



# LARAMIE COUNTY PLANNING & DEVELOPMENT DEPARTMENT

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Planning • Building

## MEMORANDUM

**TO:** Laramie County Planning Commission

**FROM:** Joe Scherden, Planner

**DATE:** April 8<sup>th</sup>, 2021

**TITLE:** PUBLIC HEARING regarding a Zone Change from MU – Mixed Use to LI – Light Industrial for Tracts 1 & 2, Mesa Tracts, 4<sup>th</sup> Filing located on NW1/4 NW1/4, Section 30, T.14N., R.65W., of the 6<sup>th</sup> P.M., Laramie County, WY.

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### EXECUTIVE SUMMARY

Cornelius Good and Vernon Zook, on behalf of C & A Good Holdings and Capital Land & Home Company, have submitted a Zone Change application for Tracts 1 & 2, Mesa Tracts, 4<sup>th</sup> Filing. The purpose of the applications is to change the zone district from MU to LI.

### BACKGROUND

The subject properties have a combined acreage of 11.38 acres and is assessed as residential vacant land. The City boundary line is approximately 1,600 feet to the west.

### Pertinent Regulations

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

**Section 4-2-108** of the Laramie County Land Use Regulations governing the LI – Light Industrial zone district.

### DISCUSSION

The Laramie County Comprehensive Plan designates this area as URI (Urban Rural Interface), intended to accommodate a mix of more intensive land uses than other areas. These areas may have public water and sewer services, a higher level of vehicular access, and a greater overall level of community services.

PlanCheyenne contemplates MU-C uses for this property. The Mixed-Use Commercial Emphasis category encompasses existing and future developments, many of which align with activity centers. 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. Primary uses typically include retail, office, and light industrial.

The property is currently zoned MU with A-1 zoning to the west, A-2 zoning to the south and east, and MU zoning to the north.

Public notice was published, and neighbor notice letters were sent by certified mail. After review by all pertinent agencies, Planning Staff received comments from Cheyenne MPO regarding future requirements when a site plan is submitted for this property, but at this time it is not a requirement. Comments were also received from Cheyenne Planning regarding alternatively considering zoning the property as CB - Community Business, but acknowledges LI is also a viable zoning option.

Section 1-2-103 (b) states that in order for 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.

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

## **RECOMMENDATION and FINDINGS**

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

- a. This application does meet 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 4-2-108 of the Laramie County Land Use Regulations.

**and that the Planning Commission recommend approval of a Zone Change from MU – Mixed Use to LI – Light Industrial to the Laramie County Board of Commissioners for Tracts 1 & 2, Mesa Tracts, 4<sup>th</sup> Filing located on NW1/4 NW1/4, Section 30, T.14N., R.65W., of the 6<sup>th</sup> P.M., Laramie County, WY.**

## **PROPOSED MOTION**

**I move to recommend approval of a Zone Change from MU – Mixed Use to LI – Light Industrial to the Laramie County Board of Commissioners for Tracts 1 & 2, Mesa Tracts, 4<sup>th</sup> Filing located on NW1/4 NW1/4, Section 30, T.14N., R.65W., of the 6<sup>th</sup> P.M., 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 Plan Map**

