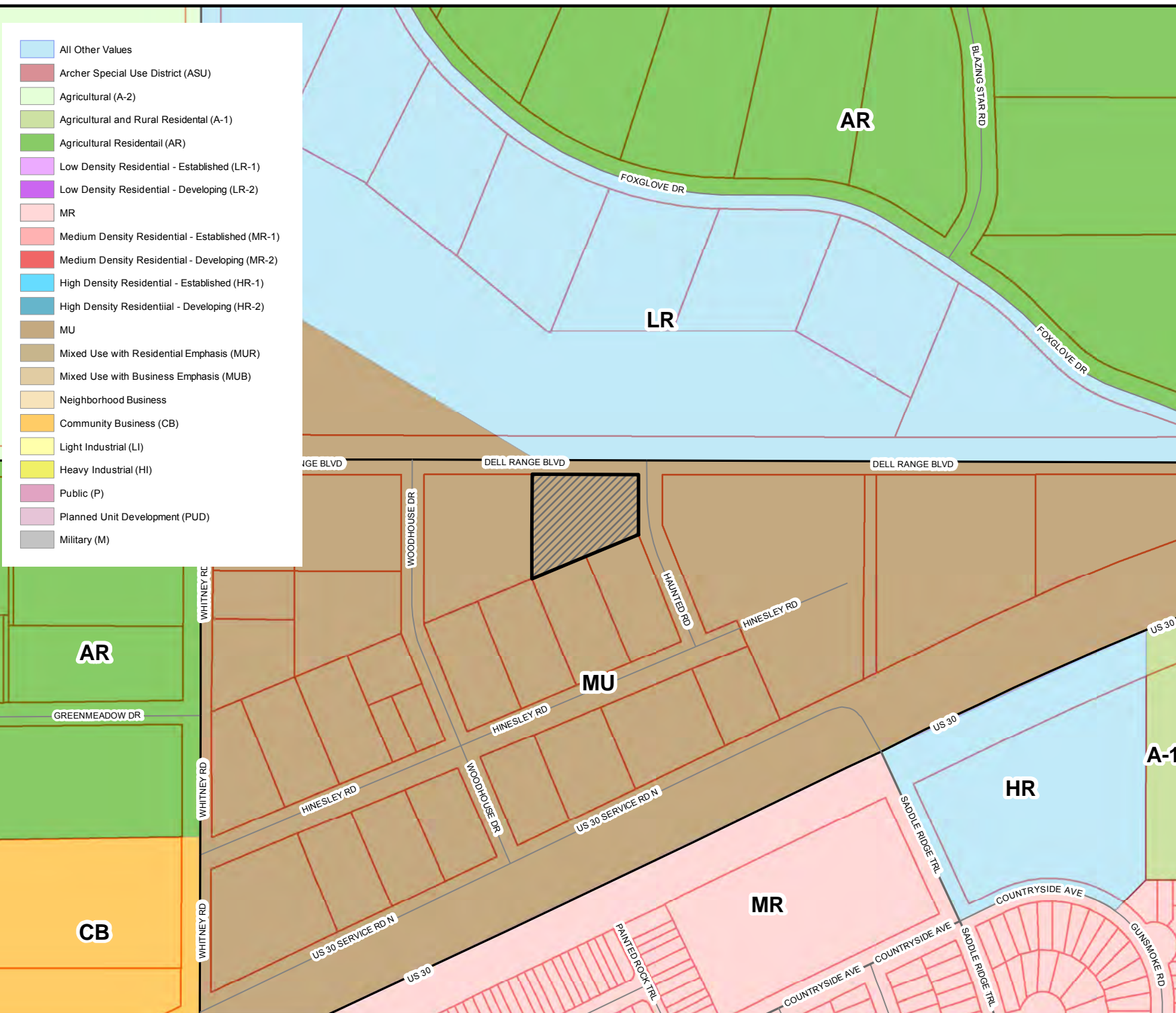
Assessment Boundary

Subject Property

Printed on July 27, 2018



0 200 400  
Feet



This map is made possible through the Cheyenne and Laramie 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.



**Cheyenne MPO:** Nancy Olson COMMENTS ATTACHED 08/09/2018

The MPO does not have any comments on the proposed zone change.

There does seem to be outstanding issues on the site plan, therefore we look forward to a second review when submitted.

**County Assessor:** Clarice Blanton COMMENTS ATTACHED 08/13/2018

1. The description of Proposed Development on the Zone Change Application states "The Car and R.V. Units will be for purchase as property."

