

☞ Minutes ☞
Regular Meeting
Albany County Planning and Zoning Commission
September 10, 2014

Albany County Commissioner's Room

A regular meeting of the Albany County Planning and Zoning Commission was held on September 10, 2014, at 7:00 p.m. in the Albany County Board of County Commissioner's Meeting Room of the Albany County Courthouse.

I. CALL TO ORDER/ROLL CALL

Members present: David Cunningham, Carl Miller, Brett Moline, Shaun Moore and John Spiegelberg

Staff present: Susan Adler and David Gertsch

County Engineer: None

Albany County Attorney Liaison: Jennifer Stone

Board of County Commissioners' Liaison: None

Public Present: Daniel Kersting, John Erickson, JD and Candy Hamaker, Jon Essley, Cliff and Carlinda Asay, Gene Watson and Bill Gorman

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF AGENDA – Chairman Moline indicated he would entertain a motion to accept the agenda as presented. **Mr. Cunningham made a motion to approve the September 10, 2014, Planning and Zoning Commission meeting agenda as presented. Mr. Moore seconded the motion. Motion carried on voice vote.**

IV. APPROVAL OF MINUTES – Chairman Moline asked if there were any corrections to the meeting minutes for the August 13, 2014, Regular Meeting. Mr. Spiegelberg indicated he requested a legal opinion in reference to the County concurrence on the City of Laramie's Parks and Recreation Master Plan and would like his request noted in the minutes. **Mr. Miller made a motion to approve the minutes for the August 13, 2014, Regular Meeting with the amendment. Mr. Cunningham seconded the motion. Motion carried on voice vote.**

V. DISCLOSURES – Chairman Moline announced one of the applications involves his neighbor, Cliff Asay. He will be abstaining from the vote.

VI. PUBLIC APPLICATIONS

- A. Albany County (Hamaker) Conditional Use Permit Application– CU-03-14** – The staff report was presented by Susan Adler, Assistant Planner. This is an application for a conditional use permit for a temporary gravel pit on a 600 plus acre parcel. The gravel pit location is on the western property boundary and will be accessed from Millbrook Lane. The surrounding properties are agricultural with a small commercial lot at the southeast corner. The nearest residential lot is one-half mile to the northwest. Wyoming Department of Transportation indicated there is a field access off of WYO HWY 130 that applies to unoccupied property that is not used daily throughout the year. Based on the limited nature of the proposed pit operation, the access would not require a reclassification for use. Temporary signing to alert motorists during haul operations is recommended. If turning movements for the haul truck require encroachment into the opposing lane on HWY 130, flaggers should be used to maintain safety. Any damage to the access as a result of the operations should be repaired at the end of each hauling cycle. No other substantial comments were received. Applicant has met all the requirements of the Albany County Zoning Resolution. Staff recommended the Planning and Zoning Commission forward a recommendation of approval for this conditional use permit application to the Board of County Commissioners.

Chairman Moline opened the public hearing for the conditional use application. There was no one wanting to speak in reference to the application and the Chairman closed the public hearing. After discussion, **Mr. Cunningham made a motion to certify to the Board of County Commissioners a recommendation for approval of the proposed Albany County Conditional Use Permit Application CU-03-14 based upon and incorporating the Findings of Fact and Conclusions of Law stated in the staff report. Mr. Spiegelberg seconded the motion. Motion carried on voice vote.**

- B. Asay Design Land Use Change Application – LUC-03-14** - The staff report was presented by David Gertsch, Planning Director. The applicant is applying to change the land use from Agricultural to Residential. This is a land use change on a 35 acre lot located south of Rosedale Road and on the east side of Soldier Springs Road. Currently it is being used for grazing and has a small shed on the property. This property is adjacent to Soldier Springs Road and has an existing approach from Soldier Springs Road and may provide access to the property. This property is within an area designated as Priority Growth Area 3 by the Albany County Comprehensive Plan and indicates these are areas identified as relatively growth efficient places to direct future development. The Applicant has addressed all

findings necessary for approval. Staff recommends the Planning and Zoning Commission certify a recommendation of approval for Land Use Change Application LUC-03-14 to the Board of County Commissioners.