**Attachment 4: PlanCheyenne Map**

**Attachment 5: Current Zoning Map**

**Attachment 6: Agency Review Comments**

**Attachment 7: Draft Resolution**

**Attachment 8: Resolution ‘Exhibit A’ - Zone Change Map**

# Laramie County, Wyoming



Mesa Tracts  
4th Filing ZC

Zone Change

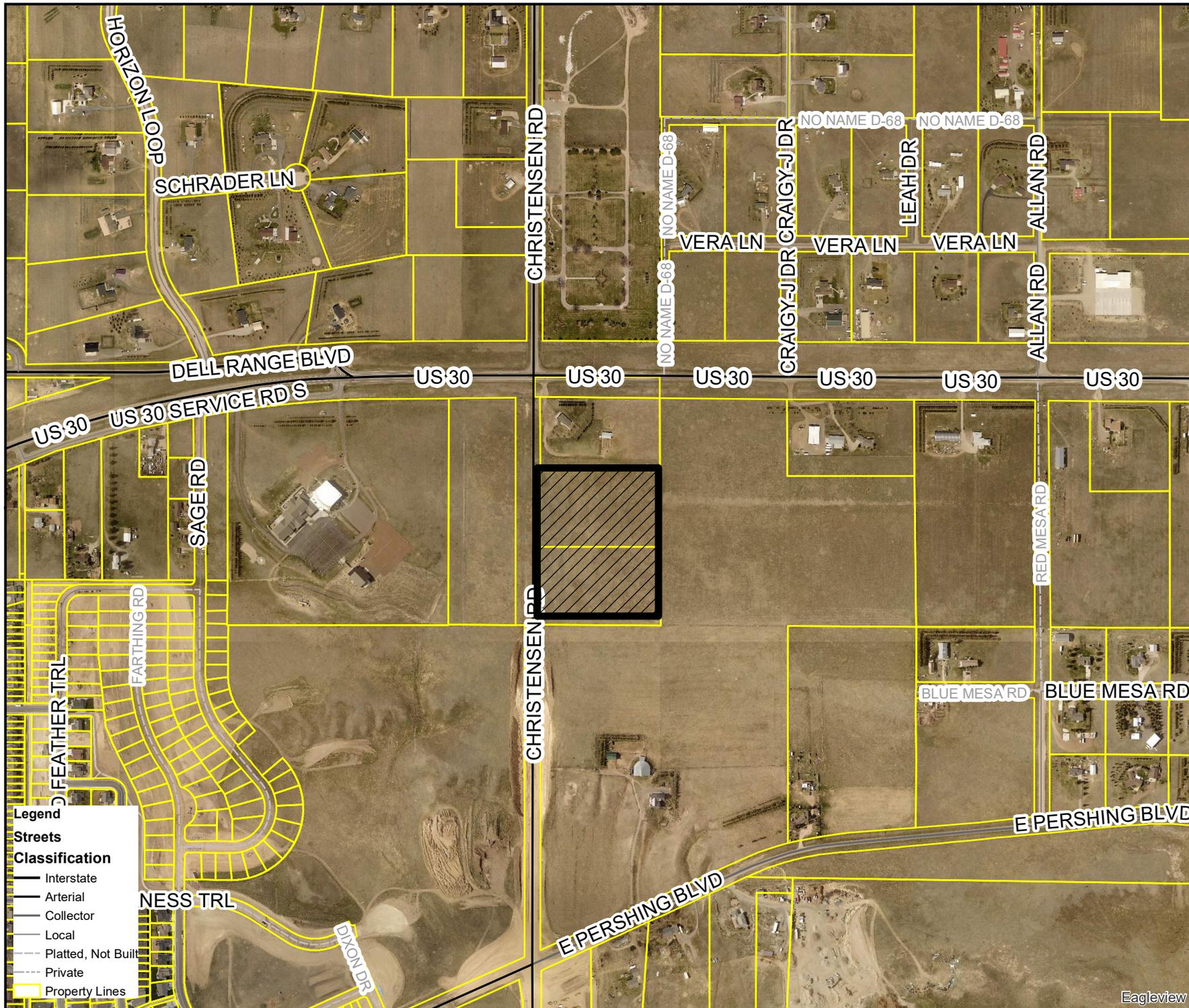
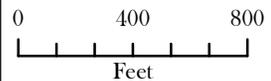
PZ-21-00051

Location  
Map

Subject  
Properties



February 2021



- Legend**
- Streets**
- Classification**
- Interstate
  - Arterial
  - Collector
  - Local
  - - - Platted, Not Built
  - - - Private
  - Property Lines