2. What does this mean? Joint ownership in the building like a condo?

**Environmental Health Department:** Roy Kroeger COMMENTS ATTACHED 08/13/2018

Laramie County Small Wastewater System Regulations

This property is in the 201 Area Facilities Management Plan area but is not contiguous to corporate limits. A small wastewater system may be permitted so long as all setback requirements can be met. This property is very small for a wastewater system and it may not be possible to meet all setbacks.

If a small wastewater system is permitted and installed it shall be abandoned for public sewer at such time that public sewer becomes available.

Contact Environmental Health for more information on permitting the small wastewater system.

**Planners:** Bryan Nicholas COMMENTS ATTACHED 08/20/2018

1. Any existing or proposed entrances or exits, and parking areas shall be shown on the Zone Change Map.

2. This property has two front property lines, with Haunted Road being the primary, and Dell Range Blvd being Non-Primary.

3. The setbacks for Neighborhood Business per Section 4-2-105(d)(i-v) are as follows:

d. Setbacks

i. All principal structures shall be set back twenty-five (25) feet from front property lines.

ii. There shall be five (5) feet minimum side and rear setbacks between principal structures and the property line.

iii. Outdoor display areas shall have a minimum setback of fifteen (15) feet from all property lines.

iv. Outdoor storage areas shall have a minimum setback of twenty-five(25) feet from all property lines.

v. Accessory structures shall conform to section 2-2-118 of this regulation.

4. The total building and parking area shall not exceed 75 percent of the total property area.

**AGENCIES WITH NO COMMENTS:**

Cheyenne Urban Planning Office

County Engineer

County Public Works Department

Sheriff's Office

**AGENCIES WITH NO RESPONSE:**

Cheyenne Development Services

County Real Estate Office

County Treasurer

Combined Communications Center

Emergency Management

Fire District No. 2

High West Energy

CenturyLink

Cheyenne Engineering Services



## Bryan Nicholas

---

**From:** Planning  
**Sent:** Monday, August 13, 2018 8:25 AM  
**To:** Bryan Nicholas  
**Subject:** FW: PZ-18-00187

---

**From:** Vicki Million Hughes [vicki@oneinamillion.us]  
**Sent:** Friday, August 10, 2018 2:28 PM  
**To:** Planning  
**Subject:** PZ-18-00187

To whom it may concern,

I am opposed to changing the zoning for PZ-18-00187 on Haunted Road. I'd also like to voice my concern that the sign was posted on the side street, rather than on Dell Range, the main road. It is very poorly marked unless your intention is NOT to inform the public of a proposed zone change. While I am not a proponent of the public challenging projects that are within their zone, I am opposed to further impacting the neighbors by allowing higher density, and reduced set-backs.

This property will be visible to all of the homes to the north of the property in question, and any increase in density of the project will cause the greatest issues to those properties. Furthermore, why was I not informed via registered mail? A certain number of feet from a project may be adequate in the city, but in the county it's not just the property owners within a couple hundred feet who are adversely affected. My home looks right down on the property in question.

By the way, I was unable to navigate your web-site in order to see the proposed layout of this project. You need a more intuitive system.

Jim & Vicki Hughes

To Whom it may concern:

Response to concerns shared by Vicki Million Hughes on proposed zone change

Item #1 – Zone Change Signs: Both the Dell Range and Haunted Road signs were correctly posted. The sign on the Dell Range side was destroyed by the recent hailstorm on July 29, 2018 but was replaced within three days.

Item #2 – Impact on neighbors/ higher density & reduced setbacks: The property was originally purchased through #1 Properties in July of 2016. The zone was MU, but the guidelines did not specifically say that the property could be developed as a classic car/RV storage facility with clubhouse. We met with the County Commissioners on May 2, 2017 and they voted (5-0) to approve the project with no conditions. Thirty days prior to the Commission meeting signs were correctly posted on the property of our intent and letters to adjacent business's and homeowners were sent certified letters notifying them of the proposed project.

Item #3 – Notification by certified mail. All surrounding property owners of the proposed action were notified by certified mail 30 days before the Planning Commission meeting to be held Sept. 13, 2018. The residence of Jim & Vicki Hughes sits on top of the hill a distance to the North-east of our property, so the planning office did not send a certified letter. My wife and I have personally met with the adjacent property owners and they are supportive of the project.