Chairman Moline opened the public hearing for the land use change application. There was no one wanting to speak in reference to the application and the Chairman closed the public hearing. After discussion, **Mr. Cunningham made a motion to certify to the Board of County Commissioners a recommendation for approval of the proposed Asay Design, Inc. Land Use Change Permit Application LUC-03-14 based upon and incorporating the Findings of Fact and Conclusions of Law stated in the staff report. Mr. Moore seconded the motion. Motion carried on voice vote with Chairman Moline abstaining from the vote.**

- C. Royal View Subdivision – Final Plat SD-01-14** – The staff report was presented by Susan Adler, Assistant Planner. This is a 10.42 acre tract of land located in Government Lot 6, Section 3, Township 15 North, Range 73 West of the 6th P.M., Albany County, Wyoming. This property is within one mile of the City of Laramie and requires their review and approval. The property is zoned residential and currently has no structures. There is a 16 inch City transmission line running across the property and a 30 foot wide easement has been dedicated to the City on the final plat. Surrounding properties are used for residential purposes. Access to the proposed subdivision is presently from the southerly terminus of 19th Street through the existing access easement recorded in Albany County Land Records. A new cul-de-sac, Royal View Court, is proposed at the future extension of 21st Street when it is platted with Silver Sage Estates Final Plat. Bill Gorman, the County Engineer, provided comments which were resolved to his satisfaction. The City of Laramie Planning Commission met on September 8, 2014, to review and made a recommendation to approve the Final plat to the Laramie City Council. Water will be provided by individual on-site wells. Individual on-site wastewater systems are proposed. A cul-de-sac will be constructed to Albany County standards as part of the proposed subdivision. Overall this subdivision is consistent with the Albany County Comprehensive Plan. A Storm Drainage Plan was submitted by the applicant and reviewed and approved by the County Engineer. The Applicant intends to provide fire protection as directed by the County. The nearest existing fire hydrant is located approximately 650 feet north of the property boundary at the intersection of Barratt and 19th Streets. The existing fire hydrant will provide fire protection for the proposed two lots. The information on the plat appears to be complete and all other required reports and information have been received. Staff recommends approval to the Planning and Zoning Commission incorporating the findings of fact and conclusions of law as listed in the staff report.

Chairman Moline opened the public hearing. There being no public comments, Chairman Moline closed the public hearing.

After discussion, **Mr. Miller made a motion to certify to the Board of County Commissioners a recommendation for approval of the proposed Royal View Subdivision Final Plat, application SD-01-14, based upon and incorporating the Findings of Fact and Conclusions of Law stated in the staff report. Mr. Cunningham seconded the motion. Motion carried with all members voting in favor.**

VII. CURRENT PLANNING PROJECTS

- A. Zoning Resolution Discussion – The Planning and Zoning Commission discussed the comments provided by Kimberly Starkey via email. Mr. Cunningham made a motion to accept and incorporate the edits discussed at the September 10, 2014, meeting. Mr. Moore seconded the motion. Motion carried on voice vote.**

VIII. OTHER ITEMS/ANNOUNCEMENTS

- A. City of Laramie Parks and Recreation Master Plan - Ms. Stone, Assistant County Attorney, explained that her office had not completed the written opinion on the legal question Mr. Spiegelberg requested at the last meeting. Planning and Zoning Commission asked County staff to send letters to all county residents that have an icon on their property in the City of Laramie's Parks and Recreation Master Plan so the property owner can be aware of the public hearing at the next Planning and Zoning Commission meeting on October 8, 2014.**

IX. PUBLIC COMMENT

X. ADJOURNMENT

Chairman Moline adjourned the meeting at 9:06 p.m.

Minutes taken by Susan Adler, Assistant Planner