Eagleview

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



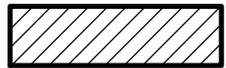
Mesa Tracts  
4th Filing ZC

Zone Change

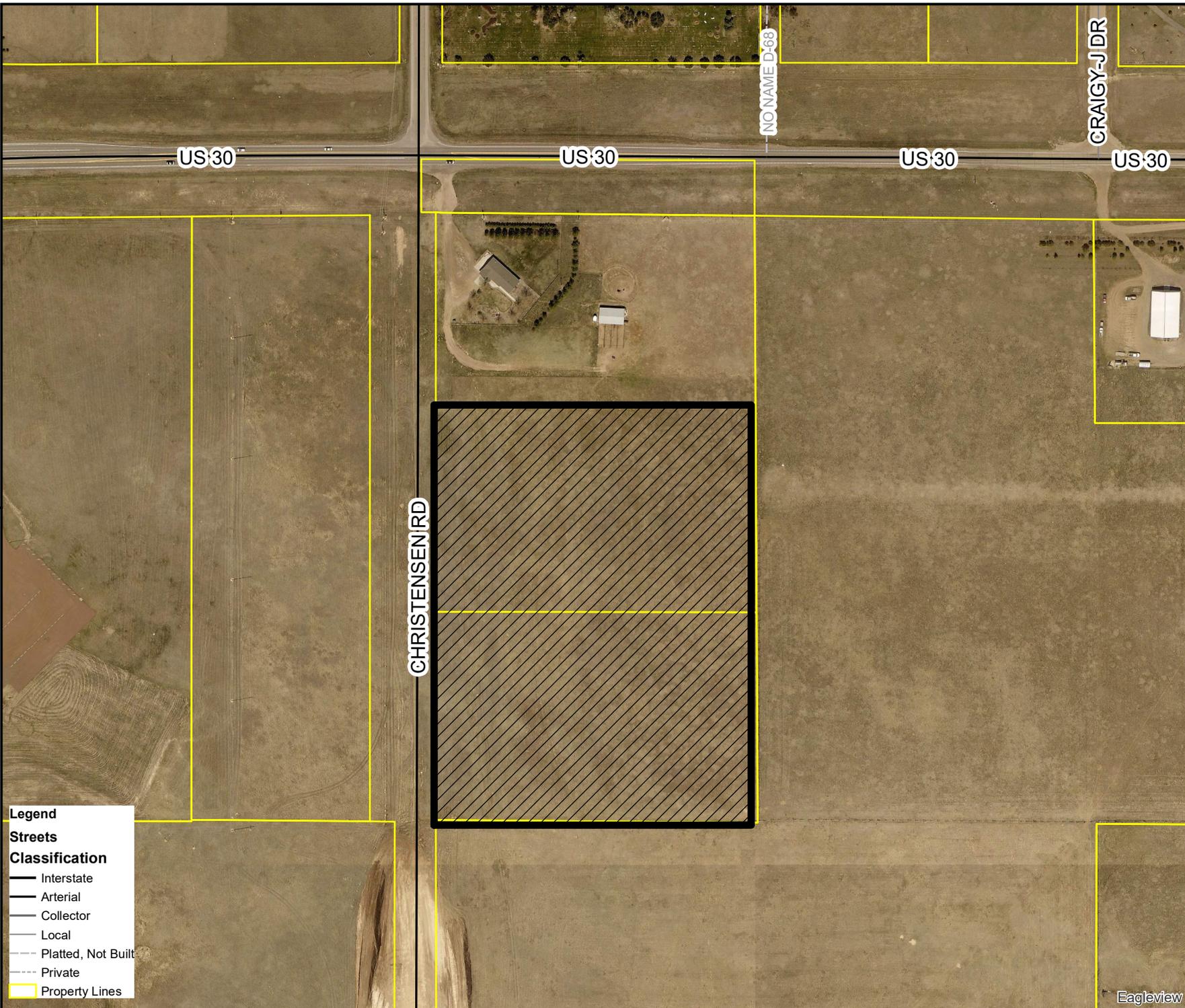
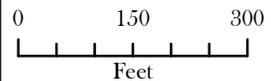
PZ-21-00051

Aerial Map

Subject  
Properties



February 2021



**Legend**

**Streets**

**Classification**

- Interstate
- Arterial
- Collector
- Local
- Platted, Not Built
- Private
- Property Lines