Item #4 – The entire area is zoned MU. There are multiple existing business's surrounding the property

Craig & Gay Wilson

Tract 27, Foster Tracts

Corner of Dell Range and Haunted Road

**LARAMIE  
COUNTY**

**SEP -6 2018**

**PLANNING & DEVELOPMENT  
OFFICE**





Property

Hughes  
Res



Hughes  
Residence

N.E. Corner of Property  
Haunted Rd + Dell Range







Hughes  
↓

Property







## Bryan Nicholas

---

**From:** Planning  
**Sent:** Monday, August 13, 2018 8:25 AM  
**To:** Bryan Nicholas  
**Subject:** FW: PZ-18-00187

---

**From:** Vicki Million Hughes [vicki@oneinamillion.us]  
**Sent:** Friday, August 10, 2018 2:28 PM  
**To:** Planning  
**Subject:** PZ-18-00187

To whom it may concern,

I am opposed to changing the zoning for PZ-18-00187 on Haunted Road. I'd also like to voice my concern that the sign was posted on the side street, rather than on Dell Range, the main road. It is very poorly marked unless your intention is NOT to inform the public of a proposed zone change. While I am not a proponent of the public challenging projects that are within their zone, I am opposed to further impacting the neighbors by allowing higher density, and reduced set-backs.

This property will be visible to all of the homes to the north of the property in question, and any increase in density of the project will cause the greatest issues to those properties. Furthermore, why was I not informed via registered mail? A certain number of feet from a project may be adequate in the city, but in the county it's not just the property owners within a couple hundred feet who are adversely affected. My home looks right down on the property in question.

By the way, I was unable to navigate you web-site in order to see the proposed layout of this project. You need a more intuitive system.

Jim & Vicki Hughes



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

**A RESOLUTION TO APPROVE A CHANGE IN ZONE DISTRICT FROM  
MU (MIXED-USE) TO NB (NEIGHBORHOOD BUSINESS) FOR TRACT 27, FOSTER  
TRACTS, 2<sup>ND</sup> FILING, 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 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 4-2-106 of the Laramie County Land Use Regulations; and

**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 4-2-106 of the Laramie County Land Use Regulations.

**and that the Board approves a Zone Change from MU (Mixed-Use) to NB (Neighborhood Business) for Tract 27, Foster Tracts, 2<sup>nd</sup> Filing Laramie County, WY, as shown on the attached Exhibit 'A' – Zone Change Map.**

**PRESENTED, READ AND ADOPTED THIS \_\_\_\_\_ DAY OF  
\_\_\_\_\_, 2018.**

LARAMIE COUNTY BOARD OF COMMISSIONERS

\_\_\_\_\_  
K.N. Buck Holmes, Chairman

ATTEST:

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

Reviewed and approved as to form:

\_\_\_\_\_  
Mark T. Voss, Laramie County Attorney

ZONE CHANGE  
FOR  
THE CUBBYHOLE, LLC  
R.V. STORAGE FACILITY  
SITUATED IN A PORTION OF  
THE NW<sup>1</sup>/<sub>4</sub> SECTION 25 TOWNSHIP 14  
NORTH, RANGE 66 WEST  
OF THE SIXTH PRINCIPLE MERIDIAN,  
LARAMIE COUNTY, WYOMING  
PREPARED JULY 2018



SITE ZONING  
EXISTING ZONING: MU - MIXED USE  
PROPOSED ZONING: NB - NEIGHBORHOOD BUSINESS  
\*SURROUNDING LOTS ARE ZONED MU - MIXED USE  
LEGAL DESCRIPTION:  
TRACT 27 OF FOSTER TRACTS 2ND FILING DATED 1954

- LEGEND
- FOUND ALUMINUM CAP (LS 3047)
  - POWER POLE
  - TELEPHONE PEDESTAL
  - OVERHEAD ELECTRIC LINE
  - UNDERGROUND PHONE LINE
  - CULVERT
  - ROAD CENTERLINE
  - EDGE OF ASPHALT/GRAVEL
  - PROPERTY LINE
  - ADJACENT LOT LINE
  - RIGHT-OF-WAY LINE
  - CONTOURS (1' INTERVAL)
  - CONIFEROUS TREE



EXHIBIT 'A'



REVISIONS				
NO.	DESCRIPTION	DATE	BY	CKD

INBERG-MILLER ENGINEERS

CUBBY HOLE RV STORAGE - ZONE CHANGE PLAN  
LARAMIE COUNTY, WYOMING

CRAIG AND GAY WILSON

SCALE: 1"=20'

DATE: 7/26/18

PAGE: 37+

JOB NO. 19046-HE

SHEET: ZC1