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# Laramie County, Wyoming



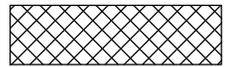
Mesa Tracts  
4th Filing

Zone Change

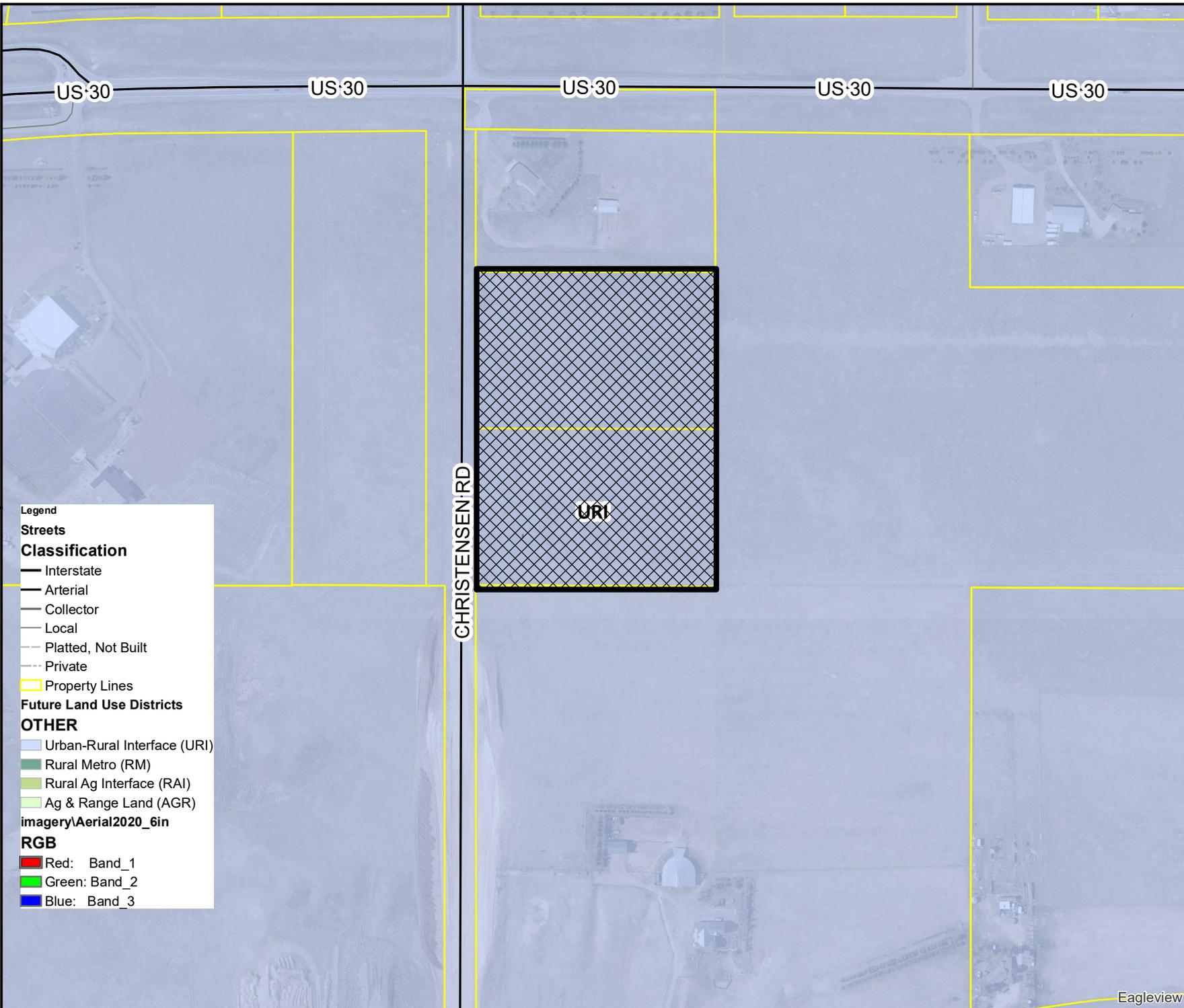
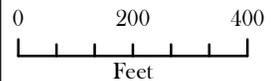
PZ-21-00051

Comprehensive  
Plan Map

Subject  
Properties



March 2021



**Legend**

**Streets**

**Classification**

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

Property Lines

**Future Land Use Districts**

**OTHER**

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

imagery\Aerial2020\_6in

**RGB**

- Red: Band\_1
- Green: Band\_2
- Blue: Band\_3

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# Laramie County, Wyoming



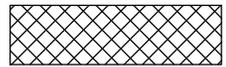
Mesa Tracts  
4th Filing

Zone Change

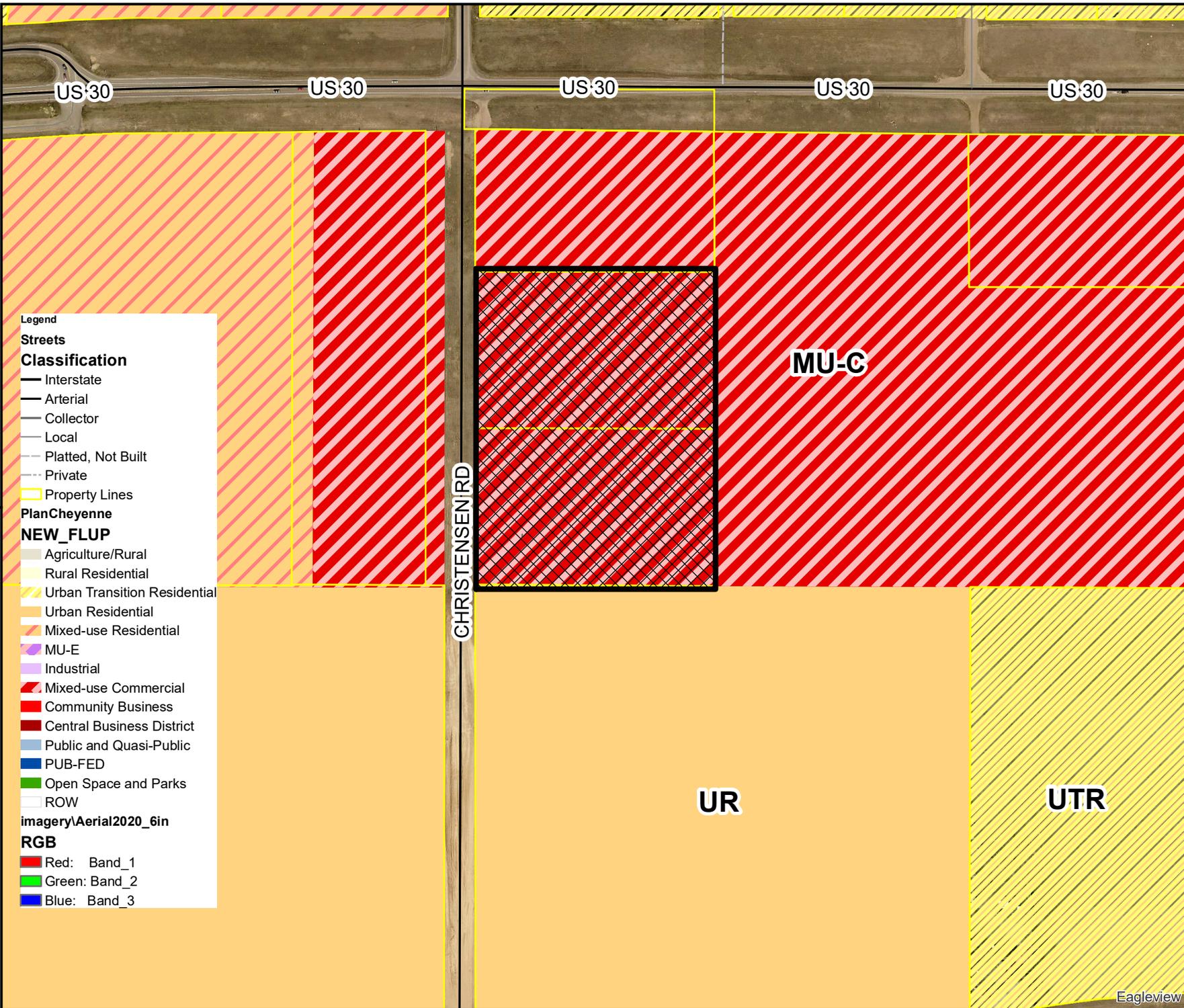
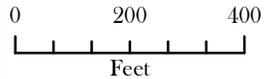
PZ-21-00051

PlanCheyenne  
Map

Subject  
Properties



March 2021



**Legend**

**Streets**

**Classification**

- Interstate
- Arterial
- Collector
- Local
- - - Platted, Not Built
- - - Private
- ▭ Property Lines

**PlanCheyenne**

**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

**imagery\Aerial2020\_6in**

**RGB**

- ▭ Red: Band\_1
- ▭ Green: Band\_2
- ▭ Blue: Band\_3

Eagleview

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# Laramie County, Wyoming



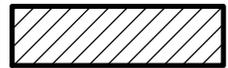
Mesa Tracts  
4th Filing ZC

Zone Change

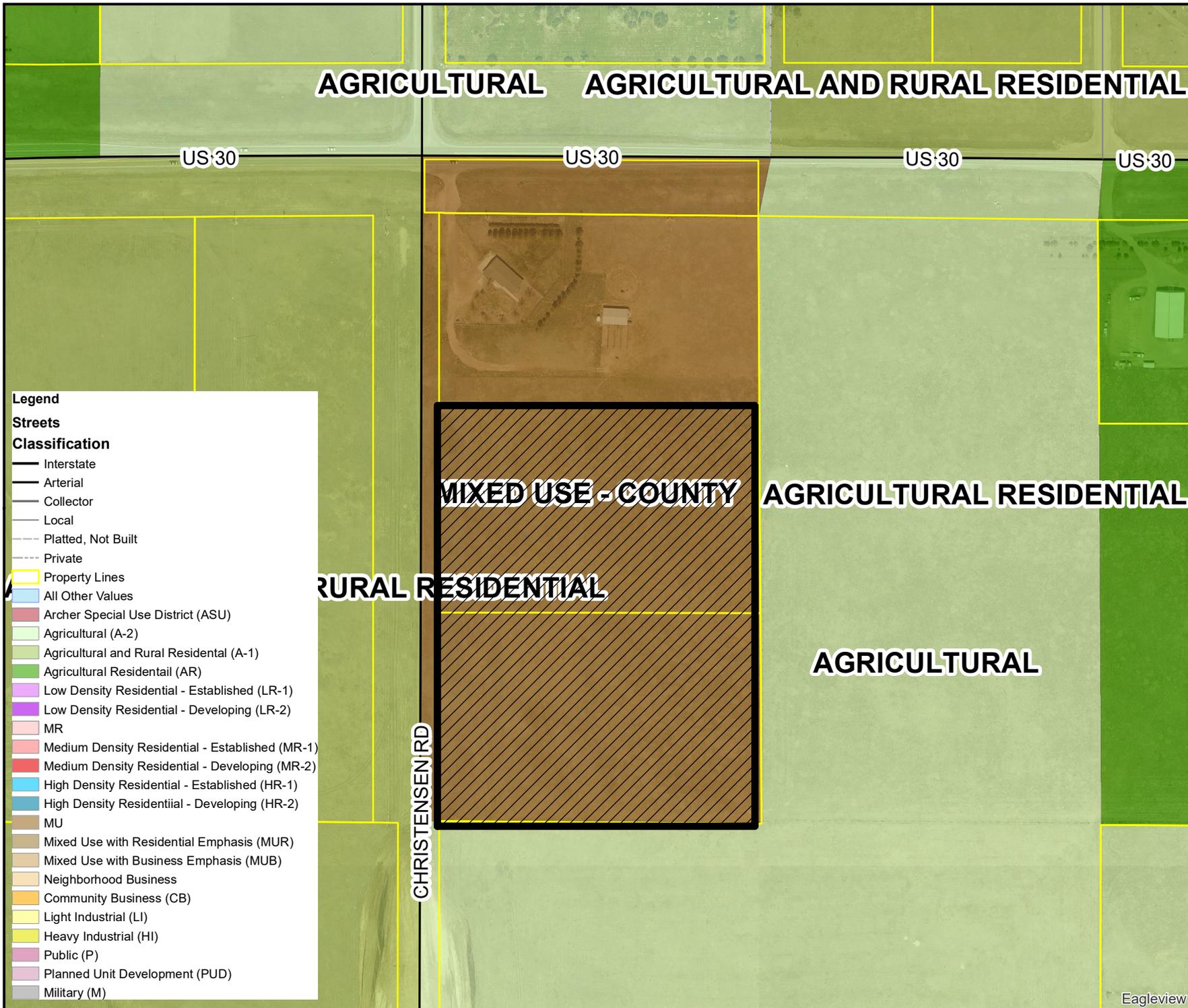
PZ-21-00051

Current Zoning Map

Subject Properties



February 2021



**Legend**

**Streets Classification**

- Interstate
- Arterial
- Collector
- Local
- - - Platted, Not Built
- - - Private
- Property Lines
- All Other Values
- Archer Special Use District (ASU)
- Agricultural (A-2)
- Agricultural and Rural Residential (A-1)
- Agricultural Residential (AR)
- Low Density Residential - Established (LR-1)
- Low Density Residential - Developing (LR-2)
- MR
- Medium Density Residential - Established (MR-1)
- Medium Density Residential - Developing (MR-2)
- High Density Residential - Established (HR-1)
- High Density Residential - Developing (HR-2)
- MU
- Mixed Use with Residential Emphasis (MUR)
- Mixed Use with Business Emphasis (MUB)
- Neighborhood Business
- Community Business (CB)
- Light Industrial (LI)
- Heavy Industrial (HI)
- Public (P)
- Planned Unit Development (PUD)
- Military (M)

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**Cheyenne MPO:** Cheyenne MPO, Christopher Yaney Comments Attached 03/10/2021

1. If these two lots are to be used for one mini storage site, would like to see both lots combined into one lot.
2. When a site plan is submitted, a Traffic Study, location of access and a landscape plan with departure sight triangles will be required.

**Cheyenne Planning:** Cheyenne Development Services, Seth Lloyd Comments Attached 03/12/2021

1. LI Light Industrial does not appear consistent with the future land use plan or the surrounding area considering either existing or future uses.
  
2. How does this proposal meet any of the three criteria found in LCLUR 1-2-103.b? to wit:  
"Findings Required: Before any zoning district map amendment or regulations are recommended for approval to the appropriate legislative body, the Planning Commission must find any 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."

Part i: The plans of Laramie County indicate this area is for commercial, residential, or mixed-use development.

Part ii: The current zone is MU, which is an appropriate zone for the future land-use designation. Surrounding properties are zoned A-1, A-2, and AR - any of these zones would also be appropriate for the site considering surrounding uses and zoning - if this property is 'inappropriately zoned', then the appropriate request would be to an agricultural zone.

Part iii: There are no properties within 1/2 mile of this property with primarily industrial use (there may be some light-industrial-style uses accessory to principally residential or agricultural uses). Recent, new development in the area has been largely residential (Saddle Ridge, Destin Heights) or lower-intensity commercial (ERA Real Estate Office and The CubbyHole storage facility along Dell Range). There do not seem to be any current or changing social or economic factors which would support industrial zoning in this location.
  
3. This appears to fit the definition of "Spot Zone" in the LCLUR (LCLUR 1-3-101: "Spot Zone - A change in district boundaries, variances or other amendment to the zoning code and use area maps where the change does not reflect the use or zoning of adjacent properties. Spot zoning violates basic zoning principles, is generally in direct contrast to the approved Comprehensive Plan and provides privileges to the applicant

not generally extended to property similarly located.”)

4. To recommend approval of the zone change, a future land use map amendment with review from both the City and County should be brought forward.

**Agencies with No Comments:**

County Assessor  
County Real Estate  
County Public Works Department  
Planners, Cambia McCollom  
Planners, Joe Scherden  
Fire District No. 2

**Agencies with No Response:**

Board of Public Utilities  
Cheyenne Urban Planning Office  
Cheyenne Development Services  
County Attorney  
County Treasurer  
WYDOT  
Combined Communications Center  
Emergency Management  
Sheriff's Office  
Cheyenne Engineering Services  
South Cheyenne Community Development

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

**A RESOLUTION TO APPROVE A CHANGE IN ZONE DISTRICT  
FROM MU - MIXED USE TO LI – LIGHT INDUSTRIAL FOR  
TRACTS 1 AND 2, MESA TRACTS, 4<sup>TH</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 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 4-2-108 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 4-2-108 of the Laramie County Land Use Regulations.

**And the Board approves a Zone Change from MU – Mixed Use to LI – Light Industrial for Tracts 1 and 2, Mesa Tracts, 4<sup>th</sup> Filing, Laramie County, WY, as shown on the attached ‘Exhibit A’ – Zone Change Map.**

**PRESENTED, READ AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.**

LARAMIE COUNTY BOARD OF COMMISSIONERS

\_\_\_\_\_  
Gunnar Malm, Chairman

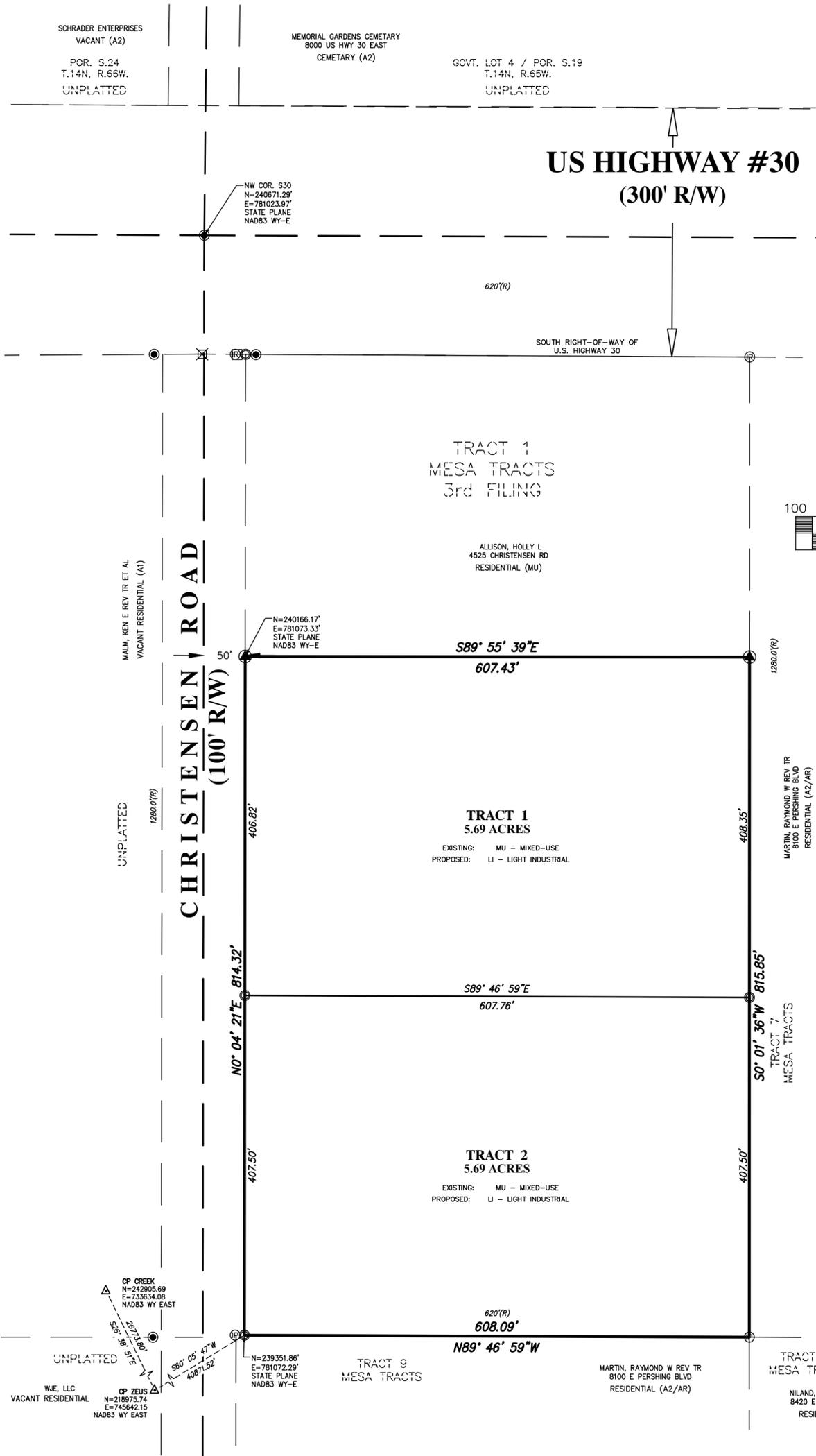
ATTEST:

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

Reviewed and approved as to form:

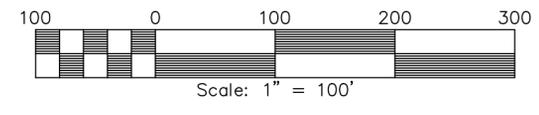
\_\_\_\_\_  
Laramie County Attorney’s Office

# 'Exhibit A'



**LEGEND**

- FOUND 1½" ALUMINUM CAP STAMPED "SSS PLS 5910"
- FOUND 1½" ALUMINUM CAP STAMPED "SSS PLS 2500"
- ⊗ FOUND ¾" REBAR
- ⊕ FOUND ½" IRON PIPE
- ⊠ FOUND BOLT
- FOUND WYDOT R/W MONUMENT
- (M) DENOTES MEASURED DATA THIS SURVEY
- (R) DENOTES RECORD DATA PER MESA TRACTS



**ZONING**

EXISTING: MU - MIXED-USE  
 PROPOSED: LI - LIGHT INDUSTRIAL  
 PROPOSED USE(S):  
 TRACT 1: CONTRACTOR OFFICE & YARD  
 TRACT 2: STORAGE PARK

\* NOTE:  
 SPECIFIC SITE DEVELOPMENT PLANS ARE STILL IN DEVELOPMENT:  
 ADMINISTRATIVE SITE PLAN(S) WILL BE REQUIRED

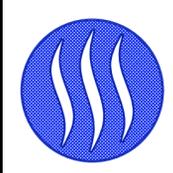
**NOTES**

1. BASIS OF BEARINGS: WYOMING STATE PLANE COORDINATES, EAST ZONE, NAD83-2011, US SURVEY FEET. GRID DISTANCES. COMBINATION FACTOR = 0.999665203  
 ELEVATIONS: NAVD88, BASED ON BENCHMARK C-90
2. NO PORTION OF THIS PROPERTY FALLS WITHIN A FEMA SPECIAL 100-YEAR FLOOD HAZARD AREA AS SHOWN ON F.I.R.M PANEL #56021C1120F; DATED JANUARY 17, 2007.
3. ALL WELLS AND SEPTIC SYSTEMS SHALL COMPLY WITH ALL APPLICABLE ORDINANCE(S), RULES AND REGULATIONS.

**ZONE CHANGE MAP  
 for  
 MESA TRACTS  
 4th FILING**

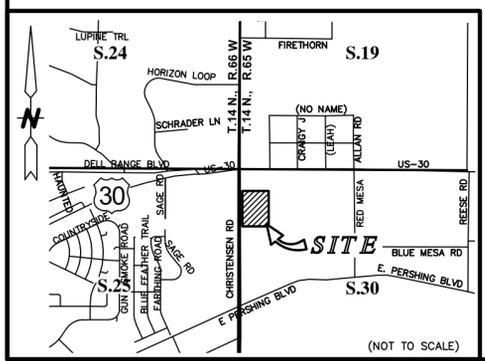
ALL OF TRACTS 1 & 2, INCLUSIVE,  
 SITUATED IN THE NW¼NW¼, SECTION 30,  
 T.14N, R.65W., 6th P.M.  
 LARAMIE COUNTY, WYOMING

PREPARED FEBRUARY 2021



**STEIL SURVEYING SERVICES, LLC**  
**PROFESSIONAL LAND SURVEYORS**  
**PLANNING & DEVELOPMENT SPECIALISTS**  
 1102 WEST 19th ST. CHEYENNE, WY. 82001 • (307) 634-7273  
 756 GILCHRIST ST. WHEATLAND, WY. 82201 • (307) 322-9789  
 www.SteilSurvey.com • info@SteilSurvey.com

**VICINITY MAP**



REVISED: 02/26/21  
 2020 DWG\20-058 T2 MESA4TH ZC.DWG